

Children and Families Bill Part 3

March 2011 : Green Paper

Sept 2012 : Draft Legislation with time
for improvements

Feb 2013 : Children and families Bill
published

March 2013 : Draft Code of Practice
published

September 2013 : Consultation
document published

Spring 2014 : Royal Assent

September 2014 : Reforms go live

Main Changes

The main changes from the SEN Code of Practice (2001), to reflect the new legislation, are:

- The Code of Practice (2014) covers the 0-25 age range;
- There is a clearer focus on the views of children and young people and on their role in decision-making;
- It includes guidance on the joint planning and commissioning of services to ensure close co-operation between education, health services and social care;

Main Changes

- For children and young people with more complex needs a co-ordinated assessment process and the new 0-25 Education, Health and Care Plan (EHC plan) replace statements and Learning Difficulty Assessments (LDAs);
- There is new guidance on the support pupils and students should receive in education and training settings;
- There is a greater focus on support that enables those with SEN to succeed in their education and make a successful transition to adulthood.

Local Offer

Local authorities must publish a local offer, setting out in one place information about provision they expect to be available for children and young people in their area who have SEN, including those who do not have EHC plans.

The local offer has two key purposes:

- To provide clear, comprehensive and accessible information about the provision available; and
 - To make provision more responsive to local needs and aspirations by directly involving children and young people with SEN, parents and carers, and service providers in its development and review.

Personal Budgets

There may be an offer of a personal budget for families and young people with a Plan, extending choice and control over their support.

Additional SEN Support

- This will replace the current categories of School Action and School Action Plus (and Early Years equivalents)
- It will focus on outcomes rather than processes
- It will provide support and interventions that are additional to or different from those normally provided as part of the differentiated curriculum offer and strategies

Additional SEN Support

- The new SEN Code of practice will give clear guidance on identifying children who have SEN and how to operate the new single category of SEN

Budget

Mainstream schools and colleges, including academies and free schools,

- **must use their best endeavours to secure the special educational provision called for by a child's or young person's needs.**
- **These settings receive core funding to make general educational provision for all pupils/students and additional funding to help make provision for those who need additional support, including those with SEN.**
- **These funds are included in their budgets and they can spend them as they think best. But they should make sure funding is allocated to provide high quality provision for those with SEN.**

Budget

- They have a duty to identify, assess and make special educational provision for all children and young people with SEN, whether or not they have an EHC plan.
- If they can show that a child or young person with SEN requires special educational provision that costs more than a certain threshold they can ask the local authority to provide top-up funding to meet that extra cost, whether or not the child has an EHC plan.

SEN Support in Schools

- Assess
- Plan
- Do
- Review

Involving Specialists

**Involving parents and pupils in
planning and reviewing progress**

Use of data and record keeping

Publishing information

Transitional Arrangements

- From 1 September 2014, no new assessments for statements or LDAs will be offered by local authorities.
- Transfer of all children and young people with existing statements to EHC plans is completed within three years;
- Local authorities must consult young people with SEN and parents of children with SEN to determine the best point within each year for them to transfer to the new system.

Transitional Arrangements

- Local authorities must consult representative groups of children and young people with SEN and their parents to agree how transition of statements to EHC plans over the proposed three year period will be phased. This could either be at the beginning of a new Key Stage, at the beginning of a new educational stage (i.e. primary, secondary or further education), or earlier at the local authorities discretion.

How to find out more

[Department for Education](#)

[https://www.education.gov.uk/
consultations/index.cfm?
action=consultationDetails&consulta
tionId=1914&external=no&menu=1](https://www.education.gov.uk/consultations/index.cfm?action=consultationDetails&consultationId=1914&external=no&menu=1)