

Special Educational Needs and Disabilities - Frequently Asked Questions (19th May 2020)

Title	Frequently Asked Questions regarding SEND
Summary introduction	<p>In response to local needs this frequently asked questions (FAQS) paper has been prepared to collate and respond to questions being presented to education, health and care services, pertaining to SEND and Education, Health and Care Plans and the emerging implications of the Covid 19 crisis period.</p> <p>This is not an exclusive or exhaustive list of questions and/ or responses, but has been produced based on information available at the time of writing, with a view to providing SEND partners, stakeholders, service users and providers with responses to a number of recently presented questions.</p> <p>Responses to HIP questions can be found from question number 20 through to 28.</p> <p>This information will be updated periodically and will remain subject to change as more timely and relevant information, advice and guidance becomes made available superseding previous information.</p>
Audience	SEND partners, service users, stakeholders and service providers
Date of issue	Version 3 19/05/20
Review date	To be reviewed fortnightly (or sooner in response to local needs or government legislative changes)

Ref.	Question/ Focus	Response(s)
1.	Do all children and young people with an education, health and care (EHC) plan need to attend and/ or remain at school during this period?	<p>All settings should remain open for children of keyworker staff and vulnerable children. The definition of vulnerable currently only includes those who have a social worker or those with an EHC plan who's health and safety needs cannot be met at home.</p> <p>Settings and services will determine which students should be in school by carrying out risk assessments. The risk assessments can include; the potential health risks to the individual from coronavirus, the potential impact to the individual's wellbeing of changes to routine or the way in which provision is delivered and various other criteria.</p> <p>For further information on risk assessments please follow the link;</p>

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		<p>https://www.gov.uk/government/publications/coronavirus-covid-19-send-risk-assessment-guidance/coronavirus-covid-19-send-risk-assessment-guidance).</p> <p>If you do not have a social worker involved and you can usually manage your child's health and safety needs at home, however during lockdown your child's needs have become more challenging, and/or you may be finding it difficult to care for your other children due to your child's needs, or you may have any other concerns, please do speak with the school in the first instance and explain the changes/difficulties at home. We understand that there may be changes to needs during this time and therefore following a fresh risk assessment your child may qualify for school provision.</p> <p>If your child has an EHCP and you have any questions or concerns please email SENDBusinessSupport@learningtrust.co.uk</p> <p>Please see information on the modification of section 42 of the children and families act clicking on the link https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/882290/CV19_Act_modification_notice_SEND.pdf</p> <p>Please see further government guidance on vulnerable children and young people in the link below: https://www.gov.uk/government/publications/coronavirus-covid-19-guidance-on-vulnerable-children-and-young-people/coronavirus-covid-19-guidance-on-vulnerable-children-and-young-people</p>
2.	Does the local authority (LA) still have a legal duty to deliver the provision set out in my child's EHCP?	<p>The Coronavirus Act 2020 allows the Secretary of State, where appropriate, to temporarily lift the statutory duty on local authorities to maintain the precise provision in EHC plans; with local authorities needing instead to apply 'reasonable endeavors' to support these children and their families.</p> <p>In these circumstances, your child's school will explain what type of provision they can provide using their 'reasonable endeavours', which will vary from school to school. In most settings it is very unlikely to</p>

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		<p>resemble your child’s usual provision due to the constraints on staffing availability, social distancing and safer working requirements. We advise you to discuss with the school what available provision can be delivered. The views of young people themselves should be taken into account in these discussions as far as reasonably possible.</p> <p>Please see information on the modification of section 42 of the children and families act clicking on the link</p> <p>https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/882290/CV19 Act modification notice SEND.pdf</p> <p>https://www.gov.uk/government/publications/coronavirus-covid-19-guidance-on-vulnerable-children-and-young-people/coronavirus-covid-19-guidance-on-vulnerable-children-and-young-people</p>
3.	Can I still make a request for an Education, Health Care needs assessment?	<p>Yes, parent/carers, young people or educational settings can still submit requests for education health and care needs assessments. The legal framework for Education Health Care needs assessments remains the same.</p> <p>If you would like impartial, information, advice and guidance through this process please contact Hackney Special Educational Needs Disability Information Advice and Guidance service at sendiags@learningtrust.co.uk or visit https://hackneysendiags.co.uk/</p>
4.	The education, health and care (EHC) needs assessment process has already started, what happens now and	<p>Given the circumstances it may not always be possible to adhere to the normal statutory timescales. The SEND teams are working hard to minimise any potential delays to the EHC needs assessment process.</p> <p>The government has stated that services must use best endeavors to prevent delays but understands that certain situations such as self-isolating staff or remote working difficulties may hinder process. Please see link below for further information.</p> <p>https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/882290/CV19 Act modification notice SEND.pdf</p>

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	can I expect any delays?	
5.	Will annual reviews still need to be carried out?	Under the Coronavirus Act, the requirement to carry out annual reviews can also be temporarily disapplied where this is considered to be appropriate and proportionate. However, annual review meetings are still taking place in Hackney settings. If your child's Annual Review is due or late please speak with the school.
6.	Are parents able to access funding devolved from the High Needs Funding block now that the schools are under Covid 19 restrictions?	<p>No. The Government has confirmed that schools and colleges will continue to receive their usual funding allocations, including funding from the high needs block, to support them through this period of disruption: https://www.gov.uk/government/publications/coronavirus-covid-19-financial-support-for-education-early-years-and-childrens-social-care . Therefore, all local authorities must continue to fund schools according to the needs of pupils with SEND as identified in their individual Education, Health and Care Plans.</p> <p>During these exceptional circumstances schools will continue to employ the staff as before, in order to maintain educational opportunity for all pupils including those pupils with SEND. They will use a variety of alternative platforms, in order to deliver a suitable curriculum while the country is under lockdown restrictions.</p> <p>The Hackney Learning Trust (HLT) continues to fund therapeutic support in schools which is being delivered by speech and language therapists, occupational therapists and by educational psychologists, using virtual platforms wherever possible and in accordance with the specific needs of the children. They will use their reasonable endeavours to secure the provision for the children and young people.</p>
7.	Should my child attend school if they receive SEN support?	<p>Not automatically, the government's recent announcements have only included ongoing school provision for children of keyworker staff and vulnerable children. Their definition of vulnerable currently only includes those who have a social worker or those with an EHC plan who's health and safety needs cannot be met at home.</p> <p>If your child is receiving SEN Support and has a social worker you may qualify, but otherwise your child should stop attending school.</p>
8.	Will my child still have access to	Yes. The Speech and Language Therapy, Occupational Therapy and Physiotherapy Teams are still here to support you during this time. The therapy teams are not visiting schools or offering face to face

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	<p>therapies e.g. speech and language?</p>	<p>appointments at the moment unless there is an urgent need. However, all therapy services are accepting new referrals and offering ongoing support and advice via the telephone as well as through digital platforms.</p> <p>Written ideas and advice, links to suitable websites and advice about apps and other ways to support your children at home are also being shared.</p> <p>If you have not already been contacted by your child’s therapist, or if you have any questions or concerns please do get in touch. The therapy teams are here for you.</p>
<p>9.</p>	<p>My child receives home to school transport, will this still be provided during this time?</p>	<p>Home to school transport is still being provided for children with statutory plans, whom meet the criteria for attending local special schools during this period, based on assessed need and/ or the potential for risk.</p>
<p>10.</p>	<p>Are SEND tribunals still going ahead?</p>	<p>Yes, first tier tribunals (FTT) SEND tribunal appeal’s already in process continue with some additional case management hearings undertaken. The First Tier Tribunal is accepting and registering new tribunal appeals throughout this time.</p> <p>Paperless hearings Since Monday 23 March 2020, hearings have proceeded on paper or by telephone (and, where the technology permits, by video).In a majority of cases these hearings have been conducted successfully with only minor IT glitches.</p> <p>The FTT SEND Tribunal administration team will send out log in details in advance of the hearing. These will be issued when the Notice of Hearing is issued. Instead of a physical venue you will see dial in or video dial in details with full instructions on how to join.</p> <p>Telephone hearings are via a 0800 number and so should be free from landline or mobile. If a video hearing is ordered and you are concerned that your internet connection is not good enough, there will also</p>

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		<p>be the option of joining via phone. The number to call should be included in the Notice of Hearing, but if it is not, contact the Tribunal to find this out.</p> <p>Appeals are reviewed and prioritised by Judges or registrars and consideration given to the use of additional approaches including triaging of cases to ensure that decisions are made proportionately.</p> <p>There may be an option to use a court venue if there is no access to a stable telephone or internet connection but you would need to check this with the FTT SEND Tribunal administration team.</p> <p>Alternatively, you may be able to agree with the FTT SEND Tribunal and the LA that a paper hearing would be appropriate.</p> <p>The FTT SEND Tribunal Team have asked parties not to call the Tribunal until 2 days before hearings if they haven't heard anything as, like every public service, they are affected by staff shortages as a result of Covid-19.</p> <p>Earlier hearings: FTTSEND Tribunal has identified some additional scope to relist hearings on an earlier date (because of the convenience and availability of video hearings) over the next month. The SEND Tribunal will prioritise those appeals that have already been postponed because of a lack of judicial capacity or hearing rooms.</p> <p>If you would like Information, Advice and Guidance regarding SEND appeals and hearings please contact sendiags@learningtrust.co.uk or visit https://hackneysendiags.co.uk/</p>
11.	<p>How will Social Care work with families who are self-isolating for 14 days?</p>	<p>Judgements about visiting families who are self - isolating will be based on;</p> <ul style="list-style-type: none"> • risks to children and young people • risks to families • risks to the workforce

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		<p>Social workers and managers will be making professional judgements of risk in each case and decide what form of contact is needed in order to ensure the safety of children and young people. There are many ways to keep in touch with a child, young person or family without physical face-to-face contact.</p> <p>We recognise that there are circumstances where it will be necessary for social workers and other staff to visit children in person. Where face-to-face work is deemed necessary, practitioners should take account of Public Health England (PHE) advice on <u>social distancing</u> and minimising the spread of infection to keep safe both themselves and the family they are visiting.</p> <p>If you have any questions please contact your social worker directly or contact tel: 020 8356 3000 Please click on the link below for further government guidance https://www.gov.uk/government/publications/coronavirus-covid-19-guidance-for-childrens-social-care-services/coronavirus-covid-19-guidance-for-local-authorities-on-childrens-social-care</p>
12.	<p>How will Social Care practitioners ensure that the most vulnerable families are supported during this time?</p>	<p>Safeguarding and promoting the welfare of children remains of paramount importance. For many parents, carers and children, access to support, including the services offered by other safeguarding partners, educational settings or the third sector, can be invaluable in helping to keep children safe and families sufficiently supported.</p> <p>As far as possible, multi-agency support should continue, whilst being mindful of changes in how this is offered, for example, offering telephone or online support rather than face-to-face meetings where it is safe to do so.</p> <p>If you need to speak with your social worker please contact them directly or tel: 020 8356 3000 Please click on the link for further government guidance: https://www.gov.uk/government/publications/coronavirus-covid-19-guidance-for-childrens-social-care-services/coronavirus-covid-19-guidance-for-local-authorities-on-childrens-social-care</p>

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13.	I am concerned about the welfare of a child during lockdown, what should I do?	<p>If you're worried about the welfare of any child or young person living in Hackney, you can contact the First Access and Screening Team (FAST) for advice and guidance.</p> <p>If you have safeguarding concerns about a child who lives in Hackney, contact FAST directly 9am to 5pm, Monday – Friday, except bank holidays:</p> <ul style="list-style-type: none"> • Tel: 020 8356 5500 • Fax: 020 8356 5516 • Email: fast@hackney.gov.uk <p>Outside of the above hours, the Emergency Duty Team (EDT) can be contacted on 020 8356 2710. If you are in any doubt as to the immediate safety of any child call 999.</p>
14.	My child has complex needs but is unable to attend school, is there any education or support that can be offered in the interim?	<p>We understand that this is a very difficult time for children who can still attend school but are unable to for various reasons. Speak with your school and ask if there is anything additional they can do to provide work e.g. video link with a class teacher for explanations of home learning tasks.</p> <p>The Inclusion and Specialist Support Team ISST can offer advice and support for families/carers of children and young people with the following needs: Visual Impairment - 07799656556 Deaf and Partially Hearing - 07392120212 Early Support - 07900836505 Pre-school children with SEND, Portage - 07798882624</p> <p>ASD Family Support Worker – 07917014316</p> <p>If your child has support from a Specialist Teacher from ISST in school, they will provide support for home learning. Please contact your child's school SENCO to set this up.</p> <p>Members of the Inclusion and Specialist Support Team have put helpful information and learning resources on the local offer for families to access at home:</p>

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		<p>https://www.hackneylocaloffer.co.uk/kb5/hackney/localoffer/advice.page?id=ze3NwtRTW9w</p> <p>Young Hackney are facilitating online hubs that may be a useful support for your child/young person.</p> <p>Please click on link for more information https://www.younghackney.org/latest/campaigns/</p>
15.	<p>Since lockdown my child is experiencing anxiety and challenging behaviours which is impacting on the family, what can I do?</p>	<p>Naturally challenging behaviours in children and young people may be heightened at this time. There are various organisations that can help you and your young person;</p> <p>Naturally challenging behaviours in children and young people may be heightened at this time. There are various organisations that can help you and your young person;</p> <p>Kooth https://www.kooth.com/</p> <p>Mind https://www.mind.org.uk/information-support/</p> <p>Educational Psychology Service telephone advice line 020 8820 5719</p> <p>NHS - Your GP surgery should be offering phone appointments.</p> <p>You can also contact Fast Hackney if you feel your family should have an assessment for family support.</p> <p>The Inclusion and Specialist Support Team ISST can offer advice and support for families/carers of children and young people SEMH needs - 07767007646</p> <p>If behaviours are triggered by attempts to complete home learning tasks set by the school, remember that home learning is not obligatory and should not come before your child or the families mental wellbeing. Speak with the school and explain the difficulties.</p>

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16.	My child attends a Pupil Referral Unit, can they still attend?	<p>All settings should remain open for children of keyworker staff and vulnerable children. The definition of vulnerable currently only includes those who have a social worker or those with an EHC plan who's health and safety needs cannot be met at home.</p> <p>Hackney's Pupil Referral Unit (New Regents College) remains open at this time.</p>
17.	My child has a medical need that puts them at high risk, can I keep my child home?	<p>If you feel it would be too high risk to send your child to school because they, or someone else in your family, is at particularly high risk, there is of course no requirement to send your child in.</p> <p>Under the Coronavirus Act 2020, the criminal penalty for parents failing to send their children will be temporarily disapplied, so far as it relates to the direction for schools to close.</p>
18.	Summer Exams (amalgamation of responses to questions presented)	<p>For GCSE, A and AS level students we will also make sure they are awarded a grade which reflects their work. Our intention is that a grade will be awarded this summer, based on the best available evidence, including any non-exam assessment that students have already completed.</p> <p>There will also be an option, for students who do not feel this grade reflects their performance, to sit an exam at the earliest reasonable opportunity once schools are open again.</p> <p>Ofqual will develop and set out a process that will provide a calculated grade to each student which reflects their performance as fairly as possible, and will work with the exam boards to ensure this is consistently applied for all students.</p> <p>The exam boards will be asking teachers, who know their students well, to submit their judgement about the grade that they believe the student would have received if exams had gone ahead. To produce this, teachers will take into account a range of evidence and data including performance on mock exams and non-exam assessment – clear guidance on how to do this fairly and robustly this will be provided to schools and colleges.</p> <p>The exam boards will then combine this information with other relevant data, including prior attainment, and use this information to produce a calculated grade for each student, which will be a best assessment of the</p>

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		<p>work they have put in. Ofqual and exam boards will be discussing with teachers' representatives before finalising an approach, to ensure that it is as fair as possible. More information will be provided as soon as possible.</p> <p>The aim is to provide these calculated grades to students before the end of July. In terms of a permanent record, the grades will be indistinguishable from those provided in other years. We will also aim to ensure that the distribution of grades follows a similar pattern to that in other years, so that this year's students do not face a systematic disadvantage as a consequence of these extraordinary circumstances. Furthermore, university representatives have confirmed that they expect universities to be flexible and do all they can to support students and ensure they can progress to higher education.</p> <p>We recognise that some students may nevertheless feel disappointed that they haven't been able to sit their exams. If they do not believe the correct process has been followed in their case, they will be able to appeal on that basis. In addition, if they do not feel their calculated grade reflects their performance, they will have the opportunity to sit an exam at the earliest reasonable opportunity once schools are open again. Students will also have the option to sit their exams in summer 2021.</p>

20.	How is HLT monitoring that SEND children's needs are met?	<p>Educational psychologists are working with school based SENCOs and other professionals to support the delivery of special provision and monitoring of progress of pupils through virtual meetings.</p> <p>Portage team calls parents weekly.</p> <p>Practitioners from the Deaf and Partially Hearing team and Visual Impairment team contacting their caseloads by phone/video call.</p>
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<p>21.</p>	<p>What is HLT doing to communicate with SEND children and their parent/carer?</p>	<p>The Hackney Local Offer coordinator has been in touch with groups or key members of groups to cascade information related to the pandemic and SEND services.</p> <p>E-mail communication on key issues have been sent and a collaboration with Hackney Ark’s resource centre coordinator resulted in a SEND newsletter sent out widely by both the resource centre coordinator and the Local Offer coordinator. A follow up e-mail with additional updates was sent out widely to all SENCOs, parents groups including HIP and colleagues across SEND.</p> <p>SENCOs have developed an online forum which has been set up to share information for passing on and answers questions that arise.</p> <p>A Year 6 online forum has been set up for autistic pupils transferring to secondary school.</p> <p>Services at Hackney Ark and CAMHS are now in a position to offer online sessions e.g. Sensory Processing Workshop, Physio drop in and CAMHS monthly autism topic specific sessions have just been added to this.</p> <p>Teams across SEND are making regular contact with parents known to their service and those on their case load.</p> <p>Settings are making regular welfare calls and following up with signposting where appropriate.</p>

<p>22.</p>	<p>What is HLT doing to ensure that communication between parents and schools and parents and relevant services is taking place?</p>	<p>There is an online SENCO forum to share ideas and resources to make sure that needs of SEND pupils including those who are hard to reach are being met effectively</p> <p>School Improvement partners working with schools to develop responses and share best practice.</p> <p>SENDIAGs continues to be a point of contact for families who need help in reaching and liaising with HLT and council services.</p> <p>ASD Family support workers offers support to children, young people with Autism and their families.</p> <p>All Inclusion and Specialist Support teams information is shared on the local offer.</p> <p>Inclusion and Specialist support teams work in partnership with other agencies e.g. by attending school Multiagency Team meetings/ Multiagency Referrals meetings at Hackney Ark</p>
<p>23.</p>	<p>What is HLT doing to include hard to reach groups, to communicate, provide information and ensure needs are met?</p>	<p>Information on SEND services has been provided for the Councils Communications team, who are producing a hard copy newspaper for the community with key information in that refers less to further digital information and instead provides contact details for services and a brief explanation of what the services are offering during the crisis.</p> <p>Individual families are being contacted by team members who are working flexibly to use whatever platform the family prefers for face to face online contact, as this has been found to be better than phone contact where English is not the families first language.</p> <p>The SENDIAG service will continue to provide face to face support for families who do not have access to technology or are unable to engage in video links for various reasons. A risk assessment process is carried out and necessary PPE is worn. Face to face is only offered where it is absolutely necessary to ensure staff and family safety.</p> <p>A group of representatives from the Orthodox Jewish community has been established to provide information and support to the community.</p>

		The Educational Psychology Service has moved the weekly Parent Advice session to a telephone advice service to allow for continued access.
24.	What is HLT doing to ensure that SEND children and their parent/carers are included in decision making 're provision of services during Covid-19?	<p>There is continued co-production of psychological advice to contribute to EHC Needs Assessments via phone consultations</p> <p>Services are currently trialling online small group parent forums and pupil forums being planned around transition.</p> <p>All teams consult with parents and children around EHCP reports via telephone or Microsoft Teams</p> <p>Inclusion and specialist support team members support children and families to attend meetings e.g annual reviews and make sure their views are listened to.</p>
25.	How is HLT monitoring the safeguarding of SEND children during covid -19	The local authority works closely with all local area schools to provide a framework for schools to escalate any identified concerns pertaining to pupil safeguarding. In the event that safeguarding concerns may be identified then the FAST process is deployed for targeted follow up activity between social care and education partners.
26.	What is HLT plan to support SEND children with transitioning back to school (when it is safe to do so) including children/young people who may be struggling with the return, escalation of behaviour difficulties, increased anxiety etc	<p>We will continue working with local schools to ensure implementation of government guidance for this area of focus.</p> <p>ISST Specialist Teachers are making resources available for helping children to transition back to school .e.g. a back to school book and 7 day transition planner; social stories</p> <p>ASD family support worker/Specialist teachers/Early Support team working with parents and settings closely on transition plans and settling children back in settings and schools</p>
27.	How will HLT ensure that SEND children	Schools and services have carried out risk assessments to determine the children/young people who should remain in school. The risk assessments will include whether the school is able to provide the

	are protected at school, considering many children with needs receive 1-1 support, personal care and administration of medicines?	necessary personal and medical care needed to support those children. Schools and services will be working hard to provide all necessary care using best endeavors where it is determined a child should remain in school.
28.	Children who receive personal care at school - are parent\carers receiving increased support at home?	A number of families have received an increased care package as a consequence of their child no longer attending school. Families are routinely able to receive the same care package now as they would do during school holidays, and with some children additional support has been provided on top of this. Increases to care packages are being determined on a case by case basis.
29.	Further Information	<p>https://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2020-03-23/HCWS176/</p> <p>For further information, FAQs and home learning resources please visit the Council for Disabled Children at; https://councilfordisabledchildren.org.uk/help-resources/resources/covid-19-support-and-guidance</p> <p>For further information and resources via the Hackney local offer please visit; https://www.hackneylocaloffer.co.uk/kb5/hackney/localoffer/advice.page?id=ze3NwtRTW9w</p>