

West Sussex Local Authority

'Local Offer: what it expects its educational settings to provide for learners with Special Educational Needs and Disabilities'

as part of Schedule 3 Regulation 53 SEND Regulations 2014

The West Sussex Local Authority Local Offer

Executive Summary

As part of the Special Educational Needs and Disability Regulations (2014), the Local Authority has to state what it expects educational settings to provide for learners with special educational needs and disabilities (SEND).

The West Sussex Local Authority 'Local Offer: what it expects its educational settings to provide for learners with SEND' uses the framework of the Special Educational Needs and Disability Regulations (2014) to state its vision and aspirations for all West Sussex learners and their families. This aspect of the 'Local Offer' clarifies what is expected of learning settings and how they identify and provide personalised approaches for learners, building on successes and aspirations so that they have a positive journey through the phases of education and prepare successfully for adulthood. This includes working alongside families to plan and reviewing appropriate support.

The term 'best endeavours' [SEND Code of Practice (2014), p 25] is paramount and is the government's expectation of every learning setting. 'Best endeavours' means that the learning setting must do everything that it can to meet the learner's needs including the support they need.

The West Sussex 'Local Offer' document covers the following:

- identifying special educational needs;
- consulting with parents/carers;
- planning provision and equipment;
- working with other services;
- planning transition for learners between phases of education including preparation for adulthood;
- approaching teaching, adapting the curriculum and the learning environment for different;
- assessing and reviewing outcomes and how parents/carers are involved;
- assessing and evaluating special educational provision;
- the professional development for staff working with learners with SEN;
- inclusion of learners in the life of the school.

The Department for Education (DfE) reviews the work of Local Authorities and the DfE SEND Adviser has described the West Sussex Local Offer as 'good.'

All learning settings (schools and academies) have to provide an 'SEN Information Report' on their website; this information describes the way they identify and support learners with special educational needs and disabilities.

The West Sussex Local Offer website contains much more information and services available including the Education, Health Care Plan Process and Personal Budgets and can be found via the link:

<https://westsussex.local-offer.org/>

1. General introduction:

Welcome to West Sussex Area Wide Local Offer. This is what the Local Authority expects educational settings to provide for learners with special educational needs and disabilities.

West Sussex County Council's vision for all learners is to:

- give them the best start in life;
- be safe and secure;
- be healthy;
- be able to learn and be ready for school and work;
- be part of, and contribute to, their local community;
- have the skills they need to live independently and be employed.

To realize these ambitions, families will be placed at the heart of the Council and its partners' thinking, planning and provision; and all learners, including those with special educational needs and disabilities, will have full access to educational and other opportunities that support them in achieving the best life outcomes.

The family around the learner is very important to that individual being able to achieve their very best. Parents/carers views are very important as are those expressed by the learner. There is equal value placed on each person's contribution to planning together enabling each individual to achieve their life aspirations and outcomes.

It is important that learning settings and educational staff, parents, carers and learners maintain high aspirations. This is in terms of opportunities, experiences and abilities throughout the individual's learning journey.

Learning settings refers to West Sussex maintained nurseries, schools, alternative provision college, further education colleges, sixth form colleges, play groups, post 16 specialist education providers, academies and free schools and other training providers.

Educational staff refers to governors, head teachers, teaching and support staff.

There are statutory differences between learning settings.

- Maintained nurseries and school settings must have a qualified teacher designated as the Special Educational Needs Co-ordinator (SENCo);
- Post 16 settings must have a named member of staff, who co-ordinates SEN provision.

It is the responsibility of governors and principals/ headteachers to ensure that the SEN Information Report is written and enacted for parents and young people on a day to day basis. The Governors' Handbook (September 2014) gives clear information about the legal responsibilities of the school for special educational needs.

The Local Authority expects that all settings use their best endeavours to make sure that a learner with Special Educational Needs and Disabilities (SEND) gets the support they need; this means doing everything they can to meet learners SEND. (Code of Practice, 2014 p81)

'Best endeavours' is a very strong legal definition, in terms of doing everything to deliver. It means doing everything possible to make something happen, even if it is expensive. Best Endeavours is not "We'll have a bit of a go", it is a very strong responsibility and does not mean 'second best endeavours.' It shows how seriously children's needs are to be taken as this term is used in the new Code of Practice. The contrast would be 'reasonable endeavours' which would be what could be reasonably expected taking such things as costs and the impact on others into account.

In the SEND Code of Practice (2014, p1), where text uses the word:

'must' it refers to a statutory requirement under primary legislation, regulations or case law. Listed bodies must be able to demonstrate that they are fulfilling their statutory duty to have regard to the Code.

'should' it refers to non-statutory requirement but is effective good practice. Those who must have regard to the Code will be expected to explain any departure from it.

2. Identifying the particular special educational needs of a child or young people:

Staff in learning settings will use their best endeavours to check that where an individual has special educational needs that these barriers to learning are identified at an early stage. Through working with the learner and their family they should make sure that they have the very best teaching and learning experiences based on their strengths and interests to achieve the best possible outcomes.

Each learning setting will have its own assessment policy and procedures; these will involve working with and informing parents/carers about their child or young person's outcomes. As part of the learning setting's process for planning for learners with SEND they will use the 'assess, plan, do, review' cycle of SEN Support. (SEN Code of Practice p89)

The majority of learners will be supported through the provisions within the local offer. A small number of learners may require a co-ordinated needs assessment that may lead to an Education Health Care Plan.

3. Consulting with parents of children with special educational needs and with young people with special educational needs:

Learning settings, parents/carers and learners building good partnerships based on the principles of respect, trust and collaboration is extremely important. By consulting early and co-producing with parents/carers and young people, learning settings will ensure that the learner makes good progress in their learning and achieves positive life outcomes.

This consultation could be in the form of: parents' evenings, parent/carer and young people support groups, regular information evenings, up-dates on the curriculum, parents' forum and meetings with parents /carers about their own individual child or young person. It is good practice for learning settings to establish parent/ carer support groups or forums, parent partnership arrangements and some may have their own parent partnership policies. They may also have young people support networks.

It is particularly important throughout the Preparation for Adulthood Pathways that young people are enabled to have their views and aspirations heard and taken into account as part of the 'assess, plan, do, review' cycle.

4. Securing the services, provision and equipment required by children and young people with special educational needs:

Learning settings will work with parents/carers and young people to plan the best provision and resources including any equipment that may be needed to help the learner to progress.

The learning setting will have within their budget sufficient funds to ensure they plan for the outcomes of individual learners. They will use their own funding to provide for the learner and they may decide to use additional SEND funding that is within the school/college budget. This may involve seeking advice from within or beyond the setting from education, health or social care services or voluntary organisations. Where a learner has an Education Health and Care Plan there may be additional funding. In some cases a child or young person may have a personal budget enabling them and their family to have some choice and control to meet the specific outcomes identified in the Education Health Care Plan.

5. Supporting children and young people with special educational needs in moving between phases of education, and in preparing for adulthood:

Where a learner has special educational needs the learning setting will work with them and their parents/carers to plan a successful transition to the next setting. Transition could be from one class to another, one building to another, one phase of education to another, one school or setting to another. It is important that parents/ carers and the learner, alongside professional staff, consider what will be

needed for the successful transition of each individual learner.

As part of their preparation for adulthood for when a young person has reached the end of statutory education, the learning setting will seek the views of the young person and provide careers advice. If the young person has an Education, Health and Care Plan, a Transition Plan will be written as part of the Year 9 annual review, and updated at subsequent reviews.

This planning will take into account the longer term life outcomes and aspirations for each learner alongside their parents/carers views.

Preparation for Adulthood Pathways will be planned to support life outcomes in relation to each young person's aspirations for:

- Independent living;
- Employment;
- Health;
- Community inclusion.

6. Their approach to teaching of children and young people with special educational needs: How they adapt the curriculum and the learning environment for children and young people with special educational needs: The additional learning support available to children and young people with special educational needs:

Learning settings will take a holistic approach to understanding a learner's social, emotional, physical, sensory, communication and learning needs. The graduated approach involves identifying a learner's SEND, taking action to remove barriers to learning and putting effective special educational provision in place. It involves using a four-part cycle called SEN Support through which earlier decisions and actions are revisited, refined and revised with a growing understanding of the learner's needs and what supports the learner in making progress and securing good outcomes. (Code of Practice, p89) Their expectation should be that the learner will be included in the full range of activities and opportunities available to all learners within the setting.

The setting will provide high quality teaching and learning activities taking into account the learner's interests, strengths, areas for development, lifestyle and cultural background. The staff within the setting will be aware of possible barriers to the learners learning and how to plan for progress using small steps within each area of the curriculum. It will be differentiated and personalised to meet the individual needs of the majority of learners. Some will require educational provision that is additional to or different from this. Learning settings must use their best endeavours to ensure that such special educational provision is made for those who need it.

Teachers and support staff may give time and individual attention to some learners; settings may want to think creatively to provide opportunities within and beyond the curriculum. Learners may be taught in whole class groups, they may be taught in pairs or small groups but the main aim will be for them to work towards independent learning and living. It may be appropriate where a learner is supported through the graduated approach of SEN Support for both learning and social or emotional needs that this will require a co-ordinated approach between both pastoral and learning staff.

The learning environment will be well ordered, inviting and include visual, auditory and kinaesthetic adaptations to support the learner to make the best progress. This should include reasonable adjustments where necessary.

Staff in the setting will engage, as appropriate, in discussions with learners about their learning needs and strategies they think would help them to improve. In consultation, perhaps as part of a structured conversation between staff and parents/carers, it may be appropriate for the learner to be supported through SEN Support.

7. How the progress towards any of the outcomes identified for children and young people with special educational needs will be assessed and reviewed, including information about how those children, their parents and young people will take part in any assessment and review:

As part of the policies and practices of the learning setting, it will regularly monitor and review the progress

of all learners towards their learning outcomes. In particular they will evaluate the effectiveness of good teaching, any additional interventions, learner's work and the feedback on their outcomes.

Learning settings will ensure parent and carers are fully involved in the learner's journey through on-going dialogue and feedback about the progress of their learner. Other agencies may also contribute towards the assessment and review part of this process.

Where appropriate the learner will also be involved in discussions about their progress and development towards their outcomes. Young people must be central to the discussions about requests for Education Health Care plans.

8. How the effectiveness of special educational provision will be assessed and evaluated, including information about how children and their parents and young people will take part in any assessment and evaluation:

The learning setting will ensure that the equalities and Special Educational Needs and Disability is part of whole setting improvement planning and that the whole community of the setting contributes towards this. This community may extend to the local SEND Hub network.

The robust monitoring and review process will help inform staff in their collaborative discussions with the parent/carer about the progress the learner is making and the approaches to take when planning the next steps. Keeping with this way of working the parent/carers, learners and staff will work collaboratively.

It may be appropriate to support the learner through a graduated approach at SEN Support. (Code of Practice p89)

Each learning setting will decide on their own management and record keeping approaches. The provision for learners with SEND should be recorded accurately, kept up-to-date and regularly shared with parents and learners. Staff in the setting will engage in discussions with learners about their learning needs and strategies they think would help them to improve.

Each setting will review and up-date its SEN Information Report on a yearly basis as part of its contribution to the Local Authority Local Offer.

9. How facilities that are available can be accessed by children and young people with special educational needs:

All learning settings must ensure they plan for the effective inclusion of children and young people with SEND in the full life of the school. Under the Equality Act 2010 the setting must publish its accessibility plan as a record of how access is to be improved for disabled pupils, staff and visitors to the school within a given timeframe. This will particularly cover how reasonable adjustments will be made to:

- increase access to the curriculum for pupils with a disability;
- improve and maintain access to the physical environment of the school;
- improve the delivery of written information to pupils, staff, parents and visitors with disabilities;

The accessibility plan will be reviewed every three years and will be published on the setting's website or made available as a hard copy directly from the individual setting. It may be published on its own or within another document.

10. What activities are available for children and young people with special educational needs in addition to the curriculum:

All learning settings must provide equality of opportunity for all learners to access the setting and the wider curriculum including the community. This includes extra-curricular activities e.g. visits, trips, off site activities, after school clubs.

It is expected that reasonable adjustments will have to be made for learners with SEND to increase their participation.

11. What support, including pastoral support, is available for children and young people with special educational needs:

It is important that the each learner's individual strengths and needs are identified and assessed. To be part of the graduated approach, the learning setting will continue to use an "assess, plan, do, review" cycle. This should be provided for pastoral as well as learning needs.

Where a learner is supported through the graduated approach of SEN Support for both learning and social or emotional needs, this will require a co-ordinated approach between both pastoral and learning staff. It is expected that settings should make reasonable adjustments to their policy and practice to ensure effective inclusion and enabling access by learners to all areas of school life. This would also involve working with other agencies, voluntary organisations and settings including SEND Hub networks. For young people aged 16-25 this may require involvement from other stakeholders in relation to: health, employment, social and community, housing and support.

12. How expertise in supporting children and young people with special educational needs is secured for teaching staff and others working with those children and young people:

All learning settings have a responsibility to ensure that their workforce have the skills, knowledge and understanding to plan for inclusion and learning outcomes for all learners so that they make good progress towards their learning and life outcomes. The leadership of the learning setting will ensure that it is everybody's business and responsibility to maintain the vision and aims of the learning setting.

The leadership of the learning setting will ensure that all staff within the setting have access to advice, guidance and expertise to enable them to work effectively with learners with SEND and their parents/carers. This could be sourced from within the setting, from another setting, from within the local area or from an SEND Hub Network.

13. Including children and young people with special educational needs and their families fully in the life of the school:

The learning setting will invite learners with SEND and their families to all events and opportunities available within the setting and its community. Learners with SEND should have opportunities to represent themselves and those with similar needs to have their views heard and valued e.g. year council, school council, forums, groups planning for special events.

The leadership of the learning setting will be proactive in their planning for future learners. This will be linked to the setting's accessibility plan e.g. access to the building, curriculum and written information. It will be reflected in the settings culture and ethos that will promote inclusive practices.

It will include good practice working in partnership with parents/carers and developing an understanding of the aspirations of the young person.

14. An explanation of what to do if the Local Offer is not being delivered or not meeting a child's/ young person's needs; Who to contact;

SEN Information Report for settings:

It is the responsibility of the leadership of the learning setting, including governors, headteacher or principal, to ensure that the setting is contributing to the Local Authority Local Offer. The SENCo or named person will work with the leadership of the setting to oversee the planning and delivery of the setting's SEN Information Report as a contribution to the Local Authority Local Offer. The setting's information Report will be published on their website.

What to do if a parent/carers or young person is not happy:

If a parent/carers or young person are concerned the setting is not co-operating or providing the appropriate provision as part of their contribution to the Local Offer then they must engage in conversation

with the relevant member of staff in the setting. If a parent/carer or young person still requires greater clarification they should ask the setting to provide the complaints policy and act on the guidance if they should wish to do so. It is good practice for settings to publish their complaints policy on their website and to provide a hard copy on request. The complaints policy will lay out how the setting will resolve the matter and it is preferable for the matter to be resolved informally at first. Complaints may be made in person, by telephone or in writing to the headteacher/principal. If after communication with the headteacher/principal, the parent/carer or young person is still not happy with the way the complaint has been dealt with, then the parent/carer or young person would need to contact the Governing Body which has responsibility to address the complaint. The setting will be able to provide the contact details of the person to write to about the concerns (usually The Chair c/o the school). If the parent/carer felt they needed help in putting this letter together, the Parent Partnership Service (0845 075 1008) would be able to help. Young people could be supported through the Independent Support Services.

Advocacy:

Advocacy supports and empowers people to express their views and concerns, access information and services, defend and promote their rights and responsibilities, explore choices and options. An advocate provides advocacy support. An advocate might help with accessing information needed, or go to meetings or interviews with the parent/carer in a supportive role. The advocate may write letters on behalf of a parent/carer, or young person or speak for them in situations where they don't feel able to speak for themselves. There are details about The Advocacy Service on the Local Offer website.

West Sussex Parent Carer Forum:

The West Sussex Parent Carer Forum is an independent charity run mostly by parent volunteers. They represent parent/carer views to various organisations and professional bodies to improve county/health/social care services for disabled children, young people and their families. 01903 726188 and parents@wspcf.co.uk

Information, Advice and Support Service (IASS):

The West Sussex SEND Information, Advice and Support Service, previously called the Parent Partnership Service, provides impartial information, advice and support to parents/carers of children who have special educational needs and/or disabilities. Their contact details are 0845 075 1008 and parent.partnership@westsussex.gov.uk

Independent supporter:

Parent/carers and young people can ask for support from an independent supporter through an education, health and care assessment and developing of the Education Health Care plan. This supporter will be independent of the local authority. They will spend time with the parents/carers/ young person giving independent help and advice as they progress through the SEN assessment, health and care planning process.

Mediation:

Mediation is used to settle and resolve disagreements in a quick, informal way using a neutral third party known as a mediator. Mediation and disagreement resolution meetings aim to help resolve disagreements for children and young people. Mediation is available for parents/carers of all children and young people with SEND, and young people themselves not just those who are being assessed for or have an Education Health Care Plan. Mediation might be useful where it has not been possible to resolve issues through the normal routes such as a settings complaints procedure. The Local Authority's arrangements for providing mediation is currently through a company called 'Global Mediation'. There are more details about mediation on the Local Offer website.

SEN & Disability Tribunal:

If it has not been possible to reach an agreement with the Local Authority about an EHCP needs assessment process, the provision or content of an EHC Plan, then parents/carers and young people have

a right to appeal to the SEN and Disability Tribunal. This is an independent first-tier tribunal who hear and decide parents or young peoples' appeals against the decisions of the Local Authority in relation to special educational needs. There is more detail about appealing on the Local Offer website.

An education, health and care plan needs assessment:

The Local Authority has a duty to assess a learners education, health and care needs where they may have SEN and may need special educational provision to be made for them at a type or level which requires an EHC plan. This assessment of education, health and care needs is called an EHC needs assessment. Sometimes it is called a 'statutory assessment' ie an assessment that an LA is required to carry out in accordance with the law, in this case the Children's and Families Act 2014. If a parent or a young person or a school/college asks the LA to carry out an EHC needs assessment then the LA must respond to the request within 6 weeks saying if they will or will not carry out the assessment. Young people aged 18-25 may be entitled to personalised support to achieve positive outcomes through two pieces of legislation: the Children's and Families Act 2014 Part 3 and the Care Act due to be implemented in April 2015.

Local Offer Designated Officer:

The Local Offer Officers are Sarah Dimmock and Charlotte Smith. Contact details are: 033022 28555. and localoffer@westsussex.gov.uk

Complaints about the Local Offer should be made to the Local Offer Officers.

Eligibility for young people post 16:

The criteria for an Education Health Care (EHC) Needs Assessment can be accessed at www.westsussex.local-offer.org/information/3. The key difference is that if a request for an EHC Needs Assessment comes from or for a young person over 16 they must sign the request showing that it is being made at their request (unless exempted under the Mental Capacity Act 2005).