



Introduction

This guide has been written to give parents and carers information on how we assess and meet children's special educational needs (SEN).

This guide explains the following.

- The formal procedures for assessing whether your child has special educational needs. (Less than 3% of schoolchildren across the country have this assessment.)
- Statements of SEN.
- Your right to appeal if you are not happy with the extra help and support your child is being offered.

You and your children have rights which are set out in law. Trafford Local Authority (LA) has very clear rules to follow for understanding a child's SEN, and for deciding on the support your child may need.

The process has set time limits, and there may be some terms you are not familiar with. We have tried to explain this process as clearly as possible. We hope you find the guide helpful and welcome any comments you may have on how we can improve it in the future.

Trafford Parent Partnership Service



Trafford Children and Young People's Service brings together council and health services to improve outcomes for children, young people, their families and schools.

1 What is a statutory assessment?

A statutory assessment includes reports and results of tests carried out by Education, Health and Social Care staff from Trafford LA to find out exactly what your child's SEN are, and what educational help they will need.

2 Who needs a statutory assessment?

Most children with SEN will not need a statutory assessment. Their needs will be met by schools and early year's settings. This may include independent providers. (Early years settings may include private day nurseries, family centres, registered childminders, playgroups, school nursery classes and crèches.)

Only a very small number of children will need a statutory assessment to decide what extra support and help they will need.

3 Who can ask for a statutory assessment?

Parents or carers, or schools, can all ask for a statutory assessment.

The LA will look at the information and decide whether to start a statutory assessment. They have six weeks to decide this. They will need to write to professionals involved with your child, such as school staff, to get extra information before they can reach a decision.

4 What should I do if I want to ask for a statutory assessment from Trafford LA?

The first thing to do would be to ask the school if they are willing to ask for a statutory assessment for your child, as most requests come from schools. The school may feel that they do not have enough information to ask for a statutory assessment, but may be happy to support your request. You may also ask for a statutory assessment if your child has not yet started school but has medical and learning difficulties.

You should write a short letter to:

The Special Needs Assessment Team
Trafford Local Authority
Stretford Public Hall
Chester Road
Stretford
Manchester M32 0LG.

You should include your child's full name, date of birth, address and the name of the school they go to, and ask the LA to consider carrying out a statutory assessment of your child's SEN.

The LA will send you a questionnaire to fill in.

- You need to give as much detailed information as you can about your child's difficulties and include any medical reports or school review notes that might help.
- You will need to be able to say how your child is struggling and if the school agrees that there is a problem with your child's learning at school.

The LA will consider your request and the information you have sent and decide whether to start a statutory assessment. The LA has six weeks to decide and they will write to you to tell you of their decision.

Please contact us on 0161 912 3150 if you need help filling in this questionnaire, or deciding which information or reports to send.

5 What if I don't agree with the school or other professionals who ask for a statutory assessment?

Trafford LA has a legal duty to assess pupils' SEN. The assessment is usually done with your support.

In very rare cases, the assessment may go ahead without you agreeing to it. If you are concerned about the assessment, you can discuss this with your child's school or contact us on 0161 912 3150.

6 What if Trafford LA decide not to start a statutory assessment?

At the SEN panel one of three decisions can be made:

- they may decide to turn down an application for a statutory assessment as Trafford's eligibility criteria not met or;
- they might carry out a statutory assessment as the criteria has been met for a designated area of Special Need or;
- where some of the criteria has been met, Enhanced School Action Plus might be considered by the SEN panel.

The LA will write to you, and give their reasons for their decision and set out what will need to be done to meet your child's needs.

If you are not happy with the decision, you can contact the Special Needs Assessment Team to discuss this.

If you are still not happy, you could think about making a request again in six months' time.

You might be offered Enhanced School Action Plus (ESA+) for two to three school terms on a set time limit. This is normally paid for by the LA at a Band A or Band B funding. Only pupils put forward for statutory assessment are considered as eligible for ESA+.

You could also consider using the Trafford Disagreement Resolution Service, which brings you, Trafford LA, and school staff together to try to sort out their disagreements through mediation, as simply and quickly as possible. You can get more details about the Trafford Disagreement Resolution Service from us.

If the LA will not carry out a statutory assessment of your child's SEN, you may want to apply to the SEN Tribunal. You will need to apply to the SEN Tribunal within two months of receiving the decision letter.

Information and forms can be downloaded from the website www.sendist.co.uk

Please contact us if you need us to download the forms for you.

7 How long does a statutory assessment take?

The SEN Code of Practice 2001 have set out the following time limits.

Plain English Campaign's Crystal Mark does not apply to the flow chart.

6 weeks	The LA consider the request and decide whether to carry out a statutory assessment
10 weeks	The LA make an assessment and decide whether to: Make a statement or Not to make a statement
2 weeks	The LA will: Issue the draft statement or Explain their decision not to make a statement and send a note-in-lieu
8 weeks	The LA will send out the final statement
Total	26 weeks

The LA will send you a copy of what they want to include on your child's statement of SEN. They will ask for any comments you may have, before they finalise the statement. You will have 15 days to return the reply slip the LA includes with the proposed statement.

There are a number of reasons why your child's assessment may take longer than the 26-week guide, (for example, if a report arrives late). School summer holidays are **not** included in the timescales. The Special Needs Assessment Team will try to let you know if there are delays in the assessment.

8 Will the assessment involve tests or examinations?

Your child will need to be seen by a number of professionals such as a doctor, an educational psychologist or a speech therapist. You may be invited to these tests or examinations and told about any results afterwards.

Your views are very important throughout this assessment.

The LA will send you copies of all reports when the assessment is finished.

9 What happens after the assessment is finished?

The LA will look at the information and advice they have received about your child. They will decide whether to issue a statement of SEN based on the eligibility criteria.

These can be found on www.traffordlearning.org Click >Teaching and Learning and then choose the box marked >SEN.

They will write to you giving details of their decision. This will include information about whether they have decided your child needs a statement of SEN. They will also include information about whether your child needs extra support in school or early years setting. In some cases, they may suggest that another school may be able to support your child better.

Sometimes the LA give a note-in-lieu instead of a statement of SEN, as they think that the school can support your child's needs without a statement of SEN. For more information about the note-in-lieu, see Section 14.

10 What is a statement of SEN?

A statement of SEN is a document that describes all of your child's needs and all the extra help that the LA will provide to meet those needs.

A statement is a legal document that is set out in six parts.

Part 1 - Introduction

Part 2 - Special Educational Needs

Part 3 - Provision

Part 4 - Placement

Part 5 - Non Educational Needs

Part 6 - Non Educational Provision

Parts 2, 3 and 4 are legally binding.

Parts 5 and 6 are not legally binding and you cannot appeal to the SEN Tribunal about what support is in these parts.

11 What should a statement of SEN say about support?

Part 2 is a full description of all of your child's learning or physical difficulties.

Part 3 is information about the support needed to meet your child's needs, including any extra resources and specialist services.

Your child's school will be given an amount of money each year to support your child in school. This money could be used for individual support in class, support at lunchtime and so on.

The special needs staff at your child's school will be asked to write a plan (called a provision map) showing how they will use this money. They will send the plan to the Special Educational Needs Assessment Team, and also to you.

12 What is a proposed statement of SEN?

A proposed statement of SEN describes all of your child's needs and all the extra help that will be provided, and includes copies of reports and advice that have been collected. You will be asked if you are happy with the statement of SEN.

The proposed statement will not contain the name of the school in part 4.

You have 15 days to tell the LA about any comments you have about the statement, and which school you would like your child to go to. It is important to look through the statement carefully and make sure that the description of your child's needs and support to meet these needs is clear. If you need more time to make your comments, you should contact the caseworker to ask for this. The name of this caseworker will be on the letter you receive with the proposed statement.

You may find it useful to discuss the proposed statement of SEN with the school staff. You may also want to contact us to discuss the statement of SEN.

13 What do I do when the final statement of SEN arrives?

If you are still not happy with anything on the statement of SEN, you have the right to appeal to the SEN Tribunal. You can appeal against the following.

- 1 Description (part 2)
- 2 Support (part 3)
- 3 Named school (part 4) or if no school has been named

If you need support and advice, you can contact us. There are also other organisations that can help you. See page 11 for details of these.

14 What if, after all the assessments are finished, the LA decides not to issue a statement of SEN?

The LA may decide not to give your child a statement of SEN because they think the school can support your child's SEN. The LA must write and tell you, giving the reasons for their decision.

If you get a note-in-lieu instead of a statement of SEN, and you are not happy with it, you can appeal to the SEN Tribunal. (See section 17.)

The note-in-lieu will contain:

- a description of your child's SEN;
- the reasons for not making a statement of SEN, and guidance on the SEN support at your child's school;
- a description of non-educational needs and approved support; and
- a copy of all reports received about your child.

15 Can I choose my child's school?

Chapter 8 of the SEN Code of Practice 2001 says that the LA must agree with your choice unless **“the school is unsuitable for the child's age, aptitude or SEN”**. They can also refuse your choice if the **“placement would be incompatible with the efficient education of the other children with whom the child would be educated, or with efficient use of resources”**.

Visit the schools which you think may be appropriate or have been suggested to you. If you would like help with this, please contact us.

16 Can I send my child to an independent school?

If you decide to send your child to an independent school at your own expense, the school must be able to meet your child's needs as written in the statement of SEN.

The LA does not have to pay for your child to go to an independent school. Your child will still have a statement of SEN. Your child's progress will be reviewed at least once a year to see if they are making progress with their education. The LA does not have to pay for transport for an independent school.

17 How do I appeal to the SEN Tribunal?

You must do this within two months of receiving the decision letter from the LA.

Information about how to appeal and forms can be downloaded from the Tribunal website, www.sendist.co.uk.

Please contact us if you don't have access to a computer as we can help you with this.

18 Who will pay for transport costs if the school is quite far away?

Some children are given help with transport, travel or a bus pass to get to school. Each child's needs are looked at by the LA. They look at your child's age, their SEN, and the distance from your home to the school your child will be going to.

If you choose a school that is further away from your home than another school which the LA recommends, the LA may not help you with transport. For more information on the Home to School Transport Policy go to www.trafford.gov.uk

See section 6 for information about other ways to sort out disagreements.

19 What changes can be made to a statement?

At the annual review

Statements of SEN must be reviewed at least once a year. There is usually a meeting with school staff, you, your child and the SEN caseworker at the school. If changes need to be made to the statement of SEN, these can be talked about at the meeting.

Your views are important at this meeting. If you are worried or nervous about going to this meeting, we may be able to go to the meeting with you.

Amending statements of SEN

If there are a lot of changes in your child's health, behaviour or learning, we may suggest that you ask for a new statutory assessment, to give more up-to-date information on how your child needs to be supported.

20 What do I do if I move to live in another area?

If you move out of Trafford LA, you must let them know so that they can pass on the statement to the new area.



Trafford Children and Young People's Service brings together council and health services to improve outcomes for children, young people, their families and schools.

Trafford Parent Partnership Service

Phone: 0161 912 3150

Mobile: 07739 856 672

E-mail: parentpartnership@trafford.gov.uk

Website: www.traffordparentpartnership.co.uk

Facebook: Trafford Parent PartnershipService (There is no gap between Partnership and Service)

Other organisations that might be able to help you are:

IPSEA

Website: www.ipsea.org.uk/

For general advice phone: 0800 018 4016

Phone lines are open Monday to Friday 10am to 4pm

They are also open Monday to Thursday evenings from 7pm to 9pm

IPSEA can give you advice on: Problems with schools; requesting a statutory assessment; proposed statements; annual reviews; possible disability discrimination; exclusion from school and so on.

IPSEA also have a helpline to help you with SEN Tribunals

For more information phone: 0845 602 9579

Phone lines for this service are open on Monday, Wednesday's and Thursday from 10am to 1pm

Network 81

Website: www.network81.org/Helpline.aspx

Phone: 0845 077 4055

Network 81 offers advice on all matters relating to Special Educational Needs.

Phone lines are open Monday to Friday from 10am to 1pm.

Advocacy for Education Service

Website: <http://www.nas.org.uk/nas/jsp/polopoly.jsp?d=941>

Phone: 0845 070 4002

The Advocacy for Education Service provides advice and advocacy on special educational needs provision and entitlements for families of children with an autism spectrum disorder.

The Advocacy for Education Service can also offer telephone support and advice on preparing for special educational needs and disability tribunals, and representation at tribunals through their tribunal support scheme.