

Education & Welfare Provision for Pupils with an EHC Plan

This Policy applies to the whole school, including the EYFS.

As of the 01 September 2021, there is one pupil at Rosemary Works School with an Educational, Health and Care (EHC) Plan.

Introduction

This Policy applies to the whole school, including the EYFS, and should be read in conjunction with the School's *SEN Policy* and the *Accessibility Plan*.

The School currently follows the guidance set out in the *SEN and Disability Code of Practice, 0-25 years 2015 (SEND Code 2015)*.

We also act in accordance with the following relevant legislation:

- *Children and Families Act 2015*
- *Education Act 1996*
- *Educational (Special Educational Needs) (England) (Consolidation) Regulations 2001*

Rosemary Works School works together with the Special Educational Needs Team, Achievement & Learning Division of Hackney Council.

Aims

Rosemary Works School aims to ensure full entitlement and access for pupils with EHC Plans, SEN and Learning Difficulties or Disabilities (LDD's) (for definitions, please see the School's *SEN Policy*) to high quality education within a broad, balanced and relevant curriculum (including access to the National Curriculum) so that they can reach their full potential and enhance their self-esteem. We further aim to meet the needs of all pupils who have EHC Plans, SEN and LDDs by offering continual and appropriate forms of education provision.

For further information, see the School's *Curriculum Policy* and *Teaching and Learning Policy*.

Procedure

Applications for statutory assessment and applications for Local Authority funding must be made by the parents. Rosemary Works School will provide information to support any such applications.

When referring a pupil for statutory assessment, written information will be provided by (1) the Headteacher, together with (2) the Assistant Head Teacher, to support the parents' application, giving the reasons for the request and includes the following evidence:

- the views of the pupil and his parents
- the School's own assessment of the child's progress over time, including records of action taken by the School under the Code of Practice including Individual Education Plans (IEPs) and the outcomes of reviews
- copies of any advice provided by health and social services
- any reports from specialists from outside the School such as educational psychologists, advisory teachers and therapists
- details of any involvement of the education welfare service or social services or of other professionals
- details of the extent to which the School has followed advice from outside agencies

Educational, Health and Care (EHC) Plans

Since September 2014 existing Statements of SEN have been replaced by the Local Authority by EHC Plans and there are no longer any new Statements of SEN.

The School will make all reasonable adjustments to support a pupil's needs as outlined in the EHC Plan.

It is the responsibility of the Head Teacher, or the Assistant Head Teacher (as duties are delegated) to:

- work together with all other relevant staff to monitor the provision as outlined in the EHC Plan and ensure that all needs are met;
- ensure that all relevant staff are aware of the range of the pupil's strengths and difficulties and the implications for curriculum delivery;
- co-ordinate and review the pupil's learning activities, and ensure that all staff are aware of the pupil's needs and the programmes to be followed;
- offer support through the inclusion of differentiation, modification and adaptation of teaching materials and methods as appropriate;
- manage these resources and use them in the most appropriate way to meet the pupil's needs; and
- monitor and record the pupil's progress.

A full Annual Review takes place within 12 months of the issue of an EHC Plan, and then every subsequent 12 months or sooner, where there are any serious concerns about progress, or any suggestion that the pupil's needs have considerably altered.

Close and effective liaison will be maintained between the School, the Health Trust, other agencies involved, and the pupil's home, in terms of a regular exchange of information about the pupil's work, progress, and general welfare.

Where a pupil with an EHC Plan wholly or partly funded by the Local Authority or other body through public funds is registered at the School, such information as may be reasonably required for the purpose of the annual review of EHC Plan will be provided to the Local Authority (and the child's Local Authority if different from the school's) by the School.

This Policy is made available to parents of prospective pupils on the School's website, and to parents of current pupils on the School's intranet site, or a hardcopy is available from the School Office on request. This Policy will also be made available, on request, to the Chief Inspector, the Secretary of State or an Independent Inspectorate.

Temporary changes to SEND legislation owing to the Coronavirus epidemic

Education, health and care needs assessments and plans: guidance on temporary legislative changes relating to coronavirus (COVID-19) - information taken from the gov.uk website, please find link [HERE](#)

Summary:

- A notice from the Secretary of State for Education issued under the Coronavirus Act 2020 **modifies** section 42 of the *Children and Families Act 2014*. This **temporarily relaxes the legal duty on local authorities (LA)** to secure or arrange the provision set out in an Education, Health and Care (EHC) Plan **down to a duty to use 'reasonable endeavours'**. This means that both the **local authorities and the child's educational setting** must **consider** for each child and young person with an EHC plan **what they can reasonably provide in the circumstances, during the notice period**.
- Introduction of *The Special Educational Needs and Disability (Coronavirus) (Amendment) Regulations 2020*. This **temporarily amends** regulations that specify legal **timescales applying to LAs, and others**, mainly around processes relating to EHC needs assessments and plans. It means that **"for a reason relating to the transmission or incidence of coronavirus (COVID-19)"** if it is (depending on the regulation) **"not reasonably practicable, or impractical"** to follow the normal timescale for EHCP procedures, the LA and other bodies can discharge that duty 'as soon as reasonably practicable' and respond in a timely manner.

However, **local authorities must not apply blanket approaches** in relation to EHC needs assessments or plans, processes and decision-making. In addition, **reviews and re-assessments of EHC plans must still take place** (although there can in some circumstances be flexibility over the timing of an annual review).

- The Notice is in force until the end of May, and may be extended. The **changes to the regulations will be in force from 01 September 2021 to 01 March 2022** and they will be kept under review.

Updated: September 2021