

Supporting Vulnerable School Placements for Children and Young People with Education, Health & Care Plans.

A Guide for Schools, Early Years Settings and Post 16 Institutions

1.0 INTRODUCTION

1.1 The local authority is committed to the inclusion of children with SEND in our mainstream schools and academies, early years' settings and post 16 institutions. With close partnership working, early identification and action, it is hoped that educational placements identified as becoming vulnerable can be successfully stabilised by working together and taking pro-active steps to problem solve and find workable solutions.

1.2 This guidance is underpinned by section 19 principles (Children & Families Act), of having due regard to the child and his or her parents and/or young person's wishes, feelings and views, when making decisions about how to best achieve educational outcomes; and the importance of providing accessible information to support and enable their participation in any decision making about their education.

1.3 An Education, Health and Care (EHC) plan is a legal document that clearly outlines the special educational provision that **must** be provided and names the educational setting that through a school consultation process, has been identified as being able to deliver the necessary educational provision. The school, early years setting or post 16 institution named in the EHC plan is therefore the educational setting that is responsible for delivering education and any special educational provision (SEP) to the child or young person.

1.4 It is recognised that due to the complexity of some children's needs, schools, early year's settings and post 16 institutions may identify or feel over time that a placement is being challenged, and that without *early action* could result in the placement becoming de-stabilised and vulnerable of breakdown. Any proposed change to either special educational provision and/or educational setting due to a school, early years setting or post 16 institution identifying a placement to be vulnerable, should be brought to the local authority's attention, so that solutions and actions to resolve challenges can be agreed and managed in partnership.

1.5 Whilst the local authority commission, and support schools, early settings and post 16 institutions to deliver education and SEP detailed within an EHC plan, the duty to have oversight and ensure that this is delivered remains with the local authority. With this in mind the purpose of this document is to offer guidance and support to Head teacher's and SENCOs around the operational steps that should be taken for all pupils with an Education Health and Care plan in the event of a School, Early Years setting or Post 16 institution identifying that a child or young person's educational placement (as named in their EHCP) is vulnerable and at potential risk. The document seeks to support and guide Head teacher's and SENCO's through the early steps that should be taken in partnership with the local authority SEND team to try and re-stabilise a placement identified to be vulnerable whilst ensuring that statutory

compliance with the requirements of the Children and Families Act 2014 and SEND Code of Practice 2015 remain in place at all times.

2.0 Vulnerable Education Placement

2.1 A 'vulnerable placement' as used in this document means educational placements where schools, early years settings and post 16 institutions are considering or have and/or are using either fixed term exclusions or a reduced time-table regularly to manage the child or young person's access to their education. Additionally a placement could be considered vulnerable when a school, early years setting or post 16 institute finds that the gap between a child or young person and their peers is 'widening' or that there is a noticeable change in the presenting SEN, making it increasingly difficult to maintain the educational placement.

2.2 When a school, early years setting or post 16 institution considers that they require support to maintain a pupil's placement due to a level of vulnerability and therefore at potential risk of breakdown, it is important that they understand the steps that should be taken to ensure (1) best outcomes for the child or young person and (2) ongoing compliance with the Children and Families Act 2014 and SEND Code of Practice 2015

2.3 Should it be felt that significant changes may be necessary to a child or young person's special education provision (SEP) as detailed in their Education Health and Care (EHC) plan, an *EHC Annual Review* **must** be scheduled and take place. Additionally, any recommended and/or requested change to provision and or request to change placement **must** be supported by evidence and professional reports (*please refer to SENCO Handbook for guidance around EHC annual reviews*). Whilst an EHC Annual Review meeting is necessary to make requested changes to SEP, the Code of Practice does support interim multi-agency meetings, for the purpose of discussing any short term and time limited support and/or changes that may be considered appropriate to address any instability with a child young person's education placement.

3.0 Fixed Term Exclusions (How is this different to the vulnerable placement outlined above where the criteria is FTE?)

3.1 When the LA name a school in section I of an EHC plan, they do so with an understanding that the school, early years setting or post 16 institution, will support the child or young person to access their full-time education consistent with their key stage. It is understood that at times a school, early years setting or post 16 institution may find themselves in a position where they need to issue a fixed term exclusion. In these instances schools, early years settings and post 16 institutions should make contact the local authority SEND team to notify them of the actions taken as well as initiating relevant discussions in partnership about what further actions or support may be necessary.

4.0 Permanent Exclusions

4.1 Permanent exclusions should only ever be in exceptional circumstances. Where a school, early years setting or post 16 institution find themselves in a position where they believe a permanent exclusion is necessary the SEND Assessment and Review team should be contacted.

4.2 Information about permanent exclusions should be sent directly to SEND.Management@hullcc.gov.uk.

Wherever possible contact will be made with the school on the same day but if not possible within no longer than 24 hours to discuss.

5.0 Part-Time Timetables

5.1 In some exceptional circumstances a school, early years setting or post 16 institution may feel that a child or young persons, educational placement can only be supported by the use of a reduced time-table. The use of a reduced timetable should only ever be used as a short term solution with any such arrangement being time limited with a clearly identified end date by when it is expected that the child or young person will return to their full time timetable.

5.2 As detailed in paragraph 1.5, the local authority retain overall responsibility for all children and young people with an Education Health and Care Plan and therefore if a school, early years setting or post 16 institution are considering that a reduced time-table may need to be applied, contact should be made with the local authority SEND team, so that relevant discussions can take place together and agreements reached on any further actions or support that may be necessary to re-stabilise a vulnerable placement as well as discussions to review its on-going suitability and appropriateness.

5.3 In some instances it is recognised that pupils may have a serious medical condition where recovery becomes the priority outcome. In these instances a reduced timetable should be part of an agreed 'medical plan' which is agreed by health professionals and key stakeholders. In these exceptional circumstances and if the child or young person has an EHC plan, the local authority SEND Assessment & Review team ask that schools, early settings and post 16 institutions contact them to notify and advise them on the specifics of any such case.

5.4 for additional guidance please refer to '*protocol of part-time timetables*'

6.0 Non-Attendance

6.1 If any pupil with an EHC plan is absent from school for an extended period of time **, the local authority SEND Assessment and Review Team should be contacted and alerted to this absence. In doing so the SEND Assessment and Review team will be able to discuss with you the reasons for the absence, and work with you to resolve the current challenges with the aim of achieving the successful re-engagement of the child or young person back into their education.

** *Extended period of time means 5 schools days or more*

7.0 Operational Steps

7.1 The following are the operational steps to be followed should a school, early years setting or post 16 institution feel a child or young person's educational placement is showing signs of vulnerability:

- The Head teacher or SENCO should make contact the local authority SEND Assessment & Review Team at the earliest opportunity to notify them of their concerns around the educational placement and the immediate actions they will be taking.
- The Head teacher or SENCO should follow up the contact with the local authority SEND Assessment & Review team by completing the 'Vulnerable Educational Placement – Notification Form' and email to SEND@hullcc.gov.uk . The email should be titled as **Action Required – Notification of Vulnerable Education Placement.** .

- It is hoped that the 'Vulnerable Educational Placement Notification Form', is self-explanatory. The form should, provide where available, the details of strategies and steps taken by the educational setting and over what period of time to maintain the educational placement and why it is felt these have not been or are no longer seen to be successful and or appropriate. This information will assist the SEND Assessment & Review Team in understanding what guidance should be offered around any next actions to be taken forward.
- On successful receipt of a **Notification of Vulnerable Education Placement** form, the SEND Assessment and Review team will aim to make contact with the school, early years setting or post 16 institution within 3 working days to discuss and agree together next actions.

Summary

As detailed above an Education Health and Care plan is a the legal document that specifies the special educational provision that must be made, and names the educational setting that has been identified as being able to deliver the SEP. Any change to or diversion from the provision as detailed in the EHC plan should have oversight from the local authority, to ensure that appropriate support is provided as well as ensuring on-going compliance with the EHC statutory duties.



Protocol Part Time
Timetables v1.1.docx



PT Timetable Flow
chart V1.docx