

The New Special Educational Needs System in England:

A Guide for Parents and Professionals

In 2014, the government introduced new legislation and guidance around special educational needs (SEN) in England. The following information provides a summary of the key changes for parents of children and young people affected by Hypothalamic Hamartoma Uncontrolled Gelastic Seizures (HHUGS) and the professionals that work alongside them.

The Children and Families Act 2014

In early 2014, a new act called the Children and Families Act was passed in Parliament. Part 3 of this act provides the legislation for implementing the national SEN system. It extends the previous system for SEN so that it now covers birth to 25 and gives you and your child greater choice and control in ensuring needs are properly met. The Act states that:

1. Local authorities must involve children and young people and their parents:

When your child is formally identified with a need, the local authority must ensure that they receive a level of support which will help them to achieve at school and in life. Local authorities must consider your views, and those of your child, when making any decisions about special educational needs, and involve you in making these decisions.

2. Education services, health and social care must work together to produce a Local Offer:

Every local authority must identify the education, health and social care services available in their local area for children, young people and families who have SEN. They must include the range of services in an information directory called the Local Offer. Your local authority must ask children, parents and young people what they think the Local Offer should include. You should be able to access your local offer via the local authority website.

3. Schools must publish an SEN Information Report on their website:

The SEN Information Report provides information to parents about the provision for SEN made in the school. The report includes information on how the school will identify pupils with SEN, the kind of special educational needs for which provision is made, arrangements for assessing and reviewing the progress of pupils with SEN and how the school adapts learning for pupils with SEN. The school is also likely to have an SEN Policy that outlines the school's overall vision and values for SEN.

4. Statements and Learning Disability Assessments (LDAs) have been replaced with Education, Health and Care (EHC) plans:

Previously, if your child had very complex needs, they might have received a statement of special educational need or Learning Disability Assessment (LDA). These have now been replaced by the Education, Health and Care (EHC) plan. An EHC plan brings your child's education, health and social

care needs into a single, legal document and describes all their needs and long-term outcomes, detailing the specialist help and provision required to meet them.

Education, Health and Care plans can be issued to children and young people from ages 0-25 years. Where it is felt that an EHC plan is likely to be of benefit, an EHC needs assessment is carried out by the local authority. Parents can request an EHC needs assessment, as can young people themselves (if they are aged between 16 and 25), along with a range of professionals from education, health and social care services.

5. Where an EHC plan is issued, parents have the choice of receiving a personal budget:

A Personal Budget is an amount of money your local authority has identified to meet some of the needs in your child's EHC plan, enabling you to be involved in arranging a part of the provision to meet your child's needs. It gives you and your child more flexibility, choice and control over the support you use and enables you to make your own decisions as a family about what works best for you.

6. Children and young people with SEN, and their parents, should be provided with impartial information and guidance:

Under the new legislation, local authorities must provide information and advice on SEN via their Information, Advice and Support Service (IASS). If you would like further information or support on EHC plans, personal budgets or SEN services available in your area, contact details for your local IASS should be available on the Local Offer website.

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