



Parent Partnership Service

Statutory Assessment of Special Educational Needs (SEN)

You can contact us at:

Parent Partnership Service, PO Box 73, Worcester, WR5 2YA

Tel: 01905 727940 • Fax: 01905 727949 • Email: ppservice@worcestershires.gov.uk

My son has been given help in school through School Action Plus but he still hasn't made a great deal of progress. What else can be done to support him?

Discuss your concerns with the Special Educational Needs Co-ordinator (SENCO) at your son's school. Check whether he is reaching the targets set in his Individual Education Plan (IEP) or alternative and ask the class teacher for her or his views on his progress. The school can initially contact one of the support services such as Learning Support Team, Behaviour Support, or Integrated Services - Specialist Support. Further information on these services can be found in the PPS 'Provision for SEN' leaflet.

For the majority of children the help provided through School Action Plus will be sufficiently effective to enable the child to make satisfactory progress. If this is not the case with your son, the school, in consultation with you and any external agencies already involved, will consider whether a statutory assessment may be appropriate.

My daughter has severe and complex needs, can the school request statutory assessment before implementing Early Years Action and Early Years Action Plus?

Your child may be one of the very few children whose needs are so severe and complex that the extent of her needs is evident. In such cases, for the LA to reach its decision, the request for assessment may be made prior to any early intervention.

What is a statutory assessment?

This is a detailed investigation of a child's special educational needs (SEN) that *may* lead to a statement of special educational needs. The aim is to find out what special educational needs the child has and what special help s/he will need to meet those needs.

What is a Statement of Special Educational Needs?

This is a document, which is legally binding on the LA and the school that clearly sets out a child's special needs and the help they should receive.

What happens when a request for statutory assessment is made?

The LA will assess all the evidence, alongside the LA's criteria for the initiation of statutory assessment, and then decide whether or not they will make a statutory assessment.

The LA will do the following:

- Provide you with information on how the assessment will be carried out if one is to be done
- Provide you with information on timescales (the assessment process will normally take no longer than six months in all)
- Tell you the name of the person within the LA who will be your point of contact (the Statement Caseworker)
- Ask for your reasons (written or spoken) about why you think your child should, or should not be assessed (this is called evidence)
- Ask you for any other evidence or opinions that you have collected or intend to collect (see PPS '**Guidelines for writing Parental Advice for Statutory Assessment of Special Educational Needs**')
- Ask you if there is anyone else that you would like the LA to talk to about your child
- Provide you with information on the Parent Partnership Service who can provide you with a range of information on SEN and someone to support you during the assessment process, known as a Befriender (see PPS '**What is a Befriender?**' leaflet).

What can I do if the LA decides not to assess my child?

The LA will write to you and your child's school giving their reasons for not assessing your child. If you feel that more needs to be done to support your child's educational needs, you should discuss this with the school. You also have the right to appeal to the Special Educational Needs and Disability Tribunal (SENDIST). The LA will give you information on this and about any local arrangements for dealing with disputes informally. The Parent Partnership Service will also be able to provide you with support and information about disagreement resolution and the appeals process (see PPS '**Disagreement Resolution**' leaflet)

Can I be present when the assessment of my child is taking place?

You have a right to be present during any test or assessment that takes place, but some professionals may wish to see your child when you are not there. They may wish to do this because children sometimes act differently when a parent is present.

Who will be asked to give their views about my child?

The LA will ask staff at your child's school or early years setting and a number of other agencies to give their views. See PPS '**Provision for SEN**' leaflet. These agencies may include Learning Support, Educational Psychology, Social Service (who will only give advice if they know of your child) and the Health Authority.

Parents are experts on their own children so, in addition to being asked to give your views on whether you think your child should be assessed, you will also be asked for your views on your child and his/her needs. You can also suggest any other organisations or people that you think should be asked for their views about your child.

What will happen once the assessment has been made?

When the Statement Caseworker has collected all the views and advice, they will decide whether to make a statement of SEN for your child and send you their decision in writing. This will normally be within the twelve weeks following the LA decision to carry out the statutory assessment.

What can I do if the LA decides not to make a statement of special educational needs for my child?

If the LA decide not to make a statement, they will explain their reasons and tell you how your child's need can be met within the school or early years setting.

If you disagree with their decision, in addition to the local arrangements for dealing with disagreements, you have the right to appeal to the Special Educational Needs and Disability Tribunal (SENDIST). The LA will automatically send you information about this but you can also get further information and support from the Parent Partnership Service.

What will be included in the statement of SEN if one is made?

Before the final statement is written, the LA will send you a 'proposed statement'. The only part of the statement that will not be filled in at this stage will be Part 4 that describes the type of school that your child will attend. This part is left blank so that you can give your views about the school that you feel is appropriate for you child. The LA will give you information on the schools in your area and explain how you can give your views. You may wish to consider getting more help and support before submitting your final view, the Parent Partnership Service can provide you with details on where you can go for help on this (see PPS '**Guidelines for writing Parental Advice for Statutory Assessment of Special Educational Needs**').

The statement itself consists of six parts.

Part 1 includes the name and address of you and your child, your child's date of birth, religion and home language. It also lists all the advice that the LA received as part of the assessment process.

Part 2 contains the details of your child's SEN.

Part 3 describes the help that your child should receive in order to meet their SEN. Part 3 is divided into three sections.

- The long-term objectives e.g. 'to enable Raj to communicate at an age appropriate level using Braille' or 'to enable Mary to use similar language to the rest of her class'.
- The SEN provision that should be made and how it will be delivered. This will identify facilities, equipment, staffing, any appropriate modifications of the National Curriculum and specific support that will be provided by the school and if necessary the LA. If residential accommodation is appropriate, it will be specified in this part of the statement.
- Details of how your child's progress will be monitored. This section will include the drawing up of the Individual Education Plan (IEP) or alternative and the arrangements that will be made for reviewing your child's progress.

Part 4 tells you about the school your child will go to. This may be a school that your child currently attends or another school that is able to meet your child's needs.

Part 5 tells you about any non-educational needs that your child has e.g. the need for therapy, specialist medical provision, and travel arrangements.

Part 6 describes how your child will get help to meet the needs described in Part 5.

How much time will I have to comment on the draft statement?

You will have 15 days to comment on all parts of the statement and state your preference on the school that you would like your child to go to. If you wish, you can ask for a meeting with the LA to discuss the draft statement. After this meeting you will have another 15 days to ask for more meetings with the LA, you can send in more comments for the LA during this time. If you would like more time to comment you should contact your Statement Caseworker.

My son has SEN but I would like him to attend the same school as his brother. Is this possible?

You may express a preference for a maintained school to be named in your son's statement. If your preferred school meets the criteria set out in Schedule 27 of the Education Act 1996 the LA must name your preferred school. A key issue is likely to be whether the school is suitable for a child of your son's age, ability or aptitude and to his special educational needs. Further considerations would be whether the attendance of your son at the school would be incompatible with the efficient education of the other children with whom he would be educated and whether the placement would be an efficient use of resources.

You may also request an independent, private or voluntary early years setting for your child but the LA will normally consider whether it can make appropriate provision in one of its own schools before considering other options. If the LA considers independent provision to be appropriate it can specify this in the statement and if it does, must fund the provision. As a parent you can choose to place your son in an independent or non-maintained special school at your own expense. However, in those circumstances the LA will not name the school in Part 4 of the statement, which specifies the placement the LA itself would make.

I don't know much about early years provision for children with SEN in my area, how can I find out?

The LA and The Early Years and Childcare Service should have information on nursery school or class places for children with SEN and about places in independent or voluntary play or opportunity groups, family centres, day nurseries etc.

You may ask to visit any setting that you think might be suitable for your child, this would give you the opportunity to find out more about the setting and help you identify the most appropriate placement for your child.

What can I do if I disagree with the statement?

Ask your Statement Caseworker to explain what is in the statement. If you are still unhappy, the Parent Partnership Service can also help and give you information on disagreement resolution and the Special Educational Needs and Disability Tribunal (SENDIST). You have a right to appeal to the SENDIST against the contents of parts 2, 3 and 4 of the statement. If you do decide to appeal, it is important to note that there are time limits for lodging an appeal that must be kept to.

My child has a statement of SEN, how often will it be reviewed?

For children over five years the statement will be reviewed at least annually. Should your child have significantly different needs or be at risk of disaffection or exclusion, the school may arrange an early review, which is called an Interim Review. For children under five years, in addition to the annual review the LA should consider reviewing a statement at least every six months to ensure that the provision continues to be appropriate to the child's needs. Such reviews would not necessarily require the same range of documentation as the annual review so long as they reflect the significant changes that can take place in the progress of a child under five years. If necessary, the statement should be amended following a six monthly review or even a termly review if the statement specifies this. (See PPS 'Annual Review' leaflet for further information).

For further information about special educational needs:

The Parent Partnership Service

Children's Services, PO Box 73, Worcester, WR5 2YA

Tel: 01905 727940 Fax: 01905 727949

Email: ppservice@worcestershire.gov.uk

www.ppsworcs.co.uk

SEN Services

Children's Services, County Hall, PO Box 73, Worcester, WR5 2YA

Tel: 01905 766329

Special Educational Needs Code of Practice

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Copies obtained from DCSF Publications

Department for Children, Schools & Families

Sanctuary Buildings, Great Smith Street, London, SW1P3BJ

Tel: 0870 000 2288

Email: info@dcsf.gsi.gov.uk

www.dcsf.gov.uk

ACE – The Advisory Centre for Education

Unit 1c, Aberdeen Studios, 22 Highbury Grove, London, N5 2DQ

Helpline: 0808 800 5793

Exclusions Advice: 0808 800 0327

www.ace-ed.org.uk

Family Information Service

3 De Salis Court, De Salis Drive, Hampton Lovett, Droitwich, Worcestershire WR9 0QE

Tel: 01905 790560 Fax: 01905 790551

Email: familyinfo@worcestershire.gov.uk

www.worcestershire.gov.uk/familyinfo

Timetable for Assessment

6 Weeks	<p>The LA receives the request for statutory assessment & seeks further information from the parents/carers.</p> <p>County Referral Panel (or Pre-School Referral Panel for children in Early Years Settings) decide whether a statutory assessment will be made.</p>	6 Weeks
6 Weeks	<p>The LA seeks advice from parents/carers, schools or early years settings, and other relevant agencies within Children's Services (eg Educational Psychology, Social Care) and Health.</p>	12 Weeks
4 Weeks	<p>The relevant Area Statement Caseworker makes a decision as to whether a statement is required; where necessary they may liaise with the Area Assessment Officer.</p>	16 Weeks
2 Weeks	<p>The LA informs the parent of the decision either to:</p> <ul style="list-style-type: none"> • Issue a proposed statement, or • Issue a 'note in lieu' of a statement that contains the information that has been gathered about the child during the assessment process and the reasons why the LA has decided not to write a statement. 	18 Weeks
8 Weeks	<p>Parents have 15 days to comment on the proposed statement and inform the LA of their preferred school. The LA contacts the school to be named and the school has 15 working days to respond.</p> <p>The final statement is issued.</p>	TOTAL 26 Weeks

This publication can be made available in other languages (including British Sign Language) and alternative formats (including large print, audio tape, computer disc and Braille) on request from Parent Partnership Service on telephone number 01905 727940 or by emailing ppservice@worcestershires.gov.uk

To the best of our knowledge all information is correct at time of printing. December 2008