

The Children & Families Act 2014

A Parent's Perspective



The Vision

“Our vision for children and young people with special needs is the same as for all children and young people – that they achieve well in early years, at school and in college; lead happy and fulfilled lives; and have choice and control.”

Department for Education



Children & Families Act 2014

What is it all about?

- Education, Health and Care Plan
- Local Offer
- Personal Budgets
- Joint commissioning
- A family centred system

“the expectation that local authorities and educational settings place parents and young people at the heart of the processes and decisions”

Timescales

- Bill received royal assent in June 2014
- Act became law on 1 September 2014
- Code of Practice before Parliament for approval.
- Transitional Guidance
- Transition period from September 2014 to March 2018.
- Legal test as for a statement

Core Principles (Section 19)

Local Authorities must pay particular attention to:

- the views, wishes and feelings of children and their parents, and young people;
- the importance of them participating as fully as possible in decision-making and providing the information and support to enable them to do so; and
- Supporting children and young people's development and helping them to achieve the best possible educational and other outcomes.

Definitions & Scope

- Definition of Special Educational Needs has not changed.

“A child or young person has special educational needs if they have a learning difficulty or disability which calls for special educational provision to be made for them.” (S.20)

- Reference to disabled children and young people in the Act cover any child or young person who is disabled under the Equality Act 2010.

Child or Young Person

- Child under compulsory school age.
- Young person over compulsory school age but under 25.
- Young people are able to make decisions in relation to the Act on their own behalf (subject to ‘having capacity’ under the Mental Capacity Act 2005)

Statement v EHCP

- Many of the legal requirements for EHC assessments and plans are the same as for statements e.g. right to express a preference for a school placement.
- Also some differences:
 - 20 weeks
 - EHC Plans do not necessarily cease when a young person leaves school
 - EHC Plans can be maintained up to the age of 25
 - Enforceable elements of health and social care

EHC Plan Sections

- A: Views, interests and aspirations
- B: Special educational needs
- C: Health needs
- D: Social care needs
- E: Outcomes
- F: Special educational provision
- G: Any health provision reasonably required
- H1: Social care provision under S2 of Chronically Sick and Disabled Persons Act 1970
- H2: Any other social care provision
- I: Placement
- J: Personal budget
- K: Advice and information received

Outcomes

“Focus on the outcomes that children and young people and their families want to achieve, so that all decisions are informed by these aspirations”.

(Draft Code of Practice, Chapter 1)

“An outcome can be **defined** as the **benefit** or difference made to a child or young person as a result of an intervention”

- It is not the intervention or the solution.
- An outcome is a personal goal not necessarily a service led goal or target.
- It should be **measurable** and **specific**.

Outcome-focused planning helps to find out what is important to the child, young person and their family so that all available resources can be used to help achieve their aspirations.

Transition Arrangements

- From 1st September 2014 the SEN & Disability Service will commence the review process for existing Statements using new Transition Review Documentation to consider progressing to Education, Health and Care Plans (EHCP). This process, which will be phased, must be completed within 3.5 years. (April 2018)
- Existing Learning Difficulty Assessments (LDAs) must be transferred by September 2016.
- From 1 September 2014 all requests for statutory assessments will take the form of an assessment of Education, Health and Care needs which may lead to an EHCP.
- Each LA must publish a local Transition Plan by 30 September 2014.

Transition Guidance

Local Authorities MUST transfer children and young people with statements to the new arrangements during 2014-15:-

- Children/young people moving from school (including school sixth forms) to a post -16 institution or an apprenticeship
- Conversions of non-statutory EHC plans into the new template provided by the DfE if the child or young person does not have a statement of SEN
- Young people who receive support as a result of an LDA who intend to be in education beyond 31 August 2016

In addition the following groups of children must transfer within the next year:-

- Early years settings to schools
- An infant to a junior school
- Primary to middle school
- Mainstream to a special school/ special school to mainstream transfer

From 1 September 2014 statutory assessments for Statements of Special Educational Needs or Learning Difficulty Assessments cannot be offered.

Working with Practitioners

- “Local authorities **must** arrange for children with SEN or disabilities for whom they are responsible , and their parents.....to be provided with information and advice about matters relating to their SEN or disabilities, including matters relating to health and social care.”
- “Local authorities **should** consider adopting a key working approach, which provides children, young people and parents with a single point of contact to help ensure the holistic provision and co-ordination of services and support.”

(Draft SEN code, April 2014 – section 2.1 & 2.20)

Keyworking

Emotional and practical support

- Providing emotional and practical support as part of a trusting relationship
- Enabling and empowering for decision making and the use of personal budgets

Coordination

- Coordinating practitioners and services around the child, young person and family
- Being a single point of regular and consistent contact
- Facilitating multiagency meetings

Planning and assessment

- Supporting and facilitating a single planning and joint assessment process
- Identifying strengths and needs of family members

Information and specialist support

- Providing information and signposting across Education, Health and Social Care, universal and specialist services.
- Advocating on a child's, young person's and/or family's behalf

Independent Supporters

Government programme to support families to navigate the new system.

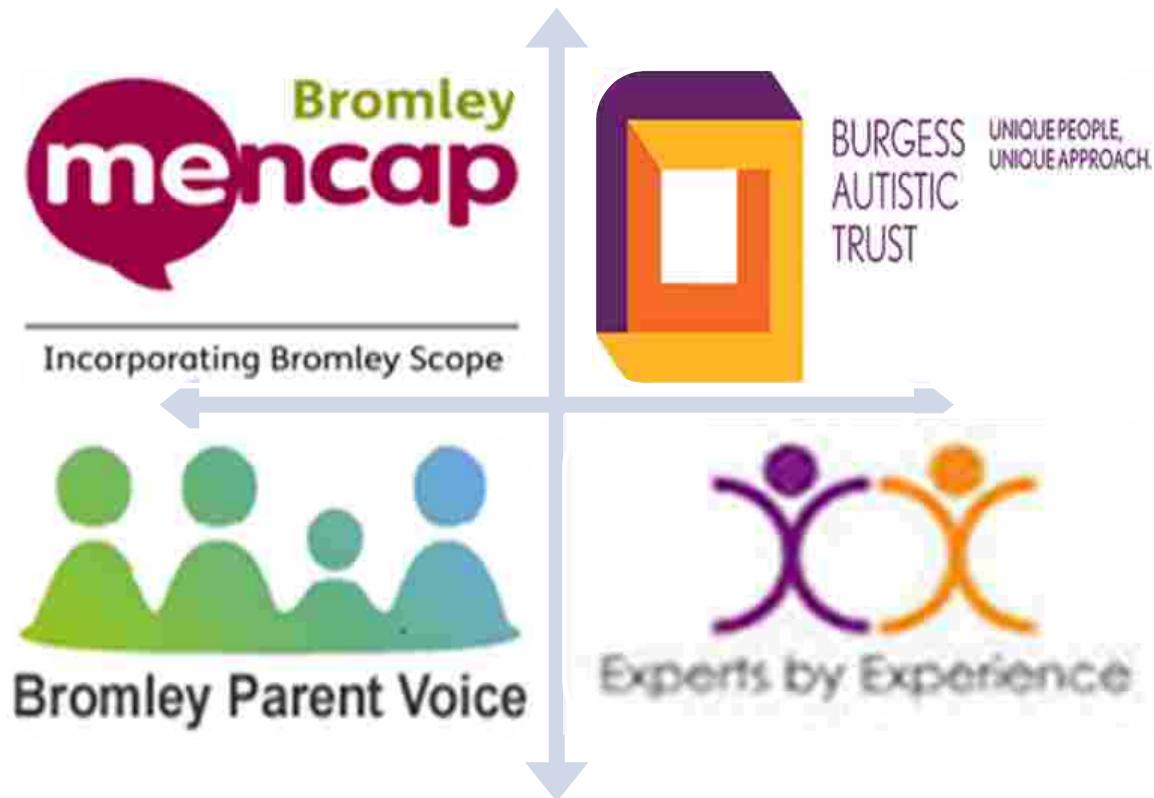
Time limited.

Additional resource for IASS (formerly Parent Partnership Services)

Birth – 25

Education, Health and Social Care
Parents, carers and young people

The Consortium- IS Agency in LBB



Foundation: Article 19

INDEPENDENT SUPPORT

The need to support the child or his/her parent or the young person , in order to facilitate the development of the child or young person and to help him or her achieve the best possible educational or other outcomes

the importance of the child and his or her parent, or the young person, being provided with the information and support necessary to enable participation in those decisions;

the importance of the child and his or her parent, or the young person, participating as fully as possible in decisions relating to the exercise of the function concerned

the views, wishes and feelings of the child and his or her parent, or the young person;



How will IS Support Parents and Young People?

Independent Supporters will offer a range of time-limited and informative support to

- focus on the main task of helping parents of children and young people to transfer a Statement of SEN or Learning Difficulty Assessment (LDA) to an EHC plan (transfer reviews);
- help parents of children and young people to put together the one page profile for their children or young person;
- provide parents of children and young people with information to help them understand personal budgets



How will IS support Parents and Young People?

We will also:

- work with parents of children and young people who are new to EHC referrals
- help parents of children and young people to understand the local referral process and local offer;
- Signpost parents of children and young people to Information Advice and Support Services (IASS) when the issue is outside our remit

Resources and Other Facilities for Support

- Recruiting VIPS to support the service; providing more hands-on and emotional support to parents/young people through the EHC process
- Information pack consisting of:
 - Role of the IS, EHC Content, EHC Process, Personal Budget, EHC and the Young Person (Easy Read), SEND Reforms as well as Questions and Answers

Training sessions and workshops for parents

Webinars

Online forum

Facebook and Twitter



Volunteer Independent Parental Supporters (VIPS)

Purpose of the role: to offer “Independent Support” to parents and young people as they go through the process of securing services with a new Education, Health & Care Plan (EHC Plan).

Person Specification: Parents who would enjoy learning about the new system, willing to support parents of children and young people with special education needs and who will be able to remain impartial

Main Duties:

- helping parents of children and young people during the process of transferring a Statement of SEN or Learning Difficulty Assessment (LDA) to an EHC plan (transfer reviews);
- providing parents of children and young people with information to help them understand the EHC process;
- offering individual support to children, young people or parents, this may include:
 1. One to one meetings
 2. Report and letter writing
 3. Support in meetings
 4. School visits
 5. The Independent Support Website
- providing emotional support for parents of children and young people when required during the EHC process;

Other Duties:

- utilising effective time management techniques to ensure tasks are prioritised, and agreed deadlines are met;
- maintaining confidentiality in line with Data Protection and Child/Adult Safeguarding legislation;
- attending all relevant supervision and meetings;
- undertaking other duties commensurate with this post and as assigned by the Senior Independent Support Worker;
- ability to travel round the borough independently.



Contacting IS Service in Bromley

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BPV Forum: <http://www.bromleyparentvoice.org.uk/forum/>