



# Special educational needs and disability



Changes to the law  
from September 2014



# Code of Practice: 0 to 25

## A Parent/Carer Guide

### What are the changes about

The changes are about delivering better life chances and opportunities for children and young people (0-25) with additional needs and disabilities by placing families at the centre of decision making to deliver better outcomes.

These changes have been brought about following 2 years of consultation with families, and became law from 1st September 2014. These are some of the reasons why the change was needed:

Families said that there were too many different assessments for children and young people with Special Educational Needs and Disability.

Families told the Government that they had to tell services about their 'family story' far too many times.

Many young people with Special Educational Needs and Disability could not secure paid jobs and often had poor health and housing plans.

Families and people working with them all wanted to improve the lives of children and young people with Special Educational Needs and Disability (SEND).

### Important

**Further information on the changes are available on the Oldham Council website. See the back page of this leaflet for useful contacts and resources.**

### What's changing?

From 1st September 2014, the Special Educational Needs and Disability (SEND) reforms become law and this will mean some important changes which include:

- **A new SEND Code of Practice which now applies from birth to age 25.**
- **Replacing Statements of Special Educational Need (SEN) with Education, Health and Care Plan.**
- **Some young people with Special Educational Needs and Disability (SEND) up to the age of 25 now qualifying for an EHC Plan.**
- **Giving parents and young people the right to request a personal budget. This will allow parents to purchase some elements of the SEND support needed through direct payments.**
- **Requiring local authorities to set out a local offer which tells families what support is available for children and young people with SEND.**
- **New and very clear requirements around the involvement of children, young people and parents in decisions about SEND provision.**
- **Requiring education, social care and health services to work together to support children with SEND through joint commissioning of services.**

### Important

**If your child has a statement and would have continued to have one under the current system, you can expect them to be transferred to an EHC Plan. No child or young person should lose their statement and not have it replaced with an EHC Plan simply because the system is changing.**

## What do I need to do?

If your child currently has a statement of Special Educational Needs (SEN) or a Learning Difficulty Assessment (LDA) (if over 16), then Oldham Council will contact you to explain the process of changing these to the new Education, Health and Care (EHC) Plans. These changes will take place over the next 3 years and 9 months so you may not be contacted immediately.

All transfers from statements to EHC Plans will be complete by July 2018, in line with Government timescales. Further information on the Transition plan and timescales can be found on the Oldham Council website.

## How will the changeover happen?

Oldham Council will carry out a transfer review for each child/young person being moved from a Statement of Special Educational Needs (SEN) to the new Education, Health and Care Plan (EHC). The timing of the transfer review for your child can be found in Oldham's Transition Plan, which is available on Oldham's Local Offer website.

This will involve an assessment of your child's needs under the new framework. Oldham Council will avoid asking for information that it already has, as long as the reports are still relevant and the parents, young people and practitioners agree those reports can be used.

The transfer review process may take up to 14 weeks and will conclude when you have been issued with a final EHC Plan to replace the existing statement.

**Parents can ask for help and guidance through this process from an Independent Supporter.**





## The Oldham Local Offer

Information on the local offer will be published on Oldham Councils website. It will include searchable information of all local health, education, social care, leisure services and support for children and young people with special educational needs and disabilities; and their families. It will be:

- **A central place to find information, support and how to access services.**
- **Clear and easy to understand.**
- **Developed with parents, carers, children and young people**

Find out more as the website develops on the Oldham Council website

## Education, Health and Care (EHC) Plan

An EHC Plan brings your child's education, health and social care needs into a single legal document. Your child must have special educational needs to be eligible for a plan.

From September 2014

- **EHC Plans will replace Statements of Special Educational Needs**
- **For young people aged 16 years old and over, EHC Plans will replace Learning Difficulty Assessments if an EHC Plan is requested by the young person**
- **Existing Statements of Special Educational Needs will be replaced through a gradual process by July 2018**
- **Existing Learning Difficulty Assessments will remain in place until 1st September 2016, however a young person may request a transfer to an EHC Plan before this date**

## Personal Budgets

You are entitled to request a Personal Budget if your child has an EHC Plan or has been assessed as needing a plan.

A Personal Budget is an amount of money Oldham Council has identified to meet some of the needs in your child's EHC Plan, if you want to be involved in choosing and arranging a part of the provision to meet your child's needs. You (or your representative) will need to agree this with Oldham Council.

A Personal Budget can only be used for agreed provision in the EHC Plan. There are four ways you can use a Personal Budget:

- 1 Direct payments – where you receive money to buy and manage services yourself.**
- 2 An arrangement where Oldham Council or an education provider holds the money and purchases the services included in the EHC Plan as directed by you (these are sometimes called notional arrangements).**
- 3 Third-party arrangements – where you can choose someone else to manage the money on your behalf:**
- 4. A combination of the three ways above**

## Important

**Oldham Council must secure a school's agreement where any provision, bought by a parent using a direct payment, will be provided on the school's premises.**

**Oldham Council must include information about Personal Budgets in its Local Offer including information on how to make a request.**



## Further Information and links

### **Oldham Council Website**

[www.oldham.gov.uk/odip](http://www.oldham.gov.uk/odip)

[www.oldham.gov.uk/SEN](http://www.oldham.gov.uk/SEN)

### **Parents of Oldham in Touch (POINT – Parent Forum)**

[www.pointoldham.co.uk](http://www.pointoldham.co.uk) T: 0161 667 2054

### **Oldham SEND Information, Advice & Support Service**

[www.iassoldham.co.uk](http://www.iassoldham.co.uk) T: 0161 667 2055

E: [iass@pointoldham.co.uk](mailto:iass@pointoldham.co.uk)

### **Department of Education SEND web pages**

[www.gov.uk/government/publications/send](http://www.gov.uk/government/publications/send)

### **The Council for Disabled Children**

[www.councilfordisabledchildren.org.uk](http://www.councilfordisabledchildren.org.uk) T: 0207 843 1900

### **Independent Parental Special Educational Advice**

[www.ipsea.org.uk](http://www.ipsea.org.uk) T: 0800 018 4016

### **Contact a Family**

[www.cafamily.org.uk](http://www.cafamily.org.uk) National Helpline: 0808 808 3555

### **ACE (Advisory Centre for Education)**

[www.ace-ed.org.uk/](http://www.ace-ed.org.uk/) Enquiries: 0808 800 5793

### **Oldham Disability Information Point**

[www.oldham.gov.uk/info/200367/oldham\\_disability](http://www.oldham.gov.uk/info/200367/oldham_disability)

