

# Principles of the high needs decision making process

## Post 16 High Needs Students in Further Education, Sixth Form College or Specialist College provision

Updated January 2020

### For Information

This document sets out key principles which form the basis of all decisions made by Oldham local authority when receiving a request for high needs funding from post 16 further education and independent specialist providers.

These principles have been developed by Greater Manchester (GM) local authorities as a basis for consistency across the GM area; there may however be some locally determined variations.



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# Section 1: Purpose of this document

1.1 This document is to help parents, young people, professionals and institutions understand the decision making process which Oldham local authority undertakes to agree a placement for a post 16 high needs student in mainstream and specialist education. It sets out how decisions take into account personal choice and value for money against outcomes when considering requests for high needs funding.

1.2 The document sets out overarching principles which the 10 local authorities in Greater Manchester have signed up to and will refer to when making decisions relating to high cost educational placements in mainstream and specialist college provision. These principles are underpinned by the Special Educational Needs and Disability (SEND) Code of Practice: 0-25 (DfE, July 2015). These principles do not replace the ruling or decisions which each local authority will take in respect of individual cases.

1.3 On receipt of a request for high needs funding, the essential criteria which a local authority will give due consideration to are:

- The long term outcomes and goals for the young person
- The availability of local provision
- The requirement for therapeutic intervention based on assessment of needs
- The range of travel options

These principles are explored further within this document.

# Section 2: Introduction and Context

## Local authority duties

2.1 Local authorities have existing duties to secure sufficient suitable education and training provision for all young people aged 16 to 19 and for those up to age 25 with an Education, Health and Care (EHC) plan in their area<sup>1</sup>.

2.2 In relation to young people with special educational needs or disability (SEND) the Children and Families Act (s19, DfE, 2014)<sup>2</sup> sets out the general principles that local authorities must have regard to when supporting disabled children and young people and those with SEN under Part 3 of the Act (see annex 4 for more details). 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.

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

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<sup>1</sup> Sections 15ZA and 18A of the Education Act 1996 (as inserted by the Apprenticeships, Skills and Children and Learning Act 2009) and from 1st September 2014, Part 3 of the Children and Families Act 2014

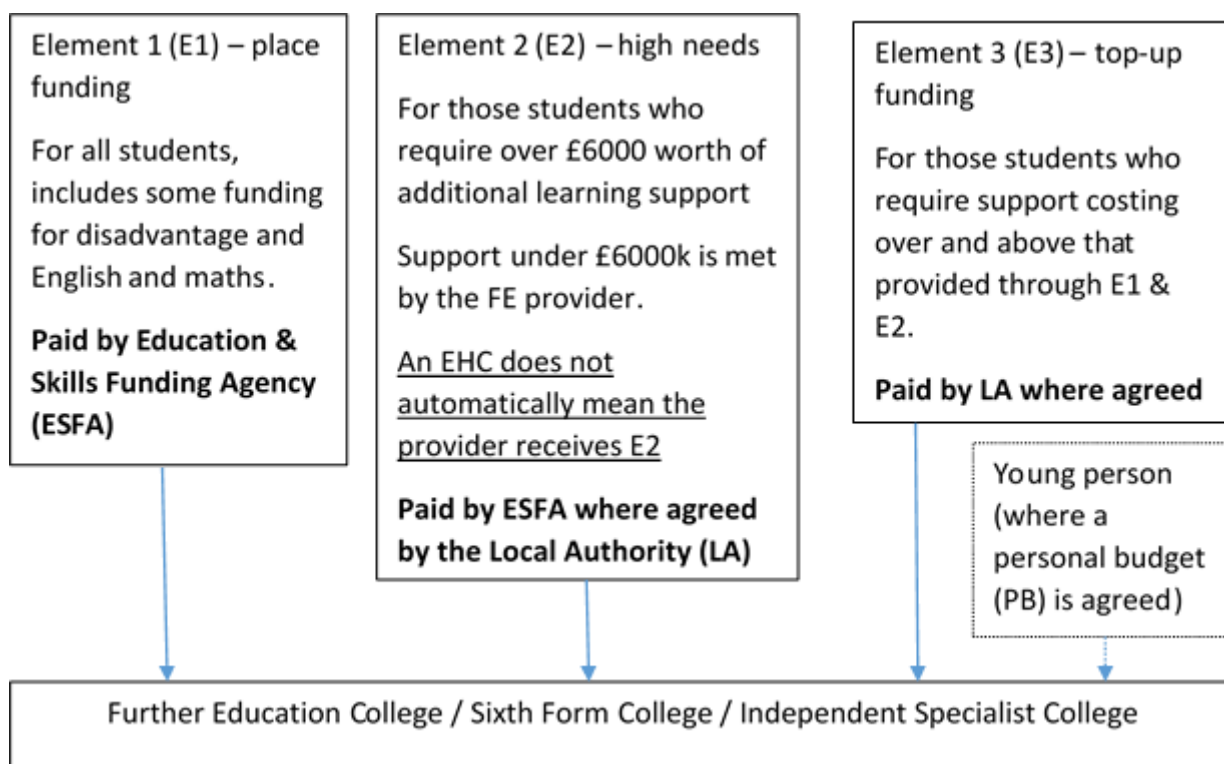
<sup>2</sup> <https://www.gov.uk/government/publications/young-persons-guide-to-the-children-and-families-act-2014>

## Section 3: Funding for special educational needs (high needs)

3.1 The Education & Skills Funding Agency (ESFA) funding model covers all provision for any student aged 16 to 19 (other than Apprenticeships) in a variety of settings. It also covers students up to the age of 25, when they have an Education, Health and Care plan (EHCP) in further education, commercial and charitable providers and independent specialist colleges.

3.2 The funding methodology for all institutions delivering learning programmes is based on a nationally derived formula covering a minimum of 540 hours which equates to around 16 hours a week; this is classed as full time in the further education sector.

3.3 The funding model for the post 16 further education sector consists of:



The majority of student's support needs are met within place funding, however, where it is clear that a young person has a higher level of needs which requires access to top up (element 3) funding, institutions will be expected to clearly set out the evidence and outcomes to be achieved together with the additional support/provision required to meet the student's needs using the Greater Manchester High Needs claim form (see annex 1); this is then considered by the young person's home local authority.

Top up or element 3 funding is the funding required over and above the core funding an institution receives, to enable a student with high needs to participate in education and learning. This is paid by the commissioning local authority and should reflect the actual costs of additional support to meet the individual student's needs. Top up or element 3 funding can also reflect costs that relate to the facilities required to support a student's education and training needs (either individually or on offer to all), and can take into account expected occupancy levels and other factors.

Local authorities bear the ultimate responsibility for decisions on top up or element 3 funding as they are accountable for spending on their high needs budget. In all instances, students with an EHC plan must have their places commissioned by a local authority and an agreement should be in place between the local authority and provider that confirms the amount of top up or element 3 funding. Even where provision

is specified in an EHC plan, there is no statutory requirement that a local authority has to pay top up funding at a particular rate requested by a school or institution and in no circumstances should an admission to, or the continuation of a placement at a provider be conditional on, or delayed by receipt or agreement of top up or element 3 funding for the student.

3.4 If a student under the age of 19 enters a college without a prior assessment of their needs and it can be evidenced that they have learning needs exceeding £6,000 (high needs), a request for an assessment for an Education, Health and Care plan can be submitted to the local authority, subject to agreement by the young person. In exceptional cases, the local authority can provide high needs funding for students under the age of 19 without an EHC plan but will consider each case individually.

3.5 Where a young person is aged over 19, an EHC plan must be in place for a request to the local authority for high needs and top-up funding. Where a young person is aged 19 or over and without an EHC plan, they can still access support for learning; the difference being that the funding comes from a different budget (adult skills) at the ESFA not the LA.

## Section 4: Personal Budgets

4.1 A personal budget is a sum of funding available for young people where it is clear that they need additional provision over and above that ordinarily provided by an institution, compared to that available to most young people through local services.

4.2 In education, an individual is only be able to access a personal budget where it has been agreed that they have a high level of need and are eligible for element 3 (top-up funding). The amount of money available will be based on what the young person is assessed by the provider as requiring in order to access learning.

4.3 The EHC and high needs form should provide a detailed explanation of how a personal budget will be used to deliver agreed provision, the needs and outcomes it will meet and explain how the money will be used, spent and managed; including arrangements in relation to any direct payments.

4.4 There are a number of ways that a young person and/or their parent/carer can be involved in securing provision through a personal budget:

- As a direct payment. The funding coming direct to the family who will manage it to deliver support as set out in the EHC plan;
- An arrangement where the local authority, school or college holds and manages the budget to secure the support specified in an EHC plan for the family (also known as an individual service fund or 'notional budget');
- A third party arrangement where funds are held and managed by an individual or organisation on behalf of the child's parent and/or the young person;
- Or as a mix of the three options above.

4.5 The aim of a personal budget is for young people and families to have greater choice and control over their life and the type of support they want. Person-centred planning helps people think about how they want to use their personal budget and to develop a support plan in order to achieve their outcomes.

4.6 Agreement from all parties involved with the young person must be secured for a personal budget to be in place.

## Section 5: Local provision

5.1 The SEND Code of Practice (DfE, 2015) aspires to high quality outcome-focused education and training provision which prepares children and young people for adulthood. As part of their statutory duties, local authorities work with post 16 education and training providers to ensure that the programmes on offer are valuable and inclusive for all young people, in particular for those who have additional learning needs or disability. In addition, education and training providers must reassure themselves that they are compliant with the requirements of the Equality Act 2010.

5.2 Local authorities are responsible for funding placements for young people where it is evidenced that they require a higher level of support (over £6,000 per year); this is predominantly in mainstream institutions but also, where appropriate, in specialist school or college provision (as approved by the Secretary of State for this purpose)<sup>3</sup>.

5.3 It is expected that for the majority of high needs students, their needs can be met in a mainstream institution but for a few students whose needs are particularly complex, it may be that a placement at an independent Specialist College is the most appropriate setting. Specialist Colleges are generally smaller institutions with a higher staff to student ratio and in some cases, on-site provision of therapies.

5.5 When considering requests for high needs funding, the local authority will consider whether:

- There is suitable local<sup>4</sup> mainstream provision or a package of provision<sup>5</sup> that can meet the learner's education or training needs and goals;
- There is evidence that the learner has independently assessed medical or care needs that cannot be addressed by local providers or services that would prevent the learner from accessing suitable education or training.

5.6 In determining whether local mainstream provision is able to meet the learner's education or training needs and goals, it will be necessary for further information to be provided as to how this has been explored; this should be provided in the document at annex 3.

5.7 Following an assessment of needs, the Education Health and Care Plan may specify for the young person *a package of provision* in a residential setting to meet their health, care and education needs which is jointly commissioned with other agencies.

5.8 In funding a package of support, the local authority and its funding partners will provide sufficient funding to meet the needs as specified in the EHC plan. Any activities or support provided by the placement provider which are over and above or on top of the essential requirements within the EHC plan would be outside of this process.

## Section 6: Young person / parental choice

6.1 The young person or the parent has the right to request a particular school, college or other post 16 institution to be named in their Education Health and Care (EHC) Plan i.e. maintained and non-maintained special school; further education or sixth form college; independent school or independent specialist colleges (where they have been approved for this purpose by the Secretary of State and included in Section 41).

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<sup>3</sup> Where the request is for a placement at an independent specialist college **not** approved by the Secretary of State for this purpose, the local authority is not under the same conditional duty to name the provider.

<sup>4</sup> The definition of 'local provision' refers to mainstream further education and training provision which is considered to be within reasonable travelling distance for the young person, taking into account their difficulties.

<sup>5</sup> The definition of 'packages of provision' refers to a mixture of education/training and community/alternative provision which is appropriate to supporting the young person to meet their short, medium and long term outcomes. Funding for such packages will likely sit across a number of agencies.

6.2 If a child's parent or a young person makes a request for a post-16 institution as specified above, the local authority **must** comply with that preference and name the school or college in the EHC plan unless the local authority can demonstrate that<sup>6</sup>:

- it would be unsuitable for the age, ability, aptitude or SEN of the child or young person,
- the attendance of the child or young person there would be incompatible with the *efficient* education of others, or
- it is not an *efficient use of public funds*, for example where local provision is able to meet the needs of the young person

6.3 Efficient education means providing for each child or young person a suitable, appropriate education in terms of their age, ability, aptitude and any special educational needs they may have. Where a local authority is considering the appropriateness of an individual institution, 'others' is intended to mean the children and young people with whom the child or young person with an EHC plan will directly come into contact on a regular day-to-day basis.

6.4 Where the local authority determines that the request for high needs funding is not an efficient use of public funds; for example where outcomes could be met in a different setting including local provision or community provision, it reserves the right to work with the young person, their family and appropriate professionals to explore such options.

6.5 The young person or parent/carer may appeal to the Tribunal against the description of SEN in the EHC plan, the special educational provision, and the school or other provider named, or the fact that no school or other provider is named.

## Section 7: Therapeutic input

7.1 Young people in school may receive therapy and medical support which is provided through children's health services. Young people may be receiving a variety of services, for example speech and language therapy, physiotherapy & occupational therapy, support from CAMHS or be linked to a community paediatrician. At the transition review there should be a discussion about whether input or advice from any of these specialist health services will be required and if so, how they will be available from children's or adult health services after they leave school.

7.2 Young people with health needs may have access to a Transition Nursing Team or a member of the Adult Learning Disability Service. School health nurses or local GPs may also help with the transition process.

7.3 For many young people the transition planning process will include receiving a health check and a Health Action Plan that details the young person's health needs and how these will be met in the future. The Health Action Plan should complement the Education, Health and Care Plan. This will enable professionals to determine what health support is required, and help to determine what adult options are available to them.

7.4 The health assessment will also determine whether an individual meets the criteria for continuing health care funding (this funding comes from the local NHS Clinical Commissioning Group). Any requests for therapeutic input in education settings must be evidenced as essential by the health service. Local Authorities are not liable to fund requests for any therapeutic input which is not supported by independent, impartial advice and is required only to fund those health needs related to the SEN needs section of the plan.

7.5 Where it is evidenced that therapeutic input is essential to enable a young person to access education or training, and such input is not able to be provided outside of the learning time, the local

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<sup>6</sup> SEND Code of Practice (DfE, 2014, p9.79)



authority will work in partnership with professionals to agree tools and alternative methods that the post 16 setting can adopt to address such needs.

7.6 It is expected that where a young person has been independently assessed as requiring input from a therapeutic service, this will be fully embedded into the curriculum where it directly impacts on the young person accessing an educational placement and is developed around the young person's cognitive ability. Education providers are encouraged to be as flexible as is possible to allow young people to access essential therapeutic services off-site as necessary.

## Section 8: Travel assistance

8.1 Each local authority has their individual policy for travel funded assistance in their local area which set out the criteria for eligibility. A young person who has a Statement of SEN (SEN) or an Education, Health and Care Plan (EHC) does not automatically qualify for travel assistance. It is expected that young people and their families will make arrangements for travel to and from college each day as part of the transitional planning process.

8.2 Where a young person is eligible for transport support and the preferred school or college is further away from their home than the nearest school or college that can meet the young person's SEN, the local authority can name the nearer school or college if it considers it to be appropriate for meeting the child or young person's SEN. If the parents prefer the school or college that is further away, the local authority may agree to this but may ask the parents to provide some or all of the transport funding.

### Independent Travel

8.3 In line with the Children and Families Act 2014 and as young people make the transition into adulthood, there is a greater emphasis on developing the skills to enable young people to travel independently. For some this might be walking or cycling to and from college or using public transport.

8.4 Young people at school should be provided with independent travel training as part of their curriculum. This will reduce the need to rely on private hire vehicles and any training should be provided during the day with the consent of parents.

8.5 It is expected that where a young person is following a Life Skills or Work Skills course that travel training will be an integral part of this programme. Local authorities will be working with local colleges to implement this where it is not already in place. Where a young person is following a vocational mainstream course and where employment is an expected outcome, travel training should be integral to the learner's study programme.

8.6 Where a young person moves onto an apprenticeship programme, we would expect that Access to Work funding is explored for the individual if there are difficulties around travelling to and from any element of the apprenticeship programme.

## Section 9: Outcomes and goals

9.1 Provision is not an end in itself. In planning study programmes the primary consideration is whether the young person will achieve the educational outcomes set out in their Education, Health and Care (EHC) Plan. The SEND Code of Practice (DfE, 2014) states that

*.... outcomes should always enable children and young people to move towards the long-term aspirations of employment or higher education, independent living and community participation. ....The local authority cannot be held accountable for the aspirations of a child or young person. However, the EHC plan should show the steps required for moving the young person towards the agreed long term outcomes.*

9.2 An individual's programme of study should clearly demonstrate that the young person will gain the skills and experience which are necessary for them to achieve their long term outcomes (within their EHC Plan) and will lead to the young person being able to:

- Where appropriate, move into an independent or supported living setting as they have acquired the skills to live independently (or semi-independently) in their community or be more independent in their family home;
- Where supported employment is a realistic and achievable long term aspiration, a young person should be able to access impartial careers education, information and guidance and work-experience/placements should be planned within their programme in support of the type of work which the young person wants and will be suited to;
- Undertake volunteering as a flexible informal community based learning experience from which the young person can benefit and contribute; and
- Be prepared for higher education and/or employment. Support should include identifying appropriate post-16 pathways that will lead to these outcomes. Training options such as supported internships, apprenticeships and traineeships should be discussed, or support for setting up your own business.

These outcomes link to those within the Preparing for Adulthood framework of employment, independent living, health and community participation<sup>7</sup>.

9.3 In the majority of cases, local provision can meet the outcomes (for employment, independent living, health and community participation) for the young person in their EHC plan and will be in their best interests. Where it is necessary for young people to access provision outside of their local authority area, it is expected that the young person is supported to maintain links with local services and access local opportunities such as supported work placements or volunteering to facilitate a smoother, more meaningful transition pathway for the young person back to their local area.

9.4 Good outcomes are not predicated on a standard duration for a programme such as 2 or 3 years, nor are they age related. It is the length of time needed for the young person to gain the level of skills needed to move into their end goal of independent living, community participation, employment or higher education.

9.5 There is not an automatic entitlement to continued support at age 19 or an expectation that those with an EHC plan should remain in education until age 25. A local authority may cease to maintain a plan for a 19-25 year old if it determines that it is no longer necessary for the plan to be maintained; in doing so the local authority must have regard to whether the educational or training outcomes in the plan have been achieved.

9.6 A local authority cannot be held accountable for the aspirations of a child or young person. For example, a local authority cannot be required to continue to maintain an EHC plan until a young person secures employment.

9.7 An EHC plan should continue to be maintained where the young person wants to remain in education and clear evidence shows that special educational provision is needed to enable them to achieve the education and training outcomes required for a course or programme that moves them closer to employment.

9.8 In all cases the future outcomes for the young person within the EHC Plan should be clear and identify pathways which are realistic for the young person to achieve. In summary the local authority when commissioning places will take a view as to whether:

- The programme will move the young person towards the aspirations in their plan
- The study programme outcomes clearly support the young person's needs, their aspirations and the long term outcomes within their plan

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<sup>7</sup> <http://www.preparingforadulthood.org.uk/#?audienceTags=&themeTags=Employment&typeTags=>

9.9 The age at which the plan is discharged and the duration of the study programme is not standardised and will always be dependent on each individual's aspirations for employment, higher education, independent living and community participation.

## Section 10: Funding Decisions

10.1 Where an institution is able to demonstrate that a young person requires high needs funding, they will be expected to complete the high needs form (V10) and submit this to the young person's home local authority for consideration. The local authority will review the request to ensure that goals and expected outcomes are focused on preparing the young person for adulthood and correlate with the expected outcomes set out in the young person's education, health and care plan.

10.2 Where it is not clear how the programme and associated level of support supports the young person's goals for adulthood, the local authority will continue to liaise with the education provider to refine the educational offer and / or the proposed costings.

10.3 Where the programme and appropriate level of associated support clearly sets out how it is preparing the young person for adulthood, the local authority will proceed with contractual arrangements with the institution who will make arrangements for the necessary support to be in place.

10.5 Where the LA decides through reviewing the information available that the young person is not 'high needs', providers will be expected to put in place the necessary support to support learning through their notional allocation from the EFA.

# High needs claim form 2017/18 (V10)

**Please refer to the high needs support guidance for information on how this form should be completed.**

## Part 1: Student details

Institution Name and home LA: <i>(please print)</i> :		Institution UPIN:	UKPRN:
Name of Student:	Post code:	Student's home LA:	
Name of previous placement:			
Highest achievement to date:			
Student reference Number (or Unique Student Number <sup>8</sup> ):		Date of birth:	Age at 31 <sup>st</sup> August <sup>9</sup> :
Please describe the nature of the student's disability or difficulty in relation to:			
Communication & interaction	Cognition & learning	Social emotional & mental health	Sensory and/or physical
Programme Title and Level / Learning Aim Reference:			
New learner	Continuing learner	No. of previous years attended:	
No of days per week on programme:	No of hrs per week on programme <sup>10</sup> :	No of weeks per year on programme:	
Programme start date	Start date of support	Programme end date	Support end date

<sup>8</sup> Mandatory in the school census from 2014

<sup>9</sup> In the academic year in which the young person will be starting the programme. Support for learners over 25 at this point must be requested from the Skills Funding Agency.

<sup>10</sup> The number of programme hours will be based on the needs of the student and what will be required to achieve their outcomes.

Are there any other institutions and/or agencies who are involved in supporting the young person in achieving their goals? If so please state the details and number of days attendance:

Has the Student previously had any of the following? Yes\* No\*  
Institutions must refer to the appropriate assessment to inform support planning for the learner.

\* Please indicate below:

Statement of Special Educational Needs (SEN)

Learning Difficulty Assessment (LDA)

Education, Health & Care Plan (EHC)

Date of SEN:

Date of assessment:

Date of plan:

\* Please provide details of documentation/information shared with the institution which supports the need for high needs support.

Name and position of person undertaking the assessment for support:

Contact number:

## Part 2: Student objectives and provision to meet needs identified and costings

### Student long term goals and aspirations:

Objectives related to	Provision to meet objectives	Expected outcome (at the end of the year)	Local Offer support <sup>11</sup>	Additional Support required <sup>12</sup>
Education & Learning <sup>13</sup> •				
Preparation for work skills •				
Communication and interaction •				
Social emotional and mental health •				
Skills for Independent Living •				

<sup>11</sup> This should describe what is available as part of the standard offer from the Institution by way of support, facilities and equipment; over and above the core programme costs of that course.

<sup>12</sup> To include ratios and equivalent 1:1 support, specialist teaching, facilities etc which are **not** included as part of the standard offer from the Institution; must be relevant to the individual's needs. **Further details must be provided at part 3.**

<sup>13</sup> This must include information about achievement levels and targets to allow for the achievements / attainment level to be discussed at annual review.

Other •				
			£ 6000	£

**Part 3: Breakdown of costs**

Please ensure that costs below correlate with the narrative in part 2 of the form.

Please summarise within each category below how different types of specialist staff are supporting the young person.	Local Offer (Included in E2 - £6000) <sup>14</sup>			Additional Support (E3)		
	Hours per week	Cost per hour	Cost per year	Hours per week	Cost per hour	Cost per year
○ Teaching, in-class or on-programme support						
○ Support for personal care or independence activities						
○ Other types of support (please specify)						
Equipment required to support the individual to achieve:  Is this part of the local offer ?    Yes No *  * Requests for depreciation costs must include details of the equipment and evidence of need.						
Direct Payments or contributions from agencies or individuals (please specify)						

**Total E3 Cost**

**Total Element 3 High Needs costs:**

<sup>14</sup> This section is to be completed as per local authority requirements.



We understand that the Local Authority or the Education & Skills Funding Agency (ESFA) may require additional evidence to support the above statement and the actual costs of delivery, and any inaccuracy in the statement may result in recovery of funding and civil and / or criminal proceedings. We understand and accept that the Local Authority or the EFA may share this information with other government bodies for the purposes of preventing and detecting fraud.

<b>Signature:</b>	<b>Name (<i>please print</i>)</b>
<b>Position:</b>	<b>Date completed:</b>

Please forward this completed form to [amanda.youlden@oldham.gov.uk](mailto:amanda.youlden@oldham.gov.uk)

## **Part 4: Key principles to apply in support of your application when identifying costs (please refer to the High Needs Guidance 2017/18 for more detail)**

### **Assessment Costs**

- Programme funding includes the provision of pre-entry advice and guidance or induction activities.
- Costs for assessment and review pre-entry, on-entry, on-programme and on-exit may be considered where it can be demonstrated that this requires specialist inputs or a higher level of input than that provided on the individual's learning programme.

### **Teaching, in-class or on-programme support & support for personal care activities**

- Costs should relate to direct support for individual students and should be calculated on a ratio basis where not delivered as 1:1.
- A clear rationale must support requests for additional teaching, in-class or on-programme support.

### **Equipment costs**

- The Equality Act 2010 requires Institutions to take such steps as are reasonable to provide auxiliary aids to avoid the substantial disadvantage experienced by disabled students. An auxiliary aid includes an auxiliary service and covers anything which provides additional support or assistance to a disabled student. This could range from the provision of a particular piece of equipment (which does not become the property of the student) to extra staff assistance. It includes making information available in an accessible format.
- Claims for additional equipment to enable access to education or training must be supported by evidence of need, how this has been assessed, what alternative funding options have been explored and whether the equipment will move with the young person when they leave education.
- Only depreciation costs will be considered for funding (this is calculated by dividing the actual cost of the equipment by the estimated number of years of its useful life). Only the appropriate element of depreciation for equipment used by the student for the time it was used is eligible for funding.

## Part 4: Key principles to apply in support of your application when identifying costs (please refer to the High Needs guidance 1516 for more detail)

### **Assessment Costs**

- Programme funding includes the provision of pre-entry advice and guidance or induction activities.
- Costs for assessment and review pre-entry, on-entry, on-programme and on-exit may be considered where it can be demonstrated that this requires specialist inputs or a higher level of input than that provided on the individual's learning programme.

### **Teaching, in-class or on-programme support & support for personal care activities**

- Costs should relate to direct support for individual students and should be calculated on a ratio basis where not delivered as 1:1.
- A clear rationale must support requests for additional teaching, in-class or on-programme support.

### **Equipment costs**

- The Equality Act 2010 requires Institutions to take such steps as are reasonable to provide auxiliary aids to avoid the substantial disadvantage experienced by disabled students. An auxiliary aid includes an auxiliary service and covers anything which provides additional support or assistance to a disabled student. This could range from the provision of a particular piece of equipment (which does not become the property of the student) to extra staff assistance. It includes making information available in an accessible format.
- Claims for additional equipment to enable access to education or training must be supported by evidence of need, how this has been assessed, what alternative funding options have been explored and whether the equipment will move with the young person when they leave education.
- Only depreciation costs will be considered for funding (this is calculated by dividing the actual cost of the equipment by the estimated number of years of its useful life). Only the appropriate element of depreciation for equipment used by the student for the time it was used is eligible for funding.

## Annex 2 – Children and Families Act (DfE, 2014)

Duty to identify all disabled children and young people and those with special educational needs (section 22)

Local authority responsibility for all children and young people with SEN in their area (section 23)

Duty of health bodies to bring certain children to local authority's attention (section 23)

Keeping service under review (section 27)

Promoting integration and joint commissioning arrangements (section 25 and 26)

The local offer (section 30)

Presumption for mainstream education (section 33 and 34)

Deciding whether to conduct an Education, Health and Care (EHC) assessment (section 36 and 37)

Naming an education institution in an EHC plan (section 40 and 43)

Duty to secure the education, health and social care provision specified in an EHC plan (section 42 and 37)

Reviews of EHC plans (section 44)

Ceasing to maintain an EHC plan (section 45)

Personal Budgets (section 48)

Mediation (section 52 and 55)

Responsibilities of school governing bodies and others (section 66, 67 and 69)

Code of practice (section 77)

# Annex 3 – Local College Report

Where a young person is looking to apply for a specialist college placement, the LA will need to understand what other options have been explored locally and whether these are able to meet the education and training needs of the young person.

**Name of college**.....

Young Person’s Name:	Current placement:	Date of birth:
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Q1. Has the young person visited the College?

Yes	Date of visit.....	No*
<p>If a visit did take place, please provide more detail. (For example, if the visit was positive, please detail suggested next steps to explore suitability / support a smooth transition. If the visit was not positive, please explain further.)</p> <p>* Please provide more information as to why a visit did not take place and how an assessment of learning and support needs will take place? <b>This must include an observation of the young person in their current placement.</b></p>		

Q2. What information has the College had access to to assist the assessment process?

Careers Guidance Information Form	
Education, Health and Care Plan	
Confirmation of achievements/qualifications and goals	
Communication Plan	N/A
Behavioural Plan	N/A

Social Care / Support Plan

N/A

Health Plan

N/A

Other, please list:

Q3. Can the College support the communication needs of the young person?

Yes

No

More info  
Needed

Please describe further:

Q4. Can the College support any behavioural needs of the young person?

Yes

No

More info  
needed

Please describe further:

Q5. Can the College support any personal care and / or health needs of the young person?

Yes

No

More info  
needed

Please describe further:

Q6. Does the young person require assistance to travel to/from the college, or support to get to their course on arrival?

Yes

No

More info  
needed

Please describe further:

Q7. Does the young person require assistance during breaks and lunchtime?

Yes

No

More info  
needed

Please describe further:

Q8. Is the learning environment appropriate for the young person taking into account the requirement for reasonable adjustments to be made (Equality Act 2010)?

Yes

No

More info  
Needed

Please describe further:

Q9. Is the College able to offer a suitable course of study to the young person? If yes, please provide the name and summary of the course content. If not, please summarise why.

Yes

No

More info  
needed

Please describe further:

Print Name	Contact number
Signature	Date

## Annex 4 – Useful links

Equality Act 2010: <http://www.legislation.gov.uk/ukpga/2010/15/contents>

Preparing for Adulthood: <http://www.preparingforadulthood.org.uk/>

DfE Guidance on Post 16 High Needs Funding (as at August 2017):  
<https://www.gov.uk/government/collections/funding-education-for-16-to-19-year-olds#16-to-19-funding:-funding-guidance>

Background information on SEND reforms:  
<https://www.gov.uk/government/publications/implementing-the-0-to-25-special-needs-system-further-education#history>

SEND Code of Practice (DfE, 2015)  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/398815/SEND\\_Code\\_of\\_Practice\\_January\\_2015.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/398815/SEND_Code_of_Practice_January_2015.pdf)

Information about requesting an EHC needs assessment can be found on the Oldham Council website  
[http://www.oldham.gov.uk/info/200368/children\\_and\\_young\\_people\\_with\\_special\\_educational\\_needs\\_and\\_disabilities\\_local\\_offer/1442/education\\_health\\_and\\_care\\_plans\\_ehc\\_plans](http://www.oldham.gov.uk/info/200368/children_and_young_people_with_special_educational_needs_and_disabilities_local_offer/1442/education_health_and_care_plans_ehc_plans)

Information about Disagreement Resolution, Mediation and Appeals can be found on the Oldham Council website  
[http://www.oldham.gov.uk/info/200368/children\\_and\\_young\\_people\\_with\\_special\\_educational\\_needs\\_and\\_disabilities\\_local\\_offer/1448/disagreement\\_resolution\\_mediation\\_and\\_appeals](http://www.oldham.gov.uk/info/200368/children_and_young_people_with_special_educational_needs_and_disabilities_local_offer/1448/disagreement_resolution_mediation_and_appeals)

DfE Transition to the new 0 to 25 SEND System (September 2015)  
<https://www.gov.uk/government/publications/send-managing-changes-to-legislation-from-september-2014--3>



