

# Haringey Virtual School

## SEN Handbook

Information for Social Workers



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## Executive summary

Looked After Children (LAC) and Young People (YP) are four times more likely to have a Special Educational Need (SEN) than those who are not looked after. In 2015, 61% of LACYP had an SEN compared to 15% of all children. Pupils in all social care groups were over twice as likely to have a special educational need (SEN) than the overall pupil population. They were nearly three times more likely to have a statement or Education, Health and Care (EHC) plan, than the overall pupil population and nearly twice as likely to have SEN support.

Of all the social care groups, CLA for at least 12 months had the highest proportion of children with a special educational need. The percentage of pupils with special educational needs across the key social care groups has generally remained stable over the five years covered in this data.

The Special Educational Needs and Disability (SEND) Code of Practice (COP) 2014 outlines the responsibility of schools, colleges, early years settings and others, for identifying and meeting the needs of children and young people (aged 0 – 25 years) with SEN or disabilities. Most children and young people will be supported by their educational setting at what is called the 'SEN Support' stage. Others with more complex and significant difficulties may have an Education Health and Care (EHC) Plan.

The SEND Code of Practice (COP) makes it clear that it is the responsibility of the educational setting to identify children's and young people's SEN and to make provision to meet their needs. Once it has been decided that a child or young person is likely to have an SEN the setting should record this concern (on the SEN register or record) and make arrangements to meet the need.

These children and young people will be designated as being at the **SEN Support stage** of the COP. Educational settings are delegated funding (£6000 per pupil) to support children and young people at the SEN Support stage. Settings should use this funding to draw up a Provision Map showing all the interventions and support made available to meet the identified SEN. Additionally, Looked After CYP are entitled to the Pupil Premium Plus Grant. This grant is not for the purpose of meeting children's SEN. This grant provides additionality for LAC.

In very rare circumstances (3.6% of the general population but 28.9% of Looked After population) the child or young person's SEN will be deemed to be so significant, severe, complex, and long term that they need the support of an **Education Health and Care Plan**.

The most common type of SEN for LACYP is **Social Emotional and Mental Health (SEMH)** difficulties. These usually present as behavioural challenges. It can be difficult for educational settings to decide whether a pupil's behavioural difficulties mean that they have a Special Educational Need or not. The Code of Practice makes it clear that behavioural difficulties do not necessarily mean that the child has an SEN. Consideration needs to be given to whether the behaviour is associated with normal testing of boundaries, whether it is transient, or whether it is **significant and persistent**. It should be borne in mind that LACYP's experience of early developmental trauma makes them especially vulnerable to social, emotional, and mental health difficulties and in most cases, it might be argued that their behaviour is the result of this early trauma.

All Haringey schools have an attached Educational Psychologist (EP), whose role is to offer psychological advice to schools regarding pupils at both stages of the COP. The school EP works closely with the school's Special Educational Needs Coordinator (SENCO).

The Educational Psychology Service prioritises vulnerable groups such as LAC. If social workers are concerned about the progress of any child or young person in care they should ask if the child or young person has been discussed with the school EP. There is no need to wait until the PEP to ask this: the question can be asked at any time.

Haringey Virtual School (HVS) for LAC also has two EPs who can be consulted by social workers and the Virtual School Education Improvement Consultants for advice about a child or young person's SEN. The Virtual School EPs occasionally carry out assessment work; however, it must be noted that the child or young person is first and foremost entitled to a service from the attached school EP. The Virtual School EP liaises closely with school EPs and may also be involved in delivering individual or small group interventions in schools.

Unfortunately, LACYP will often be subjected to changes of care and school placement; they are a very mobile group. This can make it difficult to be clear about where the responsibilities lie for assessing and meeting their SEN.

**Responsibility always lies with the school or college where the child or young person attends and the Local Authority (LA) where the child or young person resides.** The residing LA is responsible for responding to a school or college request for an assessment of Education, Health or Care needs (EHC Needs Assessment) or to a social worker's request for assessment. Haringey LA is responsible for funding the SEN provision identified by the residing LA.

**Flow charts are provided in this document for a variety of scenarios.**

**It should be noted that this document covers SEN arrangements for children and young people between the ages of 0 - 25 and where the document refers to 'school' this also means Early Years settings and colleges as well as alternative provisions.**



## SEN processes: Looked After Children & Young People

Relevant legislation and guidance:

- Children and Families Act 2014
- SEN Code of Practice 2014
- DfE Guidance on Looked After Children with SEN placed out – of – authority
- Regulation 7 of The Education (Areas to which Pupils and Students Belong) Regulations 1996 (the ‘Belonging Regulations’)
- Mental health and behaviour in schools DfE 2016.
- Promoting the education of looked after children and previously looked after children; Statutory guidance for local authorities 2018

### Definition of SEN

SEND Code of Practice 2014:

***‘A child or young person has SEN if they have a learning difficulty or disability which calls for special educational provision to be made for him or her.’***

A child of compulsory school age or a young person has a learning difficulty or disability if he or she:

- Has a significantly greater difficulty in learning than the majority of others of the same age, or
- Has a disability which prevents or hinders him or her from making use of facilities of a kind generally provided for others of the same age in mainstream schools or mainstream post 16 institutions ([SEND Code of Practice 2014](#))

### The responsibility of schools

All schools should have systems in place to assess and monitor the progress of all pupils. Where progress gives cause for concern it is the school’s responsibility to provide additional support to enable the pupil to catch up. **At this stage the child does not necessarily have a special educational need.**

The Code of Practice tells us that:

***‘High quality teaching that is differentiated and personalised will meet the individual needs of the majority of children and young people’.***

This means good classroom teaching, where account is taken of individual children's needs: their strengths, their weaknesses and the kind of support that might be provided to help the child make progress.

Examples of the kind of support we would expect schools to be able to provide at both a Universal (used with all children) and Targeted (used with some children who need extra help) are:

- Additional small group work to develop literacy or numerical skills such as Catch Up, Read Write Inc. and others
- Specific individual programmes of work based on identified needs
- Language support groups
- Support for personal, social, and emotional development such as social skills groups, mentors or specific individual or small group programmes
- The provision of a key adult or key group of adults to support SEMH needs
- The provision of a 'safe base' within school where the CYP can be when feeling unable to manage.

Haringey Local Offer <https://www.haringey.gov.uk/children-and-families/local-offer/sendospace/whataretheSENDcorestandards> has a dedicated space for demonstrating practice and good standards for children and young people who require SEND support. It is the school's responsibility to identify pupils who do not make progress despite this additional support and high-quality teaching; these pupils may have special educational needs.

Where a child or young person is Looked After, the school should engage the carer, social worker and Virtual School Education Improvement Consultant in discussion about possible SEN. The processes for identifying SEN are outlined in the following section.

**Top Tip:**

If you are concerned about a child's progress, ask at the PEP meeting about what interventions are being used to support the child or young person. However, you do not have to wait until a PEP meeting to do so.

## Identifying children and young people with SEN

Some children and young people will continue to make inadequate progress despite the universal and targeted interventions that have been put in place and despite high quality teaching.

These children may have SEN.

### The SEND Code of Practice

The 2014 SEND Code of Practice identifies two SEN stages:

- SEN Support stage (school census category code K)
- Education Health and Care Plan (EHC Plan) stage (school census category code E) Previously known as a Statement (school census code S).

The Code of Practice states:

*'All schools should have a clear approach to identifying and responding to SEN'*

*'A pupil has SEN where their learning difficulty or disability calls for special educational provision, namely provision different from or additional to that normally available to pupils of the same age'.*

It is the responsibility of the class teacher to bring such pupils to the attention of the School's Special Educational Needs and Disabilities Coordinator (SENDCO) and together they should assess whether the child has SEN.

Their assessment will be based upon what is known so far about the child's learning and the child's response to the interventions that have already been put in place.

If it is decided that the child needs something over and above, or different to, what is normally provided then the school SENDCO will formally document, in the school records, that the child has a Special Educational Need. The child will be placed on the School's SEN register (or equivalent) under the category 'SEN Support'. The parent or carer (or social worker) will/should be informed (it would be expected that the parent/carer/social worker has been part of discussion about progress from an early stage) and there should be a written SEND support plan which is shared between school, parents and carers and any other professionals supporting the child, including the social worker.

#### **Top Tip:**

As well as sharing their concerns with the school, Social Workers should contact the Virtual School if they believe the child is not making academic progress or if they are concerned about a child or young person's social and emotional wellbeing or behaviour. The Virtual School Education Improvement Consultant can advise regarding first steps.

**Top Tip:**

The Social Worker should expect to be informed when the child is placed on the school's SEN register or equivalent.

The Social Worker should ask at the PEP meeting if the child is on the SEN register if concerns are being expressed about progress. **The Social Worker should ensure accurate recording of SEN status on the PEP form.**

Once a pupil has been recorded as having SEN, the school SENDCO will also record the type of need that the child or young person is presenting with as described below.

### SEN categories

The SEND Code of Practice outlines 4 broad areas of need as follows:

- **Communication and Interaction:** Includes those with speech and language difficulties as well as those with Autistic Spectrum Conditions
- **Cognition and Learning:** Children who learn at a slower pace than their peers, even with high quality teaching and appropriate differentiation of classwork as described earlier. This includes children with both moderate and severe learning difficulties
- **Social, Emotional and Mental Health difficulties (SEMH):** These are children who experience social and emotional difficulties that may be manifested in many ways such as in challenging behaviour, depression, or anxiety.
- **Sensory and/or Physical needs:** These are children who may have a disability such as a vision or hearing impairment.

**Note:** In the 2015 census, in the general population, Moderate Learning Difficulty (Cognition and Learning) was the most common type of need identified for children with SEN.

**By contrast, the most common need for LAC, in the 2015 SEN census, was social, emotional, and mental health difficulties (see page 15 & 16 for further discussion).**



## SEN Support stage in schools

Once a decision has been made to place a child on the SEN register, the school SENDCO should seek to put in place effective special educational provision and should seek to remove identified barriers to learning. Schools should use a '**provision map**' to show all the provision they have in place to support the child '*which is additional to or different from that which is offered through the school's curriculum*' (SEND Code of Practice July 2014) <https://www.haringey.gov.uk/children-and-families/local-offer/sendcospace/whataretheSENDcorestandards>

All maintained schools have funding delegated to them by the Local Authority to meet the costs of the provision detailed on the Provision Map thereby supporting children who are on the SEN register. This means that **the majority of pupils who have Special Educational Needs can be supported using this delegated funding.**

The delegated funding per pupil is £6,000.

In addition to this delegated funding LACYP of statutory school age will also benefit from the Pupil Premium Plus Grant. Pupil Premium Plus is a government grant to support and promote the education of children and young people in care and must be managed by the designated Virtual School Head of the local authority that looks after the child. This is separate from the school's SEN budget and is there to provide additionality for the Looked After Child or Young Person.

The Code of Practice says that schools should use a **graduated approach** to help identify and plan for meeting a child or young person's needs. This graduated approach takes the form of four parts **Assess, Plan, Do, Review** cycle which allows for earlier decisions and actions to be revisited and reviewed.

### Assess, Plan, Do, Review cycle

This means that the teacher and SENDCO should:

- Firstly, **Assess** what the child or young person's special educational needs are
- Then **Plan** what needs to be put in place in order to help the child/YP make progress
- Then **Do** what has been decided and set a review date
- Finally **Review** how effective the support or intervention has been



Following the review, the cycle should start over again and be repeated until satisfactory progress is being made.

### Top Tip:

In PEP meetings, the social worker should:

- Ask the SENDCO what assessments have been undertaken and what SEN have been identified.
  - Ask if a plan has been put in place for how to deliver any interventions and for details of this which should include the frequency, duration and when this will be reviewed.
  - Ask for evidence of the impact of the intervention (if the intervention has been in place for some time).
- All information should be recorded on the PEP form.

In most cases this is all that is required, and the child or young person will make progress at this level of **SEN Support**. At any point in this cycle the school may request more specialist assessment in order to help them identify the nature of the child or young person's needs and to support them to deliver the graduated response described above.

For example, the school might request assessment by their attached educational psychologist (see page 15) or the speech and language therapist, or decide to refer elsewhere; for example, to CAMHS. The school should then action the advice contained in reports from those professionals and carry out the same Assess, Plan, Do, Review cycle as before. See also <https://www.haringey.gov.uk/children-and-families/local-offer/sendcospace>

In a very small number of cases (2.8% nationally) a child or young person will need more support than the school can provide using their delegated funding. These are children or young people whose needs are **severe, complex, and long term** and who have not responded to the support provided so far.

In this situation the school, parent, carer, or social worker might consider requesting a statutory assessment of the child or young person's Education, Health or Care needs (an EHC Needs Assessment). For information about EHC Needs Assessments and EHC Plans see the next section.

## SEN Support stage in schools – More Top Tips

### Top Tip:

Ask at the PEP if the child or young person has been discussed with the school's attached educational psychologist (EP) at their SEN planning meeting. The SEN planning meeting takes place termly and is where children with SEN are reviewed and new concerns are discussed with the school EP.

### Top Tip:

The Social Worker, as Corporate Parent, can request a statutory EHC Needs Assessment. This is usually best done via the school but can be done directly to the Local Authority.

Discussion should first be held with the child's school and with the Virtual School Education Improvement Consultant.

## Education Health and Care Plans

It is expected that most children will make progress with creative and flexible support from their schools and colleges, following identification of their SEN, and regular monitoring through the Assess, Plan, Do, Review cycle.

However, as stated previously, in a very small number of cases, despite the best endeavours of the school or college, the child or young person will not have made the expected level of progress. These children and young people have needs that are **complex, severe, and long term** and that require further assessment and support.

These are the children for whom a statutory assessment of their Education, Health and Care needs may be deemed appropriate. This is a multidisciplinary, comprehensive assessment, which should involve children, young people and their parents or carers in the decision making.

The assessment should highlight the child or young person's strengths and abilities as well as seek to identify and clarify their SEN.

The SEND Code of Practice advises that where a LACYP is being assessed for SEN at either SEN Support stage or at the EHC Plan stage, account should be taken of information in their Care Plan

**An EHC Needs Assessment may be requested by any of the following:**

- The school, college or early years setting
- The Social Worker
- The young person if over 16 years and under 25
- The parent or carer.

### Note 1:

The request should be made to the Local Authority **where the child is living**.

If a child is living in Haringey it is made to Haringey; if placed out of Haringey, then the request would go to the residing LA. <https://www.haringey.gov.uk/children-and-families/local-offer/education-health-and-care-plans-ehcps>

**Note 2:**

In a few cases the child or young person may be living in one Borough and attending school in a neighbouring Borough. The request always goes to the Borough **where the child is living**.

**Note 3:**

If an EHC Needs Assessment is agreed, the LA where the child resides should carry out that assessment. Ref: *The Education (Areas to which Pupils and Students Belong) Regulations 1996 and DfE Guidance on Looked After Children with Special Educational Needs placed out of authority*.

Following receipt of the request the residing LA has six weeks to decide whether the assessment is necessary. This decision is made by the LA SEND Panel which, in Haringey, meets weekly (on a Thursday morning) <https://www.haringey.gov.uk/children-and-families/local-offer/education-health-and-care-plans-ehcps/request-ehc-needs-assessment> The Panel looks for:

- Evidence of the severity of special educational need and of the child or young person's progress over time. There must be evidence of 2 cycles of Assess, Plan, Do, Review
- Evidence that the school has implemented recommendations made by other professionals who have assessed the child or young person
- Evidence that clearly demonstrates that, despite the school having used their delegated resources to support the child or young person, they are still experiencing significant barriers to learning.

If the assessment is agreed, it must be completed within a maximum of 20 weeks from the date of the request. See [Appendix 1: Statutory timescales for ECH Needs Assessment and EHC Plan development](#).

If an EHC Plan is issued following the assessment, it will provide information on the child's needs and how the local authority plans to meet them. This often (but not always) involves providing additional funding to the school to support the child (i.e., additional to the £6000 they already have).

The Code makes clear that it is the child or young person's social worker (in close consultation with the Virtual School Head) who will ultimately make educational decisions on the child's behalf.

Only 2.8% of children or young people nationally are issued with an EHC Plan.

**However:**

There are 10x more LAC with EHC Plans than in the general population - 28% of Looked After Children and Young People have EHC Plans.

### Annual reviews of statements or EHC Plans

When a child or young person has a Statement of SEN or an EHC Plan, it must be reviewed annually by the Local Authority. The first review should take place within a year of the Plan having been finalised and then every year after that. The review considers the pupils progress and decides whether any changes need to be made to the Plan.

It is the responsibility of the school to call and hold the annual review. This means they must:

- Set a date for the meeting
- Invite key people to attend: The child or young person, the carer, the social worker, and any other relevant professionals such as the Virtual School teacher, the school EP, the speech and language therapist etc
- Obtain the child's and carer's views, as well as those of the other people involved (especially social worker in the case of LAC) and distribute relevant reports
- Complete an Annual Review report which should be sent to the LA after the review meeting

The Annual Review report and accompanying paperwork then goes to the SEN Assessment Service Annual Review Panel, where any necessary amendments to the Statement or Plan are agreed.



### Top Tip:

It is important to be aware that it is likely that more than half of the Looked After Children a social worker supports will have an SEN need.

### Note:

Assessing the Special Educational Needs of Looked After Children can be complicated by the fact that they are often on the move and there can be confusion about who should be taking the lead and where professional responsibilities lie. This is dealt with from page 20 onwards.

## Incidence of Social Emotional and Mental Health (SEMH) difficulties in LACYP

As stated previously, the SEND Code of Practice outlines 4 broad areas of need as follows:

- Communication and Interaction
- Cognition and Learning
- Social, emotional and mental health difficulties
- Sensory and/or physical needs

Often pupils with SEMH needs present with behavioural difficulties; however, it should be noted that behavioural difficulties do not necessarily mean that the pupil has a special educational need and it can be difficult for schools to decide whether or not a pupil with a behavioural difficulty should be brought to the attention of the school SENDCO.

It is acknowledged in the document: *Mental health and behaviour in schools DfE 2016* that:

*'...consistent disruptive or withdrawn behaviour can be an indication of an underlying problem, and where there are concerns about behaviour there should be an assessment to determine whether there are any causal factors such as undiagnosed learning difficulties, difficulties with speech or language or mental health issues'.*

Looked After Children's experience of early developmental trauma makes them especially vulnerable to mental health difficulties and in most cases, it might be hypothesised that their behaviour is the result of these early difficulties. There are a suite of resources to support schools with SEMH needs on the Local Offer

<https://www.haringey.gov.uk/children-and-families/local-offer/health-services/thrive-framework>

Whether or not the child has SEN should be discussed with the school SENCO and decided in accordance with the guidance in the [SEND code of practice](#).

**Top Tip:**

Be aware of concerns expressed by schools about children or young people's behaviour, especially those at risk of exclusion.

**Ask:** Is the child or young person on the SEN register? Has the child or young person been discussed with the school EP?

## The school's attached Educational Psychologist (EP)

All Haringey schools have an attached EP, whose role is to offer psychological advice regarding pupils at all stages of the COP. The school EP works closely with SENDCOs and other school staff to contribute to the understanding of a child's strengths and needs, which may involve direct individual assessment, and develop intervention strategies to support them. The school EP attends the termly SEN Planning meetings referred to above.

The Educational Psychology Service prioritises work as follows:

1. Statutory work (as outlined in the Code of Practice)
2. Looked After Children and other vulnerable groups

Looked After Children in Haringey schools should have their needs assessed by the school SENDCO and the school EP (or other professionals) in the same way as all other children as described.

Where a Social Worker is concerned about the progress of a Looked After Child or young person, the following **general guidelines apply**:

- The Social Worker should discuss concerns with the Virtual School and the school's Designated Teacher (DT) for LAC
- It may be agreed that the DT should bring the child or young person to the attention of the school SENDCO
- Social Worker should ask if the child or YP is on the school's SEN register
- Social Worker should ask if Assess, Plan, Do, Review cycle been carried out
- Social Worker should ask if EP input is required
- Social Worker should ask if the child or young person has been discussed at SEN Planning meetings

## The Virtual School Educational Psychologist (VS EP)

Just as all Haringey schools have an attached EP, so too does Haringey Virtual School. HVS has 2 dedicated EPs who offer specific support for children placed both in and out of Borough.

The EPs liaise with other EPs regarding any concerns about LAC in their schools. The Virtual School EP meets regularly with the Virtual School team.

The Virtual School EP is available for consultation sessions with teachers or social workers where there are concerns about a child or young person's progress or SEN. The aim of these sessions is to gain clarity about the child's needs, to identify any barriers to progress and to make a plan for how to move the child or young person on. The VS EP can also contribute to meetings and work with the existing network of professionals involved with a Looked After Child.

The Virtual School EP may also, on occasion, be involved in carrying out individual assessments or delivering individual or small group interventions in schools.

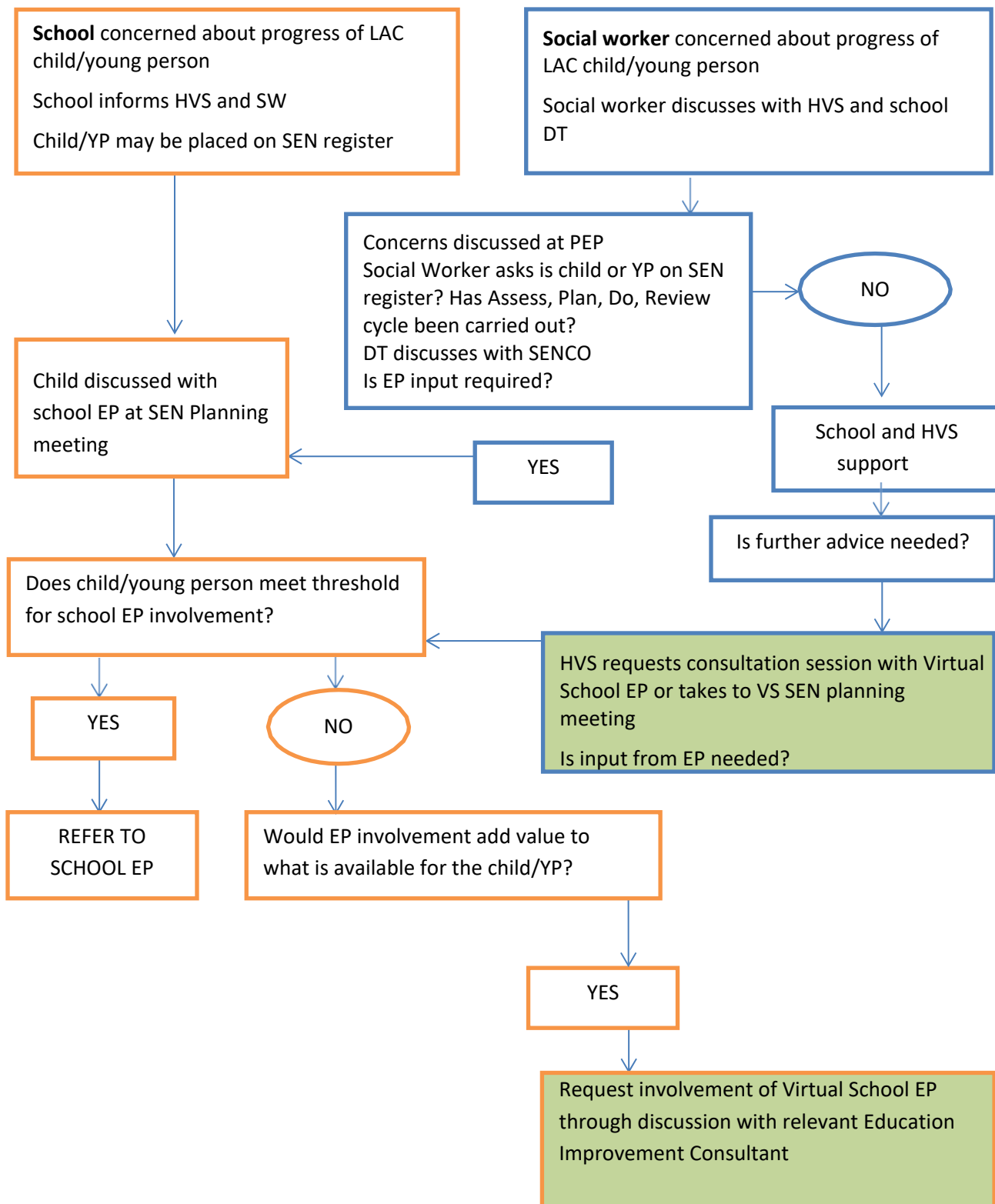
### When to consult the school or the Virtual School EP?

If individual assessment is felt appropriate, the LACYP should be referred to the school's linked EP who has knowledge and understanding of the school context and interventions and provision available. In some cases, the Virtual School EP may become involved with an individual child after discussion has taken place with the school EP. The following are examples of these situations:

- Where EP consultation or attendance at a meeting with members of the professional network around a child would be beneficial
- Where a specific piece of work has been identified as benefiting the Looked After Child. This may be when individual work is required as part of an SEMH intervention for example, or a specific piece of work with the class teacher around how best to support a child who has experienced developmental trauma
- When longer term work is required that the school EP would not be able to carry out due to time constraints
- When the child or young person does not meet the threshold for the involvement of the school EP (decided at SEN Planning meetings) but EP involvement would add value to what is available for the child or young person.
- When a child is not attending an educational provision and therefore there is not a link EP available

See [Flow diagram 1 for how to access EP input](#).

**Flow diagram 1: LAC with possible SEN at school in Haringey: Referral for EP Assessment**



## Assessing the Special Educational Needs of LAC & YP

The following scenarios are explained in this section:

- LAC or YP attending an out of borough (OOB) school undergoing EHC Needs Assessment (See general guiding principles page 21 and Flow diagram 2, page 22)
- LAC or YP with EHC Plan living OOB and attending an OOB school (see guiding principles, page 23)
- LAC or YP with an EHC Plan moving from one LA to another. This could include any of the following scenarios:
  - LAC moving from one OOB placement to another OOB placement  
See [general guiding principles](#) pages 23 & 24 and [Flow diagram 3](#)  
or
  - LAC moving back to Haringey from OOB [Flow diagram 4](#), or
  - LAC moving from Haringey to OOB placement, see [guiding principles](#) page 27 and [Flow diagram 5](#) page 28

### LACYP attending OOB School undergoing EHC Needs Assessment

Arrangements for assessing SEN can become confusing when a child is placed out of borough and attends an out of borough school.

#### General Guiding Principles:

Where a child lives in another Local Authority and attends one of their schools:

- The school has responsibility for identifying SEN, using the *Assess, Plan, Do, Review* cycle described earlier in this document
- The child's progress, following assessment and intervention, is monitored by the school SENCO, the Designated Teacher, the SW and Haringey Virtual School
- The child or young person's school has responsibility for deciding to which external specialists they should refer and if they are concerned about a child they should bring to the attention of their own EP in the usual way
- The school SENCO should discuss the child with the school EP at SEN planning meetings
- **Agreement may be reached to request a statutory assessment of EHC needs, if the child or young person is not making progress**
- The school is responsible for making the request
- The request is made to the LA **where the child is living**
- If, following assessment, an EHC Plan is agreed, the residing LA is responsible for making all decisions regarding provision or how to meet the needs
- If an EHC Plan is agreed the residing LA is required to notify the home LA (Haringey) who will be financially responsible for provision and must therefore decide whether to fund what has been identified.



**See also:**

- DfE Guidance on LAC with SEN placed out – of – authority and
- [Flow Diagram 2 on the following page](#)

**Flow diagram 2: LACYP attending OOB School undergoing EHC Needs Assessment**

LA where the child is placed, and is therefore ‘ordinarily resident’, has responsibility for organising and managing the assessment

**Social worker / School task**

**Virtual school teacher task**

Child in OOB School with high level SEN  
Child’s progress closely monitored by professionals including school SENCO, DT and SW  
Agreement reached to request SA (this could be at PEP)  
(Child should be known to school SENCO and EP. School EP provides statutory and non-statutory advice)  
School initiates SA request

Virtual School Education Improvement Consultant responds to request for advice if required



Request for SA made by school in the usual way to residing LA (Social Worker can also make this request)  
(School may seek advice from Haringey Virtual School and Social Worker should discuss with Virtual School Education Improvement Consultant)

Virtual School Education Improvement Consultant responds to request for advice if required



If an Education Health and Care Plan is agreed provision will be identified by residing LA  
Residing LA informs Haringey Statutory Assessment Team of provision identified and asks agreement to fund  
Social Worker informs Haringey Statutory Assessment Team that an EHC Plan has been agreed by residing LA

**Note:** DfE Guidance on LAC with SEN placed out – of – authority  
‘The placing Local Authority should be engaged in the process where they are the corporate parent of the child’

SA agreed by SEN Panel where child resides, and advice requested from relevant professionals/services  
Virtual School supports/adds to school’s advice  
Social Worker informs Haringey Statutory Assessment Team

**Haringey Statutory Assessment Team task**  
SEND Case worker up-dates Mosaic file and finance team

## LACYP with EHC Plan living OOB and attending an OOB school - Responsibilities Guiding Principles

- The school is responsible for meeting the child's needs in accordance with what is outlined in the Plan
- The school is responsible for calling and organising the child's Annual Review;
- The social worker should be invited to attend the Annual Review;
- The school completes the Annual Review paperwork and sends it to their own Local Authority SEN department;
- The residing LA should forward Annual Review paperwork to Haringey SEN Assessment Service in order to keep them informed;
- Haringey LA is responsible for funding the provision in place to meet the child's SEN

## LACYP with an EHC Plan moves from one OOB placement to another OOB placement (flow diagram 3) or from an OOB placement back to Haringey (flow diagram 4)

### Key factors for a successful move:

- Plan ahead if possible
- Involve the right professionals – key people are:
  - Social Worker
  - Virtual School Education Improvement Consultant
  - All LAs that are involved (i.e., the current residing LA, the new LA and the placing i.e., Haringey LA)
  - Previous schoolteachers, mainly SENDCO and DT LAC
- Communication between local authorities is a key factor. Home (placing LA) and residing LA, or LA where child is moving to, should talk to each other
- All information about the child should be up to date. This may mean the new LA calling an early annual review to get an accurate picture of current needs
- Social Worker liaising with Virtual School Education Improvement Consultant. If, in discussion, Social Worker has reason to believe needs are different a professionals meeting should be convened. This should be minuted and minutes forwarded to receiving LA
- It is the LA where the child is coming from that has the most up to date information about needs so it is imperative that discussions take place with representatives from that LA and that reports, and records are transferred by the LA/school promptly

The key person in these situations is the **Social Worker** who should keep all informed.

The Social Worker has five tasks (see below and also [Flow diagram 3](#) and [Flow diagram 4](#)) that must be attended to as soon as a decision is made to move a child with an EHC Plan to another LA or back home.

These are:

- Social Worker informs the SEND section of the new LA that the child is moving, the child has an EHC Plan and provision will need to be made
- Social Worker contacts the departing LA SEN section and requests that they send the paperwork (EHC Plan and any supporting documents and reports) to the new LA
- Social Worker informs Haringey Statutory Assessment Team via email to so that

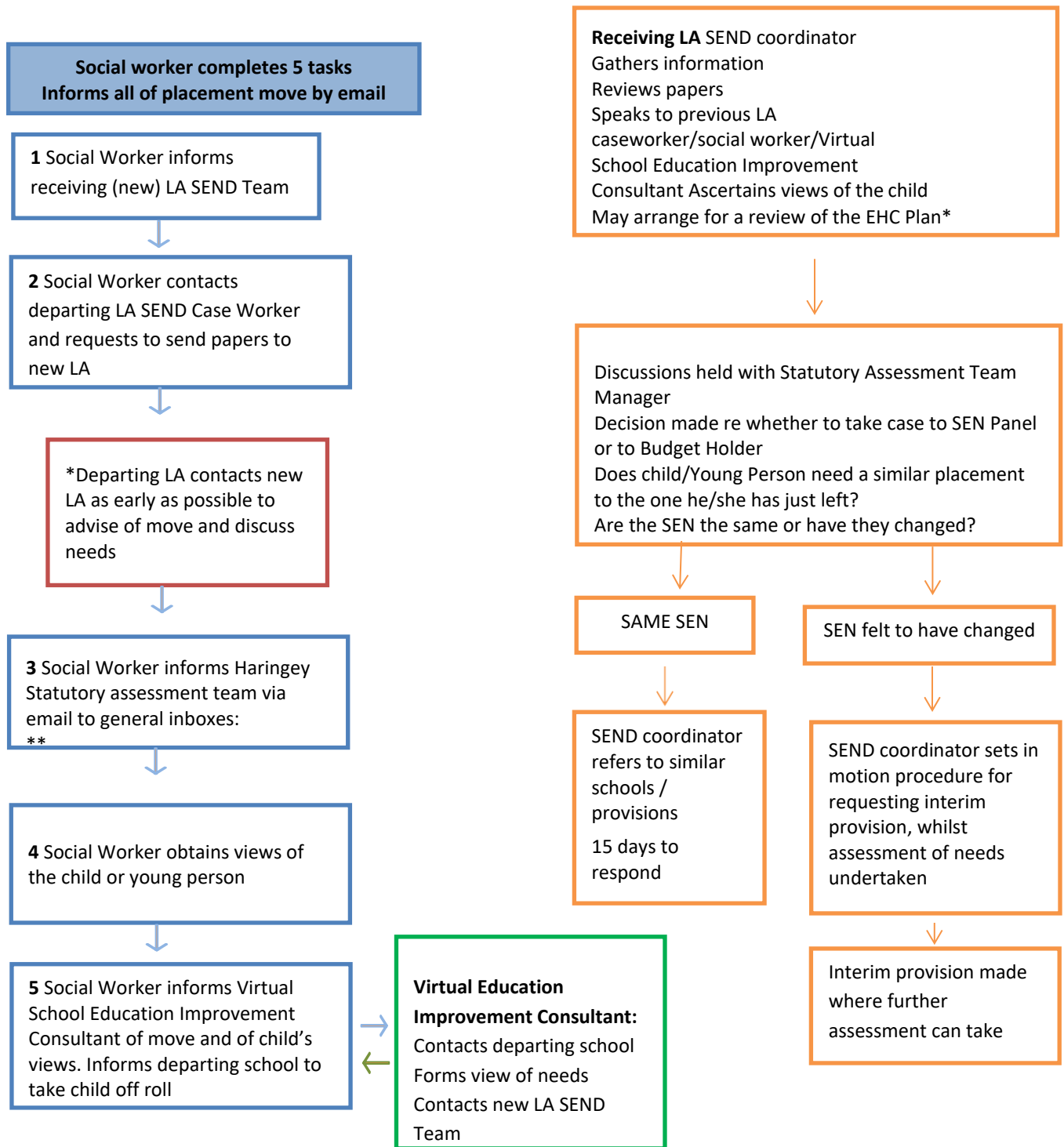
Haringey is ready to hear from the new LA regarding the provision they will be required to fund

- Social Worker ascertains the view of the child or young person about what they think they need from their educational provision
- Social Worker informs the Virtual School of the move and of the child or young person's views.

See flow diagrams 3 and 4 overleaf

### Flow diagram 3: LACYP with EHC Plan moves from one OOB placement to another OOB placement

Key People: Social Worker  
 Virtual School Education Improvement Consultant  
 SEND caseworker



**\*DfE Guidance**  
 The receiving authority can consider bringing forward arrangements for a review of the EHC Plan. Good practice is that Local Authorities should always discuss moves of LAC with receiving LAs before a final decision is made as this is a good way to ensure such placements are made as smoothly as possible. If it is likely that the placement will be out of authority, then early warning to the receiving authority would be useful.

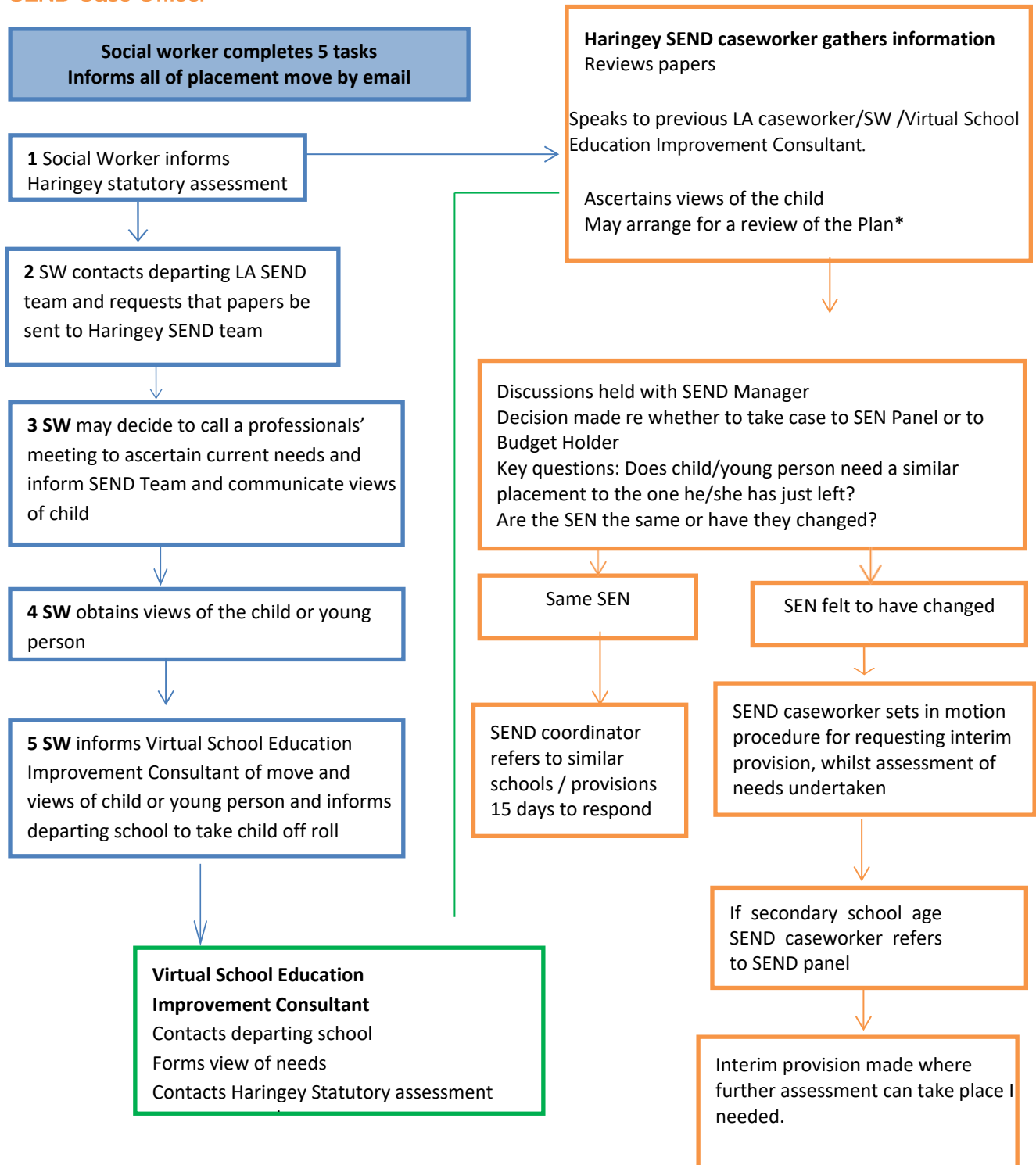
## Flow diagram 4: LACYP with EHC Plan returns to Haringey unexpectedly

(For example, due to sudden placement breakdown)

Key People: Social Worker (SW)

Virtual School Education Improvement Consultant

SEND Case Officer





## When a child or young person with an EHC Plan leaves Haringey and is placed in another Local Authority

### General guiding principles:

- The placing authority (Haringey) has financial responsibility for meeting the requirements detailed on the EHC Plan and has little direct input otherwise
- The residing authority (where the child is now living) has responsibility for everything else, which includes:
  - Assuming responsibility for the EHC Plan
  - Finding suitable local provision both permanent and interim
  - Arranging and holding annual reviews
  - Updating/amending the child's EHC Plan as required
- However, the placing authority (Haringey) has a corporate parent duty to 'promote the educational achievement of the child'. ***The placing authority should respond to decisions made regarding placement in the same way as a parent would if the child was not looked after.*** (DfE Guidance)

The key person in this situation is again the **Social Worker** who should keep all informed. There are 4 key tasks to be carried out:

- Social Worker informs Haringey SEN caseworker and provides information regarding the move and the receiving LA
- Social Worker informs the receiving LA SEN section and confirms that the SEN caseworker is aware of the move and will send on the EHC Plan as well as associated documents and reports. Social Worker may advise receiving LA of likely needs regarding provision
- Social Worker obtains the views of the child or young person
- Social Worker informs Virtual School of the move and of the views of the child

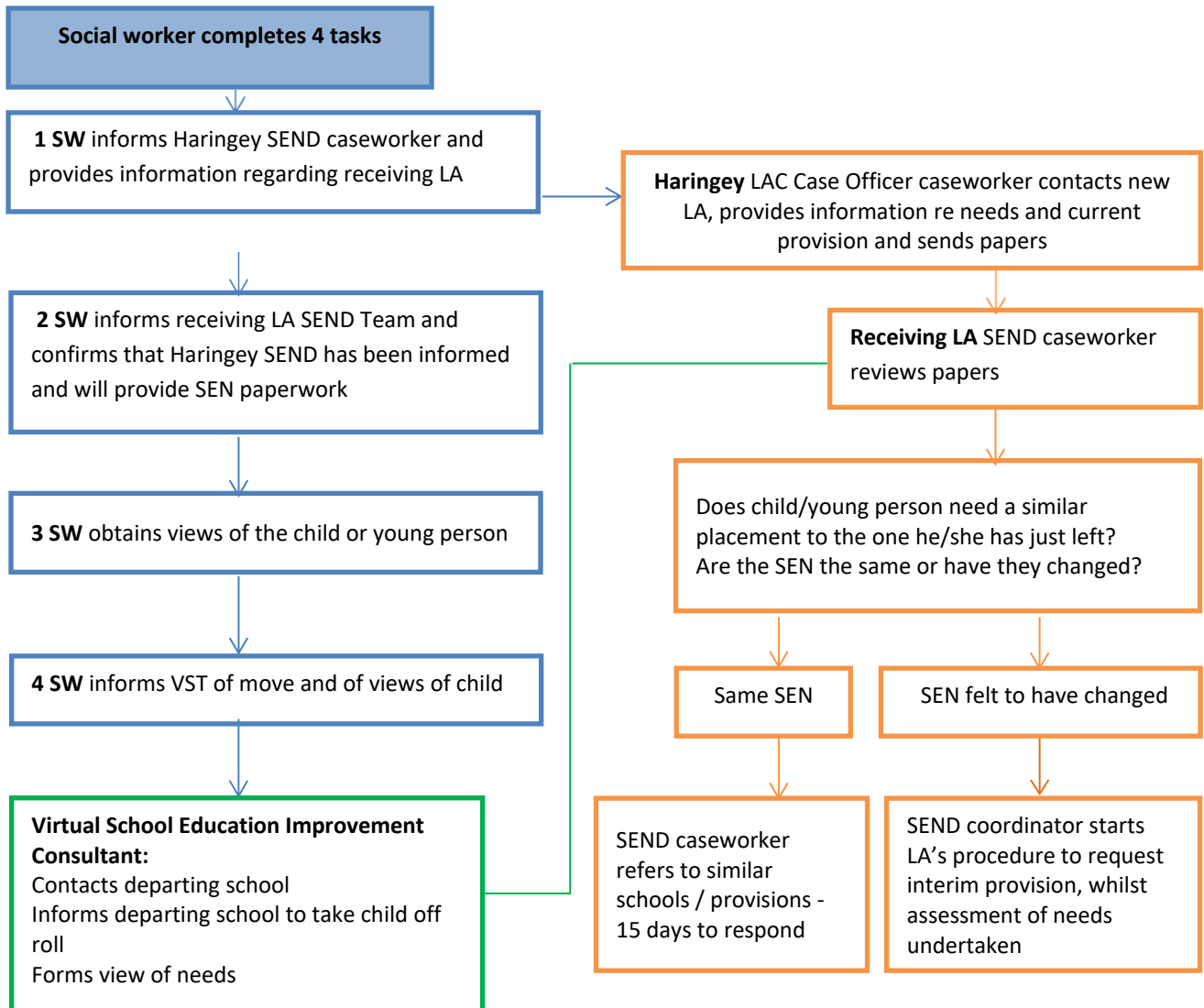
See [Flow diagram 5](#) which illustrates the activities to be undertaken by the Social Worker and by others

## Flow diagram 5: LACYP with EHC Plan leaves Haringey and is placed in another LA

Key People: Social Worker (SW)

Virtual School Education Improvement Consultant

SEND Case Officer



## Provision of Home to School Transport for LAC & YP with Special Educational Needs

The following scenarios are explained in this section:

- LAC or YP placed in Haringey by a different local authority attending a school requiring home to school transport.
- LAC or YP with EHC Plan living out of borough (OOB) and attending an OOB school requiring home to school transport.
- LAC or YP with an EHC Plan requiring transport to attend additional settings, such as day care centres/ holiday centres

Definitions:

- Home authority – Haringey
- Responsible authority – the local authority that the LAC or young person is residing

### General Guiding Principles:

When placing a child out of borough it is important to consider what arrangements can be in place for a child to get to and from school.

There are two main forms of transport:

- For long term placements (duration of >3 months) for home to school transport. Requests will be dealt with by Passenger Transport Services (PTS).
- For short term placements (duration of <3 months), emergency transport or for transport to settings other than school. Requests will be dealt with by ESCS support

When a LAC or YP is moved into a new borough, their school transport should be arranged via the ESCS team. This is to ensure that the individual gets the travel support they need, whilst also allowing us to be flexible if circumstances were to change e.g. if a placement breaks down and a LAC has to be placed elsewhere, we can cancel the arrangements as we have not committed to a long-term agreement with a provider.

Once a placement is permanent or appears that it may be longer than 3 months, social workers should apply to the responsible authority and follow the pathway outline in Flow Diagram 8.

See also:

- [Flow Diagram 6 on the following page](#)

#### Top Tip:

Social workers should apply to the responsible authority as soon as possible after the placement has become permanent. They should follow the required pathway shortly after this to prevent any issues in the transition from short term to long term transport.

It is essential that as the local authority responsible for the child that we have governance over the decisions made surrounding the transport of our young people.

For children to receive home to school travel assistance they must meet certain eligibility criteria. If they are not eligible, it is expected that they attend schools and other services via the usual methods of public transport, travel provisions provided by a carer etc.

Eligibility criteria can be found on Haringey's Home to School transport policy.

**\*DfE Guidance**

It is the statutory duty of the responsible authority to provide home to school travel assistance. It is not the responsibility of the placing local authority or Haringey Virtual School to make the necessary travel arrangements. It is the responsibility of the placing authority to pay for any associated transport costs. Good practice is that social workers should apply for school transport with the relevant authority as soon as possible.

See also:

- [DfE Home-to-school travel and transport statutory guidance](#)
- [Post-16 transport to education and training](#)
- [Haringey School Travel Assistance Policy](#)

**Top Tip:**

Social workers should check with the placement as to whether they are able to provide transportation for the child. Haringey could potentially support the carer financially to transport the LAC or YP by a personal travel budget. Foster carers/ homes providing transport is the preferred/ safest method of for LAC or YP and should be factored into the placement offer. Social workers should explore this option prior to approaching local authorities for assistance.

**LAC or YP placed in Haringey by a different local authority attending a school requiring home to school transport**

- The social worker is responsible for completing an online home to school transport application which can be found [here](#). It is important that the application mentions that the child is LAC
- Haringey Passenger Transport Services (PTS) will assess the application and provide a response either accepting or rejecting the application
- If accepted, the PTS will inform the social worker of the costs for transporting the LAC or YP for the year
- The social worker will need to correspond with the placing authority, and they must confirm that they agree to pay for the costs of Haringey transporting the LAC or YP
- The social worker must provide the written correspondence with the placing local authority to the PTS, containing invoicing details and any PO numbers required

See also:

- [Flow Diagram 7 on the following page](#)

## LAC or YP with EHC Plan living out of borough (OOB) and attending an OOB school requiring home to school transport

- The social worker is responsible for applying to the responsible authority for home to school travel assistance
- The social worker is responsible for completing the online form, which can be found [here](#). To complete this form, the social worker will need to acquire details surrounding the arrangements that will be made for the LAC or YP from the responsible authority
- Haringey PTS will review if the LAC or YP is eligible for transport and will check if the arrangements the responsible authority are proposing are suitable and the best use of Haringey's resources
- Haringey PTS will inform social worker of outcome and confirm valid cost centre and purchase order number for the responsible authority to charge to
- Transport arrangements will be reviewed by the PTS annually, usually during the summer holidays
- It is the responsibility of the social worker to inform the PTS of any changes in circumstances and/ or placement for the LAC or YP

### Top Tip:

It is a statutory duty for responsible authorities to provide transport for eligible LAC or YP. They can't refuse transport based on the local authority not having the resources to make the necessary provisions based on the child's needs. It is their responsibility to have robust measure for procuring the correct services for eligible children.

Ask: On what basis has the responsible authority rejected an application? How can you appeal this decision, if it you believe it does not comply with DfE guidance?

### See also:

- [Flow Diagram 8 on the following page](#)

## LAC or YP with an EHC Plan requiring transport to attend additional settings, such as day care centres/ holiday centres

For short term placements, emergency transport (duration of < 3 months), or for transport to settings other than school, social workers should submit a request form, which can be found [here](#).

### See also:

- [Flow Diagram 9 on the following page](#)

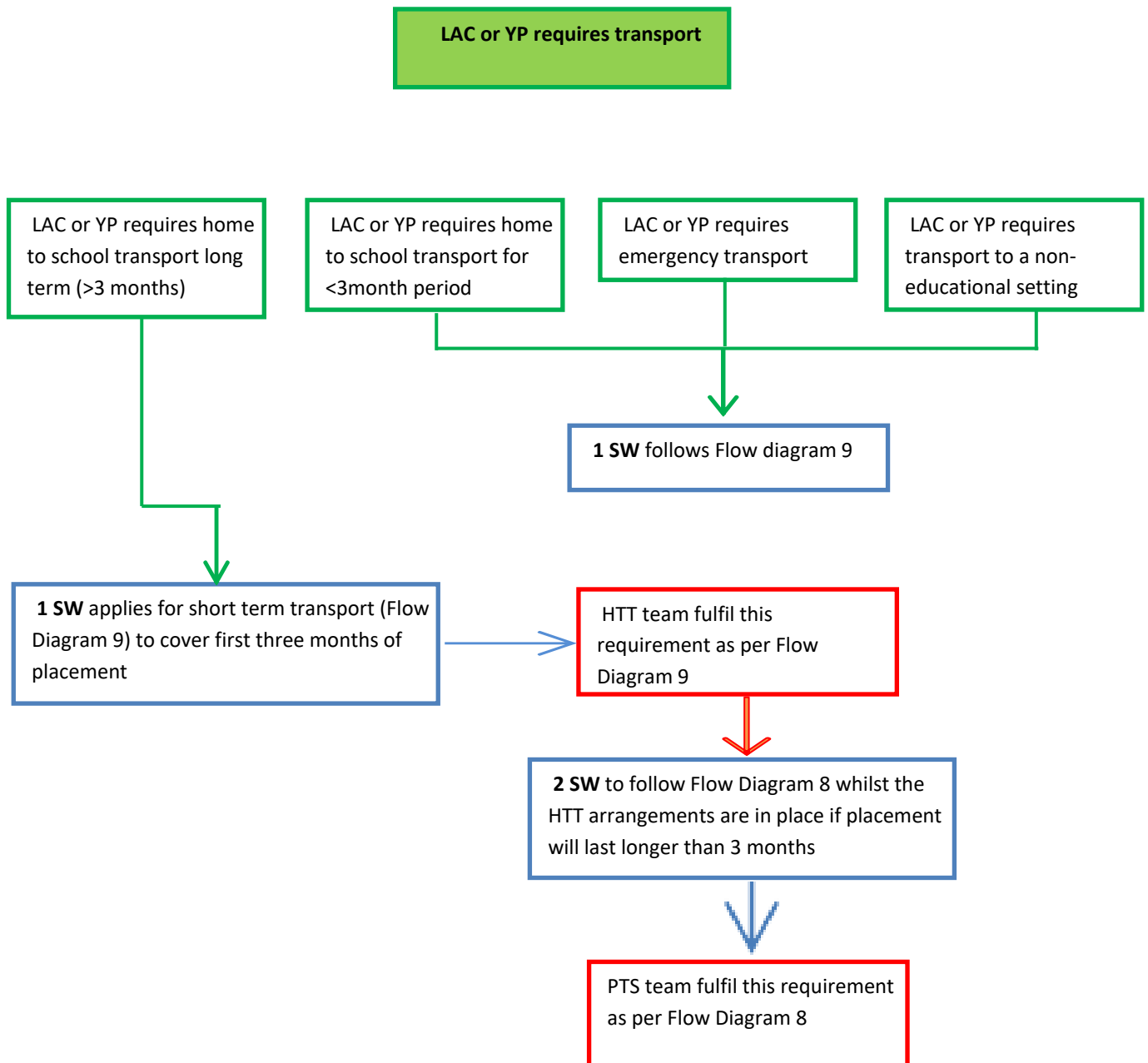
### Contact Details

PTS team: [school.transport@haringey.gov.uk](mailto:school.transport@haringey.gov.uk)

ESCS team: [ESCS.Support@haringey.gov.uk](mailto:ESCS.Support@haringey.gov.uk)

## Flow Diagram 6: Transport Request Pathway

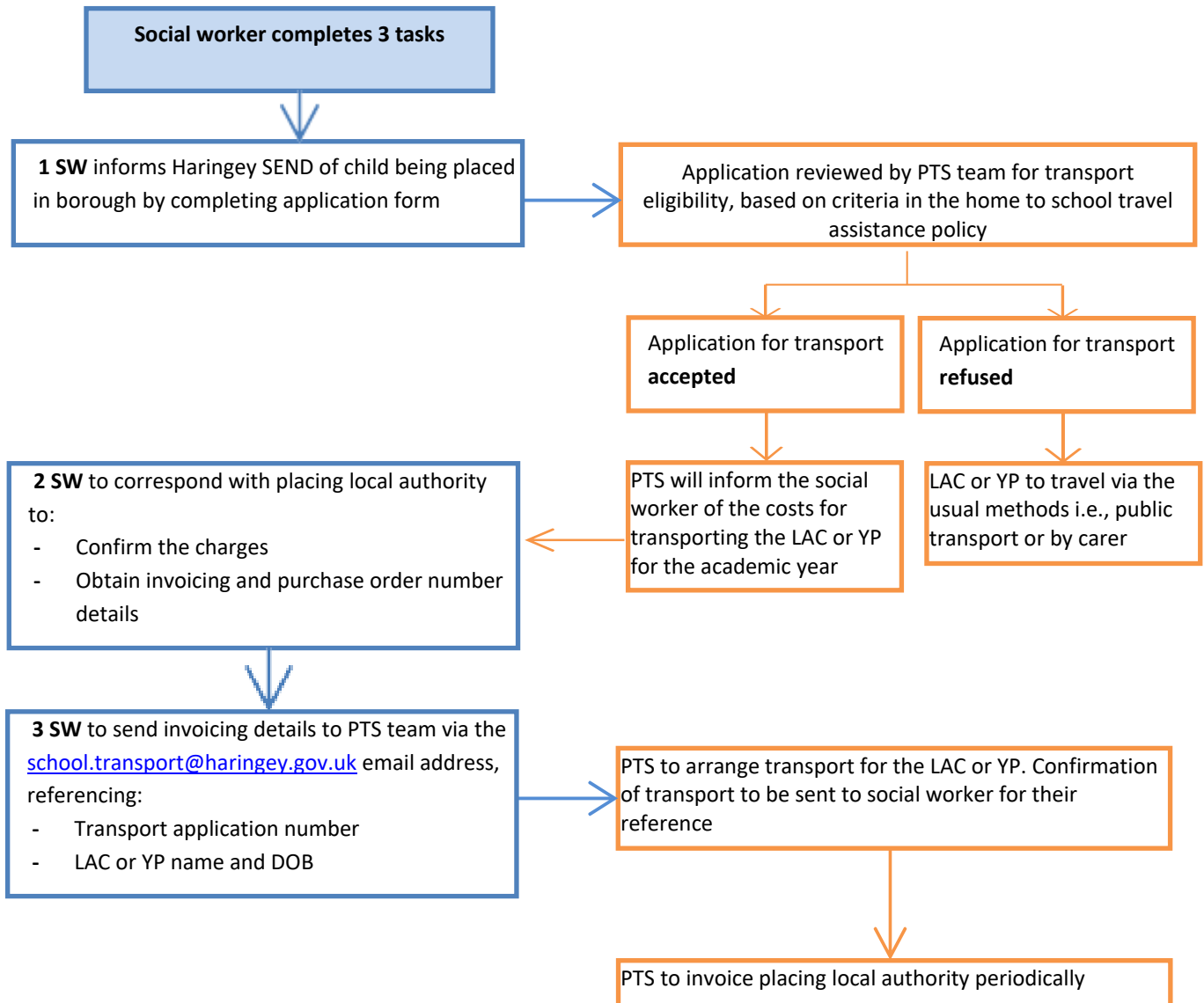
Key People: Social worker    PTS team    Haringey Transport Team (HTT)    Requirement



## Flow Diagram 7: LAC or YP placed in Haringey by a different local authority attending a school requiring home to school transport

Key People: Social worker

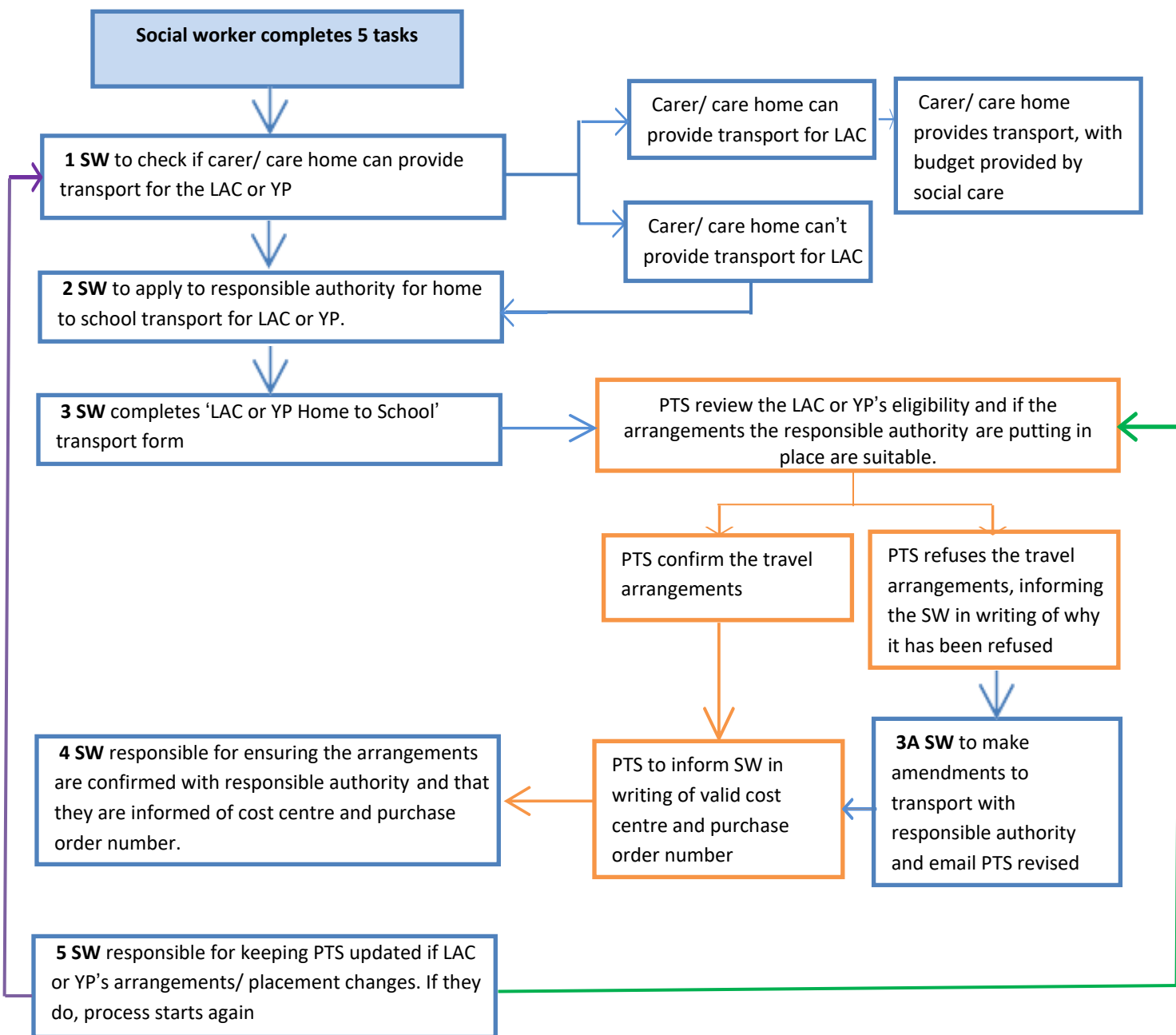
PTS team





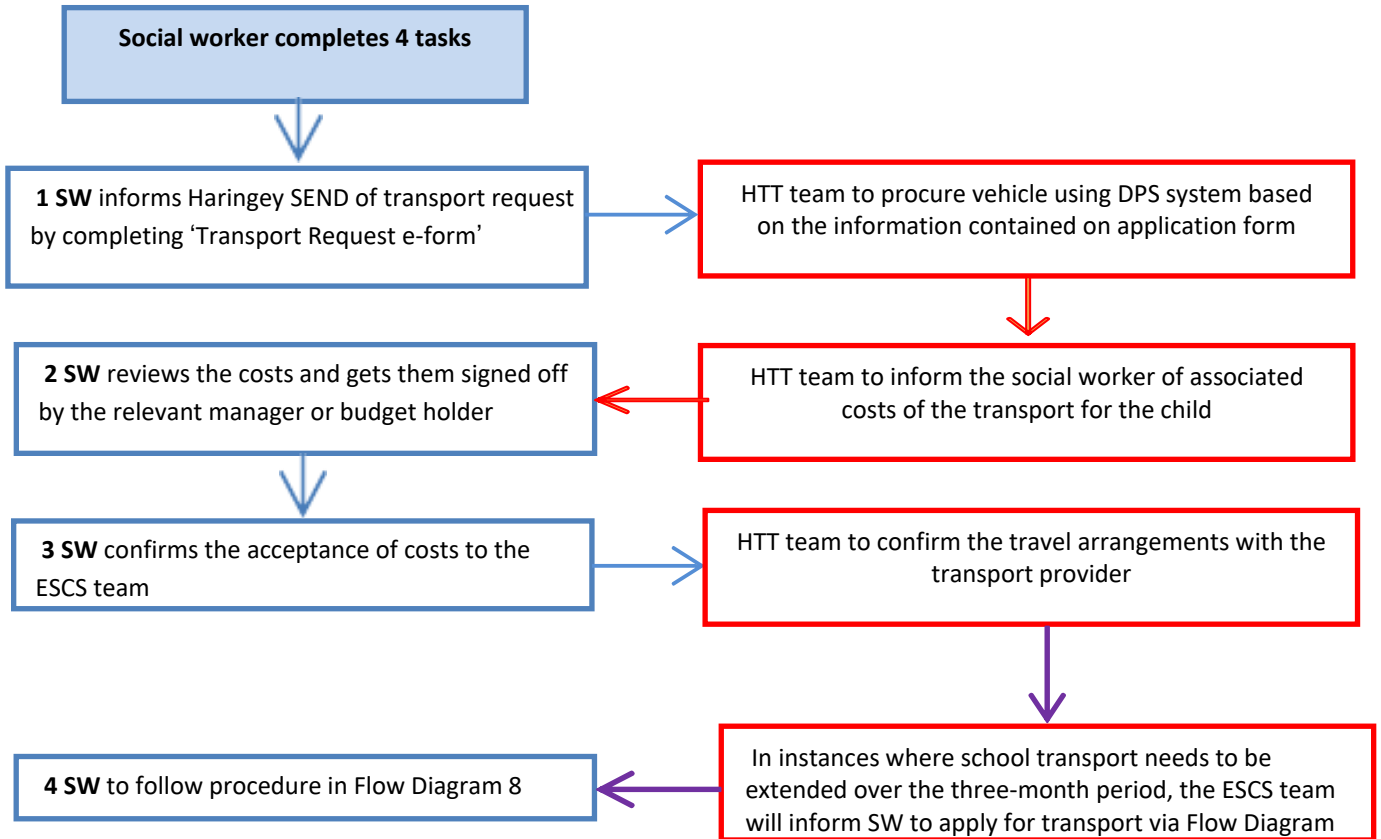
## Flow Diagram 8: LAC or YP with EHC Plan living out of borough (OOB) and attending a school that is either in or out of borough requiring home to school transport

Key People: Social worker    PTS team    Annual review path    Change of LAC or YP placement

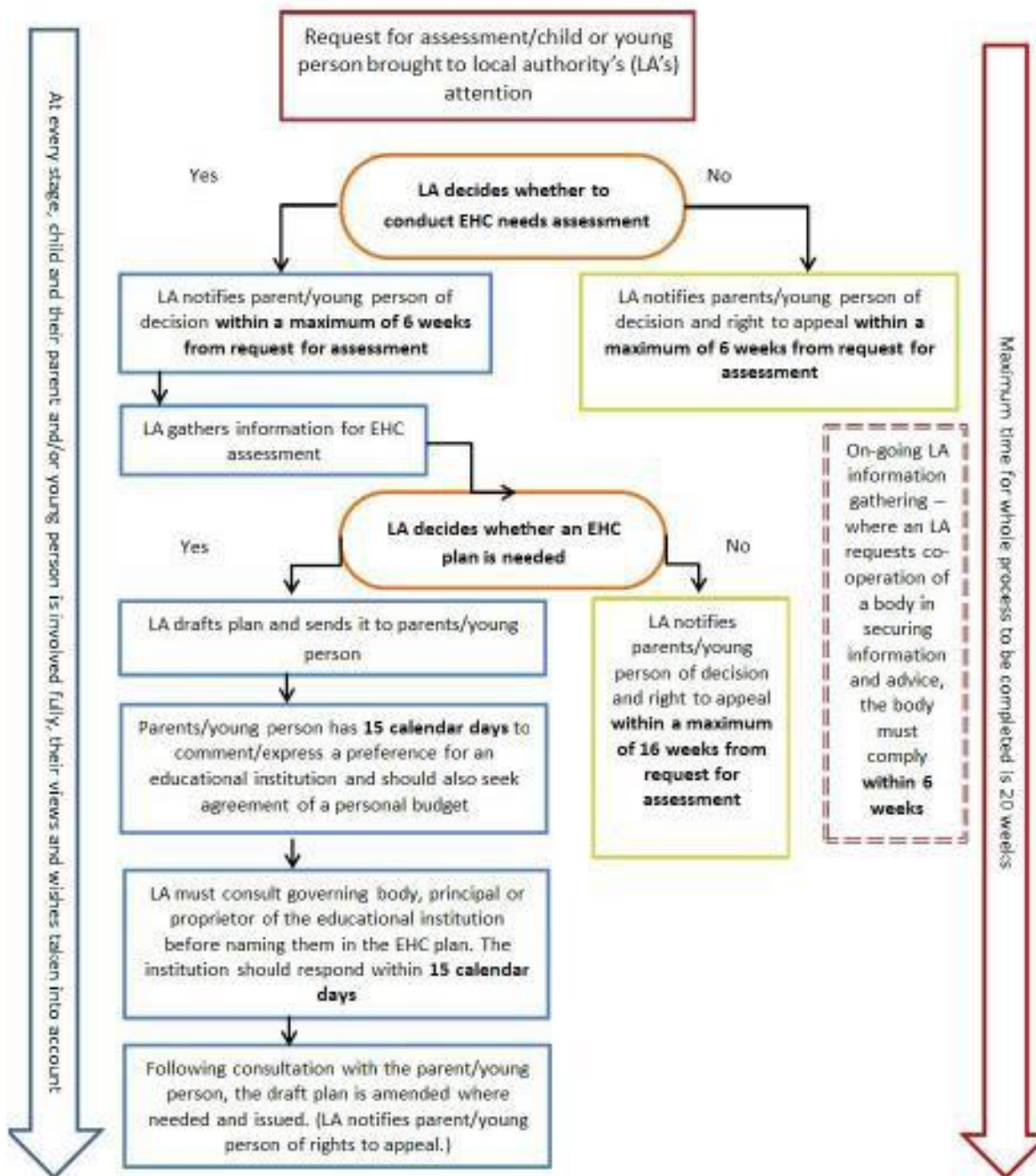


**Flow Diagram 9: LAC or YP with an EHC Plan requiring transport to school on a short-term basis (< 3 months) or attend additional settings, such as day care centres/ holiday centres**

**Key People:** Social worker    Haringey Transport team (HTT)    School transport >3 months



## Appendix 1: Statutory timescales for EHC Needs Assessment and EHC Plan Development



Source: SEND code of practice, page 154

## Glossary

**Annual review:** the review of an EHC Plan which the LA must make as a minimum every 12 months

**Child and Adolescent Mental Health Services (CAMHS):** Services which assess and treat children and young people with serious emotional, behavioural, and mental health difficulties

**Education Health and Care Plan (EHC Plan):** This is drawn up by the Local Authority where the child resides. It follows an EHC Needs Assessment. It details the education, health and social care support that should be provided to a child or young person who has SEN or a disability. Sometimes, even though an EHC Needs Assessment has been carried out, the LA may decide that a plan is not necessary to meet the needs identified; that the needs are not severe enough

**Designated teacher LAC:** This is a qualified senior teacher who has responsibility for promoting the educational achievement of looked after children who are registered pupils at the school. Every school is required to have one.

**Educational psychologist:** All schools have an allocated EP who works with the school SENCO to support children and families where there are concerns about a child's educational progress or wellbeing

**LA:** Local Authority

**Local Offer:** <https://www.haringey.gov.uk/children-and-families/local-offer>

**Personal education plan (PEP):** This is part of a Looked After Child or Young Person's Care Plan. The PEP sets out the educational needs of the child, sets targets and monitors progress. A PEP meeting is held in the Autumn and Summer terms. The Spring term PEP is an electronic one. If a Looked After Child also has an EHC Plan then the Annual Review of that plan should, where possible, coincide with the PEP.

**SEMH:** Social Emotional and Mental Health difficulties

**SEND:** Special Educational Needs and Disabilities

**SEN plan:** Special Educational Needs planning meeting. The SEN planning meeting takes place termly and is where children with SEN are reviewed and new concerns are discussed with the school's Educational Psychologist

**Special Educational Needs (SEN):** 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 him or her. A child of compulsory school age or a young person has a learning difficulty or disability if he or she has a significantly greater difficulty in learning than the majority of others of the same age or has a disability which prevents or hinders him or her from making use of educational facilities of a kind generally provided for others of the same age in mainstream schools or mainstream post 16 institutions. (SEN Code of Practice 2014)

**Special Educational Needs Coordinator SENCO:** Every school is required to have one. This is a qualified teacher who has responsibility for coordinating SEN provision. Sometimes this person is also the Designated Teacher

**SFR:** Statistical First Release

**SW:** Social worker



Mary Jarrett

Head of Service, Integrated SEND  
Early Help, Prevention and SEND Division

[Mary.jarrett@haringey.gov.uk](mailto:Mary.jarrett@haringey.gov.uk)

Special Educational Needs & Disabilities,  
London Borough of Haringey,  
2nd Floor, Alexandra House,  
10 Station Road,  
London, N22 7TR

Main Telephone No for SEN: 020 8489 1913  
Mobile: 07980316726

The logo for SEND, with the letters S, E, N, and D in large, bold, sans-serif font. Each letter is a different color: S is blue, E is yellow, N is green, and D is orange.