

**Children & Young People's Services  
Special Educational Needs and Disability Service**

**0-25 Education, Health and Care SEND Decision Making and Moderation  
Processes**

Haringey will have 2 SEND Panels to ensure that decisions to assess or issue an Education, Health and Care Plan are fair, open and transparent. Decisions from Panel will be recorded on Mosaic and shared with families by letter and with a follow-up phone call from their allocated case officer.

**Panel 1:** Tuesday morning: Decision to proceed with statutory assessment using legal threshold.

**Panel 2:** Thursday morning: Decision to issue a plan based on legal thresholds; provision within plan; changes to provision arising from Annual Review.

**Principles and Values**

The Panels will consider the evidence provided by parents/carers and, where possible, children and young people, alongside practitioners from relevant agencies.

The following principles should be applied by the Panel:

- Aspirational and person centred.
- Empowerment of children/young people and families
- Promotion of equality.
- Preparation for transition at appropriate phases.
- Preparation for adulthood.
- Evidence based, transparent and consistent processes and decision making.
- Effective use of resources and range of provision to be considered.
- Evidence that level of resources are aligned to the needs/outcomes of the child
- Working together for positive outcomes for children and young people

1.1 To make decisions on:

- Initial requests for new statutory EHC needs assessments.
- Completed new Statutory EHC needs Assessments- decision to issue a plan, draft EHC Plans and Indicative Budgets/ requests for a Personal Budget
- EHCPs
  - o requests or recommendations for a change of placement from a mainstream setting into a maintained special school or specialist mainstream attached Unit provision.
  - o requests for an increase in the level of High Needs Block (education) resource allocation and exceptional packages.

- All requests for an out of authority placement in a non- maintained special or independent special school or specialist post 16 provision (this would be a recommendation based on the need of the child as would need approval from the AD Commissioning, Performance & Inclusion);
- Outcomes of tribunals and overturned mediations
- Cessation of Plans

## 1.2 Membership of the SEND Panel

Membership of the Panel reflects responsibility for budgets, specialist service delivery and placement across education, health and social care to enable decisions to be taken promptly and to ensure the efficient use of wider public resources.

The Panel will consist of managers/ senior leadership representatives from the following:

- Head of SEND (Chair)
- LA's SEND EHCP Manager
- LA's Educational Psychology Service (Vice Chair)
- Service Leader: Inclusion Support Services
- DCO (acting as CCG representative)/ Therapy Service Lead
- Post 16 providers (rota)
- LA'S Children's Commissioning Team (brokerage/ finance function)
- Children with Disabilities Team (wider SC representation TM level)
- CAMHS
- LA's Early Help Manager- Tuesday panel.
- Virtual School
- 3 Inclusion Leads (SENDCOs including Early Years?)
- 1 Special School Lead
- EHCP Senior Administration Officer

The Panel will involve and be supported by the following officers in attendance:

- SEN Case Officers (To support as required)

If a panel member is unable to attend the meeting, they may arrange an appropriate representative, who must be a senior manager from the service, to attend on their behalf or if relevant, submit written views.

From time to time, the Local Authority receives requests for colleagues to join the Panel to observe panel business. The Local Authority agrees to this in the spirit of promoting joint working, joint understanding, professional development and workforce development. In order to manage this effectively, observers must book in advance to attend by contacting the Senior Administration Officer. Observers should note that they MUST NOT take part in any elements of the panel's case discussions and fully observe Local Authority policy in relation to confidentiality in line with GPDR regulations.

This is a closed Panel and as such members of the public, Parents/Carers or a young person are not able to attend for reasons of confidentiality.

### 1.3 Decision making

Decision making Panel members will be responsible for providing advice, professional guidance and recommendations to the Chair of the panel to enable fair and consistent decision making. Every effort is made to reach agreement on each case. The final decision remains with the Local Authority through the Chair of the panel. The Head of SEND is authorised to make a decision out of panel if required. This may include whether to start a statutory assessment or issue an EHC plan. Out of panel decisions will be reported to the next available panel.

### 1.4 Frequency

The Panel will meet weekly with dates scheduled for the academic year. Where timelines require decisions outside these meeting dates, papers will be shared via secure means and a virtual panel will be held.

Panel papers will be ready for distribution prior to Panel to enable attendees to review the papers. Decisions will be recorded during the panel meeting.

### 1.5 Confidentiality

Panel representatives must uphold confidentiality in all cases considered at SEND Panel and act in accordance with the Data Protection (GPDR) duties of the LA and working together to safeguard children.

Membership of the Panel has a duty to report on all Declarations of Interest, including relationships to any child or young person, etc.

There may be diverse views discussed at Panel given the different representations from the different services and a consensus will be agreed by members and recorded in the minutes.

### 1.6 Reviewing of the Panel Processes

It is recommended that this document is reviewed termly and amended in accordance with any changes or developments nationally or locally.

These terms of reference are designed to be realistic and practical and provide the right balance between helping the system to work for the diversity of children, young people and families living in Haringey and the need for the Local Authority and Health Authority to carry out their statutory duties, using robust decision making and accountability procedures.