

Stockton-on-Tees Borough Council

**Transfer from Statements of Special Educational Need and Learning Difficulty Assessments
to Education, Health and Care Plans**

Transition Plan September 2015 - August 2016

Version 2

Introduction

The Children and Families Act 2014 (part 3) introduced a number of changes to the system for children and young people with special educational needs (SEN) and/or disabilities and their families.

One of the main changes is that statements of special educational need (statements) and learning difficulty assessments (LDAs) are being replaced by Education, Health and Care plans (EHC plans).

Children and young people with statements must transfer to the new system by 1st April 2018.

Young people with LDAs must transfer to the new system by 1st September 2016.

The Government has set out guidance about how the transfer should take place. This guidance 'Transition to the new 0-25 special educational needs and disability system: Third Edition September 2015' has recently been updated and can be found at <https://www.gov.uk/government/publications/send-managing-changes-to-legislation-from-september-2014--3>.

This plan sets out how Stockton-on-Tees Borough Council (the Local Authority) intends to carry out the transfer in 2015-2016, taking this guidance into account. It also includes a summary of the work carried out in 2014-2015.

This is the second version of the transition plan. The plan will be revised and reported on at least annually.

During the transition period the Local Authority will also continue to follow certain requirements of the 1996 SEN framework in relation to children and young people with statements, to ensure they continue to receive the support they need.

In the context of this legislation a 'young person' is a person over compulsory school age and under 25. Compulsory school age ends on the last Friday in June in the academic year in which they become 16. Young people have certain rights under the legislation in relation to EHC plans.

Consultation

The following groups have been consulted about Version 2 of this plan.

- Stockton United for Change, the local parent participation group.
- Education providers including schools and FE providers
- Local Authority Officers who will be involved in supporting the transfer to the new system.
- Health organisations (specifically the Clinical Commissioning Group and the provider trust) who will be involved in supporting the transfer to the new system.

Transfer of Statements and Learning Difficulty Assessments

In August 2014 there were 893 children and young people with statements in Stockton and 407 with LDAs, however it was noted in the plan that this figure was subject to change.

The Local Authority decided that in 2014-2015:

- They would try to complete all transfers in a shorter timescale than that set out by Government.
- They would ensure that all Looked After Children with statements were transferred to the new system in the first year.

The Local Authority allocated resources to support the delivery of the plan, and an EHCP Transitions Team was established to carry out the work.

The Local Authority aimed to carry out 451 transfer reviews in 2014-2015.

During 2014-2015 the following transfers were carried out:

Yr Group	Total Reviews Carried Out	Non LAC	LAC
0	2	2	0
1	1	0	1
2	3	0	3
3	3	1	2
4	9	1	8
5	7	1	6
6	45	40	5
7	3	0	3
8	9	0	9
9	89	79	10
10	7	0	7
11	106	97	9
12	9	4	5
13	39	35	4
14	22	22	0
TOTALS	354		

The Local Authority has carried out the transfer of all pupils in year groups where there was a statutory requirement to do so. They have also completed transfer reviews for all Looked After Children and those in out of area placements. A number of other reviews have also been completed for pupils in Year 6 and Year 9

The full number of transfers was not achieved due to:

- The EHC assessment process required for transfers has taken longer than expected to complete in order to ensure quality evidence to underpin plans.
- The team has ensured parents/carers comments are fully considered which may have meant the process has taken longer.

- Changes in staffing in the team have meant that new staff have had to be recruited.
- There were changes in the timescales for transfer reviews during the year which gave longer for them to be carried out.

The EHCP Transition Team has gathered the following feedback from a sample of parents/carers who had been involved in the transfer review.

	Questions	Yes	No
Q1	Did you receive enough information from the school prior to the meeting?	75%	25%
Q2	Was the review officer who attended From EHCP Transition Team professional?	100%	
Q3	Did you feel that your comments/views were listened to?	100%	
Q4	Did you feel your child/young person's comments/views were listened to?	100%	
Q5	Did you feel the process was clear and carried out in a timely manner?	100%	

Comments from interviewee regarding the plan / review process

"I was very impressed, I had built up feelings of trepidation and worry beforehand but these were unfounded as the review officer who attended was very helpful and always at the end of the phone if I had any queries"

"Only thing I could suggest is possibly an acceptance slip with the final plan as it may go missing and this way it will be recorded as having been received"

"The review officer did really well and made us both feel at ease and able to understand everything that was happening"

"Everything was ok, no problems – everything was carried out in a timely fashion"

Regular reports on the Transition Plan have been given to senior officers in the council.

Transfer of Statements

The table below sets out the proposed timescales for the transfer of statements to EHC plans in 2015-16, including the total number of statements to be transferred each year. These totals are based on figures for statements from September 2015 and will be subject to change. The year groups are those a child or young person will be in in that academic year.

2015 -2016	
Year Reception	12
Year 1	33
Year 5	2 carried over from 2014 -2015
Year 6	55
Year 9	79
Year 11	85
Year 12	2
Year 13	36
Year 14	0
TOTALS	302

The Local Authority will also transfer the following groups although it is not possible to identify specific number for these:

Children and young people moving from mainstream to a special school

Children and young people moving from a special to a mainstream school

Children and young people who leave custody

The Local Authority will also aim to transfer the following groups though it is not possible to identify specific numbers for these:

Children and young people moving between one Local Authority and another

2016 - 2017	
Year 3	29
Year 4	43
Year 5	43
Year 6	41
Year 8	41
Year 9	76
Year 11	25
Year 13	2
TOTALS	227

The Local Authority will also transfer the following groups although it is not possible to identify specific number for these:

Children and young people moving from mainstream to a special school

Children and young people moving from a special to a mainstream school

Children and young people who leave custody

The Local Authority will also aim to transfer the following groups though it is not possible to identify specific numbers for these:

Children and young people moving between one Local Authority and another

2017-2018	Should any transfers still be required they would take place in the autumn term of this year and begin no later than 1 st October 2017 so that all are completed before April 2018.
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Transfer Reviews

In order to transfer a statement to an EHC plan the Local Authority must hold a 'transfer review'. The transfer review will ensure that EHC plans are person centred and focused on outcomes and an EHC plan can only be issued following a transfer review.

The transfer review will take place at the time the annual review of a statement should have taken place.

The transfer review requires the Local Authority to undertake an Education Health and Care (EHC) needs assessment under section 36 of the Children and Families Act. For children and young people who need an EHC plan, the transfer review will allow for outcomes to be developed for the plan and the provision to achieve those outcomes identified.

Until a transfer review is completed the Local Authority has to maintain the statement and arrange the special educational provision set out in the statement.

The Local Authority must make sure that a child's parents/carers or the young person are invited to a meeting to contribute to the transfer review and the meeting must take place as part of the review before an EHC plan is finalised.

The Local Authority must provide a minimum of two weeks' notice of the date of the start of the transfer review process. The Local Authority must finalise an EHC plan, where one is needed, within 18 weeks of the transfer review meeting (the notified start date of the process). If the Local Authority decides an EHC plan is not needed for a child or young person transferring from a statement then they must notify the child's parents or the young person within 14 weeks of the start of the transfer review.

From the point that the transfer review starts, parents/carers and young people will have appeal rights under the new SEN and disability system. For parts of the transfer process not covered by this process there are disagreement resolution arrangements in place.

The Local Authority's process for transfer reviews is included in Appendix 1 to this plan.

The Local Authority will ensure that parents/carers and young people and the education establishment they attend are informed about the arrangements for their transfer review.

Transfer of Learning Difficulty Assessments

Some young people who attend further education (FE) or training have a Learning Difficulty Assessment (LDA). As a result of this assessment they receive extra support to meet their special educational needs.

Until 31st August 2016 young people up to the age of 25 who receive support as a result of a LDA and who **do not intend to continue in FE or training after that date** can choose to either:

- Continue to receive their support as a result of their LDA (where it is still required) until the end of their time in FE or training or until 1st September 2016 (whichever comes first)
Or
- Request an EHC needs assessment.

Young people in FE or training who receive support as a result of a LDA and **who intend to continue in education beyond 31st August 2016** can choose either to:

- Continue for the time being to receive their support as a result of their LDA (where it is still required); or
- Request an EHC needs assessment.

During 2014-15 all young people with LDAs were sent a letter offering them the opportunity to request an EHC assessment or maintain their current LDA until the end of their Further Education Course.

During the academic year 2015-16 Local Authorities **must** consider whether an EHC needs assessment is required for those young people who continue to receive their support as a result of their LDA and that it believes will remain in further education or training beyond 31st August 2016. The Local Authority will therefore:

- Identify the group of young people to whom this applies
- Work with the young people and their families to ensure they have the information they need about the process
- Work with Further Education and training providers, and professionals working with these young people to ensure they support the young people and the EHC process where required
- Where necessary carry out EHC assessment for these young people

The Local Authority must consider requests for an EHC needs assessment for a young person who has an LDA. If this request is not made by the young person then the assessment must only proceed with their agreement.

If a young person chooses to request an EHC assessment then it will follow the normal process for this and will take a maximum of 20 weeks. An EHC needs assessment will not always lead to an EHC plan.

A young person who has requested an EHC assessment has appeal rights under the new SEN and disability system.

The decision about what happens will be for the young person to make as long as they are able to do this. The Local Authority would expect that parents and carers would remain closely involved.

Information about the rights of young people who have special educational needs can be found in the Special Educational Needs Code of practice 0-25 years which can be found at:
<https://www.gov.uk/government/publications/send-code-of-practice-0-to-25> .

Further information

If parents/carers or young people have questions about the Local Authority arrangements for transfer to the new system they can contact:

EHC Plan Transitions Team on 01642 526437 - EHCPTransitionTeam@stockton.gov.uk

If parents/carers or young people wish to have independent information and advice they can contact:

SEND Information Advice and Support on 01642 527158 or SENDIASS@stockton.gov.uk

Independent Support Provider:

Aspire Personalised Care Solutions (PCS) Tel:

0191 383 7430 / 0191 383 7431

Email:

enquiries@aspirepcs.com

Web:

www.aspirepcs.com

Useful links

SEN and disability code of practice: 0-25 years

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/398815/SEND_Code_of_Practice_January_2015.pdf

Special educational needs and disabilities: A guide for parents and carers

<https://www.gov.uk/government/publications/send-guide-for-parents-and-carers>

SEN and disability support changes: information for young people

<https://www.gov.uk/government/publications/sen-and-disability-support-changes-information-for-young-people>

Information about this plan

This transition plan and future versions will be published on Stockton-on-Tees' Local Offer and on the Stockton Borough Council Website.

Hard copies can be requested from the EHCP Transitions team on 01642 526437