

Special Educational Needs and/or Disability (SEND) 0 – 25 years

Designated Clinical Officer

Definition of learning disability

In the Department of Health White Paper Valuing People a 'learning disability' is

- defined as including the presence of:
- a significantly reduced ability to understand new or complex information, to learn
- new skills (impaired intelligence), with;
- a reduced ability to cope independently (impaired social functioning);
- which started before adulthood, with a lasting effect on development.

The learning disability charity Mencap defines a learning disability as: *'a learning disability is a reduced intellectual ability and difficulty with everyday activities – for example household tasks, socialising or managing money – which affects someone for their whole life'*.

Mild, moderate, severe and profound

People with a severe learning disability or profound and multiple learning disability (PMLD), will need more care and support with areas such as mobility, personal care and communication. People with a moderate learning disability may also need support in these areas, but not definitely.

SEND definition

Special Educational Needs (SEN)

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 educational facilities of a kind generally provided for others of the same age in mainstream schools or mainstream post-16 institutions.

Definition from SEND Code of Practice April 2015

Legislation

- ***Children & Families Act 2014***
- ***Care Act 2014***
- ***Chronically Sick and Disabled Persons Act 1972 – Section 2***
- Equality Act 2010
- Mental Capacity Act 2005
- Children Act 2004

SEND Code of Practice (Statutory Guidance)

What is SEND?

SEND = Special Educational Needs and Disabilities.

Covered by legislation since 2014

0-25 yrs.

May lead to an EHCP = Educational Health Care Plan

There is already extensive content relating to the birth to 25

EHCP in SNOMED CT (see e.g. 1035691000000104 |

Has birth to 25 education, health and care plan (finding) / 1095711000000109 | Birth to

25 education, health and care planning meeting (procedure) / 1035661000000105 |

Birth to 25 education, health and care plan received (finding) /


928221000000103 | Birth to 25 education, health and care plan-based care started
(situation) /

928241000000105 | Birth to 25 education, health and care plan-based care stopped
(situation)).

Health Key Points, Legal duties

Must do's to achieve outcomes

- Must For Children under compulsory school age has or possibly has SEND, inform parents of their opinion and duty, discuss with others, bring to attention of Local Authority, provide information of groups to family. (SEND partnership)
- Must Develop effective ways to gain views of Children, young people families & local communities of user experiences
- Must Work with LA to contribute to SEND Local Offer (Leaflet website) 'one stop shop'
- Must Ensure health practitioners and clinicians will support the integrated Education Health Care needs assessment process (Time pressures)
- Must Agree the offer of personal (health) budgets
- Must participate in jointly /integrated commissioning arrangements
- Must cooperate LA in transition to adult services **(0-25)**
- Must Notify transfer of CCG when move locations under Responsible commissioning
- Must arrange appropriate health provision while person in custody or secure setting
- Must participate in mediation and disputes have arrangements in place

Overall Benefit & Improvement:  Individual outcomes, Service level outcomes and Strategic outcomes

So what for Primary Care?

- Identification of pre school child/ren with health needs and likely to have SEND
- Discussion with parents/carers
- Referring on to appropriate services to meet health Needs
- Support offered to families from SEND partnership
- Information requested from, LA initial information 2 weeks to get back (send current information).
- Educational Health Care Co-ordinators for needs assessment more detailed information to contribute or awareness of other health, professionals involved.
- Contribute where indicated and necessary to reviews of EHCPs and statement transfers.
- Central point for 18 – 25 years for health information.

How can we access an EHCP?

- Can be made by family, young person and professionals (always need to involve family and young person)
- Referral and assessment forms are accessed on the local offer
- Guidance and Criteria about EHC assessments and plans available of local offer
- Support services for families SEND Partnership (Leaflet)

Section C – Health needs

- ▶ EHCPs must include any health needs identified through the EHC needs assessment
e.g. Unable to manage own medication
- ▶ You may also choose to specify other health care needs which are not related to the child or young person's SEN (e.g. a long term condition which might need management in a special educational setting)
- ▶ **ACID TEST** - Could a person new to the child easily find out what are the priority areas of focus for the child's health related intervention?

Section G - Health provision reasonably required

- Must be detailed and specific and should normally be quantified, e.g. in terms of the type of support and who will provide it.
- Must be clear how the provision will support outcomes and link to Aspirations.
- Health care provision reasonably required may include: specialist support and therapies, such as:
 - medical treatments and delivery of medications;
 - occupational therapy, and physiotherapy,
 - a range of nursing support, specialist equipment, wheelchairs and continence supplies.
 - highly specialist services needed by only a small number of children which may be commissioned centrally or in a different way.

Complaints



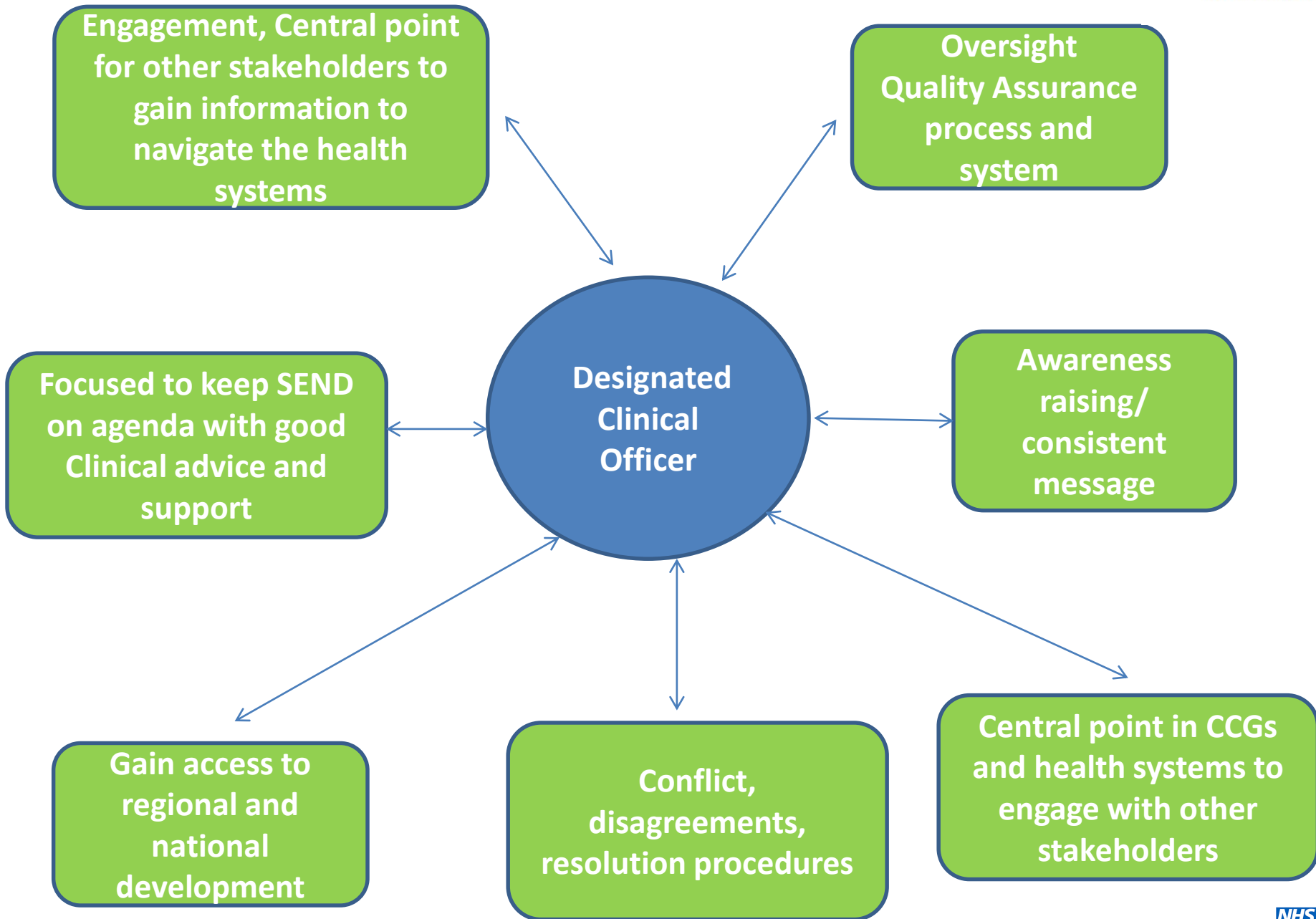
Ipswich and East Suffolk
Clinical Commissioning Group



West Suffolk
Clinical Commissioning Group

- A family can only disagree with an EHCP IF they are also have a concern about education too
- Mediation – can refuse but need a letter
- First level tribunals
- Non-binding on health but recommendations are usually taken on
- Treat the same as going to court

What information/support you need to fulfil your duties and responsibilities for Special Educational Needs and/or Disabilities ?



Useful Website Links

- **SEND Local Offer**

www.norfolk.gov.uk/send

www.suffolk.gov.uk/localoffer

www.essexlocaloffer.org.uk

www.cambridgeshire.gov.uk/residents/children-and-families/local-offer/

- **SEND Partnership**

sendpartnership.iass@Norfolk.gov.uk

www.suffolk.gov.uk/sendiass

- **Council for Disabled Children (CDC)**

www.councilfordisabledchildren.org.uk/what-we-do/supporting-the-send-reforms/resources

- **Government SEND Guide for Health**

[www.gov.uk/government/uploads/system/uploads/attachment_data/file/357645/Health_professionals_guide_to_the_SEND_code_of_practice - Sept14.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/357645/Health_professionals_guide_to_the_SEND_code_of_practice_-_Sept14.pdf)