

11 October 2022

SEND Transitions

Wards All

Service: Access and Inclusion Service

Portfolio: Councillor M. Statham

1. Aim

The aim of this report is to provide an overview and update of SEND Transitions

2. Recommendations

That the Education Overview and Scrutiny Committee considers the contents of this report and decides on timings of further information or updates

3. Report detail

The SEND Code of Practice

The SEND Code of Practice explains the explains the duties of local authorities, health bodies, early years providers, schools and colleges to provide for children and young people (from 0 to 25 years) with special educational needs and disabilities. It contains details of legal requirements that must be followed without exception, and statutory guidance that must be followed by law unless there's a good reason not to, as set out in the Children and Families Act 2014, the Equality Act 2010, and the Special Educational Needs and Disability Regulations 2014. It is important to note that at time of writing this, there are further anticipated changes to the Code as laid out in the SEND Review.

All schools must have regard to the Code when taking decisions relating to pupils with SEN or disabilities. This is explained on page 13 of the Code and Section 77 of the Children and Families Act 2014.

Transitions for Children and Young People with SEND

The term 'transition' can be used to describe the changes for a child or young person with SEND when they are moving into, within, between or out of educational settings.

The key education transitions are:

- Starting Early Years
- Moving from Early Years to Primary
- Moving Key Stages within Primary (Early Years Foundation to Key Stage 1, Key Stage 1 to Key Stage 2)

- Moving from Primary to Secondary (even if the child is Electively Home Educated)
- Moving from Secondary to Further/ Higher Education, or employment, and Preparing for Adulthood.

Local Authorities have a responsibility to plan ahead for children and young people with Education, Health and Care (EHC) plans who are due to transfer to the next phase of their education. These transitions should be supported by short and long term planning to ensure that it is smooth and successful. This can only be effective if there is a commitment from the local authority to develop communication links between early years providers, schools and post 16 education or training providers. The transition from one setting to another should be seen as a seamless journey.

Joint Working for SEND Services at Transition and in Preparation for Adulthood

As detailed in Walsall’s Children and Adult’s Services Transition Toolkit (included in appendices), support from Education, Health and Social Care may change at different points, and it is important for families and professionals to understand this, especially when young people reach 18. Not all children and young people receiving support from children’s social services will be eligible for adult services as there is different criteria. This is why preparation for adulthood should start early to plan the right support at the right time for children and young people with send, enabling them to achieve the outcomes they aspire to.

Joint working with Adult Social Care in preparation for adulthood should start early so that children and young people are prepared for changes which may impact them. For a successful and supported transition, it is important that everyone works together and is clear about their own, and other professionals roles. The transition toolkit is a resource pack to be used by anyone involved in supporting a young person transitioning to adulthood. It covers:

- Stage 1 Getting Ready (Age 14-16)
- Stage 2 Starting the Transition Plan (16-18)
- Stage 3 The Transition Plan (18-25)

3.1 Current position:

Walsall Phase Transfer Operational Process for Children and Young People with an EHC Plan

Transitions for a child or young person with an EHC Plan are referred to as Phase Transfers.

This Phase Transfer process allows the Local Authority to review and update a child or young person’s EHC plan, as well as identify the most appropriate school or college for them to move to. This is done with input from settings and the child/ young person and their family, who express their preference for a setting.

In this 2022/2023 academic year, we have the following numbers of children and young people in phase transfer cohorts:

- Early Years: 136
- Year 6: 232
- Year 11: 191

- Year 13/14: 321

The transition to a new school, college or setting is an important stage in a child/ young person's education, and Walsall's SEND Service understands that families want and need to consider their preferences very carefully, with access to high quality support and information.

Walsall's SEND Service are devising a singular phase transfer plan for this years cohort, and creating a robust and proactive phase transfer process for next and future years cohort. This has been informed through looking at regional and national good practice.

2022/2023 cohort:

The phase transfer process for children and young people with an EHC plan has begun in September of this year. For children who are in Year -1 (the year before Reception), Year 2 and Year 6, the EHC Team are in process of sending out an initial letter to families, with a parental preference form for them to complete and inform the EHC Team of which school they would like their child to attend in September 2023. This form should be returned no later than 30th November 2022.

The EHC Team will then consult with parent preference as well as the child's local school, to ensure that, as detailed in the Code of Practice, children have the right to an inclusive mainstream education in their community. The EHC Team maintain communication with Walsall's Admissions Team to keep them informed. Upon receipt of responses, the EHC Team will inform the family of which setting will be named in the child's EHC plan. The EHC Team will issue a final EHC plan, naming the child's current school and September 2023 transfer school by 15 February 2023.

For young people who are in Year 11 this year, we are again in process of sending out to families a parental preference form for them to identify their preferred school or further education setting. We will then send consultations and upon receipt, identify the setting to be named. The EHC Team will issue a final EHC plan, naming the young person's current setting and September 2023 transfer provision by 31st March 2023.

2023/2024 cohort and onwards:

For children in Nursery 1, Year 1 and Year 5, who will be anticipating transitions in Reception, Year 3 and Year 7, the phase transfer process will begin the year *before* the child's final year in their current educational setting.

In March of that year, Walsall EHC Team will write to families and settings to notify them that the phase transfer process is starting. Schools will be asked to hold the phase transfer review in June or July of that year. The phase transfer review is an Annual Review (using the new Annual Review paperwork, attached as appendices), with thorough focus on the impending transition. Schools will then send the paperwork back to the SEND Service. If a child is electively home educated, the EHC Team will coordinate and conduct the review.

The following academic year, when the child is then in Nursery 2, Year 2, or Year 6, the EHC Team will issue an Amended EHC Plan and school preference form. Families will still need to complete this school preference form even if the child is attending an all-through school and the family wish for them to remain there for the next phase of their education, or if the family wish for the child to continue to be electively home educated.

During the Autumn term of that year, the EHC Team will consult with the families preferred school, and any other/ additional settings it may consider appropriate. Following receipt of response, the EHC Team will decide which school to name. This will be based on:

- Suitability for the child's aptitude and SEND
- Compatibility with the efficient education of others
- Efficient use of resources.

In line with the SEND Regulations, the Local Authority will have finalised the EHC Plan, including naming a placement (or, in exceptional circumstances, the type of placement), by 15 February of that year. It is important to note that if an application for statutory assessment is made late in the year, this deadline does not apply. Schools will be encouraged to consider this when working with children at SEN Support Level with rising need, to ensure that any requests for statutory assessment are made at an appropriate time.

For young people in Year 10 or Year 13 who will be anticipating a transition to Post 16 and Post 19 Education, again the process will begin the year before the young person's final year at their current school or college. In May of that year, Walsall EHC Team will write to the family, or the young person if they are over 16, to inform them that the phase transfer process is happening.

We will ask the school, college or setting to hold the phase transfer review (again, using the Annual Review paperwork) before the October half term of the young person's final year. The school, college or setting will return the paperwork to the authority in or before November. If the young person is electively home educated, or receiving EOTAS, the EHC Team will coordinate and conduct the review.

Walsall EHC Team will use the review to evaluate whether the EHC plan needs to be maintained. Some young people may be able to continue in their education without the additional support in an EHC plan. In some cases, such as the young person transitioning to university, the EHC plan will no longer be required or the young person will no longer be eligible for such support. In these cases, the EHC Team will propose to cease the plan from the end of the academic year. The young person and their family have a right of response and appeal to this decision.

If the EHC plan should be maintained, the EHC Team will send out an Amended EHC Plan and school/ college preference form by the Christmas break. The young person and their family should use this preference form rather than applying for college places directly. (Once the placement has been named, the school, college or further education provider may require an application and enrolment form for the specific course). Young people and their families will need to complete the preference form even if the young person is attending a school with Post-16 provision and the preference if for them to remain there for the next phase of their education, or if they wish to continue to be electively home educated.

During the Spring term, Walsall EHC Team will consult with the preferred education, training or apprenticeship providers, as well as any others that are considered appropriate. Following receipt of responses, the EHC Team will decide which provider to name. This will be based on:

- Suitability for the child's aptitude and SEND
- Compatibility with the efficient education of others
- Efficient use of resources.

In line with the SEND Regulations, the EHC Team will finalise all phase transfer EHC plans for this cohort, including named placement (or type of placement in exceptional circumstances), by 31st March of that year.

Quality of EHC Plans and Phase Transfers

The SEND Service continues to be committed to improving the quality of EHC Plans, and the advices which inform them. SENCOs for all settings have received at the start of this academic year new, co-produced paperwork and processes for statutory assessment and annual review which aim to improve the quality of EHC plans through more robust and relevant information. This will enable children and young people to transfer to a new setting or phase with a plan which is accurate to and reflective of, their individual needs, as well as ensuring consulted settings have a better understanding of the child/ young person with which to make responsible decisions and plan transition arrangements.

4. Financial information

Improvements to the phase transfer process, including planning the year ahead instead of year of, will have direct impact on our ability to predict expenditure on out of borough and independent provision, as well as commissioning arrangements with mainstream and in borough provision.

5. Reducing Inequalities

The improvements to the phase transfer process and more robust information for schools, in tandem with improved quality of EHC Plans supports our aim to reduce inequalities and support young people with SEND to meet their outcomes into early adulthood.

It also supports our key area of focus that our children should:

- have the best possible start
- be safe from harm
- be happy, healthy, and learning well

6. Decide

The Committee may decide to request further information or assurance in respect of implementation of these changes and success criteria in meeting the statutory deadlines.

7. Respond

Walsall EHC Team will continually seek feedback from families undergoing phase transfer and the professionals who support them.

8. Review

The outcomes and success criteria for phase transfers will be reviewed at Children's Services DMT. Any operational and financial implications will be tabled.

Background papers

1. Phase Transfer Operational Process
2. Annual Review and Statutory Assessment Guide for SENCOs
3. Walsall Children's and Adult's Services Transition Toolkit

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