

Section 5



Advice and Guidance

5.7 Children in specific circumstances

There are particular groups of children and young people whose specific circumstances require additional consideration by those who work with them and support their SEN.

Children in Care

All maintained schools and academies and free schools must appoint a Designated Teacher for looked after children. Where that role is carried out by a person other than the SEN Co-ordinator, Designated Teachers should work closely with the SENCo to ensure that the implications of a child being both looked after and having SEN are fully understood by relevant school staff.

- SEND Code of Practice 2015, 10.3

Some children with special educational needs and disability may also be children in care. In many schools the SENCO is the 'Designated Teacher' with responsibility for children in care, but this is not always the case. If these roles are taken on by two different teachers within a school then close liaison and coordination is required to ensure that the learner's needs are planned for in a coordinated way and to avoid duplication of processes and meetings. This will help to streamline the liaison with outside agencies and carers and to ensure that provision and progress is recorded and shared in a consistent way. For example, it may be possible to combine parent/carer evenings, SEN review meetings, or EHC plan review meetings with a Personal Education Plan (PEP) review meeting (although certain statutory timescales may apply).

All children in care have a Care Plan. The PEP is a statutory part of this Care Plan.

The Head of the Virtual School for children who are in Care is Steve Claypoole. He can be contacted via email steve.claypoole@southglos.gov.uk

CYP Educated at Home

Under Section 7 of the Education Act 1996 parents have the right to educate children, including children with SEN, at home. Home education must be suitable to the child's age, ability, aptitude and SEN.

- SEND Code of Practice 2015, 10.30

If a child is on roll at a school and parents/carers wish to withdraw their child for home education the parents/carers must inform the school in writing. Schools must then notify the LA by forwarding the written communication from the parent and completing the EHE Exit form available [here](#).

Where a child or young person is a registered pupil at a special school and their parent decides to home educate, the parent must notify the school in writing that they wish their child or young person to receive education other than at school. The local authority must consider whether to give consent for the child's name to be removed from the roll, but this should not be a lengthy or complex process. Where consent is given, the school must then remove the pupil's name from the admission register.

Once a child becomes electively home educated an Education Officer makes contact with their parent / carer and aims to address any queries they may have. After this initial contact an Education Officer or EHE Support Teacher will make contact on an annual basis if there are no concerns. Through home visits or other contact officers aim to ensure the child is being suitably educated. Most parents welcome this contact however parents do not have to agree to home visits. They may instead opt to meet at an alternative location or to provide evidence that they are providing a suitable education for example by providing a report, samples of work, have their educational provision endorsed by a third party (such as an independent home tutor) or provide evidence in some other appropriate form.

For pupils with an EHCP the report written following the home visit or any alternative evidence provided will be shared with the 0-25 team who are responsible for the annual review process. Where possible the annual home visit or request for evidence of a suitable education will be combined with the annual review with members of both the EHE team and 0-25 team present.

If there are concerns that the education being provided is not suitable this will be addressed through discussion with the parent / carer and offering further meetings or visits. DFE guidance states that if a local authority has not been able to ensure a child is safe and being suitably educated the authority should act to remedy the position. This may in some cases mean issuing a School Attendance Order requiring the parent/carers to return the pupil to school ([Guidance for Local Authorities April 2019](#)).

Emma Varney, LA officer, can be contacted if you need any advice and guidance about elective home education. Emma.varney@southglos.gov.uk

CYP who have SEN and are in hospital

A CYP who is hospitalised should have access to education that is appropriate to meet their needs. This includes CYP admitted to hospital under Section 2 on the Mental Health Act 2007. The young person's mainstream school should inform the Local Authority who will co-ordinate the education and support needed until the pupil is deemed well enough to return to their school. If a child is returning to their previous education provision, a robust and supportive plan will be made with the education provision, the pupil and family to ensure they receive the support needed to return.

It is important that education provision for those pupils who are hospitalised is equal to what they would receive in their normal provision to ensure the pupil is able to maintain or make expected progress, with health needs fully considered.

If a child with an EHC plan is admitted to hospital, the hospital should inform the Local Authority EHCP Co-ordination team who will work to ensure the plan is maintained and the provision set out is provided. There may be need for a review and amendments to ensure the plan remains appropriate at this time.

If a pupil resident in South Gloucestershire is admitted to hospital in another area, South Gloucestershire Local Authority is still responsible for the education arrangements for that pupil.

If a pupil is hospitalised and due to undertake a transition to a new school or post 16 provider for example, South Gloucestershire Local Authority will arrange and oversee a transition plan through consultation with the pupil, their family, the current education setting and the receiving education provision.

Pathways learning Centre – Hospital Education

PLC support the education of children with medical conditions which cause significant absence from school.

Home Education is provided for CYP who are temporarily unable to attend their school for medical reasons as well as physical and mental health. When a young person is ill, home tutors are provided to enable the young person's education to continue whilst unable to attend school. Home Education is provided as a temporary measure with the expectation that the young person will return to full-time education as soon as possible, or alternatively join a group at Pathways Learning Centre. It is our aim to maintain continuity of education and to facilitate the individual learning programme of each young person by employing a personalised approach involving a programme of home tuition. The programme will depend on the child's condition and medical needs and mostly concentrates on the core curriculum (English, Maths, Art and Science). Pathways like to ensure that the young person is out of school for the shortest possible time, having taken into consideration their medical, emotional and educational needs.

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The provision encompasses close liaison with schools, medical personnel, parent/carers and young people to ensure educational needs are being met and that reintegration into full-time education is supported effectively. Pupils are dual registered when absent from school. Schools will be required to work closely with Pathways in programme design and delivery, reintegration and the monitoring of attendance.

Links between Home Education and the young person's school

- It is the responsibility of the school where the young person is on roll to provide schemes of work and relevant resources. Pathways will liaise closely with the school to maintain the links.
- Home tutors regularly submit reports which evaluate the pupil's work and progress in all areas covered in the Home Education sessions.
- Review meetings involving all parties are held at approximately six weekly intervals. Everyone involved with the student is invited to attend these meetings, as their views and involvement are very important.

Close liaison between school, parents, medical and educational professionals is key in making home education a success.

Who are the Home Tutors?

The tutors are well-qualified, experienced teachers who keep up to date with the curriculum. Great care is taken to match the Home Tutor's skills and experience with the educational needs of each young person.

Where does Home Education take place?

Young people may be taught at home if their medical condition means that they can't leave the house.

Sometimes sessions take place in other locations such as a room in a community centre, local library, the student's home school or a classroom set aside in Pathways Learning Centre.

Jo Noot is the medical and home education co-ordinator at Pathways Learning Centre. Her contact details are joanne.noot@pathwayslearningcentre.org Tel: 01454 862630

Children of Service Personnel

The Children's Education Advisory Service (CEAS) within the Ministry of Defence provides advice and guidance to Service parents, educational establishments and local authorities on educational issues relating to Service children, including issues

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relating to SEN. Service Children's Education (SCE) provides mainstream education for Service children in some overseas locations. As the education, health and social care resources available overseas are different from the UK, MoD services complete an MoD Assessment of Supportability Overseas (MASO) for all Service children with complex needs before an overseas posting is agreed. Personal Budgets agreed in the UK cannot be transferred to SCE locations overseas.

Children whose parent(s) are Service personnel may face difficulties that are unique to the nature of their serving parent's employment. These needs may arise from:

- service induced mobility: Service personnel may relocate more often than the rest of the population and, sometimes, at short notice. Such transitions should be well managed to avoid Service children with SEN experiencing delays in having their needs assessed and met
- the deployment of serving parents to operational arenas, while not constituting SEN in itself, may result in a Service child experiencing anxiety, dips in educational performance and/or emotional difficulties. Children may also be affected similarly by siblings' deployment Action to take in respect of Service children with SEN.

When supporting transition of a pupil with SEND of service personnel:

- Ensure that records for SEND pupils of service personnel are transferred swiftly when a pupil moves school in the UK or overseas.
- Make contact with the previous school if you are aware you are receiving a pupil of service personnel to set up transition and discuss provision.
- Organise a meeting with the parent/carer and CYP as soon as possible to ensure their views are listened to in planning for the transition into a new school.
- Ensure that all reviews for Service children with SEN explicitly consider those Service-related issues (for example, Service-induced mobility) relevant to the outcomes of those reviews.
- Ensure that access to appropriate assessments, interventions and provision is determined solely on the nature, severity and complexity of the needs presented by Service children with SEN and not related to the amount of time they have left in a particular school.
- Consider how any funds received through the Service Pupils' Premium might be used to improve their overall approaches to meeting the SEN of Service children.

CYP in Youth Custody

The Children and Families Act 2014 set out revised duties, policies and procedures for supporting those with SEND. Following the publication of this Act, the statutory

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SEND Code of Practice 2015 was then written to reflect the content and ambition of the Children and Families Act. Within this Code, Chapter 10 (pages 222-243) outlines roles and responsibilities 2 in relation to children and young people aged 18 and under, who have been remanded or sentenced by the Courts to relevant youth accommodation in England. These roles and responsibilities apply to children and young people detained in:

- Young Offenders' Institutions
- Secure Training Centres
- Secure Children's Homes
- Secure Colleges

Pages 222-243 of the SEND Code of Practice 2015 do not apply to children and young people serving their sentence in the community, to persons detained in a Young Offenders Institution for 18- to 21- year-olds, or to persons detained in the adult estate. The SEN duties in the Children and Families Act 2014 no longer apply once a young person is transferred to the adult secure estate.

A young person in custody is the responsibility of the local authority and would be able to access the Local Offer at all points, including release (if under 25). Also that a young person, family or education officer within custodial can ask for a needs assessment at any time and that YOT and the local authority SEN department and EP are responsible for monitoring the SEN support and provision accessed and/or required.

South Gloucestershire's Education Liaison Officer is Rachel Sharvel-Smith and she can be contacted via email Rachel.Sharvell-Smith@southglos.gov.uk

Further advice and guidance

- [Youth Justice SEND website](#)
- [Youth Justice SEND Bubble Website](#)
- [York Youth Offending Team Guidance](#)
- [Howards League for advocacy and support](#)