

## FAQs for children and young people with EHCPs and COVID 19 GUIDANCE

### Will my child have a place at school as he/she has an EHCP?

Not necessarily. Many children and young people with EHC Plans can remain safely at home. Special schools, colleges and local authorities are advised to make case by case basis assessments of the health and safeguarding considerations of pupils and students on an education, health and care (EHC) plan. For some, they will be safer in an education provision. For others, they will be safer at home. We trust leaders and parents to make these decisions and will support them as required.

Source: DfE Coronavirus (COVID-19): guidance on vulnerable children and young people

### What will my child do at school?

The most important thing is that these children are supervised and properly cared for at school. Parents should not expect that children have formalised education during this time as schools have been given the flexibility to craft the activities as they deem appropriate and taking into consideration the availability of staff

Source: DfE Guidance for schools about temporarily closing -22<sup>nd</sup> March 2020

### Why do we prioritise children?

The first aim of the partial school closure measures set out by the Secretary of State for Education is to reduce the overall population of children moving around local areas as far as possible, in order to further reduce the number of social interactions and thus flatten the upward curve of the COVID-19 outbreak.

However, the second aim is to continue to care for children who are vulnerable, or whose parents are critical to the COVID-19 response, so that they can continue to work where alternative childcare arrangements cannot be made.

Source: DfE Guidance for schools about temporarily closing -22<sup>nd</sup> March 2020

### Will all the provision be met which is currently on the EHCP?

- As part of the government's emergency powers, they will modify the statutory duties on local authorities to maintain the precise provision in EHC plans and will expect educational settings and local authorities to use their reasonable endeavours to support these children and their families

- Where a local authority is unable to put in place stated provision, they will need to use their reasonable endeavours to do this, but won't be penalised for failing to meet the existing duty in the 2014 Act.

Source: DfE Coronavirus (COVID-19): guidance on vulnerable children and young people

### **How will a parent know if their child can/cannot attend school?**

Schools are required to prioritise pupils and they will contact the parent(s) of children who are eligible as required. This could change daily depending on the staffing levels in the school. Any queries should be directed to the school.

Source: Schools and LA agreed practice

### **I have applied for an EHCP for my child. Does the twenty-week time frame still apply?**

The government has set out a Bill that includes provision that would enable The Secretary of State to disapply or modify for a specified period various sections of the Children and Families Act 2014 including those relating to the duty to secure special educational provision and health care provision in accordance with an EHC Plan (s 42), the duty to admit (s. 43) and reviews and re-assessments (s. 44).

The Bill needs to go through due parliamentary process, and once it becomes an Act, it will become law.

Source: DfE

### **My child was due an Annual Review/MAM meeting last week. It was cancelled. What happens now?**

The SEN Service in Enfield is trying to support schools and parents through this difficult time. It is understandable that schools are postponing these face-to-face meetings until a more suitable arrangement can be made. If you have any queries, please contact your school or your Advisory Officer.

Source: LA

### **Do Special Schools need to open over the Easter holidays?**

Where possible, we would encourage settings to look after critical workers' children and vulnerable children throughout the Easter holidays. Local authorities will need to ensure, as usual, that provision continues to be available to meet education, health and care needs. Following discussion with schools, this may involve some special schools and colleges continuing to offer some or all of their provision over the Easter holidays.

Source: DfE Coronavirus (COVID-19): guidance on vulnerable children and young people

**Have the arrangements changed for children with EHCPs moving into the Borough?**

No. The SEND Service will continue to process these requests and will consult with the parent's preferred school(s). However, we expect responses to be delayed as schools respond to the current situation.

Source: LA

**Will my child still get his speech and language therapy/OT in school?**

Not currently. Schools don't want non-essential visitors as this is an infection risk. The therapy services will endeavour to contact parents over the next 6 weeks to discuss an activity/target for their child. This advice may change due to the redeployment of NHS Staff to essential services.

Source: Therapy Services Enfield

**What about my child who is placed in a residential Special School which is out-of-borough?**

Children and young people placed in residential special schools and colleges frequently have the most complex special educational needs, requiring higher levels of support and staffing. In particular, children and young people who are placed in 52-week residential placements may not be able to be supported safely at home. Any decisions about individual placements should be made based on individual risk assessments.

Source: DfE Coronavirus (COVID-19): guidance on vulnerable children and young people

**What if there are not enough staff in educational settings due to COVID-19?**

The Local Authority will work closely with educational settings – and in particular special schools and other specialist provision – to ensure sufficient provision is available across the local area. The Local Authority and educational settings may need to redeploy staff (whether teachers, support staff or other critical workers) to ensure specialist schools and colleges have sufficient workforce to operate safely,

and may need to do this across the usual boundaries of maintained, academy, college or other status to ensure the right staff are in the right settings.

Source: DfE Coronavirus (COVID-19): guidance on vulnerable children and young people

**Will the SEN Service continue to operate as normal for the foreseeable future?**

- As you will be aware, the SEND Service is a statutory service which endeavours to work closely with parents and educational settings to ensure the statutory processes relating to Education Health and Care Plans (EHCPs) are fulfilled in a timely and efficient manner. There are statutory deadlines which must continue to be met until there is a change to the legislation. We are continuing to focus on the core work of statutory assessment requests, Annual Reviews and placement of pupils in appropriate settings.
- In order to safeguard staff, it has been decided that staff will work from home with a skeleton staff being in the office on a daily basis. Telephone access is available to your Advisory Officer on the same phone numbers and the SEN phone line is still available. Much of the work will be conducted electronically and virtually. This will include SEN Panel.
- As the team is not office-based, please be aware that processing postal communication to the SEN Service is likely to be delayed

Source: LA