

## **Transition Plan for the Transfer of Statements of Special Educational Needs or a Learning Difficulties Assessment to an Education, Health and Care Plan**

**September 2015**

### **Introduction**

The Government has introduced a new approach to the way that children and young people with special educational needs and disabilities (SEND) are supported. From the 1<sup>st</sup> September 2014 any child or young person who needs special educational provision that cannot be reasonably provided within the resources normally available to schools, colleges and early years providers could be referred to the Local Authority for an Education, Health and Care (EHC) assessment. This may lead to an EHC plan.

The Government would like children and young people to have access to the new system as soon as possible. It has therefore been decided that all children and young people who have a statement of SEN should transfer to the new system by April 2018. Any young person who currently has a Learning Disability Assessment (LDA) and who will be continuing in further education or training in September 2016 will also transfer to the new system over the next 12 months.

The legal test of when a child or young person requires an EHC plan remains the same as a statement under the Education Act 1996. Therefore it is expected that all those who have a statement and who would have continued to have one under the current system will be transferred to an EHC plan.

### **Transitional Arrangements**

The Department for Education has issued guidance as to how children and young people should be transferred to the new system over the next 3 years. This suggests that where possible children and young people should be transferred to the new system when a significant review of the statement would be taking place. This is particularly at points of transition between schools, from nursery into school and from year 9 onwards in preparation for leaving school.

Until the statement transfers to an EHC plan, all the same support, processes and protections remain in place.

Bury currently maintains approximately 1,140 statements of SEN, 264 EHC plans and 300 Learning Disability Assessments (LDA's). These are reviewed annually and it is proposed that the annual review process will be used to transfer a child/young person from a statement or an LDA to an EHC plan.

The table below shows the transfers that were carried out last year and the plan going forward to April 2018. The targets for the coming years continue to be ambitious and may have to be adjusted.

2014/15		2015/16		2016/17		2017/18	
Year Group	No	Year Group	No	Year Group	No	Year Group	No
<b>6</b>	116	<b>Rec</b>	32	<b>1</b>	67	<b>2</b>	86
<b>12</b>	126	<b>5</b>	85	<b>4</b>	89	<b>3</b>	86
<b>15</b>	17	<b>9</b>	126	<b>8</b>	126	<b>7</b>	121
<b>16</b>	5	<b>11</b>	150	<b>10</b>	114		
		<b>14</b>	33	<b>13</b>	39		
		<b>LDA's</b>	100 (estimate)				
<b>Totals</b>	<b>264</b>		<b>526</b>		<b>435</b>		<b>293</b>

*The year group is the child's current year group. So for example if a child is currently in year 7 then they will have a transfer review in the academic year 2017-18.*

### **Transfer Process**

Bury is committed to ensuring that children/young people and their families are at the heart of the transfer assessment and review process. We will therefore be using the annual review of a child's/young person's statement as the transfer review meeting. This will allow up to date information to be gathered about the child/young person's needs. A person centred review meeting will then consider all this information and draw up appropriate outcomes for that child/young person.

Parents will be informed of the annual review and transfer process by schools at least 6 weeks before the meeting. They will be invited to provide their views on their child and their aspirations for their future. School will also invite the child to their review meeting and ensure that they are supported so that they can have their views heard.

Schools will gather up to date information about the child's/young person's progress from school staff and from other professionals who are involved. All the information that is gathered, including parent's and the child/young person's views will be sent to all those attending the review meeting at least two weeks before hand.

The SEN team will write to parents at least two weeks before the date of the review meeting. A step by step guide will be sent to explain what happens during this process and how they will be involved. They will be asked whether

they feel that any further assessments or reports are required to support the drawing up of a new EHC plan.

The transfer assessment and review process will start on the day of the review meeting. Following the meeting the SEN Team will consider all the information that it has gathered about the child/young person and consider the parents views. The SEN Team will then request any further information that is required and draw up a draft EHC plan or if the child/young person does not require this, then a support plan.

In the majority of cases a draft EHC plan will be needed. However if it becomes clear during the assessment and review process that the LA does no longer need to make SEN provision in accordance with an EHC plan, then it may be that a support plan is issued in place of an EHC plan. However parents and young people's views will be listened to before any decision is made.

Parents will be asked to respond to the draft EHC plan within 15 days of receiving it and whether they are going to request any elements of it as a personal budget.

The draft EHC plan will be revised and then finalised and sent to the parents, young person, school, other professionals who are involved and Health and Social Care designated officers. This process will take up to 18 weeks to complete, but where possible it will be completed sooner.

The EHC Plan will then be reviewed annually and amended as required.

### **Transition for a young person with a Learning Difficulty Assessment (LDA)**

Under the previous system young people, when they left school, had their statement replaced by an LDA. However under the new SEND reforms any young person who remains in further education or training in September 2016 and who has an LDA will need to transfer to an EHC plan.

The numbers of young people who will be in this position will be small. The LA, Connexions and Colleges are currently identifying the young people who will need to transfer to an EHC plan. The LA will then consult with young people and the colleges about when the transfer process should begin.

### **Consultation**

The transfer plan can be found on Bury's Local Offer website and anyone can make comments on the plan by e-mailing: [SEND.consultation@bury.gov.uk](mailto:SEND.consultation@bury.gov.uk)

The LA is also consulting with stakeholder groups about the timetable and process for transfers.