7. North Somerset Local Area
SEND Panel Terms of Reference

The SEND Panel is an integral part of the whole Education, Health and Care (EHC) assessment process. The following information describes the different functions of the panel and its background. These Terms of Reference are designed to be realistic and practical, representing the spirit and ethos of the SEND Code of Practice, 2015.

They aim to provide the right balance between helping the system to work for the diversity of children, young people and families living in North Somerset and the need for the Local Authority, NHS and Schools to carry out their duties, using robust decision making and accountability procedures.

1. Background and Functions of the SEND Panel

1.1 The SEND Panel meet on a weekly basis, including during school holidays.

1.2 The role of the SEND Panel is to consider the recommendations presented by the SEND Officers to support the Council’s decision making in respect of:

- Whether an EHC assessment is needed
- Whether an EHC plan is required following completion of assessment (see below)
- Significant changes recommended following Annual Reviews of EHC plans, for example changing the type of placement or ceasing of an EHC plan

2. SEND Panel Principles

2.1 The following principles must be considered and applied at Panel:

- The aspirations of the child and young person are central to the process
- Promotion of equality and equitability throughout the whole process including reviews and tribunals
- Timely, engagement and co-production with family has been taken to prepare the child or young person for transition at the appropriate phases, for example moving schools and moving into adulthood
- Discussions are evidence based and transparent, following consistent processes and decision making
• Using the evidence of the child or young person’s aspirations, needs and SMART outcomes, the panel will ensure services work together when jointly shared outcomes are to be met
• Safeguarding and jointly working together for positive outcomes for children and young people which help to develop their optimum independence and to stay safe

2.2 Discussion at Panel must focus on matters related to the decision to be made about the individual case before them. Wider issues about process or policy will be followed up separately as appropriate.

2.3 The SEND Programme Board is the strategic body which is best placed to make multi-agency decisions affecting policy across the Local Area, and panel members may request that the SEND Panel Chair refers issues to the board as required.

3. Chair of SEND Panel

3.1 SEND Panels will be chaired by the SEND Team Manager or, in the absence of the Chair, by the SEND Operations Manager or the Education Inclusion Service Manager.

3.2 The role of the Chair is to ensure all cases presented to the Panel are considered fairly and on their own merits with consistency in the decision making. The Chair will be responsible for ensuring that all decisions are recorded appropriately and that decisions are signed and dated.

3.3 The Chair also acts on behalf of the Education Inclusion Manager in respect of delegated budget responsibility and should ensure that all decisions are made in the best interest of the child or young person, based on the SMART outcomes identified with the child and family. Decisions also need to demonstrate they are an effective use of the Local Authority, Education and NHS resources.

4. Panel Composition

<table>
<thead>
<tr>
<th>Team</th>
<th>Position in team/agency</th>
<th>Role on panel</th>
</tr>
</thead>
<tbody>
<tr>
<td>SEND Team</td>
<td>• SEND Manager</td>
<td>• Chair</td>
</tr>
<tr>
<td></td>
<td>• SEND Operational Manager</td>
<td>• Panel Member/Deputy Chair</td>
</tr>
<tr>
<td>Educational Psychology</td>
<td>Senior Educational Psychologist (SEP)</td>
<td>Panel Member</td>
</tr>
<tr>
<td>Clinical Commissioning Group (CCG)</td>
<td>Designated Clinical Officer (DCO)</td>
<td>Panel Member</td>
</tr>
<tr>
<td>Special Schools</td>
<td>Head Teacher/Principal</td>
<td>Panel Member, one Head Teacher per panel, roster basis</td>
</tr>
<tr>
<td>-------------------------</td>
<td>------------------------</td>
<td>------------------------------------------------------</td>
</tr>
<tr>
<td>Disabled Children’s Team</td>
<td>Team Manager</td>
<td>Panel Member</td>
</tr>
<tr>
<td>Early Years Team</td>
<td>Early Years Support Advisor/Consultant</td>
<td>Panel Member</td>
</tr>
<tr>
<td>Mainstream Schools</td>
<td>Special Educational Needs and Disability Co-ordinator (SENDCO)</td>
<td>Panel Member on roster basis</td>
</tr>
</tbody>
</table>

### 5. Panel Observers

5.1 From time to time, the Local Authority receives requests for colleagues to join the Panel in an observatory capacity. The local authority agrees to this in the spirit of promoting joint working, understanding and professional and workforce development.

5.2 To manage this effectively, observers must book in advance to attend by contacting the Chair of Panel.

5.3 Observers must note that the chair will not permit them to take part in any elements of the panel’s case discussions, and that they are bound by the same requirements regarding confidentiality as panel members.

5.4 The chair reserves the right to ask observers to temporarily leave the meeting should a particularly sensitive case arise.

### 6. Confidentiality and Safeguarding Duties

6.1 Panel members and observers must uphold confidentiality in all cases considered at the SEND Panel, acting in accordance with the Information Governance duties of the Local Authority and other agencies represented at the panel meeting.

6.2 Panel members will not advise on decisions about cases which they are directly involved in or where there may be the perception of a conflict of interest.

6.3 The panel will actively work to safeguard children and young people and may in specific circumstances be required to escalate cases where it is determined that a risk to a child has been identified. In these circumstances, the chair will advise on the correct application of safeguarding policies.

6.4 Current safeguarding policies and procedures can be found via the North Somerset Safeguarding website.
7. Preparation Required Prior to Panel

7.1 In consideration whether an EHC assessment should take place or whether an EHC plan should be issued, the relevant SEND Officer will present their recommendations for the Panel’s consideration via the appropriate SEND referral form.

7.2 This will be sent to the Case Co-ordinator who will add cases to the agenda by midday of the Friday before Panel. A copy of the agenda will be circulated to the nominated representatives attending the next meeting.

7.3 The Panel must be provided with confirmation and evidence that all of the relevant assessments and reports have been shared with and analysed by the SEN Officer, including a copy of the draft EHC plan where relevant.

8. Reviews and Quality Assurance

8.1 SEND Panel members offer advice and recommendations that enable the Local Authority decision to be made by the Chair of the Panel. Every effort will be made to reach consensus on each case but the final responsibility for decisions where agreement cannot be reached will lie with the Chair.

8.2 Annual Reviews
Annual Reviews will be shared with the Panel. Based on the child or young person’s aspirations, needs and outcomes, any changes made to their plan will be considered by the Panel including:

- What the changes are and why
- What options have been explored to meet the child and young person’s needs
- What are the cost implications and how may these be met by working jointly across education, health and care, pooling or sharing resources as appropriate
- Where the recommendation is to cease the plan, evidence is supplied that all appropriate parties have given their consensus at the annual review

8.3 Reviews of SEND Panel operation and process
The Local Authority SEND Panel is designed to promote equality in respect of decision making. Comments and feedback are welcome at any stage and should be addressed to the SEND Manager. Minor amendments to the operation of Panel which do not impact on the due processes being followed and compliance with legislation, can be made by agreement with the Education Inclusion Service Manager

8.4 These terms of reference will be reviewed and agreed at the start of each academic year by the panel at the first available meeting.
8.5 **Quality Assurance**

To ensure quality and consistency of decision-making, a report on the activity and operation of the panel will:

- form an annual review of the Panel’s operation, undertaken by the SEND Manager prior to the start of each academic year.
- be included in the SEND Manager’s contribution to the Local Area Annual Self-Evaluation, which will be presented to the SEND Programme Board.
- be shared with North Somerset Parent Carers Working Together with the local SENDIAS, Supportive Parents

9. **Further Advice and Support**

9.1 These terms of reference should be read in conjunction with our guidance documents, which form our approach to delivering services across the local area.

9.2 Further advice and guidance regarding the local policies, procedures and services in North Somerset are published via the [Local Offer](#) website.