

SEN & Engagement Service

Guide to Primary & Secondary Transfers

Introduction

This guide explains the process for transfers for children with Education Health and Care Plans, who will transfer from nursery to reception and from Year 6 to Year 7.

All school placements for children within these year groups, are issued on 15th February on the Year of transfer, i.e. if the child is in Year 7 in September 2019, their school placement will be issued on 15th February 2019.

Annual Reviews

Annual Reviews for children who will be in Key Transfer cohorts should be held by 31st December of the academic year of transfer, to allow the local authority to issue the EHC Plan, with amendments complete by 15th February.

Legislation

Stockton-on-Tees Borough Council work in liaison with neighbouring Local Authorities when preferences for out of borough schools are received during this process.

When parents express a preference for an out of borough school which is maintained by its Local Authority, the relevant Local Authority SEN Team are consulted with for the place. It may be, that each Local Authority sets up their internal transfer process differently to Stockton-on-Tees Borough Council, however, the relevant legislation below, overrides any local processes and must be adhered to.

A consultation request must be responded to within fifteen calendar days.

Section 33, 39 & 40 of The Children and Families Act 2014

Parent's Choice of School

Parents are able to express a preference for three schools. The Local Authority will always consult with all three schools and, on occasion, additional schools that may be suitable. Some examples of which are below:

1. If the Local Authority feels a special school would best meet a child's needs and a parent expresses a preference for three mainstream schools, the Local Authority would also consult with a school they feel may be suitable to meet the special educational needs of a child.
2. If a parent expresses a preference for three out of area schools, the Local Authority would also consult with what could be, a suitable local school for a view on whether that school could meet the special educational needs of the child.

Naming a school

Wherever possible and reasonable to do so, the Local Authority always aims to name the parent's preferred school.

However, this is not always possible and at times, schools are unable to admit children with EHC Plans for the following reasons:

- It would be unsuitable for the age, ability, aptitude or SEN of the child or young person, or:
- The attendance of the child or young person there would be incompatible with the efficient education of others, or the efficient use of resources.

If, in their response to consultations, schools can satisfy the Local Authority that one of the above reasons has been met, then that school cannot be named in the child's EHC Plan.

If all three schools preference by parent offer a placement, the Local Authority would firstly look at, and consider the suitability of the school placements and secondly, the cost of these placements when making a decision of which school to name.



It is the law that the Local Authority must give consideration to unreasonable public expenditure when agreeing school placements for children with EHC Plan, therefore, although it is not the first consideration, school costs must be considered. An example of this is below:

Parents Preference	Offered Place	Suitable	Cost per year	In / Out of Area
School A	Yes	Yes	£45000	Out
School B	Yes	Yes	£15000	In
School C	No	No	£6000	In

In the example shown above, parents second choice of school would be named by the Local Authority, as it is in area, and suitable to meet the needs of the child.

When all three schools consulted do not feel they are able to offer a place, it may be that further consultation requests need to take place and the Local Authority may identify alternative schools to consult with or, further discussion with one of the schools consulted and preferred by parents takes place. These decisions are made by the Education, Health and Care Panel, who make all decisions in relation to placements for children with EHC Plans.

On occasion, the Local Authority may issue a plan with a type of school named on 15th February. This is to allow additional time to secure the correct provision for a child. If this is the case, contact will be made with the parent (or social worker if it relates to a Child in Our Care), prior to receipt of the EHC Plan. Every effort will be made to secure a suitable school placement as soon as possible following this date.



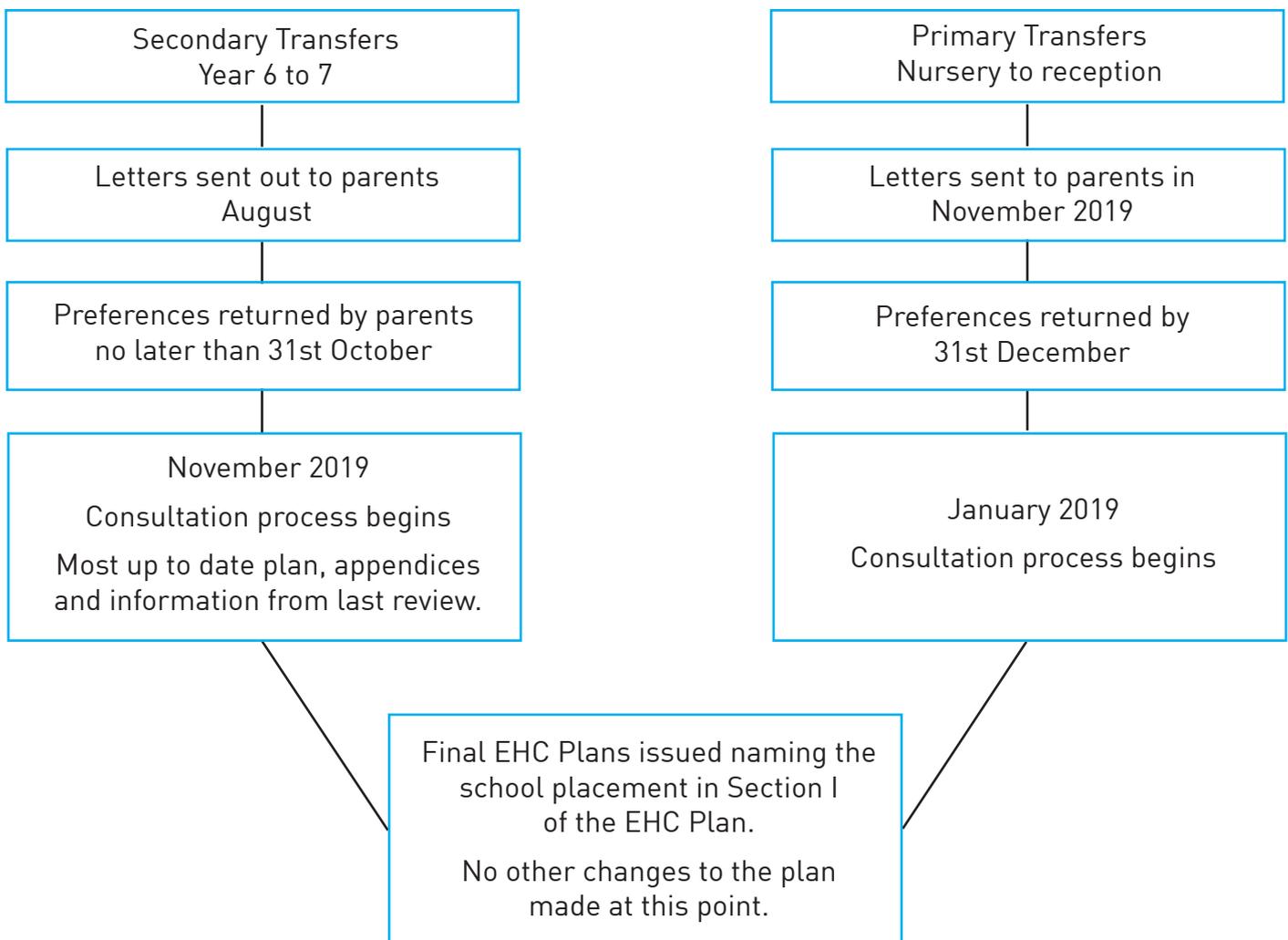
Disagreements with the named school

If parents do not agree with the decision of the Local Authority, they can appeal, in writing to the SEN team in the first instance.

Alternatively, parents are able to appeal to the SEND Tribunal regarding placement (further information regarding how to appeal is available on the letter attached to the final EHC Plan and, online on Stockton Local Offer.

Please see [overleaf/below](#) (change depending on where it is placed on the page) for a brief summary of the process, and key steps / dates in each of the phased transfer processes.

Process



For further information or queries please contact the SEN Placements team on 01642 527145.

Independent advice and support is also available by contacting SENDIASS on 01642 527158