

SEND – Secondary Transfers...

The Journey Continues 18th January
2024

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Manager

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Agenda

- Meet the team ...
- Where are we now...
- What the process...
- What happens next ...
- Where can I get help ...
- Question Time ...

Meet the Team ...

- Nicola Lynch
- Judith Fredua
- Doris Kizito
- Natasha Laker
- Charlotte Stewart
- Zara Johnson
- Jodie Mathers

Where are we now ...

- Current EHCP Coordinators allocated to your child will be dealing with the phased transfer
- Year 5 annual review will have taken place or will be taking place this term
- EHCP will be updated or being updated to reflect needs for secondary provision based on professional reports and advice

What is the process ...

- Year 5 annual review taken place or taking place and EHCP plan being amended and updated
- July 2024 Letter to be sent to parents / careers requesting Parental preference for secondary placement
- LA will consider these request and inform parents of decision
- September 2024 Consultations to be sent to school
- February 15th 2025 Secondary schools to be named in final EHCP in accordance with Code of Practice 2015

Who gets consulted and why ...

- A non-maintained special school
- A maintained school or nursery (mainstream or special)
- A section 41 school
- An Academy (mainstream or Special)

LA can only refuse to consult if:

- The setting is unsuitable for the age, ability, aptitude or special educational needs (“**SEN**”) of the child or young person; or
- The attendance of the child or young person would be incompatible with the provision of efficient education for others; or
- The attendance of the child or young person would be incompatible with the efficient use of resources.
- The provision is not a section 41 School

Where can I get help ...

- Your SENCO / School
- Your EHCP Coordinator
- MIASS
- Kids First



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MIASS who we are

Year 5 onwards transition to secondary school to
start September 2024

MERTON INFORMATION, ADVICE AND SUPPORT
SERVICE FOR MERTON FAMILIES WITH CHILDREN
WITH ADDITIONAL NEEDS AGED 0-25



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INTRODUCTION OR REMINDER OF MIASS

MERTON INFORMATION, ADVICE AND SUPPORT
SERVICE FOR MERTON FAMILIES WITH CHILDREN
WITH ADDITIONAL NEEDS AGED 0-25



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MIASS STATUTORY FUNCTION

commissioned by Health and LA

FRAN TURKO

- Manager, usually takes cases appeal cases and complex cases
- Full time
- Weekly drop in at Newminister Children's Centre term time only

SHAZIA KHAN

- MIASS Adviser
- Full time
- Weekly drop in at Church Road Children's Centre term time only

KATE POTTER

MIASS Support Officer

- Triages all new referrals
- Provides initial advice and guidance
 - Term time only
- Weekly drop in at Acacia Children's Centre term time only



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MIASS CASEWORK

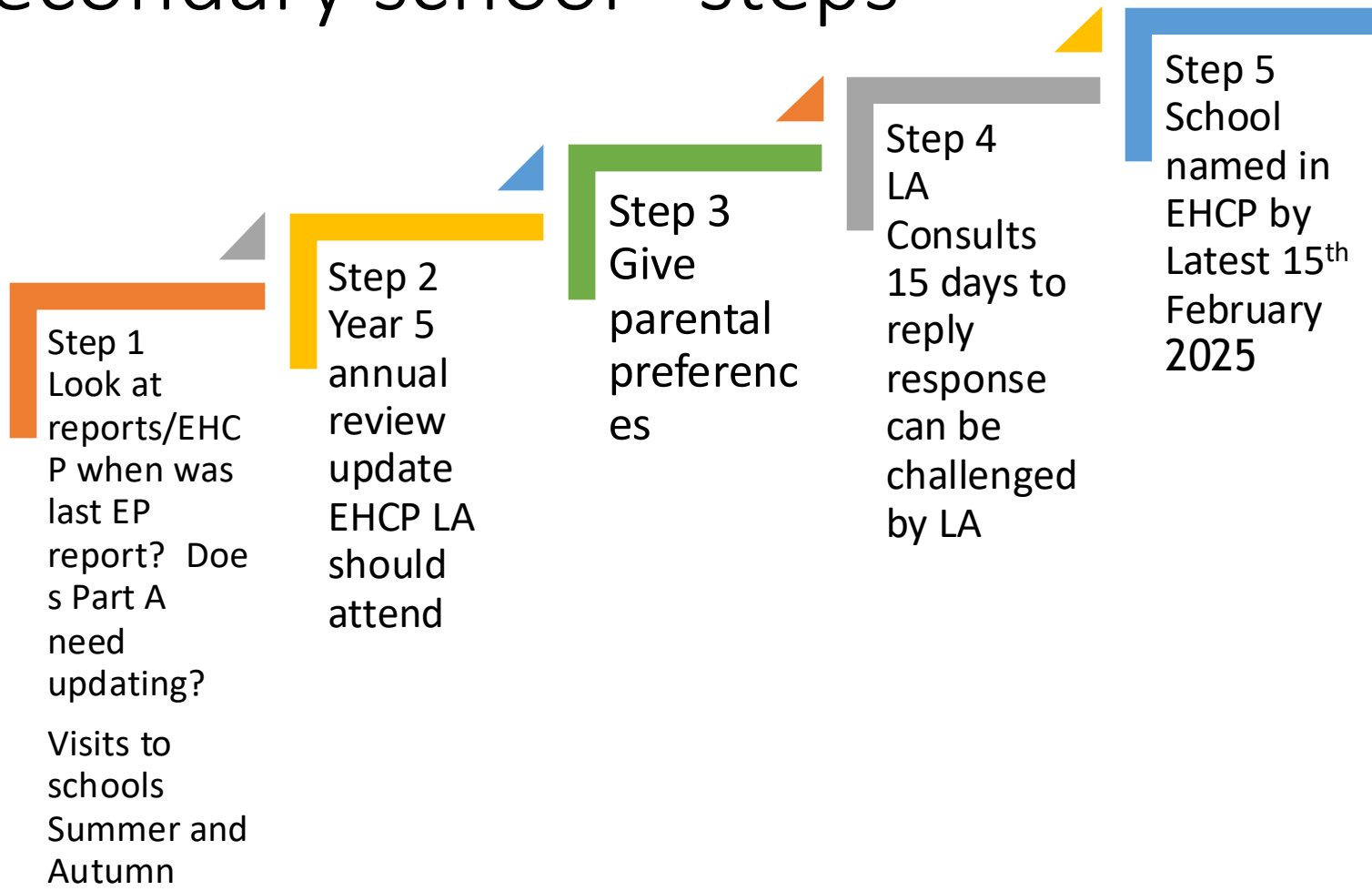


- Receive between 8 and 10 phone calls a day and concentrate limited resources on complex cases and appeals.
- Telephone calls answered most weekdays and waiting list for an appointment with a specialist adviser is approximately two weeks at the moment.
- If you leave a message we receive a notification so will respond as soon as we can. We will prioritise cases which involve safeguarding issues, appeals etc
- Offer telephone appointments usually but can arrange face to face meetings and attend meetings if essential.



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Year 5 and onwards – transition to secondary school - steps



Majority of our service users have a diagnosis of ASD (33 %). We signpost regularly to MAPs and other support services.

We don't double up ie if you already have an advisor we find it is confusing to have two !

We don't provide an official advocacy service or formal legal advice as we aren't lawyers.

We do support up to and including appeals.

We regularly liaise with the LA and Health so can escalate cases with parental consent or where there are concerns about a school or support agency.

Confidential service for parents and don't have access to health, education or social care records unless parents give consent and/or send it to us



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Thinking Hats at the Ready?



Parental preference

LA can only refuse to consult if:

- The setting is unsuitable for the age, ability, aptitude or special educational needs (“**SEN**”) of the child or young person; or
- The attendance of the child or young person would be incompatible with the provision of efficient education for others; or
- The attendance of the child or young person would be incompatible with the efficient use of resources (all costs).

This is set out in section 39(4) CAFA 2014.

The LA has to prove that at least one of these conditions applies to not consult with your preference.

Parental preference	The parent has a right to request any of the following types of school:	A maintained school or nursery (mainstream or special)
An Academy (mainstream or special)	A non-maintained special school	A section 41 school.
But the LA doesn't have to consult with any others	Eg independent specialist	But sometimes might do if they cant find another school or you can argue for it



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"Right to Mainstream"

Think disability discrimination and requirement to make reasonable adjustments

If you want a mainstream school named in the EHC plan, there is another part of the law you can rely on as well. Section 33 CAFA 2014 says that a child or young person with an EHC plan must be educated in a mainstream setting unless:

1. it is against the wishes of the child's parent or the young person; or
 2. it is incompatible with the provision of efficient education for others and the LA *shows* that there are no reasonable steps that it could take to prevent the incompatibility.
- Even if the LA successfully argued that a mainstream school was unsuitable for the ability, aptitude or SEN of the child or young person (one of the lawful reasons for refusing a school), if they wanted to name a special school against the parent's wishes they would also have to show that it was incompatible with the provision of efficient education for others.
 - Note, however, that this is a right to *mainstream education* but not necessarily a right to a particular mainstream school.



Independent schools

- If you are making representations for an independent setting, the LA must have regard to the general principle that pupils are to be educated in accordance with the wishes of their parents, so far as that is compatible with the provision of efficient instruction and training and the avoidance of unreasonable public expenditure (section 9 Education Act 1996). If a young person is requesting an independent school, the LA should consider this as part of their duty to consider the young person's views, wishes and feelings (section 19 CAFA 2014).
- The difference is this: when a parent or young person requests a section 38(3) school, the LA must comply with the request unless the limited exceptions outlined above apply. If the LA refuses to name the parent or young person's choice, the onus is on the LA to prove why it is not possible.
- However, when a parent asks for an independent setting, the onus is on them to prove that none of the schools the LA is offering can meet the child or young person's needs, or that the cost of the placement will not constitute unreasonable public expenditure (all costs to the public purse eg transport)



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Challenging a decision

- We can help
- We support you up to and including appeals but we don't "Double up"
- Currently taking up to 12 months for hearings so not a quick fix
- Can request early interim review.
- Do visit the school
- Speak to your child
- Hearing your child's voice over to.....



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Children and Young People's voices

Shazia Khan



SEND CODE OF PRACTICE 2015 states:

- 1.3 Local authorities must ensure that children, their parents and young people are involved in discussions and decisions about their individual support and about local provision.
- 1.4 Early years providers, schools and colleges should also take steps to ensure that young people and parents are actively supported in contributing to needs assessments, developing and reviewing Education, Health and Care (EHC) plans.
- 1.4 continued.... ensure the child's parents or the young person are fully included in the EHC needs assessment process from the start, are fully aware of their opportunities to offer views and information, and are consulted about the content of the plan

Child and young person voice

- Annual reviews is when requests for updated information will be made. This should include information from children and young people.
- The Children and Families Act expects the annual review meeting to look at things from a person-centred point of view.
- This means that parents, child and young person are fully involved, and able to share their views wishes and feelings.

Here is a video 'child and young person's right to be listened to'

- https://youtu.be/x14_2chx3IE



Tips on getting CYP views listened to:

- Mind map or diagram to get your thoughts organised.
- Write a list of what's important to you and why.
- Arrange your views into things you **want** to happen and what you **don't want** to happen.
- Make a pros and cons list
- Draw what you think would be the ideal outcome. For example, the right support in school, what you'd like life at college to be like, your ideal job.
- Voice record your thoughts and views so you can listen back at a later time or share your recording with others to help them understand what you want to happen.
- Thank you.

5 Top Tips for Researching Schools

1. Consider the school journey:

How long will that journey actually take in rush hour traffic?

Consider how your young person will cope with the journey.
Aim for independence.

2. Open Days:

Make notes.

Look at school websites now and make a note in your calendar of upcoming events.

3. Look at the Curriculum

This can be found on school websites

Some schools have different curriculum pathways.

4. Consider the post 16 options

Would the post 16 provision be able to meet your child's need?

Would your child have to move school again?

5. Ask MIASS for help

Send us a copy of child's EHCP

We can give you information about schools

Summary

- ✓ **Prepare for any reviews by reading the papers – ask the school or the report writer if you are not sure of anything – Don't be shy!**
- ✓ **Ask network around your child – sometimes professionals won't give opinions unless you ask**
- ✓ **Be positive – everyone picks up on parental anxiety and year 6 is an exciting important year – endings are as important as beginnings....**
- ✓ **Your child's voice needs to be listened to and they benefit from feeling listened to as we all do. Keeping them involved will help them manage their feelings of excitement about this transition.**
- ✓ **Be open minded – children change and grow up a lot**
- ✓ **Look at your part A through your children's eyes – they will be reading this what would they be happy with you sharing? Teach them to keep personal information confidential**



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QUESTIONS AND HOW TO FIND US

Remember the local offer!

Contact has a very useful website and helpline.

- Contact details
- Office landline 0208 543 8854
- Email miass@merton.gov.uk
- Casework recorded on a confidential paperless database.
- Welcome feedback and thank you!



What if I disagree ...

Talk to your coordinator and the LA to discuss your concerns or worries

You can appeal through the SEND tribunal process if you do not agree with the LA and the decision they have made in relation to the secondary placement named in the final EHCP

You can ask for formal mediation



Who is the new provision for?

- Extension of Melrose Provision as they have been Extending remit over time for ASD/SEMH
- Secondary school and primary pupils age 9-11
- Children with additional complex and varied needs including Autism Spectrum Disorder (ASD), Speech, Language and Communication Needs (SLCN)
- Will offer a pathway for GCSEs so will provide for children with ASD

QUESTIONS?