

## Pre-School Education

### Introduction

You may have had concerns about your child's development from an early age, or your child may have received a diagnosis which highlights a need for some extra help. Certainly, the early years are important for any child's development. For a child with Special Educational Needs (SEN) or a disability, this may be an even more vital time to get as much extra help as possible. This section highlights the process that might lead to statutory assessment and/or a statement for children under five and some of the other help and services that may be available.

### The Process of Identification, Assessment and Provision in the Early Years

The following "graduated response" to a child's special needs is described in the Special Educational Needs Code of Practice. This sets out the key principles for identifying and assessing SEN and describes the process of supporting children with SEN. There is an emphasis on a graduated response, highlighting the importance of early identification of a child's SEN.

### Educational Assessments for children under 2

If your child has a particular condition or health problem which has caused concern from an early age, they may be referred to the Local Education Authority (LEA) for an Assessment. If the LEA believes that your child has SEN which need extra educational provision, it may decide to Assess. Your consent is needed for this if your child is under two years of age. You also have the right to request an Assessment for children under this age. This Assessment does not need to follow the statutory procedures that are applicable for children over 2. Statements for children under the age of two are rare but they are important for children who have complex needs, if it will help them to access specialist support or home-based teaching.

### Educational Assessments for children under compulsory school age and over 2

- *Early Years Action* – If your child's nursery has some concerns about your child's progress, they may help through 'Early Years Action'. This is where it is felt a child needs additional support to that provided as part of the usual nursery curriculum on offer. Interventions will be agreed by the Special Educational Needs Co-ordinator (SENCO) and child's teacher in discussion with the child's parents. All nursery settings which receive government funding must have a written SEN policy and a SENCO.
- *Early Years Action Plus* – If, despite the additional help that may have been provided as part of Early Years Action, the child does not seem to be making progress, the nursery may help through 'Early Years Action Plus'. This is when outside support services or more specialist advice is sought to help a child's development. This could be an Educational Psychologist or specialist teacher. The decision to seek outside help should be made in consultation with the child's parents.

*Requests for a Statutory Assessment* – for some children the processes described above are not enough to meet their needs. It is at this stage that a request for a statutory assessment may be made. The LEA must carry this out unless the child has



# disabled

education and disability – a parents' guide to rights from nursery to university

had an assessment in the last six months or the LEA considers it unnecessary, having looked at the evidence. This request can be made by you, or it may be from one of the professionals who has contact with your child. However, if you request an assessment the LEA will still need to contact the professionals working with your child for evidence of your child's additional needs. More information on the process of Statutory Assessment is given in Section 3 of this pack.

## Other help for under 5s

**Portage** – Home based educational support for pre-school children with special educational needs. Most areas will run Portage schemes for children with special needs although they may have slightly different names. Many parents want to help their child in specific areas and this is a good way of starting. Usually a teacher will visit you and your child at home to look at a particular area that needs some support. They will then set work for you to do with your child between visits. It is worth finding out about the scheme as early as possible as many do have waiting lists. For more information contact the National Portage Association – details given in Section 9 of this pack.

**Toy and Leisure Libraries** – Toy libraries can be found throughout the UK and they offer services to local families based on regular toy loan for a nominal fee (and sometimes for free). They provide carefully selected toys to borrow, play sessions and a friendly informative meeting place for parents and carers. For more information contact the National Association of Toy and Leisure Libraries – details given in Section 9 of this pack.

**Nurseries** – Children can benefit a great deal in the early years from meeting, socialising and learning new skills with other children. Whether your child attends a mainstream or special nursery this can be a very useful way of giving your child extra learning opportunities. For more information contact the Special Needs Officer at the Pre-school Learning Alliance – details given in Section 9 of this pack.

**Other opportunities** – There may be activity sessions for under 5's run by your local Child Development Centre or a local support group may run groups for parents and children to enjoy together. If you are having difficulty finding help or knowing who to contact for more information, ring the Contact a Family helpline – contact details given in Section 9 of this pack.



Published by Contact a Family on behalf of Contact a Family, Network 81 and Skill.

ISBN: 1 874715 40 8

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Written by Contact a Family.

Designed by Dean Casswell. Printed by Tremar Graphics.

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## Getting your child into the school of your choice

### How do I choose my child's school?

Choosing your child's school can be a difficult task, particularly if your child has Special Educational Needs (SEN) or a disability. It is important that you look around different schools in your area before you make a decision. You can visit any school without obligation.

The following checklist may be useful to help you get the most out of your visit:

- Ask to see the school's SEN policy and find out the name of the Governor responsible for SEN within the school.
- Obtain a copy of the school's prospectus to see how the school's SEN provision is described.
- Find out about the school's admissions policy.
- Make an appointment to see the school's Special Educational Needs Co-ordinator (SENCO) to discuss how special needs are met within the school. In particular ask how all the staff in the school will be made aware of your child's special needs.
- Find out how the school involves parents.
- Ask for a tour round the school and take note of the size of classes, physical access to the buildings etc.
- Try to speak to other parents, including those whose children have special needs.

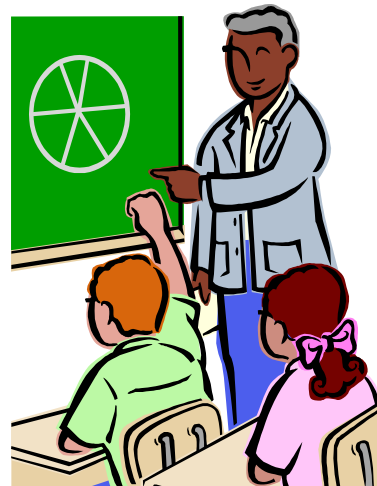
### Different types of schools

A maintained school is one that is funded by the Local Education Authority (LEA). A maintained mainstream school is a school that is not a special school. A maintained special school is one that has pupils with SEN. It may have children with a range of different kinds of SEN or cater for one particular type of SEN, for example Autistic Spectrum Disorders. A non-maintained special school is one that charges fees but is non-profit making. They are usually run by major charities or charitable trusts.

### Children with Statements of Special Educational Needs

If your child has a Statement, then the name and type of school they will be attending is included in Part 4 of the statement. When the LEA issue a proposed statement (that is when it is in draft), the name of the school will not normally be given. Parents may express a *preference* for a particular school in the maintained sector, or make representations for a school outside the maintained sector. The LEA must comply with parental preference unless the school is unsuitable to the child's age, ability, aptitude or special educational needs. They may also refuse your preference if it would be incompatible with the efficient education of other children at the school, or with the efficient use of resources.

The LEA must consult the school preferred by the parent. The school's governing body cannot refuse to admit a child solely because s/he has special educational needs. They can only argue against a place on the grounds that the child's education there would be incompatible with the efficient education of others and they must consider whether there are any reasonable steps they (or the LEA) could take to prevent inclusion of your child from having that effect.



Further information on choosing a school can be obtained from Network 81 – contact details given in Section 9 of this pack.

The government has issued guidance called 'Inclusive Schooling' which provides information for LEAs and schools on what they should be doing to promote inclusion of children with SEN in schools. Further information on inclusion can be obtained from Parents for Inclusion, Network 81 and CSIE – contact details of all these organisations are given in Section 9 of this pack.

## Disability Discrimination

The Disability Discrimination Act, Part IV has been amended to include schools and other education providers and it will come into force from September 2002. This law says that it will be unlawful for schools to discriminate against disabled pupils (current or prospective) in terms of admissions, the education and associated services offered by the school, and exclusions.

Discrimination occurs if the school treats a child with a disability less favourably than it would a child who does not have a disability and also if the school fails to take 'reasonable steps' to prevent a disabled pupil being placed at a 'substantial disadvantage' compared to non-disabled pupils. Further information on this law and its implementation can be obtained from the Disability Rights Commission – contact details given in Section 9 of this pack.

## Children who are ill

If your child cannot go to school because they are ill, they should have as much education as their health allows. This may be provided in different ways, for example at a hospital school or by home teaching. Pupils who have an illness leading to repeated absence should have access to education from day one as far as possible. In any case, pupils should not be at home for more than 15 days without access to education. Children being educated at home should have at least 5 hours teaching a week, if medical advice suggests they can cope with it. Section 9 gives details of organisations who can provide further advice if you are in this situation. Section 6 gives information about help for children who are not at school for other reasons, such as exclusions.



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## Statutory Assessment and Statements of Special Educational Needs

The following “graduated response” to a child’s special needs is described in the Special Educational Needs (SEN) Code of Practice. This sets out the key principles for identifying and assessing SEN and describes the process of supporting children with SEN.

### How can the school help your child?

If you are concerned about your child’s progress at school or the school has told you that they are concerned, the first step is to talk to your child’s teacher. S/he may also ask you to talk to the Special Educational Needs Co-ordinator (SENCO) at the school. The SENCO is the teacher who is in charge of SEN at the school. Schools can help to support your child’s progress at school through ‘*School Action*’ and ‘*School Action Plus*’.

At ‘*School Action*’, the SENCO will assess your child’s difficulties and will then decide what support is needed to help your child progress. S/he will ask you and your child’s teacher what you feel your child’s difficulties are. The SENCO will write an Individual Education Plan (IEP), which should include targets, what strategies are going to be used, what provision is going to be put in place and when the plan is going to be reviewed. This should be discussed fully with you and your child and should be reviewed at least twice a year.

If your child continues to have difficulties despite the strategies used, including the IEP, the school can ask for extra help from external support services, such as an Educational Psychologist or specialist teacher. This is known as ‘*School Action Plus*’. The specialist may advise the school, do further assessments or work with your child directly. A new IEP will be written which should be reviewed regularly.

### Statutory Assessment

For a few children, despite all the help given by the school, they may still not make progress. At this point the school, in consultation with parents, may ask the Local Education Authority (LEA) for a Statutory Assessment. Parents also have the right to ask for Statutory Assessment themselves. This Assessment is a very detailed examination of what your child’s difficulties are and what help your child needs. The LEA will ask for information from parents and the professionals working with your child, such as specialist teachers and Speech and Language Therapists.

Parents will be asked to put in writing what they feel their child’s needs are. It is important to include information on your child’s early years and development, what they are like now and how you feel their needs can best be met.

### How long will the Assessment take?

There are time limits written in the law for this procedure. The process of making a Statutory Assessment and a Statement should take 26 weeks.

Considering whether a Statutory Assessment is necessary	6 weeks
Making the Assessment	10 weeks
Drafting the proposed Statement or Note in Lieu	2 weeks
Finalising the Statement	8 weeks
<b>Total</b>	<b>26 weeks</b>



There are a number of reasons why the Assessment may take longer than the strict 26 week guide, but if one part of the Assessment is delayed (for example collecting reports from other agencies), the remaining parts of the procedure should still comply with the guidelines.

Once the Assessment is complete, the LEA will decide whether or not to issue a proposed Statement of Special Educational Needs or a Note in Lieu. A Statement is a legal document that describes all your child's needs and what provision should be made to meet those needs. A Note in Lieu should give the LEA's reasons for not issuing a statement and will include copies of the reports on which their decision is based.

The Statement consists of 6 parts. Part 1 is an introduction. This will include background details of your child such as name, address and date of birth. Part 2 should give details of each and every one of the child's special educational needs and Part 3 should describe all the help (special educational provision) that will be provided to meet those needs. Part 4 should have the type and name of school where the special educational provision specified in Part 3 is to be made, or the arrangements for the education to be made otherwise than in school. Parts 5 and 6 should describe the non-educational needs of your child, for example, medical needs.

When you receive a proposed Statement, you should check it very carefully to ensure that you are happy with the detailed description of your child's needs (Part 2) and the provision which should be made to meet those needs (Part 3). The Code of Practice says that 'provision should normally be quantified (for example in terms of hours of provision and staffing arrangements) although there

will be cases where some flexibility should be retained in order to meet the changing special educational needs of the child concerned' (Code of Practice 8.37).

You should be able to read your child's Statement and know what provision is going to be put in place to meet your child's needs. Be aware that some of the language used in Statements may make them vague. For example, any provision that is described as being 'regular' or 'as necessary' does not help you know as a parent what help your child will be getting. Once the Statement is finalised, the LEA has a legal duty to meet the provision set out in it.

The procedures of School Action, School Action Plus, Statutory Assessment and Statements are described in the SEN Code of Practice 2001. Copies of this, and a guide for parents can be obtained free from the DfES, Tel: 0845 6022260.

Every LEA has to make arrangements to provide independent advice, support and information to parents whose children have special educational needs. These are called Parent Partnership Services and your LEA or the Contact a Family helpline (see section 9 of this pack) can put you in touch with your local service.



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ISBN: 1 874715 40 8

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## Complaints and Appeals

### Schools Complaints procedures

If you are concerned about any issues involving your child's education, it is often best to talk to the school informally to try to resolve difficulties. It may be appropriate to arrange a meeting with the Special Educational Needs Co-ordinator (SENCO) and/or the Head Teacher to discuss any issues. If the issue is not resolved, then ask for a copy of the school's formal complaints procedure.

### Disagreement resolution services

All Local Education Authorities (LEAs) have to provide access to a 'disagreement resolution service' for parents. The aim of this service is to resolve disagreements between parents and the LEA, and between parents and schools. They are sometimes known as 'Mediation Services'. Using the service is voluntary and cannot take place without the agreement of all parties. It does not in any way affect a parent's later right of appeal and mediation can take place once you have already put in an appeal.

The disagreement resolution will consist of an independent facilitator (often known as a mediator) bringing together all the parties concerned in the disagreement, that is the parents and the LEA or school, in a non-threatening environment to seek to resolve the disagreement through discussion and negotiation. The facilitator will be someone who is independent of the LEA and who has no vested interest in the terms of the settlement. They will not take sides, offer advice or solutions but will work with both parties to help them explore the options available. Parents can take someone with them for support during the discussions.

### Disability Discrimination in Education

The Disability Rights Commission are setting up an independent conciliation service which will look at disputes relating to disability discrimination in education. If this does not resolve issues then parents can make a claim to a Special Educational Needs and Disability Tribunal (SENDIST).

### Special Educational Needs and Disability Tribunal

SENDIST is an independent body set up to hear parental appeals against decisions about a child's Special Educational Needs (SEN) made by the LEA. Parents must lodge an appeal to SENDIST within two months of receiving the LEA decision that they disagree with. SENDIST's contact details are given in Section 9 of this pack.

There are guidelines which determine when you can and cannot appeal to SENDIST.

You can appeal when:

- the LEA refuses to make a Statutory Assessment of your child.
- the LEA refuses to issue a Statement after they have Assessed your child.

If the LEA has made a Statement, or has changed a previous Statement, you can appeal when:

- you disagree with the parts which describe your child's SEN (Part 2) and set out the special educational help the LEA thinks your child should get (Part 3).
- you disagree with the school named in Part 4 of the Statement.
- the LEA have not named a school in Part 4.



You can also appeal if the LEA:

- refuses to change the school named in your child's Statement, if that Statement is at least a year old (but you can only ask for an LEA maintained school).
- refuses to reassess your child's SEN if the LEA has not made an Assessment for at least six months.
- decides not to maintain (to cancel) your child's Statement
- decides not to change your child's Statement following a reassessment.

SENDIST also hears cases relating to disability discrimination in schools. Parents may make a claim to SENDIST within six months of the day when they think the discrimination occurred. For further information, contact the Disability Rights Commission – details given in Section 9 of this pack.

## What happens when I appeal to SENDIST?

When the Tribunal office receives your 'notice of appeal' and accompanying documents, they decide whether they can register your appeal or not. They will write to you within 10 working days of their decision. If they can register your appeal, they will send a copy to the LEA. Both the parents and the LEA then have 30 working days in which to prepare their case. This is known as the Case Statement Period.

At the end of the 30 working days the parents and the LEA both send their Case Statement to SENDIST, who send you a copy of each other's documents. You cannot send in written comments on the LEA's case statement, but you will be given the opportunity at the Tribunal hearing to ask questions about their case.

The hearing is held at a neutral venue and your case will be heard by the Tribunal Panel which is made up of three members: the Chairman of the panel is a lawyer; the other two members will have knowledge and experience of special needs. You are allowed to take to the hearing a representative, two witnesses and also two other people who do not take part in the hearing but are there for support. Organisations listed in Section 9 of this pack can advise you further and may be able to help by representing your case. Your Parent Partnership Service can also support you (see Section 3 of this pack). The Tribunal service will let you know their decision within 10 working days of the hearing and the LEA must follow that decision within a fixed period.



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## Financial help for children of school age

You may qualify for some financial help to cover certain costs while your child is at school. This section gives a brief outline of some of the schemes which may help. Your Local Education Authority (LEA) should give you more information.

### Free school meals

Free school meals are available to children who are registered at a maintained school or grant maintained school. To qualify, the pupil or their parents must be in receipt of any one of the following benefits:

- Income Support.
- Income-based Jobseeker's Allowance.
- Support under the Immigration and Asylum Act 1999.

Schools are not allowed to provide free school meals to other pupils.

Pupils who qualify for free meals may not get the same meals as those paying in full. Some schools will have a cafeteria and the pupils may be allowed to choose meals up to a certain fixed cost.

If you are a student with a child aged 3 – 16, you may qualify for a grant towards school meals from the LEA, depending on your income.

### School Milk

Schools may provide milk to pupils. Parents in receipt of Income Support or income-based Jobseekers Allowance should not be asked to pay. Some schools take part in the welfare food scheme and provide free milk to children under 5.

Families on Income Support or income-based Job Seekers Allowance will automatically receive a milk token for each child under 5 and can apply on form FW20 for a milk token for any disabled child aged 5-16 who does not attend a school because of their disability.

### School Clothing

LEAs may provide help with the costs of school clothing, including non-uniform clothing, shoes and sports kit. This is discretionary and schemes vary. An LEA may choose to provide cash grants, vouchers which can be used in a few local shops, or actual items of clothing. Some LEAs may not provide any help on the basis that there is no legal requirement for a child to wear a school uniform.

Parents who are getting Income Support or income-based Jobseeker's Allowance can apply for a Community Care Grant from the Social Fund to buy clothing. A grant cannot be given for uniforms or sports kit. To apply for a Community Care Grant contact your local Benefits Agency or Jobcentre Plus.

### School Transport

LEAs must provide free transport to pupils up to the age of 16 if it is necessary to enable them to get to the nearest suitable school. This might be because of your child's medical condition or disability or because they live beyond walking distance of the school. Walking distance is considered up to two miles for pupils aged under eight, and up to three miles for pupils aged between eight and sixteen.

A pupil may be given a place on a school bus or coach or passes to use public transport. Pupils who provide their own transport may be given a



travelling allowance. Parents who take their child to school may be given a car allowance. If your child is disabled and would have difficulty using the school bus or public transport, you could argue that you should be paid a car allowance.

LEA's do not provide free transport to a school of a parent's choice which is beyond walking distance, if there is a nearer suitable school. However, if your child attends a voluntary school, such as a church school, which is beyond walking distance, the LEA may provide free transport even if there is a nearer, non-church school available.

LEA's have the discretion to pay any or part of any pupil's travelling costs – so if a pupil does not qualify for automatic help, the LEA can still be asked to use this discretion to provide financial help.

A parent may challenge the LEA if for example, it refuses to accept that a child has a disability, or it has measured walking distance across an unsafe route.

If a child boards at a maintained special school which is some way from home, the LEA has the discretion to help with the travel costs for visits by the parents.

## Other Needs

The LEA has very wide discretion to make grants to pupils in maintained schools to help them take advantage of the extra curricular facilities available to them – for example to buy a musical instrument. However, the amount of money set aside for these purposes is likely to be very limited.

For this reason, if parents are finding it difficult to meet any expenses related to school it might be worth checking other options.

For example, you may like to check whether you are getting all the benefits that you are entitled to. Additionally, many charitable trusts will make one off grants to help parents on modest incomes with various expenses. See the list of helpful organisations given in Section 9 of this pack for information on who can advise you about these options.

## Changes in April 2003

In April 2003 families may move off Income Support or income-based Jobseeker's Allowance when new Tax Credits are introduced. Call the Contact a Family Helpline (contact details in Section 9 of this pack) for more information on the changes after April 2003.



## Children not at school

A child may not be at school for a number of reasons. This may be because you have decided to educate them at home or because they have been excluded from school.

### Exclusions

An 'exclusion' is when a child may be sent home from school by the Head Teacher. The procedures which are used and the steps you can take to challenge this will vary according to the type of school. Each school will have a written policy which sets out any measures for promoting discipline and how it is enforced. The following sections look at the procedures maintained schools should follow.

### Temporary exclusion

A child may be excluded from school temporarily, usually for disciplinary reasons such as persistently not wearing uniform and this is often referred to as a 'suspension'. In most cases, a first exclusion will be for no more than one to three days. If your child is excluded for more than one or two days, the Head Teacher should arrange for him or her to be given homework.

In any school year a child cannot be excluded for more than 45 days. Exclusions lasting more than 15 school days should be only in the most serious circumstances. Where an exclusion is for more than 15 school days this counts as a 'permanent exclusion'.

### Permanent Exclusion

A child may be permanently excluded from school. This should only happen in the most serious circumstances and is often referred to as 'getting expelled'. A Head Teacher may initially exclude a child from school for a fixed period while investigating any events and then convert the temporary exclusion into a permanent exclusion.

If a pupil has a Statement of Special Educational Needs the Local Education Authority (LEA) may choose to amend it at a special meeting, to give additional or different help rather than to exclude.

### Being told your child has been excluded

If your child is under 18 and has been excluded from school, either temporarily or permanently, the Head Teacher should inform you in writing telling you how long the exclusion is for and how to go about challenging the decision. Also, you should be given the name and telephone number of a person at the LEA who can advise on exclusions. If the exclusion is for more than 5 days in a term or if your child would miss an exam, the LEA and school discipline committee (or governing body) should be informed.

### Challenging a decision to exclude your child

Firstly, you could talk to the Head Teacher. He or she may then decide to allow your child to return to school. This is called a 'reinstatement'. If this does not happen, you could write to the school discipline committee and ask them to look at the matter. You can ask to present your case to the school discipline committee in person. Discipline committees are not expected to look at exclusions which are for less than 6 days unless your child might miss an exam as a result.

If you believe the exclusion was not dealt with properly or is unreasonable, be sure to explain anything which you believe is relevant. For example, your child may have been recently diagnosed with a disorder such as Attention Deficit Hyperactivity Disorder which would explain the difficulties he or she has been having at school. If the exclusion is for a reason related to your child's disability then this may be grounds for a complaint under disability discrimination laws.

### Appealing to the LEA

If, after making representations to the school discipline committee, your child is still excluded from school, you can then write to the LEA. The LEA must consider your case and may direct the school to reinstate your child or to reduce the length

of time your child is excluded from school. If the LEA does disagree with the school discipline committee, the Head Teacher should follow whichever decision will lead to the earliest reinstatement. However, if the exclusion was for a fixed period and the LEA has asked for your child to be reinstated, the Head Teacher can decide to make the exclusion permanent.

If the LEA has ordered reinstatement and the discipline committee disagrees with this, the discipline committee can appeal. Your child will remain excluded from school until any appeal has been decided.

## **The Appeals Panel**

If both the LEA and the discipline committee agree that your child should remain excluded, you should receive a letter notifying you of the exclusion. The letter will also tell you how to appeal to the independent Appeals Panel. Should you decide to appeal to the Panel you must do so before the 15<sup>th</sup> school day after you were notified. It is important to get specialist advice when appealing to the panel. For advice on exclusions contact the Advisory Centre for Education (ACE) exclusion helpline, Tel: 020 7704 9822.

## **Disability Discrimination and the Appeals Panel**

If you believe the exclusion is for a reason related to your child's disability, or that they have failed to make any adjustments which would allow your child to return to school, the Appeals Panel can also consider any complaint you might want to bring under the disability discrimination laws.

Schools are under a duty not to treat your child less favourably than another child for a reason related to their disability and, if reasonable in the circumstances, to make adjustments which might

remove any disadvantage. This applies to the school's practices, policies and procedures. It does not include any duty to make physical changes to the premises or to make extra provision to meet any Special Educational Needs (this can only be provided through the usual Assessment process - see Section 3 of this pack).

## **Education if your child is permanently excluded from school**

If your child is permanently excluded from school, the LEA still has a duty to provide suitable education and they have a right to attend another school. Like all parents you can choose the school and the LEA must accept your choice subject to the usual admission criteria. However, if your child has been excluded from 2 or more schools a new school can refuse admission and you cannot appeal against a school's decision to refuse admission in these circumstances.

In some cases the LEA may not be able to find another school for an excluded child and they may be provided with a place in a Pupil Referral Unit (PRU). PRU's have been set up to provide specialist support to children who have been permanently excluded. A place should be temporary and the main aim is to help get the child back into a mainstream school.

## **Educating your child at home**

In a very few cases the LEA may offer home-based tuition, although this is unusual for children over the age of 16. You may decide to educate your child at home. If you choose to do this the LEA must be sure that this education is satisfactory. If you are considering this you can get help from a specialist organisation such as Education Otherwise – contact details given in Section 9 of this pack.

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## Careers Advice and Transition at 14

At 14, young people start to make their first important choices about their futures. In education they must make decisions about which subjects they wish to pursue. These choices can be more complex for young people with disabilities or learning difficulties because they need to consider what extra support they need in their learning.

The government is currently reviewing the structure of education for 14-19 year olds with the aim of encouraging all young people to continue their education beyond 16. One of the main changes is to increase opportunities for young people aged 14 to combine school with college, or work-based learning, so advice and support at this age will become ever more important.

### Careers education at school

Once young people reach year 9 at school, they should be given help to prepare for their future. There may be a teacher who is responsible for careers education and it should be possible to arrange an appointment with this person. In addition, the school should provide access to careers information, such as books and leaflets about Further Education, training and careers. Young people with disabilities should be able to get information in an accessible format, for example, in Braille, large print, or on tape.

### Connexions Services

From year 9 onward young people may also need independent information and advice on their future work or learning. This is available from the new Connexions Service, in areas where this is already running, or from local Careers Services. Connexions Services are replacing Careers Services around the country and should be in place nationwide by September 2003. Both of these services will be able to advise young people about different jobs and the type of training courses required to get these jobs.

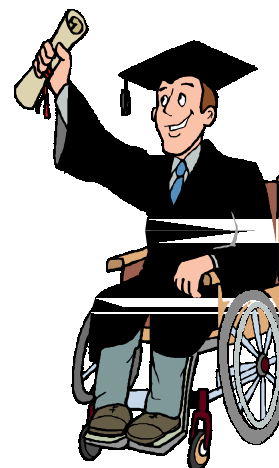
Connexions Services in particular have been set up by Government with the intention that they take on a much wider role in supporting young people aged

13-19. Connexions Services employ Personal Advisers to advise and support young people in all areas of their life, including education, housing and health. They should liaise with other professionals including Social Workers, health professionals and staff working in specialist disability organisations. In addition, young people with disabilities should have access to a specialist careers adviser/Personal Adviser who has experience of advising people with disabilities. Young people can request an interview with the specialist adviser. Personal Advisers should provide in-depth one-to-one support to young people with disabilities where appropriate.

### Transition plan

Many young people with disabilities will have a Statement of Special Educational Needs which sets out the educational support they need at school. The Local Education Authority (LEA) has a legal duty to provide the support specified in this Statement. When young people reach 16, their Statements will only continue to have a legal standing if they stay on at school. If a young person chooses to go to college, he or she is still entitled to disability support, but their Statement will cease to give them a legal right to this support.

A Statement should be reviewed every year by means of an Annual Review meeting. All professionals involved in supporting the young person should attend this meeting. When young



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people with a Statement reach 14, they should be involved in writing a Transition Plan. The Transition Plan should draw together information from a range of individuals to plan for the young person's transition to adult life. The Connexions Service is responsible for overseeing the delivery of the Transition Plan. Young people with a disability or learning difficulty are entitled to additional advice and support from the Connexions Service and the Transition Plan reflects this. Parents or guardians should also be involved in ensuring that there is a good Transition Plan. Transition planning should be ongoing, holistic and collaborative and should always be based upon the views of the young person.

## Assessing the needs of young people with disabilities

The Connexions Service is also expected to take a leading role in something called the Learning And Skills Act Section 140 assessment duty. This duty is to make an assessment of need and of the provision required to meet that need. This assessment must be arranged during the last year of a person's compulsory schooling if the student has a LEA Statement and it is believed that the student will leave school to receive post-16 education, training or Higher Education. Powers to arrange assessments for students in other circumstances also exist, for example, if a student has a learning difficulty but not a Statement. This new assessment duty strengthens the legal rights of young people, including young people with disabilities, during the transition planning process.

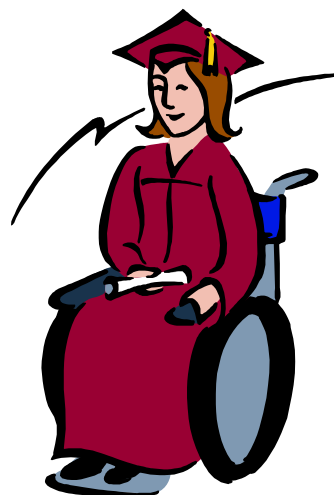
## Liaison with other professionals who provide advice and support

**Local Social Services** are required to provide certain services to young people with disabilities. If

a young person has a Statement, their LEA must liaise with the local Social Services department about their needs. This should happen when a Transition Plan is prepared and again when the young person leaves school. This will enable a LEA to decide whether or not a young person needs any additional help from Social Services. Young people, or their parents or guardians, may make direct contact with Social Services if they are worried that they are not involved.

**Health professionals** involved in the care of a young person should also provide advice towards Transition Plans in writing, and where appropriate, attend the annual review meeting in year 9. Funding for education, personal care and medical care comes from different sources, which means that arrangements can be complicated.

This is why it is very important that the Connexions Service oversees the whole process. Personal Advisers should speak to the different agencies involved and ensure appropriate funding arrangements to put the Transition Plan into practice are in place.



Published by Contact a Family on behalf of Contact a Family, Network 81 and Skill.

ISBN: 1 874715 40 8

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## Transition to Further and Higher Education

This section explains the options available, the support arrangements in place and other information for young people with disabilities wishing to go on to Further or Higher Education.

### Further Education

At 16 young people have four main options in education. These are staying at school, going to a local Further Education college or sixth form college, work-based learning, or going to a specialist college. In the future it is likely that combinations of these options will become more and more common.

### Learning and Skills Council

The Learning and Skills Council (LSC) was set up by the Learning and Skills Act 2000 as a single body uniting a substantial part of all Further Education and training in England (the Employment Service New Deal programmes remain separate). It is required to have due regard to promoting equality of opportunity between disabled and non-disabled learners and to have regard to the needs of people with disabilities and learning difficulties. Local branch offices of the Council must have a designated senior member of staff to oversee and be accountable for provision for learners with learning difficulties and/or disabilities.

### Specialist colleges

The support needs of some young people with disabilities cannot be met in a local school or college. Specialist colleges exist which have extensive experience of teaching students with one type of disability or a range of different disabilities. These colleges are located around the country and recruit nationally. Such colleges are often residential. A specialist college can help a disabled person learn to live away from home.

The Learning and Skills Council has a **duty** to fund a specialist place for a student under the age of 19 whose needs **cannot** be met in local colleges. It also has the **power** to fund a specialist place for a student between the ages of 19 and 25 whose

needs cannot be met elsewhere. Certain forms of evidence must be provided that the young person's needs cannot be met in a local Further Education college. Social Services may also pay or contribute towards a specialist place where the provision includes a strong care component.

### Work-based learning

There are two main types of formal work-based learning:

- **Modern Apprenticeships** give training to school leavers to prepare them for work within a particular industry. There are two levels: Foundation, which provides training up to NVQ level 2; and Advanced, which provides training to at least NVQ level 3.
- The **Entry to Employment (E2E)** programme is due to start in August 2002. It is aimed at young people who might not be able to gain NVQ level 2. Therefore some young people with disabilities or learning difficulties will be a target group for this provision.

### Funding for disability support

Local Further Education colleges receive money from the LSC to pay for additional support needed by students with disabilities or learning difficulties. The government is currently planning to extend this 'additional support funding' to work-based learning as well. Additional support funding can fund, for example, additional teaching for dyslexia students, an interpreter for deaf students or materials in alternative formats. A college should assess the support needs of any disabled student who applies to study there. Most Further Education colleges also offer study programmes specifically for people with learning difficulties. These may be Basic Skills courses, which aim to develop numeracy and literacy skills, or Independent Living Skills courses, which prepare students generally for adult life. There is a Disability or Learning Support Co-ordinator at all local Further Education colleges whose job it is to co-ordinate disability support within the college.

## Transport to Further Education for students with disabilities

Transport entitlement for students with disabilities post-16 has long been a problem. However, following a review of this area by Government, changes to law and guidance are being made to improve provision. For example, Local Education Authorities (LEAs) will be required to publish statements that specify arrangements for facilitating the attendance of disabled students and students with learning difficulties in post-16 education or training.

## Higher Education

Disabled students considering going to university need to consider what support they will need, for example, provision of learning materials in Braille, wheelchair access to lecture halls or the extent to which an institution will understand the difficulties encountered by a dyslexic student. For information on disability-related provision it is a good idea to contact the institution's Disability Co-ordinator, who is responsible for managing services for disabled students. It is also a good idea to arrange an information-gathering visit. Most universities and colleges publish disability statements and it is worthwhile obtaining a copy.

Applications for most courses are made through the Universities and Colleges Admissions Service clearing house (UCAS). If invited to attend an interview, it is important to let the institution know about any particular support arrangements. Students attending interview may be asked about their disability. Therefore disabled students should be prepared to speak clearly and confidently about potential problems and solutions.

Institutions rarely give reasons for a rejection. Disabled students who think they have been

rejected because of their disability can contact the institution to find out if this is the case. UCAS will give any disabled student rejected by an institution because of their disability an opportunity to apply afresh to a new institution.

## Funding for disability support

Disabled Students' Allowances (DSAs) are the main source of disability support funding for Higher Education students. These are available from LEAs to fund study-related disability support costs that arise from attendance on a course. There are maximum amounts available under three headings: specialist equipment, human support (known as the 'non medical helper allowance') and a general fund for other expenses. In addition, there is DSA funding for transport. Disabled students are required to attend an assessment centre to have their needs assessed before an individual award is made. Further information can be obtained by contacting Skill - details given in Section 9 of this pack.

In addition, the Higher Education Funding Council for England allocates money to institutions to improve disability support provision (known as 'premium funding'). It also invites institutions to bid for funds to carry out special projects in supporting disabled students.

## Additional information relevant to Further and Higher Education studies

**The Disability Discrimination Act (DDA) 1995.** Part IV of the DDA provides legal rights for disabled people in education and covers both Further and Higher Education institutions. The Act places duties on establishments not to treat disabled people less favourably and to make 'reasonable adjustments' where disabled students are placed at a 'substantial disadvantage'.

## Who's Who in the Statutory and Voluntary Sector

There are some groups and organisations, both national and local, which can help and advise parents through the various aspects of special education processes. You should not hesitate to contact anyone if you wish to ask for their help and advice. If you're not happy with the advice that a professional is giving it may help to talk to someone who is independent and impartial. You may find the following addresses useful:

### **ACE (Advisory Centre for Education)**

1c Aberdeen Studios  
22 Highbury Grove  
London N5 2DQ  
Freephone Advice Line: 0808 800 5793  
(Mon – Fri, 2pm – 5pm)

Website: <http://www.ace-ed.org.uk>

*Offers free guidance and advice on all aspects of education. It publishes a handbook on Special Education (8th Edition costing £12.00) as well as leaflets on other education topics. Ask for a publications list.*

### **Contact a Family**

209-211 City Road  
London EC1V 1JN  
Tel: 020 7608 8700

Freephone Helpline: 0808 808 3555  
(Mon – Fri, 10am – 4pm)

Website: <http://www.cafamily.org.uk>

*Works across the UK to support families with disabled children. Can give details of local and national support groups and information and advice on any issue relating to disabled children and children with special educational needs.*

### **CSIE (Centre for Studies on Inclusive Education)**

Room 2S 203, S Block, Frenchay Campus  
Coldharbour Lane  
Bristol BS16 1QU  
Tel: 0117 344 4007

Website: <http://inclusion.uwe.ac.uk/csie/>

*Gives information and advice about educating children with special needs within ordinary schools. It has a series of factsheets, some free and some for a small charge.*

### **Disability Rights Commission**

DRC Helpline

Freepost MID 02164

Stratford upon Avon CV37 9BR

Tel: 08457 622633

Fax: 08457 778878

Website: <http://www.drc-gb.org.uk>

*Provides information and advice on all aspects of disability discrimination.*

### **DfES (Department for Education and Skills)**

Sanctuary Buildings

Great Smith Street

London SW1P 3BT

Public Enquiry Line: 0870 000 2288 (Mon – Fri,  
9am – 5pm) Calls charged at national rate

Website: <http://www.dfes.gov.uk>

*Publishes statutory guidance on education and provides a range of useful information. Their website has a section just for parents.*

### **Education Otherwise**

PO Box 7420

London N9 9SG

Tel: 0870 730 0074

Website: <http://www.education-otherwise.org>

*Self-help organisation for parents educating or thinking of educating their children at home.*

### **IPSEA (Independent Panel for Special Education Advice)**

6 Carlow Mews

Woodbridge IP12 1DH

Freephone Advice Line: 0800 018 4016

Website: <http://www.ipsea.org.uk>

*Has independent experts who give advice to parents who are uncertain about, or disagree with, the Local Education Authority views of their child's special educational needs. They offer a Free Representation Service for which there is a waiting list. At times they may have to close the waiting list due to the number of referrals.*

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## **National Association of Toy and Leisure Libraries**

68 Churchway

London NW1 1LT

Tel: 020 7387 9592

Fax: 020 73832714

Website: <http://www.natll.org.uk>

*Supports toy and leisure libraries, promotes their development and aims to raise awareness of the importance of play. Provides information and training on child development and use of play.*

## **National Portage Association**

PO Box 3075

Yeovil BA21 3FB

Tel/Fax: 01935 471641

(Mon & Thur, 9am – 1pm)

Website: <http://www.portage.org.uk>

*Supports home learning schemes for pre-school children.*

## **Network 81**

1-7 Woodfield Terrace

Stansted CM24 8AJ

Tel: 0870 770 3306 Helpline (Mon - Fri,

10am – 2pm) Calls charged at national rate.

Website: <http://www.network81.co.uk>

*Network 81 offers information, guidance, help and advice on the Education Act and special educational provision. They run a helpline, produce a range of literature and offer training for parents and professionals.*

## **Parents for Inclusion**

Unit 2, Ground Floor

70 South Lambeth Road

London SW8 1RL

Getting a Life Inclusion Helpline: 020 7582 5008

(Tues – Thurs, 10am – 12noon & 1pm – 3pm)

*Promotes the rights of disabled children to attend their local mainstream school.*

## **Pre-School Learning Alliance**

69 Kings Cross Road

London WC1X 9LL

Tel: 020 7833 0991

Fax: 020 7837 4942

website: <http://www.pre-school.org.uk>

*Information on 16,000 community pre-schools in England.*

## **Rathbone Special Educational Needs**

4th Floor, Churchgate House

56 Oxford Street

Manchester M1 6EU

Special Education Advice Line: 0800 917 6790

Asian Language Service: 0800 085 4528

Website: <http://www.rathbonetraining.co.uk>

*Gives general advice about all aspects of Special Educational Needs to parents and professionals.*

## **Skill – National Bureau for Students with Disabilities**

4<sup>th</sup> Floor

Chapter House

18-20 Crucifix Lane

London SE1 3JW

Tel: 0800 328 5050

Website: <http://www.skill.org.uk>

*Provides individual support and publishes helpful information sheets for students wishing to undertake Further or Higher Education.*

## **Special Educational Needs and Disability Tribunal**

Windsor House,

7<sup>th</sup> Floor, 50 Victoria Street

London SW1H 0NW

Tribunal Helpline: 01325 392555

Website: <http://www.sentribunal.gov.uk>

*Provides information on the Tribunal process.*

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## Information for Teachers

You may have worked with a number of children with special needs before or this may be the first pupil with a disability you have had in your class. What is important to remember is that the attitude of your school will certainly make a big difference to the success of the child. You may need to think about using some different strategies to get the best results from a child who has additional health needs or Special Educational Needs. Do remember though, that there are a lot of sources of information and support available to you. You might find it useful to go through the following checklist:

### Teacher's Checklist

- Talk to the child's parents or carers.** They may have a great deal of information and some useful strategies that they can share with you.
- Check out additional information.** Many national support organisations now produce information on disabilities and rare disorders, specifically for teachers. Get in touch with Contact a Family, 209-211 City Road, London EC1V 1JN Tel. (020) 608 8700 Website: <http://www.cafamily.org.uk>. They will be able to provide you with information and contacts.
- Be prepared.** Think about how you might make the classroom more accessible for this particular pupil. For example, would it help to have the child with special needs sitting at the front of the class? Could you provide some written instructions or symbols as additional prompts? Could you link this pupil with one or two others who might provide some additional support?
- Communicate.** Make use of the home/school diary. This will help provide information to parents about what has gone on during the school day and highlight any possible difficulties. Some children behave very differently at school to how they do at home.
- Special Educational Needs Code of Practice.** A new edition of the Code of Practice came into force in January 2002. All schools must have regard to the Code of Practice – it is important that you familiarise yourself with its contents. Your SENCO will have a copy. Additional copies can be requested from the DfES on 0845 60 222 60.
- Special Educational Needs Toolkit.** This provides additional guidance for teaching staff and should be read in conjunction with the SEN Code of Practice. Your SENCO will have a copy of this. Additional copies are available from the DfES on 0845 60 222 60.
- New legislation.** The SEN and Disability Act came into force in 2002. This act has placed new anti-discrimination duties on schools. Make sure you and other members of staff have the information you need. Your SENCO, headteacher, teaching organisation or voluntary organisation may be able to help you with any additional questions you have.
- Transition.** Moving on to a different teacher, school year or school can be one of the most difficult times for pupils and parents. Any liaison you can provide will make an enormous difference to the transition.



**Parents: Please photocopy both sides of this Section and hand to your child's teacher**

## **Pupil Information – Special Educational Needs**

Name: .....

Address: .....

Date of Birth: .....

Person to contact in case of emergency: .....

.....

Diagnosis (and/or description of difficulties): .....

.....

Medication/ medical interventions required: .....

.....

Behaviour Management/ Strategies Used: .....

.....

Any Special Dietary Requirements: .....

.....

Other useful information for teaching staff: .....

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