

☺ What will happen once the Statement is issued

The school will draw up a new Individual Education Plan (IEP) to set short-term targets. You will be involved in this process. The school will regularly review the IEP together with you and your child.

Every year the City Council will also review the Statement. This is called an Annual Review and it looks at longer-term targets. Further information is available from the Parent Partnership Service.

When your child moves to another school information will be passed to the new school. The City Council will consult with you to amend Part 4 of the Statement. Further information on moving school is also available from the Parent Partnership Service.



If you would like more information on any of these materials, or support from a Parent Partner (Independent Parental Supporter), please contact:

Plymouth Parent Partnership Service

Martins Gate, Bretonside, Plymouth PL4 0AT

Telephone: 01752 258933 Email: parent.partnership@plymouth.gov.uk

www.plymouthparentpartnership.org.uk



(This leaflet has been produced in collaboration with the Eastern Region Parent Partnership Group)



Statutory assessment and statements of special educational needs: a guide for parents/carers



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Statutory assessment and statements of special educational needs

The purpose of this booklet is to help you understand what Statutory Assessment means for you and your child.

What is Statutory Assessment?

Statutory Assessment is a very detailed assessment of your child under the Education Act 1996. It will include reports about your child from a number of people, including you, teachers, an educational psychologist and others who work with or support your child. This assessment will identify your child's needs and any special help that they may require.

When will a Statutory Assessment be carried out?

The Code of Practice is very clear in its advice that most children with special educational needs should be supported in their education through Early Years Action or School Action, and Early Years Action Plus or School Action Plus. All Early Years settings and schools provide a cycle of planning, teaching, assessment and evaluation that takes account of the wide range of abilities, aptitudes and interests of children. The majority of children will learn and progress within these arrangements.

However for a very small number of children with severe, complex and long term needs, additional support may be required. A Statutory Assessment is only necessary if the school or early education setting cannot provide all the help your child needs.



Can the school ask for Statutory Assessment?

Yes, the school or the Early Years setting can normally ask for Statutory Assessment when there are concerns about the progress your child is making with the support available at Early Years Action Plus or School Action Plus.

The Early Years setting or the school will make this request only after they have consulted with you.

If the school ask for a Statutory Assessment, the City Council will write and ask whether you agree and also whether you would like to send in any supporting information. You will be asked to provide this information within 29 days. Your Parent Partnership Service could help you to do this if you wish.



Can I ask for Statutory Assessment?

Yes, as a parent you can ask for Statutory Assessment if you feel that your child's needs are not being met through School Action Plus. It is a good idea to discuss this with your child's Early Years setting or school first. You may also wish to talk it through with the Parent Partnership Service.

If you ask for Statutory Assessment, the City Council will write to:

- your child's school and ask them to send in any information about his/her needs;
- you to ask if you have any further information, which may include reports from other agencies such as health or social services;
- other agencies to notify them that they may be asked for advice on your child.

What happens after the request for Statutory Assessment?

The City Council will decide whether to carry out a Statutory Assessment and this decision will be based on all the information sent into the Department of Lifelong Learning. Therefore it is very important that good quality information is provided. In most cases the City Council should make a decision about making a Statutory Assessment within 6 weeks of receiving the request.

After considering all the information supplied, the City Council will decide one of the following:

- your child's special educational needs can continue to be met appropriately through the support available at Early Years Action Plus or School Action Plus. If so the City Council will decide that a Statutory Assessment is not needed;
- the City Council will proceed with a Statutory Assessment;
- more detailed information is required about your child's special educational needs.

The City Council will write to you to explain their decision.

☺ What happens if it is decided that my child can be supported at Early Years Action Plus or School Action Plus?

If the City Council decide not to start a Statutory Assessment, they will:

- offer you an opportunity to talk things through with the City Council and/or the Parent Partnership Service. This may help you to understand why a decision has been made and may also help you to understand how your child's special educational needs will be met by the school;
- offer you access to independent disagreement resolution;
- inform you have a right to appeal to the Special Educational Needs and Disability Tribunal.

☺ What happens if it is agreed that a Statutory Assessment should be carried out?

When the City Council inform you of the decision to proceed with Statutory Assessment they will advise you about your Named Officer, who will be able to discuss and help you with any part of the Statutory Assessment. The Parent Partnership Service can also help you.

At this time they will also ask you if:

- you want to provide the City Council with more detailed written information. Your involvement is important because you know your child best. (See booklet – Parents' Contribution to Statutory Assessment)
- you would like an Independent Parental Supporter (Parent Partner) to offer information and to support you with the Statutory Assessment process.

The Parent Partnership Service can help with this.

☺ Who will assess and provide information about my child?

When your child has an assessment anyone assessing your child will inform you in advance. You can ask for this to take place where you and your child feel most comfortable.

During the Statutory Assessment, information is collected from:

- you (the Parent Partnership Service can help you with this)
- your child
- your child's school
- an educational psychologist
- health professionals such as doctor, occupational therapist, speech therapist, physiotherapist or health visitor
- social services and other agencies as appropriate.

Your child's views are an important part of the information. If your child needs support to give their views to the City Council, you, a teacher or another professional can help. It is very helpful if you include your child's views in your own contribution.

The City Council will send you copies of all reports when the Statutory Assessment is completed.

☺ What happens when all the information has been collected?

When the City Council has received and considered all the information, they will either:

- write to you explaining their reasons for not issuing a Statement of Special Educational Needs and issue a Note in Lieu; or
- issue a proposed Statement.

The process of gathering all the information and drafting a Statement or Note in Lieu should be completed within ten weeks, excluding summer holidays.

What is a Note in Lieu?

A Note in Lieu is a note in which the City Council will explain why it has decided not to issue a Statement. It also outlines your child's special educational needs and makes recommendations about provision, so that you and the school can be sure that they are met. Parents have the right to appeal against the City Council's decision not to issue a Statement.

You, therefore, have a right to appeal to the SEN and Disability Tribunal if you do not agree with the City Council. You will receive information about the time limits in making an appeal. You may also want to seek help from the Parent Partnership Service or to find out details of the local disagreement resolution arrangements provided through independent mediators.

😊 What is a Statement of Special Educational Needs?

A Statement of Special Educational Needs is a legal document that identifies your child's needs and all the special help they will have. The City Council will issue a Statement if your child's needs cannot be reasonably provided for by the school or Early Years setting. A Statement is set out in six parts.

- **Part 1** gives your own and your child's name, address and other details.
- **Part 2** gives details of your child's special educational needs as identified during the assessment.
- **Part 3** describes:
 - The provision the City Council thinks your child should receive to meet their needs
 - The long term objectives to be achieved by that special help
 - The arrangements to be made for setting short term targets and regularly reviewing your child's progress towards those targets.
- **Part 4** names the school where the provision will be made or the City Council's arrangements for provision if this is not to be in school.
- **Part 5** gives details of the relevant non-educational needs your child may have as agreed between the health services, social services or other agencies and the City Council.
- **Part 6** describes how your child will get the help required to support their non-educational needs.

😊 What happens when a Statement has been prepared for my child?

Before the City Council's SEN officers write a final Statement, they will send you a 'proposed Statement' – that is, a draft of the Statement. All the parts listed above will be filled in, except Part 4 (describing the type and name of the school) which will be left blank.

You have a right to say which state school you want your child to go to, either mainstream or special. This can be the school they already go to.

The City Council **must** agree with your preference so long as:

- the school you prefer is suitable for your child's age, ability, skills and SEN;
- your child's presence will not damage the education of other children already at the school; and
- placing your child in the school will be an efficient use of the City Council's resources.

If you have any questions or concerns about the proposed Statement, you can discuss these with your Named Officer and the Parent Partnership Service.

With your copy of the draft Statement the City Council will send you a letter telling you how you can give your views on the proposed Statement before it is finalised. Your views will be welcome. You may want to consider getting more help and support at this stage from the Parent Partnership Service. You will be asked to name your choice of school and approve the proposed Statement within 15 days.

😊 When will I get my child's final Statement

Usually, the City Council must make the final Statement within eight weeks of the draft Statement. They will send you a copy of the Statement and it will have Part 4 filled in with the name of a school.

The Statement comes into force as soon as the City Council make it. From that time the City Council must provide your child's school with any extra resources specified in the statement. The school's governors must do their best to make sure that your child gets the special educational help set out in the Statement. If you have not been able to reach an agreement, the City Council will finalise the Statement. You will be able to appeal to the SEN and Disability Tribunal. Details of your right to appeal will be sent to you with the final Statement and you may also want details of the local disagreement resolution arrangements provided through independent mediators.

😊 How long will all this take ?

6 weeks	The LEA receive the request and decide: YES or NO to Statutory Assessment
10 weeks	The LEA carry out a Statutory Assessment and decide whether to: Issue a Statement or Not issue a Statement
2 weeks	The LEA: <ul style="list-style-type: none">• Issue the proposed Statement• or explain their decision not to make a Statement and issue a Note in Lieu.
8 weeks	If a proposed Statement has been issued, the LEA: <ul style="list-style-type: none">• Consult with parents on it• Send out the final Statement
TOTAL	= 26 WEEKS

There are some exceptions to this timescale. These are listed in the SEN Code of Practice (Annex A Part II 12:7).