

Annex to Gretton Primary Academy's SEND Information Report: COVID-19, school closures and SEND provision

EFFECTIVE FROM: April 2020

NEXT REVIEW: As government advice is updated or September 2020, whichever is sooner

Key contacts

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Local Offer: <https://www.northamptonshire.gov.uk/councilservices/children-families-education/SEND/local-offer>

Context

This Annex to the Gretton Primary Academy's SEND Information Report has been created in response to the COVID-19 pandemic. From 20th March 2020 parents and carers were asked to keep their children at home, wherever possible, and for schools to remain open only for selected students who absolutely need to attend. Schools and all childcare providers were asked to provide care for a limited number of children namely children who are vulnerable, and children whose parents are critical to the COVID-19 response and cannot be safely cared for at home.

This Annex must be read in conjunction with Gretton Primary Academy's SEND Information Report.

Guidance from the DfE is being reviewed and updated regularly as we navigate through these unprecedented times and therefore this Annex will also be updated as required.

Key information

What are the entitlements of children and young people with SEND when schools are closed due to Coronavirus?

All schools have been ordered to effectively close, retaining a skeleton staff to provide education for the children of key workers, and 'vulnerable children.'

Vulnerable children include those who have a Social Worker and those with an Education Health Care Plan (EHCP). The majority of children with SEND, who receive SEN Support at school but do not have an EHCP, are expected to stay home unless they have a Social Worker or a parent/carer who is a key worker.

All transport queries should be directed to tcu@northamptonshire.gov.uk.

Do I have to send my child to school?

Despite schools staying open for some children, the guidance is quite clear:

'If it is at all possible for children to be at home, then they should be.'

If you feel it would be too high risk to send your child to school because they, or someone else in your family, is at particularly high risk, there is no requirement to send your child in.

Under the Coronavirus Act, the criminal penalty for parents failing to send their children to school is to be temporarily disapplied.

If your child has an EHCP the SENCO (or other designated person) will contact you to discuss how your child can be supported during school closure and complete a risk assessment. Any risk assessment should incorporate the views of the child/young person and their parents/carers. This will inform the decision about whether they should continue in school, or whether their needs can be met at home safely.

In completing the risk assessment schools will need to consider a number of different risks to each individual, including:

- *the potential health risks to the individual from COVID-19, bearing in mind any underlying health conditions. This must be on an individual basis with advice from an appropriate health professional where required*
- *the risk to the individual if some or all elements of their EHC plan cannot be delivered at all, and the risk if they cannot be delivered in the normal manner or in the usual setting*
- *the ability of the individual's parents or home to ensure their health and care needs can be met safely*
- *the potential impact to the individual's wellbeing of changes to routine or the way in which provision is delivered*

We expect most children and young people with EHC plans will fall into the following categories:

- *children and young people who would be at significant risk if their education, health and care provision and placement did not continue, namely those who could not safely be supported at home. This may include those with profound and multiple learning difficulties, and those receiving significant levels of personal care support. Local authorities will need to work with the individual's educational setting – especially residential special schools and specialist colleges – as well as local health partners, to ensure they are able to remain open wherever possible. This may mean deploying staff from other education settings, to keep staffing ratios safe*
- *children and young people whose needs can be met at home, namely those who are not receiving personal care from their educational setting, or whose limited need for personal care can be met in their family home.*

If my child has an EHCP, doesn't the Local Authority have a legal duty to deliver provision?

From a legal perspective this remains the case. However, given the likely significant disruption to staffing, it may be very difficult for schools or local authorities to deliver precisely the provision in the EHCP, particularly over the next few weeks.

The Government have just passed the Coronavirus Act 2020 which gives temporary emergency powers to the Government to issue a notice (a month at a time) that would modify the legal requirements on Local Authorities in relation to EHCP's. If this notice is issued it would be in relation to two key areas:

- 1) *The absolute duty to make the provision in an EHCP (section 42 of the Children and Families Act 2014) is to be temporarily amended to a 'reasonable endeavours' duty. This means that during the specified period the Local Authority needs to do whatever it reasonably can to put provision in place, but if they cannot do so they would not necessarily be breaching the law.*
- 2) *Disapplying the duty to undertake Annual Reviews of EHCP's.*

Again, if there could be a risk to the child or young person's health, wellbeing or safety if they do not receive a particular provision or intervention, please speak to the SENCO and/or Local Authority without delay.

My child was due to have an Annual Review. What will happen now?

Under the Coronavirus Act, the requirement to carry out Annual Reviews may be temporarily dis-applied where this is considered to be 'appropriate and proportionate.' However currently we will continue to hold Annual Reviews if at all possible. This will of course need to be carried out remotely and we will speak to you first about how this will be managed to ensure that the contribution of parents and children/young people are at the heart of the process.

If you feel there is an urgent need to amend the provision or placement in the child or young person's EHCP, speak to the SENCO and/or the Local Authority about this to see what review mechanisms could be put in place.

My child is still attending school. How will my child's learning be supported at school?

It is important to note the school will not be providing a full curriculum, we will be providing care for the children and incorporating education provision and a range of activities, but this will probably not be fully in line with their EHC provision.

How can I support my child's learning at home?

The class teacher will take account of the needs of all students, including those with SEND, when planning for and providing work to be completed at home. This may include:

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- suggesting different ways in which children can present their work;
- giving more detailed instructions;
- providing parents with suggestions to make tasks more practical in nature;
- providing alternative/differentiated work which is targeted at their level of need where they may not ordinarily access curriculum subjects at age expected levels.

There are a number of resources available to help you support your child at home during this period.

- On the 7th April the government issued some resources which can be found at the link below. Please scroll down to those that are relevant to your child.

<https://www.gov.uk/government/publications/coronavirus-covid-19-online-education-resources/coronavirus-covid-19-list-of-online-education-resources-for-home-education#mental-wellbeing>

How can I help my child cope with the changes?

We understand that this is a significant change for many families. Please give yourself time to adjust to a new routine and above all, do not place too much pressure on yourself or your child to complete schoolwork. Maintaining positive mental health and emotional wellbeing is very important. The mental health charity MIND have provided some initial information which we are happy to share.

[Coronavirus and your wellbeing](#)

[How can I cope with changes to school / college?](#)

[Coronavirus and wellbeing – Young minds](#)

My child is due to be moving to a new provision (e.g. college) in September. What will happen now?

We will contact you and your child or young person to discuss the transitional arrangements to support them into their new setting when appropriate. At the moment we do not know when this might be, due to the current lockdown. We have no further information about exam results or assessments. Please see the school website for further information about this.

What is the advice from the Secretary of State for Children?

On 24th March 2020, the Secretary of State for Children, Vicky Ford, issued an open letter to children and young people with SEND, their parents/carers and families, and all others who support them. In this letter, the Minister makes clear that:

'[...] nurseries, schools, special schools, colleges and other training providers should undertake a risk assessment to establish the individual needs of each child or young person with an Education, Health and Care (EHC) plan. This assessment should incorporate the views of the child or young person and their parents. This will inform the decision about whether they should continue in school or college, or whether their needs can be met at home safely.

If needs are best met at schools or colleges, we will support their school or college to meet their needs, wherever possible. For those on SEN support, schools, colleges and local authorities have discretion to use the same risk judgement to decide whether home or school is the safest setting for these children. It is, however, important that as many children as possible remain at home during this time in order to help reduce transmission rates.'

A copy of the full letter can be found here [Open letter from Secretary of State for Children 24.03.2020](#)