

What is a Statement of Special Educational Need?

A Special Educational Needs Statement is a legal document issued by the Local Authority (LA) for a child outlining the child's needs, how they might be met and a suitable educational placement. This document is particularly important when that child moves to another county or another school.

Annual Review

A review of the child's needs takes place on an annual basis (called Annual review of Statement) at the school. The school organise the meeting and involve parents, school staff and appropriate professionals.

Before a statement is considered

There are various ways schools should help and support children experiencing difficulties before a statement is considered. In the recent SEN Code of practice issued by the Department for Education and Skills these stages are now entitled "Action" and "Action Plus". In simple terms "Action" involves in-house support provided by the school where "Action Plus" involves the use of outside agencies such as the Psychological service.

Only when these strategies have been unsuccessful should schools write to the LA to request a statutory assessment of Special Educational Needs. This could lead to a Statement being issued.

If parents request a Statutory Assessment

Parents have the right to request statutory assessment at any time providing an assessment has not been carried out in the last 6 months.

When this happens the LA would normally write to the school the child attends to assess what action they have already taken. The LA can refuse to assess if they feel the child is still at "Action or "Action plus" and the school have further strategies to explore.

Parents have the right to appeal to an Independent SEN and Disability Tribunal if they are unhappy with the LA's decision.

Agencies such as Health Authorities or Children's Development Centres can also request a Statutory Assessment. These would normally be for Pre-school children already exhibiting a severe delay in their educational development.

The assessment process

Once the LA has agreed to initiate a Statutory Assessment a number of agencies are contacted to provide detailed reports. These would normally include the School, Health Authority (who will medically examine the child), Psychology service and Social Services.

Parents are also encouraged to write down their thoughts and observations as part of the process.

Once all the reports have been collated the LA decides whether to issue a statement. Again it may feel a statement is not required and instead choose to issue a Note in Lieu.

A Note in Lieu

A Note in Lieu should describe the child's special educational needs and explain why the LA does not think it necessary to make a statement. The Note would make recommendations about the appropriate provision for the child. All the advice received during the assessment should be attached to the Note in Lieu and sent to the parents and, with the parents consent should also be sent to the child's school.

Parents can again appeal against this decision through the SEN and Disability Tribunal.

Assessment timescales

The Special Educational Needs Code of Practice lays down time scales the LA should adhere to when completing an assessment. From the day an assessment is initiated the LA has 10 weeks to decide whether to issue statement and then a further 2 weeks to draft the statement. The final can be issued up to 8 weeks later depending on parental response. The whole process should take no more than 26 weeks.

The Statement

If the LA decides to write a statement it firstly does so in draft form to allow parents and agencies time to query and seek amendments to the document. When parents agree the draft the final statement is issued naming the suitable educational placement for the child concerned. This will normally have been agreed with parents before issue but occasionally the school named is disputed and recourse to the Tribunal is again available.

Once a child has a statement the school named has a statutory duty to provide for the child's needs as outlined in the statement. It will depend on individual LAs' funding schemes whether schools will receive additional funding to meet these

needs. The statement means the LA is responsible for the all the child's school placements until he/she leaves the school system.

Moving out of Shropshire

When a statemented child moves to another LA the new authority has a statutory duty to meet the needs outlined in the statement. In time they will amend the school named (if the 2 LAs are neighbours this might not happen) and could in time choose to amend the needs outlined or even cease the statement. Parents would again have recourse to the Tribunal if unhappy with the changes.

Leaving school

The statement of Special Educational need lapses when the child leaves school even if they go on to further education.