



## Wirral Parent Partnership Service

### What you need to know about Children & Families Bill 2014

The *Children & Families Bill*, which comes into effect in September 2014, introduces changes which will affect children & young people who have special educational needs (SEN) or disabilities, children who are adopted, or are young carers, and their families.

The aim of the Children & Families Bill is to improve:

**The identification of children and young people's special educational needs** in areas of:

- communication and interaction
- cognition and learning
- social, emotional and mental health
- sensory and/or physical needs

All children will have a **progress check** at age two and their progress will be monitored and reviewed by early-years practitioners. Maintained nurseries, schools, Pupil Referral Units, and further education institutions must use their **'best endeavours'** to provide for children and young people's special educational needs and they **must** inform the young person or parents about this. Schools, colleges and training providers will have a duty to meet the needs of students with special educational needs, disabilities or medical needs and must provide high quality, appropriate support for children and young people with SEN from their own budget and available resources.

**Education Health and Care plans (EHCP)** will replace *statements of SEN* where the special educational provision required to meet the child or young person's needs cannot reasonably be provided from within the resources normally available to mainstream schools, early years providers, and post 16 institutions. A co-ordinated assessment will identify if the child requires an EHCP. Parents of children or young people with EHCPs, or who are undergoing assessment for an EHCP, should have access to an **Independent Supporter** to help them to understand and navigate the system and coordinate meetings and assessments. EHCPs can continue until the age of 25, where needed, to allow for successful preparation for adulthood, including independent living and employment. Existing statements of special educational needs will be converted to EHCPs over the next 2-3 years, if appropriate, following annual reviews or at transition points.

#### **The involvement of children, young people and parents in decision-making**

Impartial information, advice and support must be made available to children, young people and their parents to enable them to be fully involved in decision-making. Parent and young peoples' preference for where they want to be educated should be met wherever possible. Young people over the age of 16 will be allowed to make their own decisions about education if they wish.

## **Better collaboration between education, health and social care**

Local Authorities, Clinical Commissioning Groups (CCGs) and Social Care should make arrangements for agreeing what education, health and social care provision might be needed for children and young people with special educational needs in its area. They should work together with **Parent Carer Forums** to ensure that parent/carers and young people are consulted and involved in co-producing local policies and in developing services.

## **Information about services**

Each local authority **must** produce a **Local Offer** setting out information about nurseries, schools, colleges and other services for children and young people with SEN and their families in its area. It must include information about local provision as well as provision outside the area that is likely to be used by local children and young people with SEN and how to access them. The Local Offer must set out how people can get support and how to complain if they are unhappy with the services provided. It should also publish feedback about the Local Offer and the LA's response.

## **Personalisation**

Young people and parents of children with SEN have a right to ask the Local Authority to prepare a **personal budget** when an Education Health & Care plan is being prepared. A *personal budget* is an amount of money identified by the Local Authority which is needed to deliver all or some of the provision set out in an EHCP to cover education, health and care services. **Direct payments** are cash payments made directly to parents, young people or their representatives, allowing them to arrange their own special educational provision, health and social care provision in order to give greater choice and control.

## **Disagreement Resolution**

Local Authorities must make independent disagreement resolution services available to parents and young people. Use of the disagreement resolution services is voluntary with the agreement of both parties. Mediation, conducted by independent mediators, gives an opportunity to resolve disagreements before an appeal to SEND Tribunal. Parents and young people must consider mediation before registering an appeal. Parents of disabled children and disabled young people in school can also make disability discrimination claims to SEND Tribunal if they feel their child or young person has been discriminated against by schools or Local Authority when carrying out some of their education functions.

## **The family justice system**

The family justice system is being reformed to help deliver better outcomes for children and families who go to court after family separation or where children may be taken into care. The reform programme is tackling delays and ensuring that children's best interests are at the heart of decision making.

## **Childcare**

The Government is reforming childcare to ensure the whole system focuses on providing safe, high-quality care and early education for children by substantially increasing the supply of high quality, affordable and available childcare.

**You can find out more about the Children & Families Bill at**

[www.education.gov.uk/a00221161/children-families-bill](http://www.education.gov.uk/a00221161/children-families-bill)