**Inclusion Programme Bulletin: March 2016**

**Part 7: Principles of the SEND Reforms – Code of Practice, Chapter 1**

**Introduction**

1. In the final article in our Code of Practice series, we set out the principles that underpin the SEND Reforms. It is important to remember that the new Code of Practice does not simply describe a revised set of processes. It sets out some core principles that can require a major shift in culture and practice surrounding the delivery of support for children and young people with SEND and the aspirations we have for them.

**The principles**

1. Section 19 of the Children and Families Act requires Sheffield City Council to have regard to the views, wishes and feelings of children, young people and families, involving them as fully as possible in decisions about their needs and support and to support them to achieve the best possible educational and other outcomes and to prepare them effectively for adulthood.

**Participating in decision making**

1. Sheffield City Council must ensure that children, their parents and young people are involved in discussions and decisions about their individual support. Specifically, that means the child’s parents or the young person are fully included in their EHC needs assessment from the start and that families have access to advice and information about matters relating to SEN.
2. It is important to note that the Children and Families Act 2014 gives significant new rights to young people from the end of the academic year in which they turn 16. From this point and subject to mental capacity issues, Sheffield City Council and other agencies will normally engage directly with the young person rather than their parent. This does not exclude parents from being involved as most young people will want parents to continue to be included in discussions and decisions about their future.
3. Sheffield City Council must also ensure that children, young people and parents are provided with the information, advice and support necessary to participate in discussions and decisions about their support. In particular, some young people may need support to express their views. While this could be from a family member acting as an advocate, local authorities must not use the views of parents as a proxy for young people’s views.

**Involvement in planning, commissioning and reviewing services**

1. Sheffield City Council must consult with children and young people with SEND and their families when reviewing education and social care provision and preparing the Local Offer. It is important that they participate effectively in decisions about the support available in city so there is a good match between needs and services, higher satisfaction with those services and more effective use of resources.
2. Effective participation happens when it is recognised, valued, planned and resourced; when it is evident at all stages in the planning, delivery and monitoring of services; when there are clearly described roles for children, young people and parents; and when there are strong feedback mechanisms to enable participants to understand their impact on decisions.

**Identifying Needs**

1. It is vitally important that an individual’s needs are identified quickly and the right support put in place. It is also important that Sheffield City Council and its partners take a strategic approach to ensuring the needs of local people with SEN or a disability can be met.
2. Sheffield City Council must take steps to identify all the children and young people in their area who have or may have SEN or a disability. Anyone can bring a child or young person they think might have SEN or a disability to the Council’s attention. NHS Sheffield must inform the Council if they identify a child under compulsory school age as having, or probably having, SEN or a disability.

**Collaboration between education, health and care services**

1. Sheffield City Council must ensure that services work together where this promotes children and young people’s wellbeing or improves the quality of special educational provision. NHS Sheffield must cooperate with the Council in helping it to carry out its statutory duties, and in particular must work with the Council to commission education, health and care services jointly for children and young people with SEN or disabilities.

**Inclusive practice**

1. Schools and Colleges must use their best endeavours – i.e. do everything they possibly can – to ensure that special educational provision is made for those that need it. Early Years settings, Schools and Colleges should know precisely where children and young people are in their learning and development and should have high ambitions for them, setting appropriate, stretching targets. They should ensure that the approaches they are using are based on the best possible evidence of what works.
2. Inclusion in mainstream education for those with SEN or who are disabled is a general presumption in law. The removal of barriers to learning and participation in mainstream education is something that the Council, NHS Sheffield and early years providers, schools and colleges should work together to address. This is why Admissions Authorities must consider applications of children who have SEN but do not have an EHC Plan; they must not refuse to admit a child who has SEN but does not have an EHC Plan because they do not feel they can meet those needs; and they must not refuse to admit a child because they do not have an EHC Plan.
3. The leaders of Early Years settings, Schools and Colleges should establish and maintain a culture of high expectations that expects those working with children and young people with SEN or disabilities to include them in all the opportunities available to other children and young people so they can achieve well. At the same time, they should consider the reasonable adjustments and access arrangements required under the Equality Act 2010.

**Preparation for adulthood**

1. It is important to have high aspirations for children and young people with SEN or who are disabled. With the right support, they can go on to achieve successful long-term outcomes in adult life. In particular, those working with children and young people who have SEN or a disability – whatever their age - should support them with a view to preparing them for higher education and/or employment, independent living, participating in society and being as healthy as possible in adult life.