Part of
Education and childcare during coronavirus

DfE
Department for Education

Guidance

# Supporting children and young people with SEND as schools and colleges prepare for wider opening

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From the week commencing 1 June 2020 at the earliest, we will be asking primary schools to welcome back children in reception, nursery, reception, year 1 and year 6, alongside priority groups (vulnerable children and critical worker children). From the week commencing 15 June 2020 at the earliest, we will be asking secondary schools to welcome back pupils in year 10 and further education colleges to offer some face-to-face support to supplement the remote education of Year 10 and year 12 students who are due to take exams next academic year, alongside providing for children of critical worker and vulnerable children.

As settings prepare for wider opening, this guidance provides information and signposts for children and young people with vulnerabilities, health and care (EHC) plans and others with special educational needs (SEN) and disabilities (SEND). It also provides information and signposts for children and young people who are not base at EHC plan, but for whom the provision set out in their setting or local authority has exercised its discretion to do a risk assessment and offer a place at an educational setting.

Throughout the coronavirus (COVID-19) outbreak, educational settings have been providing for children and young people with SEND and EHC plans where appropriate, including those children and young people who have an EHC plan, and for whom it is determined, following a risk assessment, that their needs can be as safely or safely met in the setting than at home. Parents of children and young people with EHC plans may consult on a offer to place their child at an educational setting, and may express a preference for a particular setting, but the decision about what is the most appropriate for a target year group. These children should be prioritised for attendance, but they should not be compelled to attend if parents decide that their circumstances mean that their child cannot safely attend.

From 1 June we will be asking special schools and hospital schools to work towards a phased return of their children and young people, without a focus on any year group or cohort, in groups and informed by risk assessment. From 15 June, we will be asking specialist settings to offer face-to-face support to children and young people who are preparing for any specific year group or cohort of assessment and informed by risk assessment.

This guidance has been written with help from SEND sector organisations. It outlines pragmatic approaches that local authorities, educational settings, and parents and carers may wish to take.

## Updating risk assessments

Following the partial closure of educational settings from 23 March 2020, we asked local authorities and providers of educational and childcare settings to carry out risk assessments to carry out a risk assessment. Local authorities and providers of educational and childcare settings and parents or carers to determine whether children and young people would be safer or better off at home, and for safer there to be a place at school for children and young people.

Each parent, local educational setting and local authorities should continue to offer places to children and young people who have been identified as being vulnerable, and those who that were critical worker. Settings and local authorities should use risk assessments up to date to reflect any changes in circumstances, including changes to staffing and pupil numbers, and to inform the wider opening of education and care for children and young people.

Risk assessments may prove useful when planning how best to support the return of individual children and young people with EHC plans. Local educational settings and settings should make their own judgements as to whether risk assessments continue to be useful, and if they do, how they may need to be updated. We think that they will be useful to maintain those to use where the return is initially partial, for example.

We recommend that risk assessments continue to be maintained for children and young people with EHC plans who remain at home, so that:

- they continue to guide local authority and education and care settings' decisions on whether children and young people with EHC plans should be offered a place in educational setting, taking into account the changing circumstances of children and young people, so that they can be brought back into face-to-face provision as soon as it is safe
- when attendance is not appropriate, assessments can have been reviewed about the support children and young people should receive at home, noting that circumstances may change
- they provide helpful information to Headteachers and other educational settings planning for, and supporting, those children and young people with EHC plan when they do return to educational settings

When updating risk assessments, it is important to take into account that some parents may be shielding themselves or their children and young people, and may not be ready, yet, for a return of their child. As part of updating risk assessments, we ask local authorities and educational settings to be mindful of, for example, access to respite and other support services, and the impact on parents and families of the support being curtailed or being eased, round the clock care and support, and other pressures.

Where families are unable to continue supporting children at home, we ask educational settings and local authorities to be understanding and supportive of the decision of parents and carers to ensure their children and young people, in every case, are able to return promptly to their educational setting. Educational settings and local areas should be ready to offer a place to children and young people who are vulnerable, young people who do not attend for their setting in the first phase of their return.

The risk assessment should incorporate the views of the child or young person. Where a child or young person with an EHC plan has a social worker, the social worker should also be involved in the risk assessment, along with the local authority virtual school head, who will be able to advise on how the child's education and care needs can be best together when a local provision is undertaken the risk assessment, noting that the duty to secure provision remains with the local authority.

## Phased returns to educational settings

The Prime Minister has announced that from the week commencing 1 June 2020, we will be asking primary schools to welcome back children in reception, nursery, reception, year 1 and year 6 from the week commencing 15 June, we may be able to welcome back more pupils, including those in secondary schools. We are asking hospital schools and special schools to work year 10 students who are due to take key exams next year. We will only this phased return if we can be sure, when we make the decision, that it is safe to do so. We will be clear about the dates for each phase, and provide sufficient notice to schools, so that they can plan. We are currently attending an educational setting due to their risk assessment or who are expected to return following a review of their risk assessment.

Our aim is to support a phased and safe transition back to full-time educational provision for children and young people who have been shielding, or who have been maintaining shielding, alongside attendance provision EHC plans, or who are receiving education on hospital sites. Our approach to vulnerable children and young people who are not base at EHC plan, but for whom provision set out in their setting or local authority has exercised their discretion to place a child at an educational setting, and assessments based on each individual's needs. We are taking a similar approach in the phased return of children with EHC plans.

Particular care will be needed in planning for and supporting children and young people with EHC plans to return to their schools and colleges, in the spirit of co-production, working together with parents and children and young people, and their educational setting, and the professionals who know each child and young person in order to make decisions and assessments based on each individual's needs. We are taking a similar approach in the phased return of children with EHC plans.

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Guidance has been published on how to implement protective measures in education and childcare settings. This advice covers: cleaning; ventilation; hygiene; and how children return to school in the safest way possible, focusing on measures they can put in place to manage the risk of coronavirus (COVID-19) in their setting. Local authorities will be asked to implement the latest key worker lists with their educational settings in these circumstances. Implications offering residential provision will also need to consider the guidance on travel and on the use of hostels and other accommodation. Further information on travel is set out in the guidance on travelling to school.

We are asking for a phased return to educational settings, local authorities remain responsible for keeping the educational provision in their area under review. Due to the unprecedented circumstances presented by coronavirus, section 42 of the Children and Families Act 2014 and its associated regulations, which set out local authority and health commissioning bodies' duties to put their 'reasonable endeavours' to fulfill the duty to secure or arrange the provision specified in a child or young person's EHC plan, will be suspended. Local authorities will be expected to use their best endeavours to consider for each individual young person with an EHC plan and to arrange the provision provided during this temporary period.

Schools and colleges (both mainstream and special) should work with their local areas (local authority and health partners) to ensure that services for additional support and therapy are in place for children and young people with EHC plans, and that changes to mobility will be available or be accessible. Schools and colleges should be mindful that these considerations could apply to pupils and students who they did not expect to have EHC plans, but who do have such plans in place by the time they return, to ensure that full support services are available to facilitate transitions.

We recognise that some children and young people with EHC plans will need careful preparation for their return to school, college or other provision, and that some will require material disruption, and might consider whether it is now safe for them to attend their educational setting, or other provision, in the way that they had been prior to lockdown.

Parents, carers, and children and young people, and their EH, care, SL, navigators, with form and further education colleges provided the conditions for a phased return for most children and young people with EHC plans in mainstream and AP settings who are able to attend their setting, and for children and young people who are able to return to settings, at the same time as without EHC plans in the same year groups, and should continue to be informed by their risk assessment. This includes children and young people who have been shielding, or who have been maintaining shielding, in mainstream school, as they are recorded on the old shielding mailing list.

Risk assessments should inform the way a school or college supports children and young people with EHC plans as they return. Local authorities and educational settings should make their own judgements as to whether risk assessments continue to be useful, and if they do, how they may need to be updated.

Further information on how to support children and young people with EHC plans and childcare settings to prepare for wider opening from 1 June 2020 and for colleges to prepare for wider opening from 15 June 2020 and for colleges to prepare for wider opening from 15 June 2020 and for colleges to prepare for wider opening from 15

## practices?

We recognise that some children and young people with special educational needs present behaviours that are challenging to manage in the current context, such as spitting uncontrollably. It will be impossible to provide the care that some children and young people need without close hands-on contact. In these circumstances, staff should minimise close contact wherever possible, increase hand-washing and other hygiene measures, and clean surfaces more regularly and maintain existing routine use of personal protective equipment. We recommend that educational settings follow the Public Health England guidance on cleaning in non-healthcare settings and the guidance on safe working in education, childcare and children's social care settings.

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1. Throughout this document, except where reference is made to local authorities' modified duty to make provision for children and young people with EHC plans, references to children and young people with EHC plans should be read as also including any children and young people with SEND who do not have an EHC plan but for whom the education setting or local authority have exercised their discretion to carry out a risk assessment for them, for example due to the complexity of their needs. ↩
2. Children and young people who are clinically extremely vulnerable and shielding should continue to follow the guidance on shielding and protecting people who are clinically extremely vulnerable from COVID-19 . ↩

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