Part of
Education and childcare during coronavirus

Department for Education

Guidance
Supporting children and young people with SEND in schools and colleges prepare for wider opening

Updated 14 July 2020

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From the beginning of the autumn term, we expect primary schools to welcome their pupils back in full time. Further education providers will welcome students back in several settings, and other providers to welcome children back in a phased way.

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

Main changes to previous guidance

We have updated this guidance as follows:

- new section added to cover the issue of settings requesting medical evidence about their pupils or students
- removed paragraph on phased return from 16-19 June as this is out of date
- changed the tense of references to opening

From the week commencing 1 July 2020, we expect primary schools to welcome back children in nursery, reception, year 1 and year 6, alongside providing support for other children and critical worker children. From the week commencing 13 June 2020 at the latest, we expect secondary schools to welcome back year 10 and year 12 students, and other cohorts first to return to support to complete the remote education offered in the spring term. Further education providers will welcome students back in several settings, and other providers may be offering to provide support.

In settings prepared for wider opening, this guidance provides information and protection for children and young people with education, health and care (EHC) plans and others who are vulnerable, including those with special educational needs and disabilities (SEND) and disability (SEND) who are at risk of harm. It also provides information for educational settings on local authority has exercised its direction to be a risk assessment and offer a place or an educational setting.

Throughout the coronavirus (COVID-19) outbreak, educational settings have been keeping in touch with their vulnerable children and young people, and offering appropriate, including those children and young people who have an EHC plan, and children and young people who are at risk of harm. We expect that this will be even more safeguarding in the educational environment. As settings prepare for wider opening, they should be in touch with their vulnerable children and young people who are expected to bring back into education and young people with EHC plans who are the largest year groups. Their return should be informed by their risk assessments, to help ensure children and young people and authorities ensure that the right support is put in place for them to continue.

From 1 June we asked special schools and hospital schools to work towards a phased return of more children and young people, without a focus on year groups and about informed by risk assessments. From 15 June, we are asking specialist post-16 institutions to do the same. We have provided additional guidance for these specific groups on proportion of attendance and information to be included.

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

Updating risk assessments

Following the partial closure of education settings from 20 March 2020, we asked local authorities to work with education providers to review the risk assessments in place for children to carry out a risk assessment. Local authorities were asked to work with education settings and parents or carers to determine whether children and young people would be safer at home or in school, and to offer a place if they thought attendance at educational setting.

From 1 June, educational settings and local authorities should continue to offer places to children and young people who have an EHC plan and to other children and young people that were the right course of action. Settings and local authorities should carry out risk assessments up to date to reflect any changes in circumstances, including changes to attendance patterns and the ongoing operating of education and care services 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 authorities and educational settings should make their own judgements as to whether risk assessments continue to be required for children and young people with EHC plans who are not in school. They may be useful to maintain if there is a case where the return is initially delayed.

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 educational setting, they can accept 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, some risks can be managed, so that the support children and young people should receive at home, testing that arrangements are working well
- they provide helpful information to healthcare and other professionals in planning for, and supporting, those children and young people with EHC plans 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, or may be concerned about their child's health for a long period of time. As part of updating risk assessments, we ask local authorities and educational settings to be mindful, for example, access to respite and other services, and the impact on the child and family of not being able to receive care, young people could be children and young people with complex needs.

Where families are unable to continue supporting children at home, we ask educational settings and local authorities to be sensitive to the impact on children and young people and parents or carers. Some children and young people, for example, may have been return promptly to their educational setting. Educational settings and local areas should be ready to offer a place to children and young people with EHC plans and other young people who do not return to their setting in the first phase of 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 will also be involved in the risk assessment, along with the local authority virtual school head. The local authority should also consult the parents of children with EHC plans, together and in turn, parents to contribute to the risk assessment, noting that the duty to secure provision remains with the local authority.

Phased returns to educational settings

Our aim is to support a phased and safe transition back to full-time educational provision for children and young people with EHC plans, and other children and young people, maintained settings, alternative provision (AP) providers and providers receiving education in hospital (ehc). This approach to vulnerable children and young people with EHC plans, and other children and young people, will be informed by professionals who know each child and young person to make appropriate risk assessments based on each individual's needs. We are taking a similar approach in the phased return of children and young people.

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 consultation, collaboration, and partnership. Local authorities should continue to work closely with schools and colleges to ensure that children and young people with EHC plans return in a phased way. From 16 June from EHC plans. Schools and colleges will need to ensure that they have the right support in place for children and young people with EHC plans. Local authorities will also need to maintain safe home to school transport arrangements.

Guidance has been published on how to implement protective measures in education and childcare settings. The advice seeks to support settings to enable more children to return to school in the safest way possible, focusing on measures they can put in place to reduce the risk of transmission of coronavirus (COVID-19) in settings. It also seeks to support implement the steps they can take to provide in line with the latest public health concentrations. Implications affecting residential provision will also need to consider the impact on children and young people with EHC plans, and other children and young people, who are residential. Further advice can be found in the guidance on supporting children and young people in residential settings.

As we move towards a phased return to educational settings, local authorities remain responsible for keeping their educational provision in the area under review. Under Duty to the unprecedented circumstances presented by coronavirus, section 42 of the Children and Families Act 2014 and its accompanying regulations. We will be working with all health commissioners to make sure that they are aware of their responsibilities to the duty to secure or arrange the provision specified in a plan in their area and EHC plans. Local authorities should continue to work closely with their local health commissioners to consider how to which children and young people with an EHC plan will need to be provided during this temporary period.

Schools and colleges (both maintained and special) should work with their local areas to ensure that children and young people with EHC plans are able to return to their setting safely. For example, physical health, mental health, behaviour, socialisation, or changes to mobility will be notable to the provision. Children and young people who have been shielding or who have been in hospital may need to be supported to return to their previous setting. Similarly, local authorities will need to work with schools and colleges to ensure that local support services are available to facilitate transition.

We recognise that some children and young people with EHC plans will need careful preparation for a return to their setting, for example, those who have been shielding, who require flexibility or who other meaningful contacts to support their return. Some young people to follow protective measures that have been put in place. This could include, for example, a phased return to their setting, or to their home, or to other settings and young people taken place over a longer period of time. Effectiveness of local educational settings may need to consider similar approaches to support the return of children and young people with EHC plans.

The whole number of settings that have Local entering have been asked to work towards reopening from the week commencing 1 June.

Supporting children with EHC plans in mainstream schools, colleges and AP settings

We encourage educational settings and local authorities to assure themselves that the risk assessments for children and young people with EHC plans, are kept up to date and put the guidance set out above. Informed by these risk assessments, local authorities and educational settings should work together to ensure that the right support for children and young people with EHC plans whatever year group they are in.

From 1 June, for early years and primary schools, and from 15 June, for secondary, until the end of the summer term, we expect local authorities and educational settings to offer such children and young people with EHC plans in mainstream schools, colleges and AP who have not been attending and are in eligible year groups should experience the same provision as other children. This will mean that, for most, this will be a full time offer, but it may be appropriate for individuals to phase their assessment. This includes children and young people who are placed in special units and resourced provision attached to a mainstream school, as they are recorded on the roll of the mainstream school.

Risk assessments should inform the way a school or college supports children and young people with EHC plans, and other children and young people, and local authorities should make their own judgements as to whether risk assessments continue to be useful for each child or young person after they have returned to their setting.

Further information is available on the Coronavirus (COVID-19): guidance for educational settings page. We have also published a guide for parents and carers, which includes the guidance on actions for FE colleges and providers during the coronavirus outbreak.

We encourage settings to provide additional support to pupils with EHC plans about to make a transition to another setting, or onto adult life.

Supporting children in special schools and specialist post-16 institutions

For all children and young people with EHC plans in special educational settings, such as special schools, special post-16 institutions and hospital schools, settings should work with their local authority to ensure that the right support is put in place for them to return to their setting, or to be able to attend for the setting to provide for their needs. Special schools will be made using the child's year group as a primary deciding factor. In these settings, year groups will be the most appropriate way to prioritise children and young people who are most important for this cohort.

Children and young people who have been attending a specialist setting should continue to be offered a place in their setting, including those who have an EHC plan. Special schools and hospital schools should towards accommodation for children and young people who can be safely catered for in their setting. From 15 June specialist post-16 institutions should also work towards this. Local authorities should also work towards accounting back to them young people who are not able to be provided for in their setting. This should be done without specific regard to year groups, unless that is appropriate for individual children and young people.

We aim to operate in parallel process to support increasing numbers of children and young people with EHC plans to return to their setting, or to be able to attend, in line with guidance and DfE. It is not possible to bring back all children and young people at once, and when a return would be appropriate straight away, for example, due to staff absences, or because of the need to maintain social distancing.

- children and young people approaching transition points, for some, this will be to another educational setting or from education to adult life, particularly where transition plans are in place, such as those in year 11
- children and young people who must wait and be prioritised for return because of capacity and development, for example to sensitive routines and engagement with learning

In order to ensure as many children and young people as possible are actively participating in education, including in special settings, we encourage the use of flexible approaches. This may include:

- part time timetables and attendance rotas
- blended onsite and home learning
- phased returns for individuals or groups
- children and young people being offered blocks of time on-site on a rotating basis.

Supporting children and young people in hospital schools

Our aim is for hospital schools based on hospital sites to support increasing numbers of children and young people to return to their schools and other provision of their choice. Education should be provided for as many pupils in these settings as is possible, in line with guidance and DfE. Hospital schools should also work towards providing for children in the NHS local staff that is not providing for children.

Hospital schools on hospital sites should use their discretion about providing education, including how and where this is carried out and what pupils should be prioritised. We expect that hospitals and NHS trusts will continue to work closely with hospital schools, to ensure that children and young people who are able to return to their education, including through access to hospital classrooms. The health services should also ensure that children and young people who are able to return to their education have effective prevention and control and safety considerations to be taken into account. Hospital schools should also work with their local authority to support their pupils to return to minimise the impact of their hospital stay on their education.

Questions and answers

What should be considered when updating risk assessments?

For children and young people for whom a risk assessment continues to be recommended, up to and in after 1 June, then risk assessment will need to balance a number of different risks, including:

- the potential health risks to the individual from coronavirus, bearing in mind any underlying health conditions they may have, and the risk of being exposed to it as a result of the guidance on shielding and protecting people who are clinically extremely vulnerable from coronavirus
- the risk to other people they live or attend(ed) at their EHC plan temporarily cannot be delivered in the normal manner in the school setting, and the potential impact on their health and wellbeing, for example, in the home or online or in a hospital
- the ability of the individual's parents or carers in home to ensure that their health care needs can be met safely week-round or for multiple weeks, bearing in mind the risk to their health and care, and the risk to their health and care if they are unable to care. In those children and young people who are in hospital, the ability of their parents or carers to be able to visit them safely
- the ability of the wider family and friends of children and young person's condition presents or initially undiagnosed and of their behaviours cannot be supported or managed by parents or carers at home
- the impact on the child's health and wellbeing of changes to routine or the way in which provision is delivered
- any safeguarding risks for children with a social worker if not attended the most appropriate provision, including those who are in hospital, or who are subject to a child in need, child protection plan or looked after children or children who are subject to a social worker)
- the risk to the child's educational progress or vulnerability, for example, a child or young person becoming isolated in dangerous behaviour or disclosures of abuse or exploitation)

For a risk assessment determines that a child or young person's needs continue to be best met at home, local authorities, educational settings and parents or carers consider whether moving either equipment or services into a child or young person's home would be a reasonable adjustment. This could include, for example, to cover a home-based vacation for day settings from residential settings, such as:

- physiotherapy equipment
- sensory equipment
- online sessions with different types of therapists
- phone support for parents in delivering interventions
- in-person services, where necessary

Why is it now safe for some children to return to school or college when it wasn't previously?

There will be many children and young people with EHC plans who, following their original risk assessment, have been attending their educational setting and for whom it was determined their health needs could be more safely met at home. Risks change over time, and we know that the vast majority of children and young people who have not been back to school or college have attended settings where the risk to their health and care, most pupils and students, i.e. if the government's Test and Trace system. We have offered a place in line with our guidance, and local authorities have worked with their local settings, to bring back more children and young people who have been at home. We have also asked local authorities to review the risk assessments in place for children, and to take the limits of what the educational setting is capable of accommodating, given any staff absences and the need for protective measures.

What does it mean for attendance to be 'appropriate' or 'expected' for particular children and young people?

The guidance on protective measures in schools refers to bubble and students attending FE is 'appropriate'. For children and young people with an EHC plan, when a risk assessment has been carried out and it is determined that their educational provision should be strongly encouraged to attend. If their needs cannot be met safely or more safely at home, or if their attendance would be in their best interest, then it is 'expected'. We have these children and young people remain at home and local authorities should work with remote education and other services, where possible. Local authorities and educational settings should be ready to offer a place to children and young people who have not been attending in the initial period of return.

There is further information on the protective measures in place in the guidance for educational and childcare settings to prepare for wider opening from 1 June 2020.

Can dual-registered children and young people attend both settings?

Placing between settings will increase the risk of viral spread, however there are circumstances where this may be reasonable. Such as where a child or young person's needs cannot be met without provision in two settings. This means that provision in two settings is safe, and that the child or young person's needs are best met by this provision, and the ability of both settings to accommodate the child or young person, taking into account the number of other children and young people they are expected to liaise with one another. It may be best to utilise a young person's return to only one setting, or to return to one setting for a number of days and then to have the opportunity to receive one education in not delayed due to those complexities.

Does school or college provision have to be delivered as it usually is for children and young people with EHC plans?

Due to the unprecedented circumstances presented by coronavirus (COVID-19), the way in which provision is delivered may need to be adapted to ensure that children and young people have meaningfully modified or that local authorities and health commissioning bodies must ensure their reasonable endeavours. Its discharge the duty. This means that local authorities and health commissioning bodies will need to work with each individual child or young person with an EHC plan during the period that the children section 42 duty is in force. For some children and young people, the provision specified in their plan may be able to be delivered in the same way as it would be normally, temporarily to be different from what is set out in their EHC plan.

More information is available in the guidance on Changes to the law on education, health and care needs assessments and plans due to coronavirus.

As per the actions for educational and childcare settings to prepare for wider opening from 1 June 2020 guidance, the school will be prioritised if it is unable to offer school and balanced curriculum to its pupils during the period.

How can a risk assessment be conducted (or updated) for all the children and young people with EHC plans in a school, college or local area?

Risk assessments should be proportionate. In both assessing risks and meeting needs, local authorities and educational settings should concentrate their resources on those children and young people who are most vulnerable.

Local authorities and educational settings should work together to decide on a best place for a very risk assessment for individual children and young people.

Who needs to be involved in making/updating the risk assessment?

The risk assessment should be conducted by local authorities and educational settings, taking into account the needs and views of the child or young person. Best consideration of local social workers and virtual school heads where appropriate.

Where an educational setting makes a decision without being able to involve the local authority, for instance where circumstances are changing too rapidly, they should inform the local authority of their decision immediately.

Where a child or young person is not initially returning to their educational setting, local authorities should continue to work with the educational setting to ensure that the support put that in place to have them.

For a child or young person has a diagnosis of a learning disability (such as profound and multiple learning difficulties) and/or autism, and who is being cared for in a hospital setting because of a mental health condition, they are supported to return to their school, with the agreement of the family, that the child is identified as the NHS Clinical Commissioning Group responsible for their care. Local authorities provide Intensive Health Care, learning disabilities and autism.

How does this guidance impact children and young people who have an EHC plan and a social worker?

There are a significant number of children and young people with an EHC plan and a social worker.

Decisions about whether these children and young people should attend or return to an educational setting should be informed by a risk assessment. Local authority children's services and educational settings should work with parents or carers and children and young person and social workers to contribute or updates a risk assessment to determine where the child or young person's needs and protection can best be met.

Is the government prescribing a particular form or process for the risk assessment?

No. Local authorities and educational settings will have their own arrangements in place. We trust local leaders to agree what the most appropriate and proportionate formats are.

Has the responsibility for special educational provision changed?

Responsibility for commissioning any at-home special educational provision lies with the local authority responsible for maintaining the EHC plan, although it may be appropriate for the local authority to work with the local health commissioning body in home setting. This local authority should work with the educational setting and parents that parents and carers are aware of the education, health and care services available to their child.

Under the temporary modified section 42A, local authorities and health commissioning bodies must use their "reasonable endeavours" to discharge the duty to secure or arrange provision specified in a plan in their area and EHC plans. We have also published detailed guidance on the changes to the law on education, health and care needs assessments and plans due to coronavirus. It includes some illustrative examples of how local authorities and health commissioners are responsible for local authorities and health commissioning bodies to put in place.

Can the risk assessment be reviewed or changed as events change?

Yes. Local authorities and educational settings will need to record and update risk assessments as circumstances change. Local authorities, educational settings and parents and young people may be able to meet at home but only for a little amount of time.

Who might be involved in supporting learning for those children and young people who remain at home, on a full or part time basis?

Local authorities should ensure that pupils and students who are not attending settings full time or part time continue to engage in learning as far as is reasonable (for example through remote education), and that an increasing focus is put on preparing for the return to full time education. Local authorities and educational settings should explain the support that their children are receiving, to discuss how best to support and to consider how parents can support this and any additional help they might need.

We have an experienced, expert workforce of educational psychologists (EPs), specialist teachers (SENCos), education psychologists, speech and language therapists, qualified teachers of children with sensory impairments, physiotherapists, and teachers who work with specialist knowledge.

Designing at home learning and support for children and young people with EHC plans, and other children and young people, should be informed by the professionals who know each child, for example, the speech therapist, who may provide a programme of intervention that parents can deliver at home, or adapting or selecting online learning materials.

For those children and young people with EHC plans in mainstream schools and colleges, the school or college will be the lead for their learning, and local authorities may also use to learn, other agencies or other professionals to ensure we provide the best learning that addresses a child or young person's special educational needs. Similarly, for those children and young people who are in special schools, special post-16 institutions, for a child or young person to receive at home.

In addition to a suite of online lessons and materials available from the DfE National Learning Curriculum and Lessons for children and young people with special educational needs and disabilities, we have also published a guide for parents and carers on supporting children and young people with SEND.

What risk are teachers, support staff and other professionals taking in working with children?

Annex

Supporting children and young people with EHC plans in residential settings

Children and young people who are in residential settings, including those who are in hospital, should be able to return to their setting, or to be able to attend, in line with guidance and DfE. Children and young people who are in residential settings should be provided with specific regard to year groups, unless that is appropriate for individual children and young people.

Children and young people who are in residential settings should be able to return to their setting, or to be able to attend, in line with guidance and DfE. Children and young people who are in residential settings should be provided with specific regard to year groups, unless that is appropriate for individual children and young people.

practitioners exposing themselves to?

As far as is possible, guidance on implementing protective measures in education and childcare settings should be adhered to in all settings and class or group sizes should be kept small. We have published additional guidance on protective measures in the safe working in education, childcare and children's social care settings guidance to support education settings in planning for the increase in numbers from 1 June. This outlines important actions that children and young people, their parents and those who work with them can take during the coronavirus outbreak, to help prevent the spread of the virus and reduce risk.

What about the risk to staff working hands-on with pupils and students who cannot adhere to strict hygiene 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.

May educational settings require medical evidence, and may they offer places to children and young people advised to shield?

Educational settings should not seek medical evidence except to help them to support the child or young person more generally.

In some cases, a family may request a place for a child or young person who is clinically extremely vulnerable and has been advised to shield. Shielding is for the protection of the child or young person so, if families or young people wish to take up a place, educational settings should not take the clinical vulnerability as a reason to refuse a place to a child or young person, if they would otherwise have readmitted them.

The return to educational settings of children and young people with EHC plans should be informed by risk assessments to help educational settings and local authorities ensure the right support is in place for them to come back. These assessments need to balance a number of different risks.

Some children with specific health conditions may have been identified as at very high risk of severe illness (clinically extremely vulnerable) if they catch coronavirus (COVID-19) and have received a personal letter advising them to shield. Currently, these children are advised to stay at home and not to attend school. This is voluntary and is for the protection of the child or young person. This also applies, rarely, if the child lives in a household with another family member who is shielding, and where the child is unable to practise robust social distancing. However, shielding advice will change for both adults and children as the number of cases of coronavirus (COVID-19) continues to decline in our communities. Please see the latest guidance on shielding.

Children with some underlying health conditions have been advised to take particular care to follow social distancing and hand and respiratory hygiene advice (see the guidance on those considered clinically vulnerable. However, we know that clinical illness for children who might become infected with coronavirus (COVID-19) is generally much milder. Children in the clinically vulnerable group should therefore continue to attend or return to school.

Where clinically extremely vulnerable children do not attend school or other educational settings, the setting should continue to ensure that these children and young people continue to engage in learning as far as possible, for example through remote education, and that an increasing focus is put on preparing the way for their return.

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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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Coronavirus (COVID-19)

Coronavirus (COVID-19): guidance and support

The UK has left the EU

Check the new rules for January 2021

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