

# SEND reform: A SENCO perspective

Gareth D. Morewood

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This academic year we have seen the start of the biggest change in Special Educational Needs and Disabilities (SEND) legislation and provision for 30 years, which was brought about because:

- Two million children and young people are identified as having a special educational need or are disabled.
- Life outcomes for young people with SEND are disproportionately poor.
- Post-16 young people with SEN are more than twice as likely to not be in education, employment or training (NEET) as those without SEN.
- Children and young people can feel frustrated by a lack of the right help at school or from other services.
- Children's support needs are often identified late.
- Parents/carers say the system is bureaucratic, bewildering and adversarial.
- Parents/carers have had limited choices about the best schools and care.

Indeed, many would argue that the systems had become the primary focus of provision, not the child/young person themselves. There is a clear need to move away from a medicalised, process-driven model, to a system that allows for a more fluid approach that keeps the young person central to all decisions and provision.

Before we think about the implementation of new ways of working, we need to recognise that the provision for young people with SEND has to be part of a whole-school approach, not a 'bolt-on' or part of a medicalised model. No amount of intervention can make up for poor quality teaching. Indeed, the bedrock of any school is the teaching and learning, which should be central to any additional interventions (a graduated response) that follow from specific data that supports a targeted approach.

In 2011 the Department for Education set up 20 trials with 31 local authorities (the SEND Pathfinders) to test the introduction of a new single assessment process, an Education, Health and Care Plan (EHCP) and personal budgets for children, young people and families with SEND. While Pathfinders attempted to trial some key elements of reform, many trials haven't provided scalable options and few have a tangible evidence-base that supports implementation. In my school, we saw an opportunity to develop provision alongside existing systems and (effectively) moved towards a single category two years ago. This had little negative impact upon provision and outcomes, not only due to the manner in which we work (as part of a whole-school approach), but also the fact that we expect every teacher to be responsible for all young people – irrespective of their need/starting point. Too often, the School Action (SA)/School Action Plus (SAP) process supported a medicalised model based upon failure – waiting to 'evidence' six months' struggling before being 'allowed' by LA gatekeepers to provide what was needed. We also abandoned Individual Education Plans (IEPs) and introduced student passports (Morewood, 2013) five years ago. This is part of the whole-school approach and is vital to meeting individual needs.

If your school is very focused on the SA/SAP process, then I'd suggest that you focus on a shift in culture. Most SA students should have their needs met through quality first inclusive teaching (QFIT), so there shouldn't be a need to 'label' them just because they are

learning differently, at a different pace, or have specific needs that can be catered for with well-resourced and adapted teaching and learning. When staff are observed and appraisal processes undertaken, as part of good practice, every teacher and member of support staff should have at least one SEND-related target. Starting with a clear audit of existing skills and need, and delivering training to support that need, is an important part of this process.

It is imperative to bear in mind the findings of the Lancashire Judgement (1989), which ruled that it is as important to be able to speak and communicate as it is to read and write. Schools often have amazing literacy interventions and systems of support, but very little speech and language therapist (SALT) input. This will be reinforced in the new arrangements, so do consider working with your NHS Trust and Clinical Commissioning Group (CCG) to ensure that there is more SALT input. Our evidence suggests that this approach can have a significant impact. In our school we have a trainee educational psychologist (TEP), our own SALT, a psychotherapist and a drama therapist one day per week. These roles don't cost much more than TA roles and they provide increased flexibility, whilst adding great value to the discourse of provision between staff.

The main challenges in any change or reform are misinformation and understanding:

- Keep yourself informed with as much impartial information as possible and consider this in light of your setting/the area your school serves.
- Know the parameters in which you work – consider undertaking legal training (the Independent Parental Special Education Advice (IPSEA) charity, for example).
- It's your profession, so be accountable.
- Find solutions – as a SENCO it's one of your key skills, so apply it to new ways of working that not only meet your student's needs but also provide them with the best possible outcomes.

Any new assessment request will be for an Education, Health and Care Plan (EHCP), so no 'new' statements will now be processed and any child with a current statement should have an EHCP; thresholds shouldn't be different. However, many EHCPs are not legally compliant, even those showcased from Pathfinder work. It is advisable to read IPSEA's EHCP checklist for the best guidance on this. The checklist sets out what must legally be included as a minimum in any EHCP issued by a Local Authority under Part 3 of the Children and Families Act 2014 (Section 37) and the SEN Code of Practice. An EHCP should always reflect the following four key statutory principles (Children and Families Act, Section 19):

1. The views, wishes and feelings of the child and his/her parent, or the young person.
2. The importance of the child and his/her parent/carer, or the young person, participating as fully as possible in decisions relating to the exercise of the function concerned.
3. The importance of the child and his/her parent/carer, or the young person, being provided with the information and support necessary to enable participation in those decisions.
4. The need to support the child and his/her parent/carer, or the young person, in order to facilitate the development of the child / young person and to help him/her achieve the best possible educational and other outcomes.

Plans should be clear, concise, understandable and accessible to parents, children, young people, providers and practitioners. The law also requires needs and provision to be 'specified', which case law has established means no vagueness. Although this was also the case with statements, EHCPs provide a better focus on outcomes, which may be more

effective. Regional variance may prove an issue, although with the Act being quite specific, this should be minimal.

Some LAs suggest that schools need to produce a 'school offer' and that this is statutory – this is certainly not the case. Schools have a duty to provide SEND information on their websites and to link to the LA's local offer. However, in all instances, the duty to produce the Local Offer is on the LA, not the schools. SENCOs do now need to provide 'parent/carer friendly' documents and set up meetings with parents/carers to discuss/finalise provision. This supports co-production and allows for genuine parent/carer involvement and feedback. The SENCO should create and distribute SEND information that includes:

- who to contact for more information;
- an updated policy that reflects the new ways of working;
- detailed information regarding how your school/setting meets the needs of the young people who attend; and
- any other information useful for your specific setting and/or circumstance.

One of the most effective things I did early on as a SENCO was to volunteer for Independent Parental Special Education Advice (IPSEA), as part of which I received legal training. Check IPSEA's website regularly and get appropriate legal training. Ultimately, until some case law is tested under the new arrangements, some specifics won't become clear. However, remember that:

- LAs are as responsible for EHCPs as they are for statements.
- The most direct route to request an assessment is via a parent/carer request – you can get model letters from IPSEA's website.
- There is no legal requirement for evaluated IEPs.

Under the new arrangements, it is vital that each SENCO is a qualified teacher and has the appropriate National Award for SEN Coordination (NASCO) award. There will be a lot of work to ensure that the SENCO role is protected; misconceptions at School Leadership Team (SLT) level may allow for arrangements that are not compliant.

## My top SENCO tips

- Stick to your guns.
- Engage positively in discussions regarding roles/responsibilities.
- Make sure that you receive appropriate professional support from NASEN and whatever association/union you are a member of.
- Develop an appropriate structure in your schools and make the best use of your time (see Morewood, 2009a & 2009b).
- Look at what you need and your provision before simply replacing TAs, then work with your support staff to ensure that they deliver high impact support.
- Consider using a training pack, such as *Successful Classroom Partnerships: making the most of teaching assistants*.
- Stay calm – there is a transition period and this will allow schools to respond in a manner that matches their particular circumstances.
- Keep parents/carers informed and keep the young person at the heart of everything that you do.
- Keep a positive, solution-focussed outlook.

## **The author**

**Gareth D. Morewood** is the Director of Curriculum Support at Priestnall School, Stockport, and an Honorary Research Fellow at the University of Manchester.

## **References**

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