

# **Transferring of Statements and Learning Difficulty Assessments to Education, Health and Care Plans**

**The Implementation of the Changes from Statutory  
Statements of Special Educational Needs & Learning  
Difficulty Assessments to Education, Health and Care Plans**

**Updated: April 2015**

You can also read this document online at  
<http://bromley.mylifeportal.co.uk/transferringstatements>.

<http://bromley.mylifeportal.co.uk/localoffer>

# Section 1 | Implementing the new 0-25 special needs system

## Introduction

The focus of this Special Educational Needs (SEN) transition document is to meet the new Government legislation: Children & Families Act 2014. This document is written with this legislation in mind and the Government's vision for giving children and young people with SEN and Disabilities every opportunity to succeed as documented in the new SEN Code of Practice 2014 and for local authorities to plan the transition from the current system of Statements of SEN to the new Education, Health and Care Plans.

The new SEND system commences operation from September 2014 when the Children and Families Act 2014 becomes law. It will run alongside the old system and the timeframe for the changes to be complete are April 2018 where it is expected that all Statements of SEN will have been reviewed and Education, Health and Care Plans will be in place. Transition guidance alongside Statutory Instruments is available and prescribes the groups of children and young people with whom the transition work should commence.

As with any change to the law there are a range of complex changes and this document will assume the reader has access to the Guidance above. Bromley will follow this guidance whilst taking account of the local context.

Please read this document in conjunction with the following documents:

- "How to request extra support for your child or young person"
- "A New Approach to Special Educational Needs & Disabilities Birth to 25"

Both of these documents are available from: <http://bromley.mylifeportal.co.uk/localoffer>.

## April 2015 Update

In March 2015 the Government published updated guidance on the transferring of Statement and LDA's to EHC Plans. The guidance provides updated advice from the Department for Education to local authorities and their partners. The Council's Transition Plan has been updated to reflect this. The updated sections of the Plan have been highlighted to make it easier for you to identify the changes.

The updated guidance from the Government can be found on the GOV.UK website at [www.gov.uk/government/publications/send-managing-changes-to-legislation-from-september-2014](http://www.gov.uk/government/publications/send-managing-changes-to-legislation-from-september-2014).

## Section 2 | Transition planning

From September 2014 the SEN & Disability Service will commence the review process for existing Statements using new Transition Review Documentation to consider progressing to Education, Health and Care Plans (EHCP). This process, which will be phased, must be completed within 3.5 years. (April 2018)

Existing Learning Difficulty Assessments (LDAs) must be transferred by September 2016.

From 1 September 2014 all requests for statutory assessments will take the form of an assessment of Education, Health and Care needs which may lead to an EHCP.

Directions from the DfE are as follows: within the timeframes stated, Local Authorities **MUST** transfer children and young people with statements to the new arrangements during 2014-15:-

- **Children/young people moving from school (including school sixth forms) to a post -16 institution or an apprenticeship**
- **Conversions of non-statutory EHC plans into the new template provided by the DfE if the child or young person does not have a statement of SEN**
- **Young people who receive support as a result of an LDA who intend to be in education beyond 31 August 2016**

In addition the following groups of children must transfer within the next year:-

- Early years settings to schools
- An infant to a junior school
- Primary to middle school
- Mainstream to a special school/ special school to mainstream transfer

From 1 September 2014 statutory assessments for Statements of Special Educational Needs or Learning Difficulty Assessments cannot be offered.

### Transition in Bromley - Scope of the Exercise

As of August 2014 there are 1,914 children and young people with a Statement of SEN maintained by LB Bromley. There are currently 202 Learning Difficulty Assessments (LDAs). 2,116 Statements and LDAs in total.

The majority of children requiring specialist provision at Reception age will be transitioning through the new EHC process. There are 110 children and young people who need their plan to be amended to reflect the new statutory EHC template and process.

We will work with children and young people with SEND and their parents through this transfer process. This transition plan will commence in September 2014 and be reviewed and updated on a yearly basis to inform necessary amendments.

## Prioritising the Phased Transfers

Following DfE guidelines the LA proposes the following transfer for the school year of 2014/15:

- Children/young people moving from school (including school sixth forms) to a post -16 institution or an apprenticeship.
- Conversions of non-statutory Pathfinder EHC plans into the new template provided by the DfE if the child or young person does not have a statement of SEN
- Young people who receive support as a result of an LDA who intend to be in education beyond 31 August 2016

In addition to the statutory requirements where possible Bromley will aim to transfer the following groups of children with a statement of SEN:

- Early years settings to schools
- KS1 transition to KS2 (transfer reviews are usually held a year in advance of the transfer year thus it will be the Year 1 review).\*
- KS2 to KS3 (transfer reviews are held a year in advance of the transfer year, thus it will be year 5 review).\*\*
- Mainstream to a special school or special school to mainstream transfer

There will be a small number of children with Statements of SEN not in these year groups who it will be appropriate to transition the statements into EHC plans. These will be considered vulnerable in terms of the school placement.

The tables below provide information as to how Bromley will progress the transferring of Statements and early Pathfinder EHC Plans over the next three years.

The tables provided are approximate numbers, given the fluidity of choice as some young people will leave schools once choices are made afterwards

## Year One Target Groups for Transfer to EHC Plans September 2014 – August 2015

Pupil/Student Groups	Numbers
Children with a Pathfinder EHC Plan	110
Year 1 (end KS1)see above*	79
[see note 1 below] (updated April 2015)	
Year 5 (end KS2) see above **	138
[see note 2 below] (updated April 2015)	
YPs who are transferring from schools (including 6 <sup>th</sup> formers) to a post 16 institution or an apprenticeship	185
16-25yrs with an LDA in FE	29
Young People leaving Custody	2
Others	10
<b>Total</b>	<b>553</b>

**Note 1:** Please note that Transition Reviews for Year 1 pupils in specialist provision will take place only if the pupil is moving from one specialist provision to another or where they are transferring from a mainstream school to another setting.  
(The above note was included in the April 2015 update)

**Note 2:** Please note that Year 5 pupils in mainstream schools who currently have Statements resourced at school level - this means the resource is under £6,000 per year and therefore funded within the school budget - may not progress through the transition process in this current year. The review undertaken when the pupil is in Year 7 will consider progress, outcomes and the next steps. The Council has sent letters to the parents and carers that this affects.  
(The above note was included in the April 2015 update)

## Year Two Target Groups for Transfer to EHC Plans 2015/16

Pupil/Student Groups	Numbers
Year 1 (end KS1)	3
Year 5 (end KS2)	106
Year 9	170
Year 11	174
Post 16 (schools)	165
16-25yrs in FE	20
Others	35
<b>Total</b>	<b>673</b>

### Year Three Target Groups for Transfer to EHC Plans 2016/17

Pupil/Student Groups	Numbers
Year 1 (end KS1)	0
Year 5 (end KS2)	98
Year 9	173
Post 16 (schools)	100
NCY 11	171
<b>Total</b>	<b>542</b>

### Year Four Target Groups for Transfer to EHC Plans April 2017/18

Pupil/Student Groups	Numbers
Year 5 (end KS2)	92
Year 9	137
<b>Total remaining statements</b>	<b>229</b>

## The Transition Process

- Letters will be sent to all parents of pupils who have a statement of SEN in the first part of the autumn term. This will inform them of the transition plan and the priorities for 2014-15. Also when they can expect the processes to commence for the transition of their child/young person's statement. This information will also be posted on the Bromley My life Website with links to the Bromley Parent Voice website.
- A formal transfer review will take the place of the Annual Review. This follows the EHCP assessment process although it will not usually be necessary to seek updated professional advice as the child or young person already have relevant support through their statement of SEN. The Education, Health and Care Plan template will be used for the transfer review. An advisory letter will be sent with the template to parents and professionals. This will ensure parents and others are prepared for the meeting. This letter will include details of the independent support services available and what they can offer. This letter will ask parents and the young person to complete the Section A of the new EHCP template is where the parents and young person's views and aspirations are recorded, guidelines for completion will be included. Sources of support for parents could include the school or setting, the Local Authority SEND Key Worker , Case Worker, the Preparing for Adulthood Co-ordinators and the Independent Support Workers. Once the date of the meeting is confirmed parents will be informed.
- A working draft will be...at the review meeting and any new information included. At this person centred meeting outcomes will be agreed.

- We aim to complete the final plan within 14 weeks of the date of the meeting. The draft will be circulated following the meeting, with the final plan sent out to all parties once agreed.
- Planning for Year 11 and Sixth Form Transition Reviews will involve EPs or the Preparing for Adulthood Team. This will enable professionals to identify information required, decide on updates and agree format for review reports, focusing on outcomes to feed into the template.
- Current Pathfinder EHCP reviews will be supported by the Complex Needs team and for post-16 the Preparing for Adulthood team will support this process.
- Parents and young people in year 11 and above in Bromley maintained special schools and out of borough special schools will be supported by the Preparing for Adulthood Team.
- Parents and young people year 11 and above in out of borough mainstream schools will be supported by a Senior Educational Psychologist.

## Reviews of this Transition Plan

This Transition Plan was written and published in September 2014 and updated in April 2015.

A version of this document has been shared with Bromley Parent Voice, Schools and a small group of representative parents. Modifications have been made accordingly. Further consultation is ongoing.

## Section 3 | Useful Sources of Information

*(updated April 2015)*

### **The Bromley Local Offer**

- support to help parents and carers, and young people themselves, to see more clearly what services are available in the local area and how to access them. The Bromley Local Offer covers support and services from birth up to the age of 25, across education, health, social care and wider support within the community.

<http://bromley.mylifeportal.co.uk/localoffer>

## Impartial information, support and advice

### **Information, Advice and Support Service**

- an impartial service to help you understand how special educational needs are assessed and managed

[www.bromley.gov.uk/info/8/special\\_educational\\_needs/64/information\\_advice\\_and\\_support\\_service\\_iass](http://www.bromley.gov.uk/info/8/special_educational_needs/64/information_advice_and_support_service_iass) or call 01689 881024

### **Independent Support Programme**

- offer a range of impartial and time limited support for families with children and young people with Special Educational Needs (SEN) including support for parents of children with SEN and young people with SEN through the statutory assessment and Education, Health and Care (EHC) plan process

[www.bromleyparentvoice.org.uk/independent-support](http://www.bromleyparentvoice.org.uk/independent-support) or call: 020 8776 3170

## If you are unhappy with a decision made by Bromley Council

### **Global Mediation**

- the mediation and disagreement resolution services in Bromley are currently provided by Global Mediation which is a professional mediation service which is independent of the Council.

[www.globalmediation.co.uk/our-services/education/special-education-needs](http://www.globalmediation.co.uk/our-services/education/special-education-needs) or call 0800 0644488 or e-mail [sen@globalmediation.co.uk](mailto:sen@globalmediation.co.uk)

## National sources

*(updated April 2015)*

### **Contact a Family**

- Contact a Family provides information, advice and support., and they seek to bring families together so they can support each other

[www.cafamily.org.uk](http://www.cafamily.org.uk)

### **Council for Disabled Children**

- the umbrella body for the disabled children's sector in England

[www.councilfordisabledchildren.org.uk](http://www.councilfordisabledchildren.org.uk)

### **GOV.UK – the single Government website**

- information what help is available if you have a disabled child or young person

[www.gov.uk/help-for-disabled-child](http://www.gov.uk/help-for-disabled-child)

### **SENDirect**

- a national website to help you find the right support, services and information for your family

[www.sendirect.org.uk](http://www.sendirect.org.uk)