

SEN Handbook

Meeting Special Educational Needs:

Criteria for Statutory Assessment: Schools

SEN Code of Practice 2001

Factors that Birmingham Education Service take into account when deciding whether to commence a Statutory Assessment of a child or young person's Special Educational Needs in accordance with section 323 of the Education Act (1996)

Version 3: September, 2002

1. Introduction

- a) This is the third set of Criteria for Statutory Assessment published by Birmingham City Council Education Service. It replaces and supersedes the previous (1996) set.
- b) This is the first version specifically designed to take account of advances in information technology and the opportunity offered to produce a document which can link electronically to other sources of information and explanation, thus reducing the length. The aim is simplicity and clarity.
- c) The Revised Code of Practice implemented in January 2002 introduces a number of modifications and additions. The LEA, schools and other providers must have regard to the new Code in planning for and meeting the Special Educational Needs of pupils.
- d) Information on the legislation and other source information used in preparing these Criteria is included in Appendix A. Links to Internet sources are shown as blue text.
- e) Any term which is printed *like so* is explained more fully in the glossary at the end of this document (Appendix B).
- f) In this document the words parent or parents are used to signify any carer with parental responsibility including local authorities in the case of children in public care.

2. Why does Birmingham have Statutory Criteria ?

- a) The law (Education Act, 1996) requires that *local education authorities (LEAs)* make decisions about whether to go ahead with an assessment. LEAs are not allowed, even if there were unlimited resources, to make assessments whenever asked. The criteria are required to ensure in advance that there is good evidence that a *Statement of Special Educational Needs* is a likely outcome of the assessment before asking for valuable resources to be committed.
- b) Chapter 7 of The 2001 *Code of Practice* describes the need for requests from schools to be considered as quickly as possible. Parents have to be asked for their views. The LEA has a duty to comply with the request if it is necessary.
- c) To decide efficiently, fairly and openly, the LEA must publish a clear account of the basis on which decisions will be made. Birmingham seeks to be as specific as possible in this, always allowing for the individuality of the needs of children. It is important that everyone understands why decisions are made and that no Birmingham pupil is disadvantaged in comparison with another because of lack of clarity in the criteria.

3. When does the law say a pupil requires a Statement?

(Words in *italics* are quotations from the Education Act (1996))

- a) Section 324 of the Education Act (1996) says that the LEA must make and maintain a Statement for a child where ***'it is necessary for the local education authority to determine the special educational provision which any learning difficulty he may have calls for'***. (Note: 'He' is used as a gender-free term in the Act referring to any pupil.)
- b) For children over two years old ***'Special educational provision'*** means ***'provision additional to or otherwise different from provision made generally in (mainstream) schools....'***
- c) **Not all special educational provision will require a Statement.** Most will be delivered by schools through School Action and School Action Plus. The LEA can be confident that provision which is included in the normal funding arrangement for schools will be made. When provision is needed for which schools are not funded the LEA will have to determine the provision, and therefore a Statement will be required. However, Birmingham is committed to making provision available for use by schools without the need for ***statutory assessment*** as far as possible. This will alter, over time, the point at which the LEA must *determine* provision. In preparation for this, these Criteria introduce ***Proposed Provision Plans***, which are planned to become the basis for reducing the need for Statements.

4. Approach adopted in this document

To make the criteria as clear as possible for schools and others, they are split into five sections: three on school actions, one on 'trigger levels' and one describing related miscellaneous issues.

- A description of the relationship of Statutory Assessment to the two levels of Action introduced by the 2001 Special Educational Needs Code of Practice
- The provision expected at ***School Action*** and ***School Action Plus*** is described in the section **'School Provision under the new Code of Practice'**.
- All the requirements for specific action leading towards request for Statutory Assessment are set out in the section **'The process preceding a request'**. This section describes the concerted action and evaluation needed in the review period before requesting assessment – termed the ***'high focus'*** review period in this document.

- A proposed provision plan, made by the school with the assistance of support services, is described in '**Proposed Provision**'.
- The relevant 'trigger points' resulting from assessment of the child or young person are described in the section '**Levels of attainment and functioning at the time of request**'.
- The approach of the LEA to a variety of other issues are discussed in the final section: '**Other Issues**'.

5. Statutory Assessment within the context of School Action and School Action Plus

- a) The 2001 SEN Code of Practice introduces two levels of action to be taken by schools where there is a need to make provision different or additional to that made for all children. School Action, and School Action Plus replace the previous Code's school-based Stages 1, 2 and 3.
- b) Statutory Assessment and work with pupils with Statement constituted Stages 4 and 5 of the 1994 Code. These stages too have been abolished. The description in the following sections reflects Birmingham's response to those changes.
- c) Birmingham LEA recommends schools in conjunction with external support services maximise provision at School Action Plus for those pupils who have the greatest need. It also emphasises the need for schools' collection of evidence that such arrangements have been made. The prime object of doing this is to ensure that all is done to improve the pupil's progress rather than as an inevitable precursor to request for Statutory Assessment.
- d) Nevertheless the evidence from these maximal or *high focus* arrangements will provide the basis for schools' application for Statutory Assessment, should it be necessary. (See SEN Code Para. 7.1) This will be the case where the pupil's needs require provision over and above that normally available in Birmingham mainstream schools despite the best efforts of schools and relevant support agencies through such concentrated 'high focus' action.

6. School Provision under the new Code of Practice

- a) In almost all cases action will have been taken in schools before Assessment is requested. Schools must have regard to the Code of Practice (chapters 5 or 6) in taking this action and will normally have operated School Action and School Action Plus for a reasonable period of time. In most cases this will be at least one review period under School Action and one review period under School Action Plus before considering whether to initiate the process leading to request (see next section).

- b) Schools in Birmingham operate within a system of '*Audit*' for additional funding based on numbers of children with learning difficulties supported through School Action and School Action Plus. The criteria for the Audit are published and are available.
- c) Schools must provide the levels of support expected at School Action and School Action Plus described in the Audit. The indicative figures in the previous Criteria of 30 minutes and 50 minutes per week extra individual contact time (or its equivalent by use of small groups/ extra support) transfer to School Action and School Action Plus respectively.
- d) *CRISP* provision criteria give further indication of the types of support that might be given before any request for Assessment is made. This is especially so for pupils whose learning difficulties reflect problems of *access* to education (see Section 312 (2)(b) of the Education Act 1996), particularly in the following three 'areas of need' from the Code of Practice (para. 7.52) :
- **communication and interaction**
 - **behaviour, emotional and social development**
 - **sensory and/or physical**
- e) Early concerns about behaviour, emotional and social development are often dealt with under schools' disciplinary policies rather than as part of SEN provision. For any pupils schools might want to put forward for Assessment in the future, it is important that there are clear procedures for intervention and record-keeping to ensure that the approach is consistent.
- f) The LEA has published detailed guidance on coordination of work with concerns about behaviour, emotional and social development through the *Framework for Intervention* project. Schools are asked to take note of this guidance to ensure that intervention and record-keeping are conducted using the Framework approach or by action of equivalent extent and quality.
- g) For the purposes of considering Statutory Assessment for pupils in this 'area of need', level 2 of the Framework will be taken as fully equivalent to School Action. A *Framework level 3 Individual Behaviour Plan* running alongside an *Individual Education Plan* (IEP) will be taken as constituting School Action Plus.

7. The process preceding a request

- (a) This section describes a standard for appropriate action for a pupil, where the school decides that 'high focus' arrangements are necessary. These arrangements, appropriately recorded, will provide evidence that it may or may not be necessary to request Statutory Assessment at the next review of his or her School Action Plus Individual Education Plan. It covers the time from the

review introducing the application of high focus school arrangements (here called the *prospective review*) to the review at which it is decided whether or not to make a request.

- (b) In a very small number of cases, and usually after a period of School Action and School Action Plus, schools may feel that the future needs of a pupil may not be met by their funded provision.
- (c) As part of the resulting prospective review the school should consult all involved parties, including the pupil (as far as is possible) and the parents. The next IEP will cover a period which may be the last before request is made. It is important that this IEP is planned and written to include all the activities needed in preparation for the request. As the Code indicates, the IEP should be a practical working document covering all the parts of the following high focus school action plus period leading to the next review.
- (d) Included in this IEP following the Prospective Review should be:
- The new targets to meet the pupil's special educational needs (as in all IEPs)
 - who will ascertain and record the views of the parents and pupil
 - who will collate the evidence of attainment and progress
 - which external services will be involved, what they will do, and with what aim for outcomes
 - who will collate what advice from health and social services
 - for pupils in the 'behaviour, emotional and social development' area of need, Individual Behaviour Plan (and *Behavioural Environment Plan* if used)
- (e) Because of the involvement of people from outside the school the Prospective Review IEP may take some time to finalise. This should not prevent continued work on the current targets.
- (f) In many cases the school will have already consulted relevant external services throughout the period from initial concern. Schools must seek involvement of external services and agencies in this high focus IEP dependent on the nature of the pupil's special needs. This must involve, where appropriate, contact with Health and Social Services as described in Chapter 10 of the SEN Code of Practice. Where relevant, schools should seek the views of external services on the new targets to meet the special educational needs as well as what specific involvement they will have.
- (g) Where pupils are in Public Care (also known as 'looked after children') schools should pay special regard to the involvement of Social Services along with other carers. (Where the looked after child has a 'Child Care Plan' Social Services will need to know of the arrangements made in order for them to be included in the 'Personal Education Plan'.)

- (h) In all cases the Educational Psychologist must be involved. As a rough guide involvement of others will reflect which of the four 'areas of need' introduced by the 2001 Code of Practice (para. 7.52) relate to the pupil. Examples of who might be involved additionally in each of the four areas of need, are:
- **communication and interaction**
Specialist speech and language teachers, Speech and Language therapists, specialist teachers for pupils with social communication difficulties
 - **cognition and learning**
specialist teachers (e.g. Pupil and School Support Service)
 - **behaviour, emotional and social development**
Framework for Intervention support, Behaviour Support Service, CAMHS services
 - **sensory and/or physical**
Specialist teachers in hearing or vision (e.g. Visiting Teacher Service), Outreach Services for children with Physical Needs, Physiotherapists, Occupational therapists, School medical services
- (i) Involvement should be on the basis of the individual pupil's needs. The Code notes that there is substantial crossover between these areas, for example hearing impairment is always associated with difficulties in communication.
- (j) The information gained over this period will, at the next review, give clear grounds for the school to decide whether to request assessment, and a basis for the LEA to make a quick response.
- (k) To avoid confusion it is vital that schools include the parents in this process, ensuring that they are fully aware of the school's view and the possible outcomes. However, schools should always emphasise to parents that the decision of the LEA whether or not to go ahead with an assessment cannot be assumed one way or the other. If a request is made by the school, the LEA must, by law, formally consult parents before making its decision.
- (l) The application of high focus arrangements by the school following the Prospective Review should be determined by the IEP. This period should be followed by a full *review* of all its components:
- the operation and results of the targets to meet the pupil's special educational needs
 - the views of the parents and pupil
 - the evidence of attainment and progress
 - the involvement of external services and progress towards outcomes
 - any advice from health and social services
 - the nature of the pupil's current needs in the light of information gained
- (m) In addition, the review should consider any other information relevant to the pupil's special needs such as attendance and health. As far as possible all parties (school, parents, pupil, external services) should be involved in

partnership in the high focus review process (though not necessarily at a single review meeting).

- (n) The review should consider what provision may be required to meet the pupil's needs. This can be the basis for proposed provision as outlined in the section 9.

This recommended process is outlined as a flow chart in the 'Materials to support school requests' section below.

8. Levels of attainment and functioning at the time of request

- a) When deciding whether to Assess, Birmingham LEA will look for evidence, particularly in cases under the 'cognition and learning' heading, of the child's attainment on the *National Curriculum* to determine whether:

'the child is working at a level significantly below that of their contemporaries in any of the core subjects of the National Curriculum or the foundation stage curriculum' Code of Practice 7.41

- b) As funding arrangements vary the degree to which the attainments of children who are assessed would be below that of others will also vary. A table of the current indicative National Curriculum levels in Core Subjects will be available with enhanced CRISP materials. These will allow schools and parents to gauge whether an Assessment is needed.
- c) In general, the LEA will look for evidence that the pupil has attainments around these indicative levels across all Core areas of the curriculum and in particular in English (literacy) and Mathematics.
- d) However the LEA will also take into account where there are specific difficulties in only one or some curricular areas which have a significant effect on performance in others. If the difficulty is at such a level that extra resource would be indicated using the current CRISP criteria a case may be made for Assessment assuming all other appropriate action has been taken.
- e) The other indication of levels of need will be gained from the CRISP assessment record. Schools are encouraged to consult the example CRISP case descriptions. At the time of writing, Statutory Assessment will be considered where a child is assessed as being at Band 4 in any area, though with new funding arrangements this level may change in the future.
- f) This CRISP assessment information and examples will be particularly important for schools and support staff in making judgements about pupils whose special educational needs are based on a learning difficulty as defined in Section 312 (2)(b) of the Education Act 1996. This refers to problems of **access** to education. Such children fall into the following 'areas of need' described in the Code (para. 7.52):

- communication and interaction
- behaviour, emotional and social development
- sensory and/or physical

9. Proposed Provision Plan

- a) In the majority of situations the process preceding a request for Assessment will provide the basis for the school, with the assistance of relevant agencies, to make a draft plan for provision. This plan would make proposals for meeting the pupil's needs in the first year should a Statement be made.
- b) Support for formulating a Proposed Provision Plan will be available through:
- Information gained through working with the pupil under School Action and School Action Plus
 - For pupils with behavioural concerns, information gained from interventions under Framework for Intervention (or equivalent)
 - The CRISP provision statements. The CRISP assessment record can be linked with the provision descriptions at the assessed level covering staffing, curriculum, resources and environment and facilities.
 - Advice from support services, particularly during the period covered by the high focus IEP and at the time of the high focus review.
 - Advice and training opportunities provided by the LEA
- c) Factors to take into account when making the Proposed Provision Plan:
- The Plan must not indicate final placement. Decisions on placement are made under the Act at the end of the Statutory Assessment procedure (See section on 'Talking to parents about the need for special placement').
 - While having regard to the previous factor, the plan should be written as though provision were to be made in a mainstream setting.
 - The Plan should indicate, as far as possible, the extent of proposed provision in terms of amount of resource and teaching time and should include provision that should be made from school resources as well as additional provision.

- The Plan should specify the expected learning outcomes (including those relating to social and behavioural targets) to be achieved over the 12 month period assuming the application of the proposed provision.
 - The plan should be realistic in proposing provision. (For example, *all* pupils might benefit from a high degree of extra individual teacher time. But proposals should be closely related to what is reasonable given the CRISP assessment levels to ensure that resources are distributed fairly according to need.)
 - Where, despite the school's best endeavours, information on a particular area of need is unavailable the fact should be indicated as a possible additional need for provision in the Plan.
 - The Proposed Plan will be a guide for all involved in a subsequent Statutory Assessment process and may be the basis for a Statement.
 - Where a detailed Proposed Plan has been submitted with the request for Statutory Assessment schools will not be asked for detailed further submissions as part of the Statutory Assessment process. Educational Advice may simply consist of school's affirmation of their previous submissions.
 - The production of Proposed Plans should assist in many cases in making the Statutory Assessment process much quicker. However, schools should take into account the delay in implementing any proposed plan which is built into the procedures by law.
- d) It is recognised that in certain exceptional circumstances, where the needs of the pupil are apparent in their extent but unclear in their detail, schools may not be able to provide a full proposal for provision. When this is the case schools should make what proposals they can and indicate where further information will be required from a Statutory Assessment.

10. Other issues

a) Extreme and urgent circumstances

- There will be some occasions when schools might seek to move towards a Statutory Assessment without going through the usual process leading to Assessment. Such occasions will be very rare. In all such cases schools should gain as much information as possible from relevant sources, and seek advice from a *Principal Officer* (special needs) and from the Educational Psychology Service at the earliest opportunity. It is impossible to foresee all circumstances where this might be necessary but some examples might be:

- **where the child has suffered a catastrophic physical or psychological change through injury, illness, abuse or other external cause**
 - **where a child, with obvious severe difficulties or a documented history of Statutory Assessment and provision, has entered the school from outside the City.**
 - **when a child with obvious severe difficulties enters school with no previous history of involvement with support agencies, for example at year 'R' or following entry to Britain.**
- The key principle is that the circumstances are extreme in their effect on the child's education, are likely to be more than short-term, and could not reasonably have been predicted by the school. In such cases the school should consult all appropriate agencies, not only to seek guidance on movement towards assessment, but also to ensure that all relevant agencies are informed so that they can fulfil their responsibilities to the child and give appropriate advice to the school.
 - In all cases, during the process of application and assessment Schools must make the provision for needs they are able to, according to the best available current knowledge and resources.

(Note: Pupils with Statements or undergoing Statutory Assessment from other LEAs should be notified to **SENAS** directly- no assessment request is necessary at this point.)

b) Parental requests for Statutory Assessment

Parental Requests

- Parental requests provide a safeguard for parents where they feel that a reasonable request for Assessment has not been made. But, for the sake of fairness, such request will be judged on exactly the same criteria as those made by schools.
- The parental request is seldom part of a co-ordinated sequence so it is likely that there will be a different level of available information. Certainly, parental requests can suggest a degree of failure in the system, especially if they turn out to be well-founded. But even where the request is not substantiated by these criteria, there may have been a failure of communication.
- Such requests must be given an answer (which must be yes or no) within 6 weeks. A Principal Officer will write to the schools of school-aged pupils asking for information, and will ask the educational psychologist, if he or she has any relevant information. The Community Medical Officer and Social

Services will be notified of the parental request. Information, if available, should concern itself with the criteria in this document. It is recognised that there may be some limitations in the information gained, but where aspects are not covered, it should be clear why this is so.

- The procedure will be the same for parental requests for children at *independent schools* and *maintained schools* outside the LEA. Such schools in the Birmingham and surrounding area will be informed of these criteria and requested to have regard to them. Requesting parents providing '*education otherwise*' will be asked to provide supportive educational information.
- In making a decision where the evidence is incomplete the LEA will use a 'balance of probability' principle to judge each case. The case will be considered reasonable:
 - where the evidence which exists meets these Criteria,
 - in the absence of evidence, the balance of probability is that were the evidence to be gained it would meet the Criteria.
- If professionals feel that there is not evidence that a child requires an assessment on the basis of these Criteria they should inform parents clearly. There should be no suggestion that a parental referral offers an 'easier route'; it is presumed that the facility is there for parents to take action when the normal procedures have been inadequate, not to gain unfair advantage over others.
- Schools should be aware that where the pupil is in Public Care (a 'looked after' child) the parental request can be made by the social worker. However, the incidence of need for this to happen will be reduced by paying special attention to this group of children and their special need for good planning and communication between all agencies involved with them.

c) Requests from *non-maintained schools*

- All schools not maintained by the LEA are requested to make requests for Statutory Assessment on the same basis as maintained schools. The LEA will seek to inform all schools in the area of these procedures, and schools may request phone advice, background material and information by application to the LEA. (Code 7:24)
- The LEA will take particular note of
 - the views of parents recorded at School Action and School Action Plus
 - the ascertainable views of the child
 - copies of IEPs at School Action and School Action Plus
 - evidence of current attainments at the time of application particularly that linked to the National Curriculum

- evidence of progress over time and the effects of interventions
- copies of advice, where provided, from health and social services
- evidence of the involvement and views of professionals with relevant specialist knowledge and expertise outside the normal competence of the school or setting
- evidence of the extent to which the school or setting has followed the advice provided by professionals with relevant specialist knowledge.
(Code 7:13)

d) Cross Phase issues

- Education provided at different *phases* varies in both form and content. Particularly at the point of a child going from primary to secondary school the nature of ordinary educational provision changes. Since the legal definitions which underline these Criteria include the words '*greater than that which is available in ordinary schools*' when defining special educational provision, the differences in schools at different phases might be seen as affecting the need for Assessment.
- However, the LEA expects that such circumstances should be rare, and in most cases confined to the need to meet physical problems, or problems of physical facilities which may differ between schools at different phases.
- Moving to another phase will therefore be unlikely to affect the decision whether to assess when the major problem is other than one of physical access. There should be an assumption that facilities in one phase to meet other needs will be available in later phases.
- In the future, it is hoped that developments can occur to ensure that there is full equivalence of provision at all phases, whatever the special educational need (see SEN and Disabilities Act, 2001).

e) Medical diagnoses

- There is often an association between children's special educational needs and medical condition. However, the two are never the same thing. Two children with the same diagnosis may have markedly different educational needs. Many quite serious medical conditions which call for significant treatment do not require Statements of Special Educational Need. Therefore a diagnosis in itself does not carry any presumption that a Statement will be required – much less that special placement will be needed. (Code 7:64,7:65)
- The decision to carry out Assessment of Special Educational Needs will be made with regard to any medical diagnoses but will follow the procedures for all decisions as described above. The significant evidence will be about the degree to which a pupil has a learning difficulty and consequent need for special educational provision. Therefore, the LEA will look for specific

evidence of the *educational* consequences of a condition or illness rather than the diagnosis itself.

f) Talking to parents about the need for special placement

- The Statutory Procedure includes a legal process for parents to make choices about provision based upon the full multi-disciplinary Assessment.
- Until Assessment is complete, schools and other agencies must not say to parents that a child's needs can only be met in a special school or unit. The LEA regards such action as unprofessional practice and contrary to the spirit of the Education Act, 1996.
- Discussion on placement can only take place once the parent has had access to the full information gained by the Statutory Assessment (as set out in the proposed Statement) and takes place, by law, between the parents (and their representatives) and the LEA.
- Where parents are concerned, the wide range of possibilities might be discussed, always with sensitivity. But any opinions on placements expressed to parents before assessment should be avoided as they might prejudice parental choice and do significant harm to the education of the child.
- To avoid these dangers, the LEA requires professionals in its service, and strongly requests professionals in other services, to have close regard to this advice. The LEA will follow up this advice with service managers where needed to protect parental rights.

Appendix A: Context for these criteria

(‘Clicking’ on links below will take readers to the relevant sites for documents or further information if their computers are connected to the internet. Please note that these ‘addresses’ - while tested at the time of publication – may be changed by their owners at any time. The education department will seek to update the BGfL (website) version of this document as far as possible to maintain the links, but unfortunately they cannot be guaranteed absolutely.)

National

[The Education Act 1996](#)

The prime legislation covering the making of Statements of Special Educational Need. It is the basis of all activity in the field and is the parent legislation for the Special Educational Needs Code of Practice.

[New SEN Code of Practice](#)

The Revised Code of Practice is the key text underpinning this document. It should be consulted for comprehensive information, but one change is important for understanding these Criteria. The 8 ‘categories of need’ of the original Code have been dropped and replaced with four ‘areas of need’:

- communication and interaction
- cognition and learning
- behaviour, emotional and social development
- sensory and/or physical

[SEN Toolkit](#)

Provides practical guidance to LEAs and schools in a number of specific areas.

[Special Educational Needs and Disabilities Act, 2001](#)

Requirements regarding provision for children with special needs and removing discrimination for children with disabilities. Some amendments to the Education Act 1996.

[Statutory Guidance: Inclusive Schooling- Children with Special Educational Needs](#)

Guidance with the same status as the Code of Practice including:

- how the statutory framework for inclusion (sections 316, 316A and schedule 27) and other provisions within the Education Act 1996 interact.
- examples of the sorts of steps maintained schools and local education authorities should consider taking to ensure that a child’s inclusion is not incompatible with the efficient education of other children;

- instances when it may not always be possible to include specific children in mainstream schools; and the safeguards that protect the interests of individual children with special educational needs and all pupils.

[The Education \(Special Educational Needs\) \(England\) \(Consolidation\) Regulations 2001](#)

[National Curriculum changes](#)

[QCA testing](#)

Local

[SEN Audit](#)

[CRISP](#)

[Framework for Intervention](#)

APPENDIX B Glossary

Note: each entry indicates whether the term is local to Birmingham or nationally understood

Audit:

Also called *SEN Audit* (Local) A method of funding schools to support children with learning difficulties in literacy and numeracy at *School Action* and *School Action Plus*.

Behavioural Environment Plan

Also called BEP (Local) A plan written by teachers or others in schools aimed at changing the pupil's environment for the better to reduce the likelihood of poor behaviour. Part of the *Framework for Intervention* approach to concerns about behaviour.

Code of Practice

Also called *The Code*, *CoP*, *SEN Code* (National) A government document about procedures and practices for the education of children with special educational needs. All schools and public education services must, by law, 'have regard' to the Code. The latest version was published at the then of 2001.

CRISP

Full name- *Criteria for Special Provision* (Local) An initiative by Birmingham LEA to link the assessments of children with special needs to the provision that is made. CRISP consists of very detailed guidance on assessment and provision across all areas of need. The materials include example case descriptions to help professionals and parents judge pupils' level of need.

Education Otherwise

(National) While all children and young people between the ages of 5 and 16 must have full time education by law, parents are allowed to arrange this education 'otherwise than at school'. Usually this involves educating children at their homes and this is usually known as 'education otherwise'.

Framework for Intervention

Also called *Ffi*, full title *Behaviour in Schools: Framework for Intervention*. The Framework (Local) A structure for schools to use in dealing with concerns about behaviour which (like *The Code*) involves graduated responses from working on *Behavioural Environment Plans* to detailed work with *Individual Behaviour Plans*. The basis on which Birmingham LEA will provide support to schools regarding behaviour difficulties and being adopted by LEAs around Britain.

Framework level

(Local) The graduated responses under the *Framework for Intervention* structure consists of three *Levels* numbered 1 to 3. Levels 2 and 3 are roughly equivalent to *School Action* and *School Action Plus*.

High focus

(Local) A description of the period of *School Action Plus* between the *prospective review* and the *review* at which the decision to request a *statutory assessment* may be made. This last review is therefore called a *high focus* review. The term is used in Birmingham to signify that during this period it is important for schools and support services to focus on the need to provide as much as is possible for the child at this point and ensure best possible input and recording.

independent schools

(National) Private or other schools not funded and controlled by local education authorities or other public bodies. Also called *non-maintained* schools

Individual Behaviour Plan

Also called *IBPs* (Local, increasingly national) Plans designed to change the behaviour of individual children. A behaviour version of *Individual Education Plans*. Used by *Framework for Intervention* at levels 2 and 3.

Individual Education Plan

Also called *IEPs* (National) Plans indicating the education given to children with special educational needs which is over and above that which is normally available to other children through the *National Curriculum*. Described in detail in the *Code of Practice*.

Local Education Authorities (LEAs)

(National) The parts of Local Government (Councils) with the responsibility for the education of children in their area. It is the ultimate responsibility of LEAs to ensure that children's special educational needs are met. LEAs are solely responsible for the making of *Statements* and ensuring that the provision in them is made.

Maintained schools

(National) Schools funded and controlled by public bodies, usually the *LEA*

National Curriculum

Also known as *NC* (National) The information and skills that *maintained schools* are required by law to teach. The subject matter is tested through Standard Achievement Tests (SATS) and children's attainments in subjects are expressed in levels. These levels are standard across England and Wales.

Non-maintained schools

(National) Schools that are not *maintained schools*. In general the term is equivalent to *independent schools*.

Parental Requests

(National) Most requests for *Statutory Assessment* are made by head teachers of the child's school. However, parents have the legal right to ask for a Statutory Assessment of their child's special educational needs.

Phases

(National) Used to describe the different stages of education: early years /nursery, primary, secondary, tertiary and higher.

Principal Officer

Also abbreviated to *PO*. (Local) A person working for *SENAS* who manages the *Statutory Assessment* process

Proposed Provision Plan

Likely to be abbreviated to *PPP* (Local) A plan for the next year for individual pupils devised by schools with support services. To be included where possible with requests for *Statutory Assessment*.

Prospective review

(Local) The *review* at *School Action Plus* when it is concluded that it is possible that at the next review the school will decide to ask for Statutory Assessment

Review

(National) A process, usually including a review meeting, of looking at and discussing the implementation and outcomes of *IEPs* or other plans under School Action and School Action Plus. Decisions about further action are taken at reviews.

School Action

Also abbreviated to SA (National) Action to meet special needs described by the Code as different from or additional to any provision normally made for children of the same age in school.

School Action Plus

Also abbreviated to SAP or SA+ (National) The next level of Action greater than that at School Action. Usually will involve the active support of outside agencies working with the pupil's school.

SENAS

Full name *Special Educational Needs Assessment Service* (Local) The service of Birmingham LEA which arranges *Statutory Assessments*, writes *Statements* and arranges for the review of Statements.

Statement of Special Educational Needs

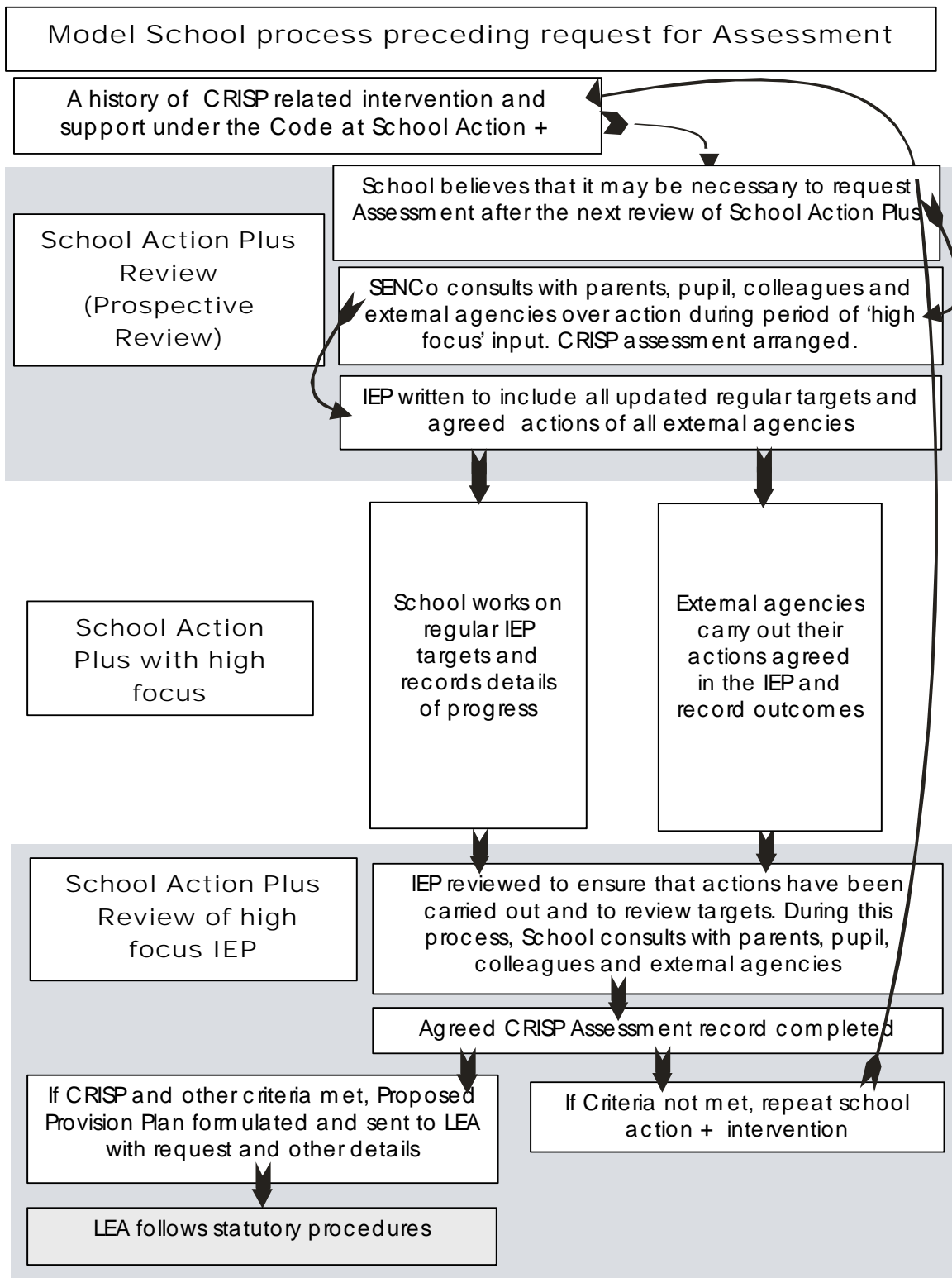
Also called *Statement* (National) A document drawn up by the LEA which describes the pupil's special educational needs and the provision that will be made. The content is legally binding on the LEA.

statutory assessment

Also abbreviated to SA (National) The process that LEAs must go through before a *Statement* can be written. Involves asking for parental views and for medical, educational and psychological reports. The reports for statutory assessment are called 'Advices'.

Appendix C: Materials to support school requests

Flow chart showing process from Prospective Provision Review through to request



APPENDIX D (Note: This schedule is designed to assist schools. Completed schedules will not be required to be sent to SENAS)

<p>SCHOOL EVIDENCE SCHEDULE</p> <p><i>Evidence that a school may need additional resources to meet a child's special educational needs: a schedule for completion by the school in conjunction with parents / carers and support services</i></p>
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Name of School	
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Name of child	D.O.B	Person completing schedule	Date

Area of information	Evidence
<p>Views of parents / carers – Reviews provide parents / carers with an opportunity to express their views about their child's needs and the actions taken or proposed by the school. The review may also identify, monitor and record outcomes of parents / carers' actions in support of the programme. The proposal to seek formal assessment is discussed fully with the parents / carers and the implications explained.</p>	
<p>Views of the child – IEPs, IBPs and reviews provide the child with an opportunity to comment on his or her educational needs and the programme, but the child may not be able to participate effectively in this way. In this case other means of eliciting the views will be used. At a level consistent with the child's understanding, the proposal to seek formal assessment is discussed with the child and the implications explained.</p>	

<p>Evidence of current attainment in all key areas of learning. Reference should be made, as appropriate, to: assessment and tests in the core subjects of the National Curriculum baseline assessment Early Learning Goals (Foundation Stage) Developmental checklists National Literacy and Numeracy Strategy Targets The SEN Audit criteria CRISP criteria</p>	
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Area of information	Evidence
<p>Evidence of rate of progress, or lack of progress, over time. IEPs target the main areas of concern and set objectives that are clear, concise, achievable and measurable. The methods, resources and people involved are stated. The IEP provides the answers to who, what, why, where and how. Regular reviews monitor the progress on all aspects of the child's programme and record outcomes. IEPs and reviews show evidence of the actions taken and the provision offered by the school <u>additional to</u> or <u>different from</u> the normal differentiated curriculum provision through School Action and School Action Plus, including suggestions and support from external services. At least two reviews at School Action Plus covering at least six months are recorded.</p>	
<p>The pupil's behaviour, emotional and social development – If these areas of the pupil's development require action through School Action and School Action Plus, Evidence of use of Framework for Intervention or input of equivalent value. Individual Behaviour Plans and Reviews target the main areas of concern and set objectives that are clear, concise, achievable and measurable. The methods, resources and people involved are stated. The IBP provides the answers</p>	

<p>to who, what, why, where and how. Regular reviews monitor the progress of the child's programme and record outcomes. IBPs and reviews show evidence of the actions taken and the provision offered by the school <u>additional to or different from</u> the normal differentiated curriculum provision through School Action and School Action Plus (Ffl levels 2 and 3), including suggestions and support from external services. At least two reviews at School Action Plus (Ffl level 3) covering at least six months are recorded.</p>	
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Area of information	Evidence
<p>The pupil's health and attendance – If health or attendance is limiting the pupil's access to the curriculum or impeding the pupil's programme, records show consultation and collaboration between the school, parents and health specialists and /or educational social workers. Actions to compensate for curriculum discontinuity are recorded. Medication and other interventions that may impact on education are noted. The pupil's record of attendance is considered as part of the regular reviews of the programme.</p>	
<p>Educational and other assessments, for example by PSSS, VTS, BSS, Outreach, EP- the log of contact or consultation records completed by these services show the advice given and the actions taken to support the work of the school. In addition, reports, programmes, records and other documents supplement the log. Regular reviews of the programme refer to the work of these agencies and record their involvement, amongst other work, in the completion of the child's CRISP assessment record.</p>	
<p>Involvement of Social Services or EWS – If there has been contact with or</p>	

<p>involvement by social services, the log of contact kept by the school and reports or letters from these agencies provide evidence that welfare concerns have been pursued. Regular reviews of the programme refer to the work of these agencies.</p>	
<p>Involvement of other professionals, such as S&LT, OT, Physiotherapist, CASWS, Child and Adolescent Mental Health Team - the log of contact kept by the school shows the advice given and the actions taken to support the work of the school. In addition, reports, programmes, records and other documents supplement the log. Regular reviews of the programme refer to the work of these agencies and record their involvement, as appropriate, in the completion of the child's CRISP assessment record.</p>	

Area of information	Evidence
<p>Use of CRISP- A current CRISP assessment record has been completed within the last month in conjunction with external services and, as appropriate, parents / carers and the child. IEPs, IBPs and review records show that the areas of concern on the CRISP profile have been targeted in the child's programme and that the school has made SEN provision at a level ordinarily expected of schools matching the child's needs (up to Band 3) for a period of no less than six months</p>	