

## Frequently Asked Questions – Issue 5 SEND support during the Coronavirus pandemic

### How does the FAQ work?

- This FAQ shares questions sent into the [CDCQuestions@ncb.org.uk](mailto:CDCQuestions@ncb.org.uk) email inbox.
- Each week the questions received are collated and shared with the Department for Education (DfE) as well as colleagues with specific areas of expertise within CDC.
- Each FAQ includes questions received before Wednesday lunch time of the week in which it is published.
- If you have submitted a question but cannot see the response below your question is either awaiting feedback from DfE or will be featured in next week's FAQ.
- We may edit some of the questions to allow us to include as many as possible in each weeks FAQ and to protect individuals privacy so your questions may appear slightly differently than your original emails.
- Where questions are on similar themes or have similar answers we may group the questions together.

### Guidance and Resources

In addition to this FAQ, we have gathered a list of resources and guidance about Coronavirus related support for disabled children, young people and their families and the practitioners working with them across Education, Health, Social Care and the VCS which you can access [here](#).

For questions relating to specific individual circumstances the **Contact** helpline (0808 808 3555) and [website](#) are an excellent source of information and support.

There has also been new guidance published since the last edition that we would like to draw your attention to. These are:

[Safe working in education, childcare and children's social care](#) (PPE guidance)

[Coronavirus \(COVID-19\): implementing protective measures in education and childcare settings](#)

[Opening schools and educational settings to more pupils from 1 June: guidance for parents and carers](#)

[Actions for education and childcare settings to prepare for wider opening from 1 June 2020](#)

## Changes to the law

The Government has announced temporary changes to the law on Education, health and Care (EHC) needs assessments and plans. This is to give local authorities, health commissioning bodies, education settings and others who contribute to these processes more flexibility in responding to the demands placed on them by coronavirus. You can read more about the changes and download the guidance here:

<https://councilfordisabledchildren.org.uk/news-opinion/news/temporary-changes-law-education-health-and-care-needs-assessments-and-plans>

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## Questions on education:



**Will children with Special Educational Needs and Disabilities (SEND) have the opportunity to repeat the school year if needed, particularly Year 6?**

**Coronavirus has impacted greatly on all children academically, socially and emotionally, especially children with SEND. Our daughter has ASD and is the youngest in her class so was falling behind compared to her peers due to this and this absence from school will undoubtedly have widened that gap. How can it be expected that a child with ASD finishes school in March and then must start another school in September. Children with ASD need stability and continuity and with no transition able to happen this will be setting her up for failure. We feel that a repeated school year should be offered to children with SEND without parents having to fight the school and local authority. Is this something that can be raised with the DfE?**



Thank you for your questions. We can appreciate your concern about your daughter's transition year. There are currently no plans in place for this to happen and schools should be offering places for pupils with an Education, Health and Care plan and for those in year 6. You can discuss your concerns and ask about transition plans with the relevant schools and the local authority. Your local Special Educational Needs and Disabilities Information, Advice and Support (SENDIAS) Service can support you with these conversations. You can find your local SENDIAS service here:

<https://councilfordisabledchildren.org.uk/information-advice-and-support-services-network/find-your-local-ias-service>. To find out all of the ways that your local

SENDIAS service can help view this short animation here:

<https://www.youtube.com/watch?v=54R4cDbX6L8>.

We will also raise your questions with the Department for Education and update the answer if it is different.



**I am a Higher Level Teaching Assistant and may be required to return to work from June 1. My husband is also a keyworker. If we both have to return to work simultaneously I will need to utilise the keyworker provision and send my son back to school. My son has epilepsy and only some staff at his school are trained to administer his rescue medication, should he need it. The school have said that they may not be able to ensure a trained adult is onsite. Is this allowed/legal?**



Thank you for your question. The local authority, school and parent carer should all contribute to a risk assessment to ensure all options for keeping your son safe at school are explored. The government have published "Supporting children and

young people with SEND as schools and colleges prepare for wider opening". You can view the full guidance on the government website:

<https://www.gov.uk/government/publications/coronavirus-covid-19-send-risk-assessment-guidance>

Below is an extract from the website:

***"Updating risk assessments***

*Following the partial closure of education settings from 20 March 2020, we asked local authorities to consider the needs of all children and young people with an EHC plan and to carry out a risk assessment. Local authorities were asked to work with educational settings and parents or carers to determine whether children and young people would be able to have their needs met at home, and be safer there than attending an educational setting."*

Your son's school should explore ways to ensure that trained staff are available, this may be via accessing training for additional staff members. Your local Special Educational Needs and Disabilities Information, Advice and Support (SENDIAS) Service can support you with raising this with the school. You can find your local SENDIAS service here: <https://councilfordisabledchildren.org.uk/information-advice-and-support-services-network/find-your-local-ias-service>.



**My daughter receives extra funding in order for the school to deliver her EHCP. She has full-time 1:1 within a specialist unit in a mainstream setting, Teacher of the Deaf Support and Speech and Language Therapy. Up until now the school has not been open for my daughter and she has only had access to the work provided for the rest of her class online which she cannot access. Both my husband and I work full-time and we have two small children so the support we've been able to give my daughter in terms of education has been close to zero. We have focused primarily on her mental health and wellbeing.**

**I am concerned about what this lack of educational input will mean for my daughter who was already significantly behind her peers and had to work to an adapted curriculum when she was at school. It seems the impact of school closure will be greater on her than others because of her SEND. The 'reasonable endeavours' in our case seems to have been no endeavours.**

**I've discovered that government advice has changed from advising that children with an EHCP who are 'safe' at home should stay at home and that they can now go into school. I have contacted the school who have said that she can go back in on 1 June. However, they are clear she will not have her 1:1 and that support will look very different to her EHCP.**

**My question is what happens to the funding the school get in order to deliver her EHCP? Can parents access this funding instead to make alternative provision for their children e.g. hire a private tutor or therapist? It would be useful to have some clarity on this.**

**A**

Thank you for your question. We are sorry that you have had no support in this challenging situation. The local authority - who are responsible for ensuring that they make 'reasonable endeavours' to ensure the provision in your daughters plan is carried out, should work with you and the school to set out what will be provided, how and by whom. This should be kept under review. The provision may not look the same as it does under usual circumstances but it should not mean that she has no support or therapeutic input. You can also make a complaint about the lack of provision made for your daughter via the local authority's complaints procedures. The funding for provision set out in an Education, Health and Care plan can in some circumstances be provided as a personal budget. However, this would need to be requested as part of a review of the plan: <https://www.ipsea.org.uk/personal-budgets-and-direct-payments>.

Your local Special Educational Needs and Disabilities Information, Advice and Support (SENDIAS) Service can support you with these processes. You can find your local SENDIAS service here: <https://councilfordisabledchildren.org.uk/information-advice-and-support-services-network/find-your-local-ias-service>.

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**Q**

**I have twin daughters due to start reception in September. Both have social and communication difficulties which have been picked up by myself, nursery staff and other practitioners including Speech and Language Therapists. Referrals have been sent to specialist therapy services. I have requested for Education,**

**Health and Care (EHC) plans and the SENCO is assisting with this via the school hub. Due to COVID-19 we can't attend or continue with these appointments and my concern is that there won't be enough evidence before they start school for them to have extra help or for the help to be in place when they start.**

**I'm also concerned about whether the school that they will start is the right school for them and feel like I won't have any options without an EHC plan or further investigation in place. I was wondering if there was any advice you could provide.**

**A**

Thank you for your question and the concerns you raise. Your local Special Educational Needs and Disabilities Information, Advice and Support (SENDIAS) Service can support you with EHC Needs Assessments although some of the timescales may be longer than usual. You can find your local SENDIAS service here: <https://councilfordisabledchildren.org.uk/information-advice-and-support-services-network/find-your-local-ias-service>.

To find out all of the ways that your local SENDIAS service can help view this short animation here: <https://www.youtube.com/watch?v=54R4cDbX6L8>.

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**Q**

**I have a disabled son that attends a special school, he has severe autism amongst other conditions including SID. Usually we can alter his daily routines that are very strict when it is the school holidays, it has become harder now that he is 14. During COVID-19 we put a new routine in place but it only lasted a number of weeks. He has started to hurt himself again: biting his hands, scratching and hitting his head which is very upsetting to us as parents. The length of this school break has taken its toll on our son and he has reversed into hurting himself again. The only thing that will stop this is by returning to school with his routine. Schools are reopening but our sons school will not take him back, we have asked many times but no success. We need your advice on how to get him the help he needs.**

**A**

Thank you for your question. This must have been a difficult time for you and we are sorry for the impact this has had on your son. The government have published "Supporting children and young people with SEND as schools and colleges prepare for wider opening". You can view the full guidance on the government website: <https://www.gov.uk/government/publications/coronavirus-covid-19-send-risk-assessment-guidance/coronavirus-covid-19-send-risk-assessment-guidance>

Below is an extract from the website:

*"From 1 June we will be asking special schools and hospital schools to work towards a phased return of more children and young people, without a focus on specific year groups and informed by risk assessments. From 15 June, we will be asking specialist post-16 institutions to work towards a phased return of young people, without a focus on specific year groups or proportion of learners and informed by risk assessments."*

You should contact the local authority and ask for them to conduct a risk assessment and for provision to be made in a school setting. Your local Special Educational Needs and Disabilities Information, Advice and Support (SENDIAS) Service can support you with these conversations. You can find your local SENDIAS service here: <https://councilfordisabledchildren.org.uk/information-advice-and-support-services-network/find-your-local-ias-service>.

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### Questions from parent carers and those supporting them directly



**My 4 year old son has cerebral palsy with challenging behaviour. My husband and I are working from home full-time. Our son's nursery setting is only open part-time at present. We are very close to burn out as our son doesn't sleep but can't take any time away from work. Our family live in Belgium.**

**Is a family member allowed to travel internationally to help with care for several weeks for respite? If so, which forms/evidence should we provide?**



Thank you for your question. This must have been a stressful and difficult time for you all. The government have published "Coronavirus outbreak FAQs: what you can and can't do". This guidance contains information about travelling to the UK. You can view the full guidance on the government website:

<https://www.gov.uk/government/publications/coronavirus-outbreak-faqs-what-you-can-and-cant-do/coronavirus-outbreak-faqs-what-you-can-and-cant-do#borders--international-visitors>

Below is an extract from the website:

***"What is self-isolation and which countries will it apply to?"***

*We will be asking people travelling to the UK to make some sacrifices to stop coronavirus cases from being imported. In the same way as people in the UK have made large sacrifices to control the spread of coronavirus.*

So what we will be asking people to do on entering the UK is supply their contact details and details of their accommodation, and to self-isolate in their accommodation for 14 days, other than those on a short list of exemptions.

We will set out further details shortly.”

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**Q**

**My daughter is 17 years old. She travels to college on Tuesday, Wednesday and Thursday. How can I help her with social distancing when I am promoting her to be independent?**

**A**

Thank you for your question. The government have published “Opening schools and educational settings to more pupils from 1 June: guidance for parents and carers”. You can view the full guidance on the government website:

<https://www.gov.uk/government/publications/closure-of-educational-settings-information-for-parents-and-carers/reopening-schools-and-other-educational-settings-from-1-june>

Below is an extract from the website:

**“How should my child travel to and from their childcare, school or college?**

*Children, young people and parents are encouraged to walk or cycle where possible and avoid public transport at peak times. The government will shortly publish guidance on how to travel safely, which schools, parents and young people can refer to when planning their travel, particularly if public transport is required.*

*Home to school transport provided or organised by schools, trusts or local authorities varies widely. Schools, trusts and local authorities should work together and with relevant transport providers to put in place arrangements which fit the local circumstances, including the measures being put in place to reduce contact. Further guidance is available on [implementing protective measures in education and childcare settings](#).”*

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Q

**What are the rules on a child with special educational needs staying at a grandparent's house for respite during COVID-19? Especially when the child at home is becoming aggressive and needs that respite and grandparents are low risk?**

A

Thank you for your question on respite in difficult circumstances. The government have published "Staying alert and safe: social distancing". You can view the full guidance on the government website:

<https://www.gov.uk/government/publications/staying-alert-and-safe-social-distancing/staying-alert-and-safe-social-distancing>

Below is an extract from the website:

*"...you should [stay alert](#) and follow social distancing guidelines. You must not: visit friends or family inside their home or any other indoor place; stay away from your own home overnight, except for in a limited set of circumstances, such as for work purposes."*

The guide for carers and families produced (updated 06/05/20) by the Social Care Institute for Excellence (SCIE) commissioned by DHSC has the following information in relation to respite care for children:

*"Services for disabled children provided under section 17 of the Children Act 1989 typically include short breaks for parent carers. The local authority remains under a duty to provide these in appropriate circumstances. The Government recognises that this is likely to prove challenging during the coronavirus (COVID-19) outbreak but is asking local authorities to ensure every effort is made to continue to provide this kind of important support for families who need it, wherever possible."*

*Where it is not possible for local authorities to arrange respite care for families as a result of the coronavirus outbreak, the Government encourages parents, carers and young people to discuss this with their local authority and agree what alternative arrangements can be made. This could include, for example, local authorities considering whether making a personal budget available on a temporary basis may enable the family to secure alternative respite care arrangements."*

You should contact the local authority to ask what short breaks provision is available. Your local Special Educational Needs and Disabilities Information, Advice and Support (SENDIAS) Service can support you with these conversations. You can find your local SENDIAS service here:

<https://councilfordisabledchildren.org.uk/information-advice-and-support-services-network/find-your-local-ias-service>.