**Newcastle City Council & NHC North East and North Cumbria Integrated Care Board**

**SEND Myth Busters December 2022**

SEND law and how SEND services work is very complex and is often misunderstood by both parents/carers of SEND children, and people who work for public bodies.

Our parent/carer forum have gathered a number of common perceptions about how services are run. They are listed here with the Council/ICB’s response.

SENDIASS have also published information about the EHC process which you can view here: [**SEND MYTHS.pdf (newcastlesendiass.co.uk)**](https://www.newcastlesendiass.co.uk/sites/default/files/files/SEND%20MYTHS.pdf)

We are committed to getting the right information out about services and please continue to raise any issues with us so that we can address any service issues or misconceptions about the services available.

You can email us: [**localoffer@newcastle.gov.uk**](mailto:localoffer@newcastle.gov.uk)

For more information about SEND services please see our local offer.

Diagram

Description automatically generated

1. **Perception**

Parents are reporting that, having spent significant time on the Occupational Therapy waiting list they were advised that if they did not attend a specified Sensational Parenting session they would be removed from the list – this is perceived as a way of cutting down waiting lists but there were positive comments about the programme.

**FACT**

Parents/carers are offered a place on the Sensational Parents Group **after** their children have been seen and had a sensory assessment by an Occupational Therapist (OT). As you say Sensational Parents Group is received ‘positively’ by families as it helps everyone to understand the child’s needs.

We have tried hard to make the sessions as accessible as possible for families. We run the sessions across Newcastle including sessions in mornings, afternoons and after school. Parents are asked to book a space at a time and location convenient to themselves. We also run sessions within schools in areas where families may struggle to get to other venues or where a translator is required.

If parents do not attend we do try to rearrange another session.  It is only when we receive no contact from parents after four weeks and two attempts to engage with parents, that in line with Newcastle Hospitals NHS Trust Policy, unfortunately we must discharge them from the service.

Parents have told us that they would like the group to be take place closer to diagnosis and before they meet the Occupational Therapist. In response to this we will offer the service to families on the waiting list. We have also improved the information we provide for parents to help them understand their child’s sensory differences.

We are currently working with parents and carers, to redesign and rebuild the system for all therapies services in a way that works for children and young people in Newcastle.   For more information and how you can get involved please see our local offer page: [Redesigning Children's Therapies in Newcastle | Newcastle Support Directory](https://www.newcastlesupportdirectory.org.uk/redesigning-childrens-therapies-newcastle)

1. **Perception**

There is a message out there that you cannot go on the Neuro Developmental Pathway (NDP) waiting list unless your child attends a period of counselling as a prerequisite of entering the ND pathway

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**FACT**

To refer to the ND pathway we need clear evidence that the ND is indicated to ensure that they get the best service to meet their needs.

* If we receive a referral for a ND assessment that comes **with sufficient supporting information** that the child has ND - they will be referred for an assessment and placed on the waiting list. Young people may also be offered counselling whilst they are on the waiting list for assessment, if it is identified they would benefit from this support.
* If we receive a referral for an ND assessment that **does not contain sufficient information** to suggest that ND is indicated, but other difficulties are identified - they will be referred for support which may include counselling services. If the young person is referred to these counselling services and further evidence supports a ND assessment there is a clear pathway into the ND service.

1. **Perception**

SALT assessments are almost impossible to get without a consultant requiring it.

**FACT**

The Speech & Language Therapy service provided by Newcastle Hospitals NHS Trust has an open referral system for all children with a Newcastle GP. The referral forms are on their website:

[**Children's speech and language therapy - Newcastle Hospitals NHS Foundation Trust (newcastle-hospitals.nhs.uk)**](https://www.newcastle-hospitals.nhs.uk/services/speech-and-language-therapy/childrens-speech-and-language-therapy/)

* [School Age Referral Form](https://www.newcastle-hospitals.nhs.uk/content/uploads/2021/03/School-Age-Referral-Form-2021.doc)
* [Early Years Referral Form](https://www.newcastle-hospitals.nhs.uk/content/uploads/2021/03/Early-Years-Referral-Form-2021.doc)

1. **Perception**

Newcastle has resistance to accepting reports from private health services and staff are not allowed to use information from them when writing reports.

**FACT**

When private health assessments are received as part of the EHCP assessment process the reports are screened by colleagues in the NHS to ensure that the recommendations are in line with NHS expectations.

1. **Perception**

Different teams may be passing to schools non-compliant messages about the requirement to deliver what is in section F

**FACT**

Section F of the EHC plan sets out the **special educational provision** required to meet their SEN. All teams are aware that the EHC plan is a legal document and therefore, provision set out in Section F must be delivered. If a team feels that part of the provision is no longer relevant for the child, this will be reviewed through the annual review process, in discussion with parents/schools.

1. **Perception**

The team may be seeking to ‘up’ the 20-week rate by ensuring that those assessments in timescale are prioritised over plans that have already missed the 20-week deadline.

**FACT**

We openly acknowledge that our performance against the 20-week target is not where it should be. We have invested in more staff and streamlined systems to help speed up the process and are hoping to be able to show huge improvement soon.  Following discussions with DfE / NHS England, it has been agreed that we will implement a system of reviewing and prioritising new referrals, whilst also working through the back log to deliver an equitable service.

1. **Perception**

Parents who submit a ‘complaint’ about delay get their Plan quickly but are asked to retract the complaint.

**FACT**

The complaints system is managed by a separate team in the Children, Education and Skills Directorate and neither the complaints team nor the SEND service ask that parents retract their complaints in order to get their plan agreed more quickly. However, should you have any evidence that this is the case please email [localoffer@newcastle.gov.uk](mailto:localoffer@newcastle.gov.uk) and we will investigate.

Whilst it is upsetting to receive any complaint about the service the number of complaints that we receive are relatively low at 2.8% compared to the number of EHC assessments and plans that we have.

**Some facts about complaints 2021/22 Academic Year**

* We received 565 requests for EHC needs assessment.
* We received 19 complaints – and 16 were upheld or partially upheld.
* We also received five complaints which were withdrawn as they were resolved during the investigation period.

1. **Perception**

Parents are encouraged to take their child off roll if they are out of school as a result of provision not meeting need.

**FACT**

This is unlawful practice and if the local authority were aware of any cases we would investigate and advise accordingly.

1. **Perception**

Family requesting an EHC assessment as school will not commit to doing this until certain things have been carried out.

**FACT**

There is a lot of help available in Newcastle to support schools to meet the needs of children and young people with SEND in mainstream settings, this is known as the Graduated Response to SEND. If the school are advising to wait at the moment, it could be that they are accessing advice and support from our SEND ASAP panel before exploring the EHC route. There is a great deal of expertise within this panel and schools use this to ensure that they are supporting children in mainstream provision, often reducing the need for an EHCP.

Take a look at our Biteable video - What do we mean by the graduated *r*esponse:

#### [**https://biteable.com/watch/3464676/6b9ff62ea86a905bcd22eacafed990e5**](https://biteable.com/watch/3464676/6b9ff62ea86a905bcd22eacafed990e5)

#### Or you can see more details about out SEND Asap Panel here:

#### [**Newcastle SEND Advice and Support Allocation Panel (SEN ASAP) (newcastlesupportdirectory.org.uk)**](https://www.newcastlesupportdirectory.org.uk/newcastle-send-advice-and-support-allocation-panel-send-asap)**.**

**10. Perception**

Children with SEN/D must have an EHCP before they are able to attend a school nursery class?

**FACT**

A small number of children who have well identified SEN/D may benefit from an EHC Assessment before they move into a school nursery class. However, for the vast majority of children their needs will still be at the stage of being identified and staff in EY settings will be following an Assess – Plan – Do - Review approach and monitoring their progress with an EY SEN Support Plan. It can be very difficult to make decisions about children’s longer term needs when they are so young, and it is important that an EHC Assessment and subsequent EHCP is meaningful and fully reflects the needs of the child. Early Years Inclusion Funding is available to support schools to meet the needs of their nursery aged children who have SEN/D.