

**Wirral Council**

Paul Boyce  
Corporate Director for Children  
Children's Services

To Parents, Carers, Families & Young  
People

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Date May 12<sup>th</sup> 2020

your ref  
my ref SEND/EHCP/A&G/05/20  
service Children's Services  
tel  
email tarunghosh@wirral.gov.uk

Please ask for Tarun Ghosh

Dear Parents, Carers, Families and Young People,

**COVID-19: Special Educational Needs and Disabilities  
and Education, Health and Care Plans (EHCPs)**

I am writing to update you on what we are doing to continue to support children and young people with special educational needs and disabilities (SEND) during the Covid-19 pandemic. Children with SEND and their parents/carers are facing and managing a great deal of uncertainty at the current time. It is a challenging time for those who support them and usually provide the education opportunities for children with SEND.

I want to reassure you that we are here to support you as much as we possibly can through these uncertain times. We will continue to ensure that our systems and processes are still in operation to the best of our ability and capacity, and that we continue to ensure that assessed needs are met as much as possible, whilst respecting the requirements of public protection.

In line with the guidance from Government, parents are asked to keep their children at home wherever possible, where it is safe to do so. Schools remain open to provide care (**rather than normal education provision**) only for children who are vulnerable and for those children of workers critical to the COVID-19 response who absolutely need to attend. Vulnerable children include those who have a social worker and those children and young people up to the age of 25 with education, health, and care (EHC) plans.

It is important to underline that schools, all childcare settings (including early years settings, childminders, and providers of childcare for school-age children), colleges and other educational establishments, remain safe places for children. However, the fewer children making the journey to school, and the fewer children in educational settings, will protect the NHS and save lives by reducing the risks of spreading the virus.

Those with an EHC plan will have been risk-assessed by their school or college in consultation with the local authority (LA) and parent/carers, to determine whether they need to continue to be offered a school or college place in order to meet their needs, or whether they can safely have their needs met at home. This could include, if necessary,

carers, therapists or clinicians visiting the home to provide any essential services or providing advice/services virtually through Microsoft Teams or by telephone. Many children and young people with EHC plans can safely remain at home.

The expectation is that this risk assessment is regularly reviewed, and this may result in a change in support or perhaps some short-term support from a school or setting. If your child uses specialist equipment, such as a standing frame, please contact the school directly to arrange for this to be moved to your home if your child is not currently accessing a childcare place.

If you feel your child's needs have changed or the support needed has changed then please contact your child's school or setting in the first instance to discuss reviewing the risk assessment or contact a health professional if they are involved in supporting your child. If this does not resolve any concerns or further support/advice is needed, then you can contact the SEN Team.

### **Changes to the Law**

The Government has temporarily changed the law regarding EHC plans in two ways: -

- confirming that local authorities and health commissioning bodies (e.g. Clinical Commissioning Groups) must now use their reasonable endeavours to secure the provision set out within a child or young person's EHC plan. This may result in provision being different from that which is set out in their EHC plan, but local authorities and health services will still seek to support the needs of the child or young person in. For example, they may offer support virtually rather than face to face. This legal change will be in force from 1st to 31st May 2020 and may be extended.
- where a reason relating to the incidence or transmission of coronavirus applies, the usual timescales in regulations for various EHC processes will be replaced by requirements on local authorities, health care professionals and others to act as soon as reasonably practicable.

These changes will be in force from 1st May to 25th September 2020 and will be kept under review.

Detailed guidance can be found at: <https://www.gov.uk/government/publications/send-code-of-practice-0-to-25> .

The temporary changes are designed to balance the needs of children and young people with the ability of local authorities and health services to respond to the outbreak.

The SEN Team are working with colleagues across Education, Health and Social Care who are striving to complete assessments within the normal timescales. The assessment process will be different, because face-to-face meetings are being replaced with telephone calls or other online meetings. While schools are closed as education providers, it will not be possible for all provision specified in EHCPs to be delivered in the usual way. Schools, settings, the LA, and partners will endeavour to offer provision in modified ways; for example, providing programmes of work or therapy care plans which can be completed at home or online.

The SEND Team is now working remotely, but they are working as normal and the team can be contacted by email [sess@wirral.gov.uk](mailto:sess@wirral.gov.uk).

For up to date guidance, support and resources access the Local Offer <https://localofferwirral.org>. In particular please refer to the Covid-19 support section of the website accessible via the main menu.

Please be assured that we are doing everything that we can to try to ensure that you continue to receive the best possible support during this unusual and difficult time whilst working within the Government guidelines to keep everyone as safe as possible and within any additional constraints created as a result of the Covid-19 situation.

### **Actions for Education and Childcare Settings to Prepare for Wider Opening from June 1<sup>st</sup> 2020**

The Prime Minister's speech on Sunday May 10<sup>th</sup> 2020 indicated that there would be a proposed plan in place for some children to return to school. Education settings are already open to priority groups.

The Department for Education (DfE) has stated that from the week commencing 1 June 2020, **at the earliest**, primary schools will be asked to welcome back children in Reception, Year 1, and Year 6, alongside priority groups. Secondary schools, sixth form colleges and further education colleges will be requested to offer some face-to-face support to supplement the remote education of year 10 and year 12 students who are due to take key exams next year, alongside the full time provision they are offering to priority groups.

The following principles will apply to the wider opening by settings:

- children and young people in eligible year groups will be strongly encouraged to attend (where there are no shielding concerns for the child or their household), so that they can gain the educational and wellbeing benefits of attending
- vulnerable children of all year groups continue to be expected and encouraged to attend educational provision where it is appropriate for them to do so (*for children with education health and care (EHC) plans this will be informed by a risk assessment approach*)
- children and young people who have been classed as **clinically extremely vulnerable due to pre-existing medical conditions** have been advised to shield. The DfE do not expect young people in this category to be attending school or college, and they should continue to be supported to learn or work at home as much as possible. Clinically vulnerable (but not clinically extremely vulnerable) people are those considered to be at a higher risk of severe illness from coronavirus. Parents should follow medical advice if their child is in this category.
- a child/young person or a member of staff who lives with someone who is clinically vulnerable (but not clinically extremely vulnerable), can attend their education or childcare setting
- if a child/young person or staff member lives in a household with someone who is extremely clinically vulnerable, as set out in the guidance on shielding, it is advised they only attend an education or childcare setting if stringent social distancing can be adhered to and, if children/young people are able to understand and follow those instructions. This may not be possible for very young children and older children without the capacity to adhere to the instructions on social distancing. If stringent social distancing cannot be adhered to, these individuals are not expected to attend. They should be supported to learn or work at home
- staff and children or young people should not attend if they have symptoms or are self-isolating due to symptoms in their household
- protective measures will be put in place for staff and pupils, as far as is possible, to ensure that the risk of transmission is reduced.

## **Special schools**

Special schools, special post-16 institutions and hospital schools should work towards welcoming back as many children and young people as can be safely catered for in their setting. Headteachers may want to prioritise attendance based on key transitions and the impact on life chances and development, and to consider creating part-time attendance rotas so that as many children as possible can benefit from attending their setting. Special settings will work with the local authority and families to ensure that decisions about attendance are informed by existing risk assessments for their children and young people.

I appreciate that this letter contains a lot of information and that much of the ongoing planning needs to consider the ongoing impact of spread of Covid-19. Please contact your child's school/setting in the first instance to voice any concerns, or to seek clarification.

Many thanks for your support.

Yours sincerely,



Head of Special Educational Needs & Disabilities (SEND) and Inclusion

Copies to:

Headteachers

SENDCOs

Professional Associations

Chair of Schools Forum

Chair of SEND Governor Forum

Cllr Tom Usher, Cabinet Member for Children, Families and Education