Department for Education

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Dear Parents

NEW ARRANGEMENTS FOR SUPPORTING CHILDREN AND YOUNG PEOPLE WITH SPECIAL EDUCATIONAL NEEDS AND DISABILITIES

This September we're making changes to the law for children and young people with special educational needs and disabilities. The new law will result in changes to the way you and your child receive support from your local council, health and social care services and your child's nursery, school or college. I therefore wanted to write to you with information about what this means for you.

A better family centred approach

Many parents have welcomed the changes the new law brings, particularly the greater focus on personal goals, increased family involvement and improved rights and protections for young people in further education and training. I know that some parents remain concerned about the changes and are nervous about the speed of change. I want to reassure you. This is not about cutting services but about creating a better system that puts you and your child first. It will take time and the changes will be gradually introduced over the next three and a half years. I can also reassure you that the current protections you and your child have will continue and, in many cases, be enhanced further.

From statements to education, health and care plans

We are replacing statements of special educational needs and Learning Difficulty Assessments with a single education, health and care (EHC) plan for children and young people with complex needs. The EHC plan will place much more emphasis on personal goals and will describe the support your child will receive while they are in education or training. We're also introducing personal budgets to accompany this plan to give you more control over the support you and your child receive. The amount you would be given, and how it can be spent, is something that you would agree with your council.

From School Action and School Action Plus to SEN support

For children with less complex needs but who still require help we are introducing a new system called special educational needs (SEN) support which replaces School Action and School Action Plus (and the equivalent in nurseries). It will also be available in colleges. The process will be similar but it will be less about counting the hours or resources given to your child at nursery, school or college and more about what your child has achieved as a result.

Moving to the new system

If your child already has a statement or Learning Difficulty Assessment they will be transferred to the new system within the next three and a half years. The transfer is likely to happen around transition points in your child's education such as when they move from primary to secondary school. Your local council will let you know when you are due to switch and there'll be Independent Supporters on hand to make the transfer as simple as possible. The legislation relating to statements and Learning Difficulty Assessments will be withdrawn when everyone has completed the transition to the new system.

If your child currently receives help at school through School Action or School Action Plus (or the equivalent at nursery) the transfer to SEN support will take place between September 2014 and spring 2015. It is likely to be during one of your child's termly reviews.

Concerns about losing support

Some parents have expressed concern that their child will lose support because of the changes. I can assure you that no one will be left without support just because of the changes. We have not changed the definition of special educational needs or the basis on which councils determine whether a child needs a statutory assessment.

Next steps

I hope this letter helps answer some of your questions about the changes. I've focused on the aspects of the reforms that you are likely to be most interested in at the moment but there are lots of other changes being introduced to improve the system. This includes: improved coordination between local authorities, health, care and education providers; greater rights and protections for young people in further education or training; and more control for families.

Your local council will shortly be publishing a 'local offer' which lists the support and services you and your child can access under the new system. If you'd like to get involved in developing this speak to your council or your local Parent Carer Forum.

We'll be issuing a parent and a young person's guide to the new 0 to 25 Special Educational Needs and Disabilities Code of Practice later in the year and we'll continue to work closely with our partners to help you and your child prepare for the changes. In the meantime you can speak to the Council for Disabled Children (who have published a guide for parents) Contact a Family, the National Network of Parent Carer Forums or your local council for advice. You can also find more information about the changes on gov.uk.

EDWARD TIMPSON

Minister for Children and Families