

Kent Initial plan for transferring Statements & LDA (Local Transitional Plan)

The new system for children & young people (CYP) with SEN will commence on 1 September 2014. The Government wants to introduce the changes as soon as possible, although it recognises it could take several years to put in place a plan for every child who needs to transfer. This document sets out how Kent County Council (KCC) will ensure these transfers take place.

How has Kent developed its approach?

When the Government first proposed the changes, Kent developed an ambitious test to see whether it would be possible to move almost all Kent CYP to the new system by the end of 2015. We wanted the views of parents, schools, NHS and Social Care whether the timescale could realistically be achieved and we wanted to road test how it would work. All of Kent's special schools, and a sample of mainstream schools, agreed to try out the plan during June and July 2014.

This 'road test' was really useful in highlighting how reviews could become more personalised and we were pleased that the feedback from families confirmed their experience of the new system was very positive. The road test highlighted that organising and carrying out the review for each pupil could take up to 2 days.

We concluded that Kent special schools and the largest SEN units in mainstream, realistically only had capacity to complete 1 transfer per week review each. At the same time as we finished our road test, the Department of Education issued (July 2014) updated guidance which also recognised the concerns of schools and reduced the number of Statements which it expects to be converted in the first year of the changes.

Most Kent mainstream schools will continue with the ambitious timescale to convert all Statements at the first scheduled review, whilst the programme of conversions in Kent special school and other settings will follow the Government proposed timescale; 2 years for LDA conversions and up to 4 years for Statements. Where individual schools have capacity to complete some additional transfers they will talk to the families of their pupils to make sure they are happy to have an earlier transfer.

We will still hold annual reviews for every child and young person whose Statement is not yet transferring.

Are there any Statements or LDA that will not be transferred?

All CYP who currently have a Statement (SSEN) or LDA in Kent will need to have them converted to an EHC Plan unless it is no longer needed e.g. it can be ceased.

How will parents, carers and young people find out about the transfer process?

Parents and carers will receive a letter explaining that the authority is intending to hold a transfer review instead of an annual review. This document is available on Kent.gov.

How will Statements be transferred?

In order to convert existing Statements and LDA, a transfer review meeting will take place. For children with Statements this will replace the usual annual review. For those with LDA this will mean a formal discussion which will be the transfer review.

Parents/carers and all of the people involved in supporting an individual child or young person will be invited to the review meeting by the Headteacher/Head of Dept.. We expect professionals to give clear indications about which reviews they will attend in person and how they will contribute if they are unable to be present. Most children and young people will be supported to give their views before the meeting. Not all of them will want to attend the meeting and some will only want to attend for part. In some cases the school and parents may agree to a shorter pre-meeting in advance of the review to deal with any concerns or questions beforehand.

Using a document which looks like a draft EHC Plan, the school will record views from the discussion about the CYP's barriers to learning, the help they are receiving and the long term goals, which are known as outcomes and sent it to KCC.

In accordance with the statutory duty, KCC's SEN team will use the report to formally issue a draft EHC Plan to all contributors, allowing parents/carers 15 days to consider the draft and to make any additional comments to those at the review.

The EHC Plan will not formally replace the existing Statement until it is issued as finalised document after the 15 day period above has elapsed and any necessary changes to the draft have been completed by KCC.

Can I request a reassessment to transfer to a Plan?

There is no statutory right for Parents/carers to request a reassessment under the 2014 Act during this period (although there will be some rights under the 96 Act for those with Statements to be amended whilst they remain in force.)

How many transfers will Kent carry out?

- 6800 Statements; around 1100 in Kent specials/units each year and 600 in mainstream schools
- 500 LDA in FE Colleges over 2 years

When will my Statement/LDA be transferred?

The DfE guidance sets out that all school leavers must be transferred as a priority from September 2014. Kent's initial plan recognises the DfE has identified additional priority year groups for transfer:

Reception, Year 2 and Year 5: All children and young people in Kent mainstream schools in Reception, Year 2 and Year 5 should be transferred at the first annual review held after 1st October 2014. In Special schools priority will be given to Year R and Year 5.

Year 6: Because these children are already a priority for the authority, almost all of the 497 pupils who will be secondary transferring in 2015 were subject to an annual review during the summer 2014 and the process to amend their SEN is already underway in order to provide them with confirmed school placements by February 2015. Their Statements will now transferred at annual reviews during the autumn of Year 7 and plans issued before the end of July 2016.

All other primary year groups will become priority as pupils enter R, 2, 5

Year 7: Meetings must be held by May 2015 to transfer during year 7

Year 8: Children in Year 8 will become priority in Year 9 from September 2015.

Year 9: Children in Year 9 will not be prioritised until September 2016. Meetings will need to take place by Dec 2016 for those moving into Year 10 in Sept 2017.

School Leavers: Those in Year 11 and above, leaving school in July 2015 (or Y14 moving to post 19 in September 2015) will be transferred by the end of May 2015. (In following years transfers must be completed earlier e.g. 31 March 2016)

Wherever possible all other year groups in Kent mainstream schools (except those attending Aspen, Tydeman and Spectrum) will be transferred at the first annual review held in 2015.

All Statements must be transferred by 1 April 2018 unless they are ceased because they are no longer necessary.

What is the timescale for a transfer?

The overall timescale for transferring a Statement or LDA to a new EHC Plan is 14 weeks:

Formal notice to parents 'transfer' review	Weeks 1-3
Transfer Review held	Week 3
Written report sent to KCC	Weeks 4-5
Quality check; the draft plan	Weeks 6-9
Draft Plan to parents for comments	Week 9
Or decision not to issue a plan	by Week 9
Parents opportunity to consider the plan	Weeks 10-11
Checking parent views and finalising the plan	Weeks 11-13
Finalise	Week 14

Is there any more information about the transfer process?

Letter to all parents : KCC consultation on intention to carry out a transfer review