

# Working list of NNPCF representations on Covid 19

Updated: 2<sup>nd</sup> July 2020

## Risk assessment and return to school

1. We are hearing very concerning examples where risk assessments have been used to prevent a child returning to school because of the additional support that a child with SEND needs in relative to others in the same year group. This is a perversion of the reasonable adjustments requirement that should be used to enable children with SEND to be treated on an equal footing with their peers. We are concerned that the focus of risk assessments remains the school, not the child in many cases. Too often, risk assessments do not place the child, young person, and their family at the heart of the exercise, instead prioritising the challenges of the school.
2. Coproduction of risk assessments with families is often poor or non-existent. Risk assessments are often not discussed with parents and the criteria for decision making are not transparent. For example, a family were told their child " does not meet their criteria " to return to their placement. More often, parents are not being told about risk assessments and what their rights are – schools are using conversations with parents as the basis for input into risk assessments without telling parents that this is what is happening – many families think they are just having a catch up chat so may not have included important information.
3. We are hearing that some schools are placing unnecessary barriers in the way of children and young people with complex needs returning to school. For example, we have been told of examples where schools have demanded a GP's letter stating that a child is not clinically vulnerable, or where a negative Covid 19 test is required. Some schools have told families that their child cannot return if they dribble or spit or if they need help with toileting. This clearly discriminates against those with the most complex needs who may often need support most urgently.
4. Greater clarity on what level of information is needed for risk assessment records. Anecdotally parents report this ranges from a quick call to see if child is OK through to others writing War and Peace.

5. We would like the DfE to put in place closer monitoring of risk assessments and are calling on the inspectors (Ofsted and CQC) to review the quality of risk assessments and the extent to which they have been coproduced.

## Restoration of health services

6. The community health services guidance issued on 3rd June is welcome and we are pleased to see so much mention of SEND throughout. However, the caveats to the guidance and the absence of clear timelines have meant that it has had limited impact to date.
7. We are pleased to see that health guidance is incorporating the need to make reasonable adjustments for children and young people with SEND. An example of this, is the guidance on wearing of facemasks that explicitly references exemptions for people with disabilities and children which was raised by local forums and the NNPCF to NHSE and DHSC.

## Coronavirus Act Easements

8. With schools open for children with EHCPs and with the guidance around restoration of community services, we believe that the easements should be lifted as soon as possible. At a national level, as recovery planning and implementation continues, we must ensure that all areas understand the need to prioritise SEND services in their restoration work. The easements offer a reason to delay this. At a local level, the onus needs to be on local areas to justify why the provision in a child or young person's EHCP cannot be delivered with if they are at school and community health services have been restored.
9. A huge variability in the way in which local areas are applying the Coronavirus Act easements. Some Local areas are withdrawing services in a blanket fashion. and not involving families. There seems to be little tracking, follow up or enforcement to protect families.
10. There is little or no coproduction with families around how easements are applied. It is rare for families to have had a meaningful conversation about the provision their young person will be receiving during this period. At best, many have just been informed about a change or suspension of service.
11. We believe better monitoring is needed from the DfE to improve quality and accountability of easements. When Ofsted and CQC resume inspections (schools, services, and Local Areas), we would call on them to look at coproduction of easements as a priority area.

## SEN support and reasonable adjustments

12. We must not forget pupils with SEND in mainstream schools. So far, the focus has been overwhelmingly on those with EHCPs and in specialist settings. The majority of SEN pupils are in mainstream and on SEN support – we need to make sure their needs are supported in this period too.
13. Schools must make reasonable adjustments to accommodate those with SEN (EHCPs and SEN support) to ensure they can re-integrate effectively. For those who may need time to return to school (either a delayed, phased, or part-time return) parents would appreciate reassurance that this will not impact their school place in any way. This may also include support with transitions being tailored to the needs of children and young people with SEND (including SEN support)

## Support for families whilst children are at home

14. Need for a greater focus on supporting families whilst they are at home. Many families report that they are getting little help and support – again particularly those without a social worker and on SEN support. This need grows more marked and urgent the longer that children remain out of school. This support should cover the child's educational and medical needs as well as the respite and social support required by the family. This must be a joined-up response by the local area education, health, and social care teams. Respite has been an afterthought (or not even considered). Many LAs are not doing much more than advising families respite provisions are closed with very few being proactive and looking for alternative sources of support. Our SEND families need to have help to refresh and revitalise ahead of a return to school
15. Many families report that children with SEND are not getting a differentiated curriculum. This means that the schoolwork being set is often not appropriate for them and as a result many children with SEND are falling further behind and being further disadvantaged. This is not only those with EHCPs but also those on SEN support. Without more tailored support parents report they do not have the teaching skills or resources to enable their children to continue to learn.

## Guidance

16. Timeliness of guidance – sometimes the guidance has been behind events (e.g. risk assessments and the easements guidance both came out 3-4 weeks too late – guidance on secondary schools

and special schools / SEND pupils was produced too close to June 1<sup>st</sup> to be effective in early planning)

17. Some obvious areas of guidance for CYP with SEND and specialist settings are missing. For example, families would appreciate more clarity on areas such as:
- a. How children who may spit or bite are to be integrated into school – what should they expect from the school to avoid these children being omitted?
  - b. How should social distancing and bubble arrangements work for school transport?
  - c. How should children who must stay at home (because they or a member of their household is clinically vulnerable) be supported both from an educational, medical, and social (respite) point of view?
  - d. How should the needs of children who require physical contact to support educational, emotional or therapy be met? This may include help with day to day activities such as mealtimes.
  - e. Clarity around what sort of assessments of children are reasonable in this period. Many parents are anxious that assessments carried out in this period will not give a fair reflection of their children and may disadvantage them in the future.

Perhaps the DfE can explore issuing an addendum Q&A document that addresses these questions.

18. We fear the sheer plethora of recent guidance has left many LAs, schools and parents overwhelmed and, in some instances confused. "One LA felt that they needed to coproduce and rewrite every EHCP with the new changes and what do they do if the families won't sign off." The regional briefings with the DfE adviser have helped but given there have been a number of questions raised at each of these we are wondering how these will be shared wider. We understand that the guidance is under regular review, so it is helpful to when DfE clearly state where amendments have been made.
19. Co-ordination across govt departments (e.g. NHSE guidance on community services pulling back from therapies clashed with DfE guidance that easements had not been applied yet).
20. People are forgetting to ensure that reasonable adjustments are made for disabled children in guidance issued (e.g. have to keep pressing for changes to behaviour policies in schools). The call to ensure schools consider what reasonable adjustments need to be considered should apply to all children and young people where behavioural or school refusal issues present themselves. There may well be arising mental health issues in children and young people who have never previously displayed SEN, and increased anxiety in those SEND pupils who have already displayed such behaviours.
21. We have expressed concerns about the format of the schools reopening guidance for children and young people with SEND. Initial drafts to the SEND return to school guidance were missing

important details and context contained in the mainstream re-opening document that impacted the tone and coherence of the guidance. We have asked for the two pieces of guidance to either be merged and presented together or large sections of the mainstream guidance to be copied across into the SEND guidance.

## Messages on schools re-opening

22. We have identified four communication challenges to convincing parents that it is safe for their children to return to school:

- a. There is an unclear "top down" national message. The "stay home" message is still overwhelming and the argument of WHY it is safe to return to school has not been made in a convincing way for many parents. This has to be led by the science. Contradictory messages from bodies such as the BMA are confusing parents and if they are unsure, most will keep their children at home. Complex and nuanced messages do not land well through much of the national press and social media.
- b. Local messages ("bottom up") are also mixed. Schools have struggled to explain to parents HOW they have interpreted and implemented national guidance (e.g. class sizes, PPE, cleaning, staffing, social distancing) to ensure that their individual settings are safe. Schools need to be giving clear messages about what they have done to maximise the safety of children (and staff).
- c. Many parents still report that the "tone" of communication from schools often dissuades them from returning. The implication is that if you are doing OK at home, you should stay at home.
- d. There is a perception amongst some parents that you are a "bad parent" if you are considering sending your child back to school. There are two things underpinning this. Firstly, there is the understandable concern about Covid 19. Secondly, there is a stigma associated with sending your child into school because this implies they are not safe at home for some reason. The language in the DfE guidance which talks about a child being "safer at school" does not help.
- e. Parents are also concerned about staff who may be required to cross "bubbles". This includes health and therapy staff. Any communication needs to be clear what is being done (e.g. testing, PPE) to ensure that those who work across bubbles do not spread infection.
- f. Some families have concerns around potential transmission where there is either a clinically vulnerable or an extremely clinically vulnerable household member despite all reassurances provided to date. Initially there were mixed messages on who is to shield and there are families who have shielded even in the absence of an official letter.

23. Some sort of “myth buster” from the NHS (the most trusted source) for parents and for schools is necessary before September. Parents and the people that they trust (e.g. teachers, TAs, health practitioners) should be provided with accurate information about Covid 19 and its impact on children.

### Coproduction with families

24. Communicate with parents and engage them in making decisions about what is right for their child. They must feel like they “own” the decision for their child to return to school or why the provision in their EHCP is changing. They must understand why it is safe and why it is appropriate– it is NOT just a letter. Doing this up front will save hours of time later and give schools a much better idea of who is returning and what support they might need.
25. Risk assessments and reasonable endeavours decisions are not being effectively coproduced with the majority of families. Many parents do not even know that these decisions are being taken, let alone feel involved in them. Both are formal processes and too many families are unaware that they are happening and do not know their rights. Most have not seen risk assessment or reasonable endeavours documentation about their child.

### Helping children return to school

26. If there is provision or support that a young person needs to return to school (either as a part of their ongoing schooling or through this period), schools should work with families, local authorities, health and other providers to understand how this will be put in place. If it cannot because of C19, then what alternative arrangements can be reached.
27. Work with local areas to make sure schools know how to access early help offers for things like anxiety, abuse, behaviour....
28. We would also appeal to local areas to ensure that communication from local authorities, schools, social services, health commissioners and health providers are aligned. We have had examples of different messages coming from different local sources which has caused confusion and anxiety for families.

## Behaviour and exclusions

29. Schools should think support, not discipline, in this period. In particular behavioural policies need to be changed to reflect the stress many children will feel. Disciplining and excluding those that act out will doubly penalise the most vulnerable.

30. We have concern that some schools are already anticipating exclusion for CYP who struggle to conform with social distancing etc. One policy shared on social media is clearly taking a zero-tolerance approach which quickly escalates to school exclusion. Others are taking a more understanding approach. It would be helpful to share this as an example:

"All incidents are centrally logged on a computer system. This allows the Positive Behaviour Support (PBS) team to monitor all activity from across the school and hub and they will continually assess the risks posed by behaviours. If a behaviour poses too high a risk to others, then it may require the young person to remain at home. We would always make this decision in conjunction with the parent."

31. We feel whilst it may be appropriate for a few CYP who cannot maintain social distancing etc to be kept home, this should not result in a formal exclusion. We would also like there to be recognition that some CYP will be highly anxious upon return to school and that they may need a flexible approach to engaging with schoolwork. Just the transition back to school and finding the layout/procedures have been changed will be enough for some to cope without the extra pressure of schoolwork expectations.

## Exams

32. It is apparent that some changes in approach will be required for exams in 2021 but it is important that the needs of children and young people with SEND are taken into consideration. We would not support narrowing the curriculum to cut non-academic subjects and ask that reasonable adjustments are made for those with SEND when marking and assessments are carried out.

## Transport

33. We are concerned about SEN transport arrangements. Many of our SEND CYP who use SEN transport are in the vehicle for a significant amount of time. This makes it almost impossible to

social distance and may be a barrier for return to school where the family have members who are clinically vulnerable or extremely clinically vulnerable. In addition, some guidance is needed on how social bubbles should be implemented on school transport. Parents will need careful guidance on how changes to transport resulting from Covid 19 (for example, staggered starts, more use of taxis or use of personal budgets to encourage parents to drive their children to school) will be managed.

34. SEN transport is often one of those perennial areas of contention between LA's and parents. It would be helpful if Gov't could give clear guidance around temporary arrangements and approaches for SEN Transport.

Some issues based on concerns or past experiences:

- A very low mileage rate being offered where parents offer to drive
- Mileage only paid for journey whilst CYP in the car i.e. only 50% of journey
- Mileage worked out by A to B rather than actual route.
- Concern over ability to social distance and if PPE will be used
- Concern that future transport request will be declined if parent either keeps child home or opts to drive for a period

## Inspections

35. Currently school inspections and local area inspections are suspended. Whilst we would not support a resumption of full inspections at present, we would support a form of "light touch" inspections for both local areas and schools to be implemented during this period.

36. The areas we would like to see inspections focus on are:

- a. How well have schools and local areas supported children and young people with SEND to return to school settings? Have they been prioritised, have reasonable adjustments been made to ensure they are not disadvantaged to return to school?
- b. How well has the well-being and health of CYP with SEND in this period been understood and supported?
- c. How well have risk assessments been carried out? Have the needs of CYP with SEND been placed at the centre of the process? Has the risk assessment been coproduced with families?
- d. How well have local areas made "reasonable endeavours" to deliver the provisions set out in EHCPs. Have these changes in provision been coproduced with families?



## National Tuition Service

37. We welcome the announcement of a national tuition service to support the most disadvantaged children catch up with lost learning. We would like to ensure that the service makes provision for children and young people with SEND.
- a. Can we have explicit mention of SEND in any guidance when more details are issued
  - b. Learning should be directed and designed by schools who know and understand the learning needs of SEND pupils
  - c. Schools should have flexibility in how the money can be used to meet the bespoke learning needs of SEND pupils – this should include being able to commission additional support for things such as dyslexia, speech and language therapy, occupational therapy
  - d. A principle that catch up learning should be coproduced with parents (especially SEND families in line with the principles of the children and families act)

## Mandatory return to school

38. The key here is that reasonable adjustments must be made to enable children to return in a way that makes sense to them and their families. This may include things like a slower, phased return and support from other services (e.g. therapies) to enable this. The tone needs to be one that makes clear that families will be supported to return their children to full time education (which is mandatory) but they will not be forced or compelled to do so against their better judgement.
- a. Children who are identified as clinically vulnerable and clinically extremely vulnerable should not be required to return where families do not feel it is safe to do so.
  - b. Clear guidance is needed for those who live in households where another member may be clinically vulnerable or clinically extremely vulnerable.
  - c. Allowances must be made for children who may find the return to school difficult or stressful – in these cases an individualised approach, coproduced with the young person and the family. This may include measures such as a staggered or phased return to ensure long term well-being.
  - d. Some children will require support before they are able to return to school such as social stories, visits from health practitioners, social workers. Schools should work with local areas to ensure these measures are put in place where needed.
  - e. Some parents are reporting that their children are thriving in the home environment. If appropriate schools should consider whether continued blended learning for these should be continued after the return to school. However, parental choice and rights must be paramount in any such decisions (it cannot be another form of unofficial exclusion for difficult pupils).



National Network of Parent Carer Forums

'Our Strength Is Our Shared Experience'

**During this lockdown period many families had little or no contact from LAs and similarly from schools. Some were contacted very late into lockdown. Can there be a survey to capture experiences (positive and poor) to help plan and inform what needs to be in place for any future local or national lockdown?**