

YOUR CHILD'S SPECIAL EDUCATIONAL NEEDS

If your child needs extra help at school or nursery because of physical or learning difficulties, there are systems in place to set this up. Every school has a Special education Needs Co-ordinator (SENCO). It is worth enquiring if the Special Educational Needs (SEN) Department of your Local Authority (LA) has a specialist teacher for children with physical and/or neurological impairments who can support you and advise schools. All schools and LA's have duties under the Special Educational Needs & Disability Act 2001 to make reasonable adjustments to develop physical access, the curriculum, and information that includes children with special needs in mainstream education.

EARLY YEARS/SCHOOL ACTION

Under Early Years Action (for nurseries) and School Action, schools and nurseries have been given some extra money to help meet children's Special Educational Needs (SEN). However this is usually a low level of funding. An Individual Education Plan (IEP) should be drawn up which sets targets for your child to reach based on their abilities.

EARLY YEARS/SCHOOL ACTION PLUS

Under Action Plus, they can also call in outside specialists such as Educational Psychologists and Specialist Teachers to give advice if the above fails to meet your child's needs. However this is often not enough for children with muscle problems.

STATUTORY ASSESSMENT

Guidance from Central Government has advised LA's to limit the use of Statutory Assessment of your child's SEN. However if you, the school or nursery, or any of the health or social services professionals working with your child, still feel that their SEN are not being met, a letter can be written to your LA SEN Department requesting a Statutory Assessment. If you as a parent ask, it has a higher priority. They then have 6 weeks to decide whether they agree that an assessment is needed. If they turn it down, you then have the right to appeal to the Local authority to their SEN panel. If they still turn you down you have a right to appeal to the SEN & Disability Tribunal (SENDIST). They have a website and also the Independent Panel for Special Educational Advice (IPSEA) have a website and helpline that gives impartial advice for parents about this or other SEN issues. Details of these organisations are available at the end of this fact sheet. Your LA should also give you information about your local Parent Partnership Service. This gives independent advice and advocacy about SEN matters.

STATEMENTING

Once it is agreed that an assessment can go ahead, the LEA will contact all professionals involved with your child and they have about 6 months to finish the assessment. At the end they must decide whether to produce a Statement of SEN.

This details all your child's SEN and what is needed to meet those needs. This can include money to pay for a Learning Support Assistant (LSA) and/or specialist equipment. There should be an annual review of the Statement to see if it is continuing to meet your child's needs. Any changes needed to the Statement can be discussed at this meeting. This meeting should include you and your child, a representative from the SEN department of the Local Authority as well as the school SENCO, class teacher and LSA's.

ADAPTATIONS

If your school, or choice of school, needs adaptations because of your child's physical difficulties, this comes under a different process and will involve discussions with the school SENCO and the LA SEN Dept. Often there can be disputes when the LA refuses to adapt the school of your choice because there is another adapted school within the area. They are only under a duty to make reasonable adjustments to meet the needs of disabled children and will argue that this is what they have done. There is a process for appealing if you have not been offered the school of your choice and this is usually the same whether a child has SEN or not. You can contact the Education Department or Parent Partnership Service of your LA for further information.

TRANSPORT

Every LA should have a policy about how and who they provide transport for and how to appeal against a refusal to offer transport. The national criteria for providing free school transport states that a child with SEN, a disability or mobility problems who cannot be reasonably expected to walk to school, should be offered suitable travel arrangements. Some of this is open to interpretation here and you are entitled to appeal against a decision made. If you are unhappy with the way your appeal has been dealt with you can complain to the Local Government Ombudsman. Sometimes appeals can be made to the Secretary of State or High Court.

FURTHER INFORMATION AND SUPPORT

If you need further information, please contact The Muscular Dystrophy Campaign Care Advisor at your muscle clinic, he or she will be able to give you advice and support. The Muscular Dystrophy Campaign has produced 'Inclusive Education', guidance for primary and secondary schools. It is available to be downloaded on their website: www.muscular-dystrophy.org. The SENDIST website is www.sendist.gov.uk, the IPSEA website is www.ipsea.org.uk and their helpline telephone number is 0800 0184016.

