**Extract from Code of Practice in relation to Local Offer**

**What must be included in the Local Offer?**

**4.29** Local authorities **must** include information about all the areas specified in the Special Educational Needs and Disability Regulations 2014. They may wish to include wider information, taking account of their discussions with children with SEN or disabilities and their parents and young people with SEN or disabilities.

**4.30** The Local Offer **must** include information about:

* special educational, health and social care provision for children and young people with SEN or disabilities – this should include online and blended learning
* details of how parents and young people can request an assessment for an EHC plan
* arrangements for identifying and assessing children and young people’s SEN – this should include arrangements for EHC needs assessments
* other educational provision, for example sports or arts provision, paired reading schemes
* post-16 education and training provision
* apprenticeships, traineeships and supported internships
* information about provision to assist in preparing children and young people for adulthood (see paragraphs 4.52 to 4.56)
* arrangements for travel to and from schools, post-16 institutions and early years providers
* support to help children and young people move between phases of education (for example from early years to school, from primary to secondary)
* sources of information, advice and support in the local authority’s area relating to SEN and disabilities including information and advice provided under Section 32 of the Children and Families Act 2014, forums for parents and carers and support groups
* childcare, including suitable provision for disabled children and those with SEN
* leisure activities
* support available to young people in higher education, particularly the Disabled Students Allowance (DSA) and the process and timescales for making an application for DSA
* arrangements for resolving disagreements and for mediation, and details about making complaints
* parents’ and young people’s rights to appeal a decision of the local authority to the First-tier Tribunal (SEN and disability) in respect of SEN and provision
* the local authority’s accessibility strategy (under paragraph 1 Schedule 10 to the Equality Act 2010)
* institutions approved under Section 41 of the Children and Families Act 2014

**4.31** The Local Offer **should** cover:

* support available to all children and young people with SEN or disabilities from universal services such as schools and GPs
* targeted services for children and young people with SEN or disabilities who require additional short-term support over and above that provided routinely as part of universal services
* specialist services for children and young people with SEN or disabilities who require specialised, longer term support

**Educational, health and care provision**

**Educational and training provision**

**4.32** The local authority **must** set out in its Local Offer an authority-wide description of the special educational and training provision it expects to be available in its area and outside its area for children and young people in its area who have SEN or disabilities from providers of relevant early years education, maintained schools, non-maintained special schools, pupil referral units, independent institutions approved under section 41 of the Children and Families Act 2014, and the full range of post-16 providers. This includes information about the arrangements the local authority has for funding children and young people with SEN, including any agreements about how providers will use any budget that has been delegated to them.

It includes the arrangements providers have in place for:

* identifying the particular SEN of children and young people
* consulting with parents of disabled children with SEN and disabled young people with SEN or disabilities
* securing the services, provision and equipment required by children and young people with SEN or disabilities
* supporting disabled children and young people and those with SEN in moving between phases of education and preparing for adulthood and independent living

and information about:

* approaches to teaching, adaptations to the curriculum and the learning environment for children and young people with SEN or disabilities and additional learning support for those with SEN
* enabling available facilities to be accessed by disabled children and young people and those with SEN (this should include ancillary aids and assistive technology, including Augmentative and Alternative Communication (AAC))
* assessing and reviewing pupils’ and students’ progress towards outcomes, including how providers work with parents and young people in doing so
* securing expertise among teachers, lecturers or other professionals to support children and young people with SEN or disabilities – this should include professional development to secure expertise at different levels:

**awareness** (to give a basic awareness of a particular type of SEN, appropriate for all staff who will come into contact with a child or young person with that type of SEN)

**enhanced** (how to adapt teaching and learning to meet a particular type of SEN, for early years practitioners, class and subject teachers/lecturers and teaching assistants working directly with the child or young person on a regular basis), and

**specialist** (in-depth training about a particular type of SEN, for staff who will be advising and supporting those with enhanced-level skills and knowledge)

* assessing and evaluating the effectiveness of the education and training provision the local authority makes for children and young people with SEN or disabilities
* activities that are available to disabled children and young people and those with SEN, including physical activities and extra-curricular activities, and
* supporting the emotional, mental and social development of disabled children and young people and those with SEN (this should include extra pastoral support arrangements for listening to the views of pupils and students with SEN and measures to prevent bullying)

**4.33** The above will include arrangements for supporting children who are looked after by the local authority and have SEN.

**Schools**

**4.34** Schools have additional duties under the Special Educational Needs and Disability Regulations 2014. Schools **must** publish more detailed information about their arrangements for identifying, assessing and making provision for pupils with SEN (see Chapter 6, Schools).

**4.35** The information **must** also include information about the arrangements for the admission of disabled pupils, the steps taken to prevent disabled pupils from being treated less favourably than other pupils, the facilities provided to assist access for disabled pupils and the schools’ accessibility plans. The school-specific information should relate to the schools’ arrangements for providing a graduated response to children’s SEN. It should elaborate on the information provided at a local authority wide level in the Local Offer.

**4.36** The Local Offer **must** make clear where this information can be found and **must** make clear how young people and parents can find relevant information published by post-16 institutions about their SEN provision (see Chapter 7).

**Early years**

**4.37** When securing funded early education for two-, three- and four-year-olds local authorities **must** promote equality of opportunity for disabled children. This should include securing relevant expertise among early years providers and working with parents to ensure that appropriate provision is in place to enable each child to flourish. Local authorities **must** also secure sufficient childcare for working parents and **must** work with providers to plan and manage local provision to meet the needs of families and children in their area.

**4.38** Local authorities **must** publish in their Local Offer information about childcare options available to parents including the range of expertise to support children with SEN or disabilities and should publish information about:

* free early education places and eligibility criteria
* relevant services from other agencies such as Portage, Health Visitors and Early Support
* arrangements for identifying and assessing children’s needs in the early years
* support available to parents to aid their child’s development at home, and
* arrangements for reviewing children’s progress, including progress checks and health and development reviews between the ages of 2 and 3

**Other educational provision**

**4.39** Information about educational provision **must** include where to find the list of non-maintained special schools and independent schools catering wholly or mainly for children with SEN, and Independent Specialist Colleges in England, including details of which institutions have been approved by the Secretary of State, to give parents and young people a statutory right to request that they are named on an EHC plan. It should also include:

* the special educational provision (including Area SEN co-ordinators (SENCOs), and SEN support or learning support services, sensory support services or specialist teachers, and therapies such as speech and language therapy where they educate or train a child or young person) made available to mainstream schools, early years providers, special units, alternative provision and other settings (including home-based services), whether provided by the local authority or others
* local arrangements for collaboration between institutions to support those with SEN (for example, cluster or partnership working between post-16 institutions or shared services between schools)
* the local authority’s arrangements for providing top-up funding for children and young people with high needs in mainstream and specialist settings
* support for children and young people who have been released from custody – this should include support offered by Youth Offending Teams in relation to education

**Health**

**4.40** Building on the Joint Strategic Needs Assessment the Local Offer **must** include information about provision made by health professionals for children and young people with SEN or disabilities.

This **must** include:

* services assisting relevant early years providers, schools and post-16 institutions to support children and young people with medical conditions, and
* arrangements for making those services which are available to all children and young people in the area accessible to those with SEN or disabilities

It **should** also include:

* speech and language therapy and other therapies such as physiotherapy and occupational therapy and services relating to mental health (these **must** be treated as special educational provision where they educate or train a child or young person (see Chapter 9 paragraphs 9.73 to 9.76)
* wheelchair services and community equipment, children’s community nursing, continence services
* palliative and respite care and other provision for children with complex health needs
* other services, such as emergency care provision and habilitation support
* provision for children and young people’s continuing care arrangements (including information on how these are aligned with the local process for developing EHC plans, which is described in Chapter 3), and
* support for young people when moving between healthcare services for children to healthcare services for adults

**4.41** Local authorities and their partner CCGs **must** work together to ensure that this information is available through the Local Offer.

**Social care and other provision**

**4.42** The Local Offer **must** include information about social care services and other provision supporting children and young people with SEN or disabilities. This should include:

* childcare
* leisure activities
* support for young people when moving between social care services for children to social care services for adults, including information on how and when the transfer is made
* support for young people in living independently and finding appropriate accommodation and employment

**4.43** Under the Care Act 2014 local authorities **must** provide an information and advice service on the adult care and support system. This should include information on types of care and support, local provision and how to access it, accessing financial advice in relation to it and how to raise concerns**.** Local authorities **must** indicate in their Local Offer where this information can be found.

**4.44** Local authorities **must** provide a range of short breaks for disabled children, young people and their families, and prepare a short breaks duty statement giving details of the local range of services and how they can be accessed, including any eligibility criteria (The Breaks for Carers of Disabled Children Regulations 2011). Local authorities **must** publish a short breaks statement on their website and review it on a regular basis, taking account of the needs of local parents and carers. The statement will therefore form a core part of the Local Offer.

**4.45** Parent carers of disabled children often have significant needs for support, to enable them to support their children effectively. It is important that children’s and adult services work together to ensure needs are met. The Local Offer **must** set out the support groups and others who can support parent carers of disabled children and how to contact them. Part 3 of the Children Act 1989 gives individuals with parental responsibility for a disabled child the right to an assessment of their needs by a local authority. Local authorities **must** assess on the appearance of need, as well as on request, and **must** explicitly have regard to the wellbeing of parent carers in undertaking an assessment of their needs. Following a parent carer’s needs assessment, the local authority **must** decide whether the parent carer needs support to enable them to support their disabled child and, if so, decide whether to provide services under section 17 of the Children Act 1989. Relevant services may include short breaks provision and support in the home.

**Training and apprenticeships**

**4.46** The Local Offer **must** identify training opportunities, supported employment services, apprenticeships, traineeships, supported internships and support available from supported employment services available to young people in the area to provide a smooth transition from education and training into employment. This should include information about additional support available to young people – for example via the Department for Work and Pensions’ Access to Work fund – such as teaching and learning support, job coaching in the workplace, and provision of specialist equipment. Local authorities should engage with providers of apprenticeships and traineeships and educational institutions offering supported internships to ensure that the information they publish is of good quality and to identify providers who have particular expertise relevant to young people with SEN or disabilities.

**4.47** Local authorities **should** include information on how young people can apply for these opportunities or make clear in their Local Offer where this information can be found. The information should include any entry requirements, including age limits and educational attainment.

**Transport**

**4.48** Transport can be an important factor in the support for children and young people with SEN or disabilities. The Local Offer **must** include information about arrangements for transport provision, including for those up to age 25 with an EHC plan, and this should include local authorities’ policy statements.

**4.49** Local authorities **must** ensure that suitable travel arrangements are made where necessary to facilitate an eligible child’s attendance at school. Section 508B of the Education Act 1996 requires local authorities to make such school travel arrangements as they consider necessary for children within their area. Such arrangements **must** be provided free of charge. Section 508C of the Act gives local authorities discretionary powers to make school travel arrangements for other children not covered by section 508B. Such transport does not have to be provided free of charge.

**4.50** Local authorities **must** publish a transport policy statement each year setting out the travel arrangements they will make to support young people aged 16-19 and learners with learning difficulties and/or disabilities (LDD) aged up to 25, to access further education. This should include any arrangements for free or subsidised transport.

**4.51** Local authorities **must** include in their Local Offer information about:

* any specific arrangements for specialised transport (for example, specially fitted buses)
* any support available from the local authority or others with transport costs and should include information about:
* any support that is offered to children and young people to help them use transport, including public transport, and
* any training given to aid independent travel

**Support available to children and young people to help them prepare for adulthood**

**4.52** Local authorities **must** set out in the Local Offer the support available to help children and young people with SEN or disabilities move into adulthood. Support should reflect evidence of what works in achieving good outcomes and **must** include information about preparing for and finding employment, finding somewhere to live, and participating in the community.

**4.53** Preparing for and finding employment **should** include information about:

* pathways to employment such as apprenticeships, traineeships and supported internships and how to apply for them
* support available from supported employment services, such as job coaches, and how to obtain that support
* support available from employment agencies
* support available from Year 8 to help children and young people plan their careers, including signposting to where they can obtain information and advice about setting up their own enterprise, and
* financial support available, including from the Department for Work and Pensions, when people with learning difficulties or disabilities are looking for work or once they are employed, including ‘in work’ benefit calculations and specialist advice on Work Choice, Residential Training, The Work Programme and Access to Work

4.54 Finding somewhere to live **should** include information about:

* finding accommodation, including information about different housing options such as social housing, housing association accommodation, private renting, shared housing and shared ownership
* how to apply for accommodation, and where to get financial and other support (such as a personal assistant, assistive technology or modifications to a home) and more detailed advice on accommodation
* advice, for people eligible for social care or health support, about what support is available to help them personally, for example in managing their Personal Budget or recruiting a personal assistant, and
* opportunities and support to learn the skills needed to live in supported, semi-supported or independent accommodation

**4.55** Participating in the community **should** include information about:

* leisure and social activities, including opportunities for influencing local decision-making
* how young people can access mainstream community facilities and local youth services (for example, access to staff with expertise in supporting young people with different needs)
* volunteering opportunities and the support available to access them
* care support available to help young people access social opportunities (for example, a personal assistant or assistive technology) and develop friendships, and how to apply for that support, and
* support in using the internet and social media to find information and develop and maintain friendships, including where they can go for guidance on using the internet safely and how to protect themselves against cyber-bullying and exploitation

**4.56** The Care Act 2014 requires local authorities to establish and maintain a service for providing people in its area with information and advice about the adult care and support system.

**Information about how to seek an EHC needs assessment**

**4.57** The Local Offer **must** include information about how to request a needs assessment for an EHC plan. A request is likely to happen where special educational provision currently being made for them by their early years setting, school or college from their own resources, is not enabling the child or young person to make adequate progress.

**4.58** The information **should** include:

* how the local authority will consider a request for an assessment and inform parents and young people of their decision
* how parents, children and young people will be involved in the assessment process
* what support is available to help families during the needs assessment process and the development of an EHC plan
* the timescales involved in the assessment process
  + the process for making an EHC plan

and **must** include:

* information about the option of having a Personal Budget, including a local policy for Personal Budgets, produced with parents and young people.

This **should** provide:

* a description of the services across education, health and social care that currently lend themselves to the use of Personal Budgets
* the mechanisms of control for funding available to parents and young people including direct payments, arrangements and third party arrangements (see Chapter 9, Education, Health and Care needs assessments and plans)
* clear and simple statements setting out eligibility criteria and the decision-making processes that underpin them
* the support available to help families manage a Personal Budget
* arrangements for complaints, mediation, disagreement resolution and appeals

**Information, advice and support**

**4.59** The Local Offer **must** provide information for children, parents and young people about where to get information and advice.

**4.60** All local authorities **must** have arrangements for information and advice and should ensure that advice and guidance for children and young people is tailored appropriately for them (see Chapter 2).

**4.61** Clear, comprehensive and accessible information **should** be published about the support available to children and young people with SEN and disabled children and young people and the opportunities to participate in strategic decision-making. Local authorities and CCGs **must** ensure that they publicise the availability of information and advice and opportunities to participate in strategic decision-making. Early years providers, schools, colleges, and other relevant services should tell parents and young people about the availability of local impartial information, advice and support. For young people this should include access to information, advice and support on preparing for adulthood, such as advice and support on securing paid employment and/or meaningful occupation, independent living and finding accommodation, health and social care and participating actively in their local communities.

**Publishing the Local Offer**

**4.62** Local authorities **must** make their Local Offer widely accessible and on a website. They **must** publish their arrangements for enabling those without access to the internet to get the information. They **must** also enable access for different groups, including disabled people and those with different types of SEN.