

School Admissions for Children with SEND – The Two-Side Guide

What does the SEND Code of Practice 0-25 years say?

The [SEND Code of Practice](#) tells us that the parents, carers of children or young people with special educational needs and/or disabilities (SEND) as detailed in their EHC plan, have the right to request a particular school, college or other institution of the following type to be named in their EHC plan, such as:

- Maintained nursery schools
- Maintained schools and any form of academy or free schools (mainstream or special)
- Non-maintained special schools
- Further education or sixth form colleges
- Independent schools or independent specialist colleges (where they have been approved for this purpose by the Secretary of State and published in a list available to all parents and young people)

The Local Authority must comply with requests for a particular nursery, school or post-16 institution in these groups and name the school or college in the EHC plan unless:

- It would be unsuitable for the age, ability, aptitude or SEN of the child or young person, or
- The attendance of the child or young person there would be incompatible with the efficient education of others or the efficient use of resources

What is the Local Authorities' response to this?

Children sometimes need different settings at different times of their school lives. So based on the above sections from the Code, North Somerset Council's [SEND team](#) have processes, information and guidance in place for us to follow, such as:

- Use the normal application process via the [Schools Admission Team](#) if you or your child's choice is to attend a mainstream primary or secondary school, highlighting that they have an EHC plan on the application form. It is helpful to notify your SEND Officer of your preference.
- If your preferred option is for a Special School, then still make a mainstream preference via the Schools Admission Team. If your child's SEN are such that they are likely to need specialist provision which is not normally available in a mainstream school, we may consider a Special School or Resource Base attached to a Mainstream School. Requests to access Special Schools is limited to those who have an EHC plan either in draft or final status
- Recognise, primary and secondary school applications are usually made at reception/year 7 starters
- Requests for changes of school places mid-year are made via an Annual Review.

The choice of school is shared at your child's Annual Review held prior to transfer, as this gives a good opportunity to discuss the next school placement and ensures we are aware of any preferences that you or your child may have. This also includes consideration on the level and type of provision which maybe required at the point of agreeing an EHC plan. When receiving a request for a particular school we will formally consult with them and may consult with a different school or schools, particularly if there is a question over suitability or the efficient use of resources. This also allows the SEND Team to plan and consult with parents and to amend the plan if need be.

What happens next?

The Annual Review reports are used to amend existing plans and to issue a **Proposed Amended EHC plan** before the end of Term 2 (Christmas Holiday). This won't have a school named in Section I as this is not permitted in a draft plan, neither is a signature at the bottom of the form. However, the accompanying letter will indicate to you, where possible, what school your child is expected to transfer to.

We will also send the Proposed Amended EHC plan, along with the Annual Review, as part of the consultation process to the school as part of the process of checking that the Head Teacher can meet your child's SEND. This is a statutory process and schools then have 15 days to respond to the consultation, during this time we will keep you informed of the responses when they are returned.

The **Final Amended EHC plan** must be issued by the 15 February of the year that your child is due to transfer in the following September. This document names your child's current school and where possible, the school they will transfer to in September. A type of school (e.g. mainstream or special) will be noted if a specific school cannot be named, until we have identified the actual school.

What if your preference is for a Special School?

If your request is for an *immediate start*, the case will be shared at the weekly SEND Panel which has representation from Early Years, Special School, Health and the SEND Team. A consult will be sent to the school where they would have to formally consider ways they are able to meet your child's needs which may include visiting the child in their current placement and the availability of spaces available in their school. This will be discussed at the next SEND Panel meeting and the place will be offered if the school is able to meet needs.

If there are multiple consults for a limited number of places these will be considered by the SEND Panel to determine which child should be allocated the place, dependent on levels of need.

If your request for a special school is for the *following academic year* then your child's name will be added to the list for the Special School Panel which take place in late November/early December.

Having the panel at this time allows the local authority to issue proposed amended plans before Christmas for those children changing schools at the next academic year so that they can be finalised by the February 15 date. An additional Special School Panel can be arranged in the Spring Term if there are a number of new requests for Special Schools spaces in September. These panels demonstrate the places are allocated in a fair and transparent way.

What if an Education, Health and Care Statutory Needs Assessment is in progress?

In this case you will need to complete a preference form via the school's admission page in the normal way. We advise you to discuss your child's SEN with a member of staff at the preferred school before applying. It is worth remembering that an assessment being undertaken does not always mean that the local authority will decide to issue an EHC plan.

What if you disagree with the allocated school?

If you disagree with this decision, you can request mediation and/or appeal to the [SEND Tribunal](#). Details of how to do this are provided in the letter. Please refer to the Annual Review Guidance for further information.

What if I need to know more?

You can talk to the SEND Officer or you could visit the local offer website at <http://www.n-somerset.gov.uk/localoffer>. You can also contact the local Special Educational Needs & Disability Information, Advice and Support Service (SENDIAS) known locally as [Supportive Parents](#) for independent information and advice at <https://www.supportiveparents.org.uk> or phone 0117 9897725

The [Annual Review Two-sided Guide](#)