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## Information Sheet: 11

### A Statement of special educational needs: what is it and how do you know what it should contain?

When a Local Authority<sup>1</sup> (LA) has carried out a statutory assessment of a child's special educational needs (SEN), it has to make a decision about whether or not to issue a **Statement of special educational needs**.

A Statement of special educational needs is a legal document. It should describe a child's needs and all of the special help he or she should receive. It should be written in clear, unambiguous language. Once the Statement has been signed and finalised, the LA it must provide all of the special educational provision contained in Part 3 of the Statement.

If the LA decides that a Statement is necessary, it must first prepare a **proposed Statement** which is sent to parents along with all the reports that were submitted during the assessment. These reports are called **Appendices** and contain the advice sent in to the LA by a variety of different people:

Appendix A	Parental Representations and Parental Evidence
Appendix B	Educational Advice (from the school or pre-school group, any visiting or specialist teachers, etc.)
Appendix C	Medical Advice (including therapies)
Appendix D	Psychological Advice (the Educational Psychologist's report)
Appendix E	Advice from the Social Services Authority
Appendix F	Any other advice, such as the views of the pupil, which is considered to be useful

<sup>1</sup> We have used the term Local Authority throughout our information sheets. If you live in Surrey, the LA is Surrey County Council.

Parents only have 15 days to respond to the proposed Statement so it is important to consider its contents carefully.

As well as the Appendices, the Statement itself is made up of six parts:

<b>Part</b>	<b>What should be included</b>
<b>Part 1 - Introduction</b>	the child's name, address, date of birth, etc.
<b>Part 2 - Special educational needs</b>	a description of your child including strengths, likes and dislikes along with all of her or his needs as identified by the assessment
<b>Part 3 - Special educational provision</b>	the help considered to be necessary to meet the child's needs as described in Part 2.
<b>Part 4 - Placement</b>	the type and name of the school or other setting where the special educational provision is to be made
<b>Part 5 - Non-educational needs</b>	details of any other non-educational help as agreed between the health services, Social Services and the LA, such as transport to school.
<b>Part 6 - Non-educational provision</b>	describes how the help detailed in Part 5 will happen

### Does the Statement contain all the appropriate information about my child's needs?

One way of checking that the Statement contains all the appropriate information is to concentrate first on the Appendices. We suggest that you go through them using two different coloured pens to highlight every reference to your son or daughter's needs in one colour and the provision that is to be made in another colour. It might also be helpful to write down who said that your child had these needs and where you read it. You should then read through the Statement itself and check that all the needs are mentioned in Part 2 and that provision to meet those needs is detailed in Part 3. An example of the analysis sheet we use is shown on Page 4.

### What do I do if I agree or disagree with the Statement?

The LA will have sent you a 'Form 7' with your child's proposed Statement. This gives you the opportunity to either agree or disagree with the Statement and/or the school or type of provision that is being suggested. If you want to disagree with the Statement you might wish to use the notes you made when checking it to

list your areas of disagreement. It is important to return this Form 2 by the due date. If you need more time, you should telephone your Case Officer, whose name will be at the top of the LA's accompanying letter, to ask for the deadline to be extended. You can also ask for a meeting with an LA officer to discuss the Statement and any concerns you may have. Our Helpline can also advise on this.

### Why is no school named on the proposed Statement?

The regulations say that when a parent is sent a proposed Statement it will not name a school. This is because you have the right to make your preference of maintained (LA, not independent) school known to the LA. Surrey County Council has a wide range of schools, which includes special schools and units as well as over 400 mainstream schools. The majority of children who have a Statement attend their nearest mainstream school where the Statement brings additional resources to help the school to meet the pupil's special educational needs. The Form 2 will usually include the name of the school or type of school that Surrey County Council might be suggesting. You can agree with this suggestion or ask for a different school to be named.

### Can I ask for a private/independent school?

The law does not allow you to express a preference for an independent (private) school, but does allow you to "make representations". This means that you can make a case to the LA about why an independent school might be the best place to meet your child's needs. However, the LA does not have to agree to your request if it feels the needs can be met in one of its own schools.

### What will happen after I return the Form 2?

If you have agreed with the Statement and the suggested school, Surrey County Council has 8 weeks to issue a final Statement which will be signed by the Area Special Needs Manager. At this point the Statement is a legal document.

If you have disagreed with the Statement or the school suggested, the LA will consider your comments and may make amendments to the Statement if required and will then proceed as above to issue the final one.

If the LA is unable to agree to some or all of your comments, then it will probably issue a final Statement as above which will incorporate any agreed amendments. If you are still in disagreement, you have the right of Appeal to the Special Educational Needs & Disability Tribunal within 2 months of the final Statement being issued.

**N.B. Our Helpline can advise you about your right of appeal. There is also an information sheet about the appeals procedure available from the Helpline or on our website (Sheet 13).**



# PARTNERSHIP WITH PARENTS STATEMENT ANALYSIS SHEET

<b>Child's Name:</b>	<b>Date of Birth</b>
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<b><i>Sensory/Physical</i></b>			
NEEDS	WHO SAYS?	WHERE?	IN PART 3?

<b><i>Social/Emotional</i></b>			
NEEDS	WHO SAYS?	WHERE?	IN PART 3?

<b><i>Cognitive ability</i></b>			
NEEDS	WHO SAYS?	WHERE?	IN PART 3?

<b><i>Communication</i></b>			
NEEDS	WHO SAYS?	WHERE?	IN PART 3?