

FAQs

What is the government saying about whether children should be at home or at school?

- The most recent scientific advice on how to further limit the spread of COVID-19 is clear. **If children can stay safely at home, they should, to limit the chance of the virus spreading.**
- That is why **the government has asked parents to keep their children at home, wherever possible**, and asked schools to remain open only for those children who absolutely need to attend.
- Schools are, therefore, being asked to continue to **provide care** for a limited number of children - children who are vulnerable and children whose parents are critical to the Covid-19 response and cannot be safely cared for at home.

The schools are shut, but children with EHCPs should continue to go. Is that right?

The government announced that schools will shut their gates from Friday 20 March, and they will remain closed until further notice except for children of key workers and vulnerable children, which includes children with EHCPs. It doesn't include children with draft EHCPs or those who are undergoing assessment. **However, if children with EHCPs can be cared for at home during this time, they should be.**

The focus of schools at the moment is providing care to support key workers to work, and easing the pressure on families with vulnerable children. It is not about continuing education.

How will my child's school (special or mainstream) be able to look after my child with an EHCP if most of the children are staying at home, or if the teaching staff are unable to come in?

The Emergency Powers Bill currently going through Parliament will mean that schools and local authorities will only have to do what they reasonably can to meet their legal duties to your child. For example the duty to make the provision in an EHC plan (section 42 of the Children and Families Act 2014) may be amended to a 'reasonable endeavours' duty. This means the LA needs to do whatever it reasonably can to put provision in place, but if they cannot do so they would not necessarily be breaching the law.

Your child's school will prioritise safety above all else, if they don't have enough staff, or need specialist advice they will contact the local authority, who will make every effort to support with their own workforce or by co-ordinating schools to cluster together and share resources. If they are really struggling to keep children safe then they will talk to you about this. It may be that hours need to be reduced on a rota system, but rest assured we will all try to keep places at school for children who really need them.

I don't want my child with an EHCP to go to school. Do they have to?

No. You have the right to make the decision that you do not want to send your child.

Special schools, colleges and local authorities are advised to make case by case basis assessments of the health and safeguarding considerations of pupils and students on an education, health and care (EHC) plan. For some, they will be safer in an education provision. For others, they will be safer at home.

For more details see: <https://www.gov.uk/government/publications/closure-of-educational-settings-information-for-parents-and-carers/closure-of-educational-settings-information-for-parents-and-carers>

I've got a child with additional needs who is on SEN Support, do they get to stay at school?

No, the government's announcement only included ongoing school provision for children of keyworker staff and vulnerable children. Their definition of vulnerable currently only includes those who have a social worker and those with Education, Health and Care Plan (EHCP). So if your child on SEN Support has a social worker you will probably qualify, but otherwise no, your child should stop attending school.

My child has an EHCP but is in a private, independent, non-maintained school or nursery. Do they need to enable them to still attend?

Yes, nurseries, private schools, sixth forms and FE Colleges should also follow this guidance. Again there is a lot of detail for them to work through about how to implement an offer to these children in practice. The government has said they will provide financial support for these settings as required. However, in the spirit of trying to reduce the spread of the virus, where at all possible children with EHCPs that can be cared for at home should be.

What about the Easter holidays – I heard our child (with an EHCP) can still attend school then, is this right?

Possibly, the government's guidance says "Where possible, we would encourage settings to also look after key workers' children and vulnerable children throughout the Easter holidays." Once again providers locally will be working out how they can do this. However, we do not envisage that this will be high numbers as families with children with EHCPs would be expecting a natural break during the easter holidays. Remember where possible children with EHCPs should be at home. When we have more information we will add it here.

I'm worried we will be asked to provide some education or learning for our children whilst they are off school, but I wouldn't know where to start.

Most schools have prepared and sent resources home with the children. Clearly, this may be much harder for some children with learning difficulties or additional needs, or if you have to work from home as well as look after the kids. There are lots of tips online from experienced home educators,

<https://www.educationotherwise.org/index.php/links/37-activities-teaching-and-learning>

but try not to put too much pressure on yourself as this is going to be new for everyone. A break at first and then a bit of TV or gaming now and then will be absolutely fine!

In addition, the Department for Education are working with the BBC and others to provide resources for children to access while at home. We will add details here as we find them. For parents with children under five years old see hungrylittleminds.campaign.gov.uk

Joe Wicks, on The Body Coach TV YouTube channel is doing daily live PE sessions at 9 am, and as time goes on, more resources will be available like this, with live streamed sessions to help you keep the kids busy.

If your child has SEND contact your school, they may have advice, and can contact the Inclusion Service for more support and ideas. Don't struggle alone.

Here are our top tips and resources for supporting your child at home, we will add to these here as time goes on.



My child is due to start a special school, will that still go ahead?

Any planned new starters into special schools will be put on hold at the current time. With reduced staffing and higher staff / pupil ratios, we will not be able to transition children into new provision successfully and we also want to reduce the number of children moving between sites. New start dates will be given when schools officially re-open.

Can I request an EHCP for my child now?

Yes. However given the prioritisation given to urgent health and care support related to Coronavirus, we are very unlikely to receive the advice and information we need to assess children's needs in a timely way to complete the statutory assessment within the 20 weeks. At this stage we can't estimate how long writing plans would take us.

Do we know how long schools will close for?

No not yet, the government's announcement just says 'until further notice'. The Scottish government has been clearer and have said their schools will be closed until August but we don't know in North Yorkshire yet.

I'm worried I won't be able to cope if schools are shut for a long time. Who should I call?

Nobody knows how this situation will play out and how long schools will be shut. If you are worried about how you will support your child at home then please talk to your child's school in the first instance.

<https://www.kooth.com/> offers online support for young people's mental health.

If you are receiving support from social care please discuss concerns with your social worker but also try to establish networks of support with other parents as appropriate.

My child receives home tuition/tuition off site due to their medical needs- will this continue?

The medical education service has started to contact all families affected by this, and we will agree an individual plan for support together. This is likely to mirror the offer made by schools, namely that if your child can be supported by you at home then they should be, in order to reduce the risk of them/you catching the virus. Continuing home tuition is risky as the tutors would be visiting many different children in a day. We will also mirror the schools' offer by providing packs of resources and guidance to help you continue their education at home. We will also offer you catch up contact, either by phone or Skype, and let you know who to contact for support if needed. Tuition by skype may also be available, depending on the needs of your child.

This will also apply to those children with EHCPs registered as receiving EOTAS.

I have an appeal in progress to the SEND Tribunal. How will this be affected?

Face to face Tribunal hearings will now stop but the Tribunal will agree with you to hold the hearing on paper, by phone or by video conference. Tribunal staff will contact you. You should only call them if you have not heard at least two days before your hearing date.

The Tribunal service statement on 19 March 2020 says: "Decisions about the education of children and young people are vitally important and the Tribunal is making every effort to conclude as many appeals and claims as possible. The Tribunal are already aware of parents, young people, local authority representatives and witnesses who are self-isolating and social distancing, putting pressure on all services at this unprecedented time. Following today's announcement from the Senior President of Tribunals, all hearings in the First-tier Tribunal Special Educational Needs and Disability will move away from face to face hearings and make use of the technology available.

From Monday 23 March 2020, the Tribunal will use technology to enable hearings to proceed for the duration of the COVID-19 pandemic. Hearings will be on paper or by telephone and where possible video, where the technology permits. The arrangements for your hearing will be confirmed at least 2 days before the date on which your hearing is listed, and it would assist if you could check whether you are able to access telephone and internet services either in your home or locally. You will not be required to travel to the hearing venue if you have either telephone or internet video facilities. If parties do not have a reliable telephone or internet service available in their homes, it may be possible to arrange to use the IT equipment or telephones at your nearest Courts and Tribunals hearing venue. There is no need to contact the Tribunal to obtain the details as the administrative team are working to issue those details to you in time for your hearing.

Please do not contact the Tribunal helpline because at present, the Tribunal's own resources are reduced due to self-isolation and social distancing and it is at the point two days before your hearing, if you haven't received correspondence from the Tribunal that you should contact the office at send@justice.gov.uk"

My child has serious medical conditions and I am worried about sending him to school. How do I make a decision ?

National guidance has been issued to help identify people whose health is more at risk if they contract Coronavirus. The guidance defines people having an increased risk of severe illness from coronavirus and those that are extremely vulnerable. People in the latter category will receive a letter of advice by 27 March and we strongly advise people to follow the guidance given.

If you are unsure about sending your child to school please speak with the Head teacher, school nurse or social worker so further advice can be given.

My daughter has an EHCP but as neither my husband or I are key workers we have chosen to keep her at home, not wanting to take a spot that someone else may need more than us. Because of this am I able to make a claim for a direct payment or claim part of her EHCP funding? I believe that the school only receives a percentage based on her attendance so wondered if as parents we would be eligible for a percentage during this period of shut down.

We're afraid not. Top up funding is committed to schools when children take up a place. It isn't issued on a daily rate depending upon attendance, as schools' outgoings are largely fixed. The government has said schools should continue to receive their usual funding during this time, so we can't divert this money.