



SENDIASS
HERTFORDSHIRE

For free impartial information and advice, please contact SENDIASS



sendiass@hertfordshire.gov.uk



01992 555847



hertssendiass.org.uk

COVID-19 ISL Contact Line
Monday-Friday between 2pm-4:30pm
01992 588574

The full government guidance can be found online at:

www.gov.uk

For any concerns about the proposed arrangements, please contact your named SEN Officer in the first instance. Your SEN Officer will then work with their colleagues in integrated services for learning to help you find a positive way forward.

Other key contacts

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Hertfordshire

Temporary change to the law around some parts of the education, health and care (EHCP) process



For further information head to

hertfordshire.gov.uk/localoffer



What is changing?

There's been a temporary change to the law around some parts of the education, health and care process as a result of Coronavirus. These changes have been made to allow for greater flexibility during the Coronavirus crisis. The changes are set to be in force until **25 September 2020**, but this date will be reviewed and might be extended.

If you have any concerns about the proposed arrangements, please contact your named SEN Officer.

Reasonable Endeavours

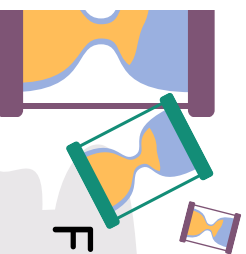
Council and health services must use 'reasonable endeavours' to deliver or arrange provision that are in EHCPs. Using 'reasonable endeavours' means that where an education or health provider cannot fulfil the provision in a young person's EHCP because service has been affected by Coronavirus, they must consider how to support the young person's needs in a different way.

Examples of using 'reasonable endeavours'

1. Sharing resources and sensory activities that can be carried out at home.
2. Offering support virtually rather than face to face.

Act as soon as reasonably practicable

The law now requires that local authorities, health care professionals, education settings and others act 'as soon as reasonably practicable' to complete actions in the statutory EHC process. This means that if it isn't possible for a professional to complete an action within the usual statutory timescale due to Coronavirus, they must instead complete it as soon as they are able to do so.



Flexibility

The flexibility in the timescales now covers these processes:

- handling of requests for EHC needs assessments
- decisions whether to issue an EHCP
- the preparation and issue of EHCPs
- annual reviews of EHCPs
- the mediation processes
- the process for a local authority reviewing for the first time the making and use of direct payments from a Personal Budget that is part of an EHCP
- the timing of actions that the local authority and health commissioning body must take when the First-tier Tribunal makes non-binding recommendations about health and social care matters within an EHCP.



What are we doing?

Early years settings, schools and colleges

Schools and settings will contact all families whose child/young adult has an EHCP, to discuss the provision in place at this time and any further support required.

Schools and settings will keep a record (called the reasonable endeavours plan) of the provision that has been agreed. They must also continue reviewing the delivery/arrangement of the provision, to acknowledge that a child's needs may change or a service may become more available.

Hertfordshire County Council

We will be providing advice to settings/schools and colleges to talk through the process and provide support. We will also confirm to the parents/young adult what is in place, and why.



Things to be aware of

- LAs and health bodies cannot make blanket policies, such as 'We are unable to provide EP or SALT advice in 6 weeks'.
- Annual reviews should still be taking place.