

Addendum to St Thomas More Catholic Voluntary Academy SEND Information Report 2019-2020

- *Please read in conjunction with the St Thomas More Catholic Voluntary Academy SEND Information Report 2019-20 (October 2019) which is available on the school website.*
- *This addendum applies during the period of school closure to prevent the spread of COVID-19 coronavirus (from 20 March 2020).*
- *It takes into account all government/DfE guidelines, advice from NASEN (National Association of Special Educational Needs) and advice from the St Ralph Sherwin Catholic Multi Academy Trust*

General principles

During the period of school closure, the curriculum and learning is adapted for effective and meaningful distance learning for all pupils. Work is set via Show My Homework. Teachers will continue to differentiate work to match a child's needs and will make reasonable adjustments whenever possible.

Support and advice for pupils and parents/carers

The school recognises the challenges faced by parents in supporting the needs of their children whilst they are learning at home and we are available to offer individual support and guidance in the following ways:

- Contact with individual teachers via the Show My Homework messaging/comment function
- Contact with the school by telephone – 01298 23167
- Contact with the school by email – enquiries@st-thomasmore.derbyshire.sch.uk

Access to school for pupils with an EHC plan

The general principle is that children should be at home if it is safe for them to do so. Whilst schools are required to be open for vulnerable children, it is not a 'requirement' that all children and young people with Education, Health and Care plans attend school during the period of closure.

Section 1.10 of the [government guidance for families](#) is clear that decisions should be made locally based on risk assessments of health and safeguarding. The guidance is now clear that some children will be safer at school (or in their usual educational setting) whilst others will be safer at home. School and the Local Authority are advised by the government to make this decision on a case-by-case basis.

For some children (for example those with SEMH or with autism), the significant change of routine or setting may mean that it is more appropriate for them to be at home than in

school. Again, these decisions should be made by those who know the children best and are well placed to assess the competing risks.

Pupils with EHC plans are able to access childcare at school, but should only be doing so if:

- a) risk assessment suggests they would be safer in school, or
- b) they are the children of key workers, and it is not possible for them to be kept at home.

It is worth noting that the provision available at school during the period of closure is primarily focused on childcare rather than education. This childcare facility should not be used for any child who could safely stay at home, regardless of whether they have an EHC plan or not. Indeed, we would expect that most families would not want to increase the level of risk to their child by sending them into school.

In relation to refusing access to school, if it is the view of the Headteacher that having a particular child in school significantly increases the risk to them or others (staff or pupils), and there is a reasonable alternative (such as staying at home), then it seems appropriate for schools to take the necessary action to keep children safe.

Risk assessment of pupils with an EHC plan

With the general principle being that children, including those with EHCPs, should be at home if it is safe for them to do so, the [Government guidance](#) on any risk assessment required, is that it takes into account:

- the potential health risks to the individual from COVID-19, bearing in mind any underlying health conditions. This must be on an individual basis with advice from an appropriate health professional where required
- the risk to the individual if some or all elements of their EHC plan cannot be delivered at all, and the risk if they cannot be delivered in the normal manner or in the usual setting
- the ability of the individual's parents or home to ensure their health and care needs can be met safely
- the potential impact to the individual's wellbeing of changes to routine or the way in which provision is delivered.

Risk assessment has been carried out by the SENCo and submitted to Derbyshire Local Authority. Risk assessment is not fixed; it is inevitably impacted by any changes in circumstances, such as staffing or environment and so will require ongoing consideration, at least every six weeks. Review will take into account the views of parents, pupils and staff at the school.

Emergency legislation and protections for pupils with SEND

The emergency legislation ([Coronavirus Bill](#)) will 'relax' the Children and Families Act in relation to 'named schools' on Education, Health and Care plans (EHCP), but in general the legal protections around the nature and level of provision remain.

Those delivering EHCP provision will be required to use their reasonable endeavours to do so. Meeting the letter of existing EHCPs may be difficult in the current context, however those involved in meeting the needs of pupils with EHCPs in their settings should maintain the spirit of individual EHCPs to the greatest extent practicable in these uniquely challenging circumstances.

Schedule 16 of the bill would give DfE powers to change the legal protection in relation to the nature and level of provision delivered via an EHCP Plan (Section 42, Children and Families Act 2014) on a rolling monthly basis. The bill gives DfE the power to disapply the requirement for local authorities to review the plan at least annually under Section 44(1) Children and Families Act 2014.

Disabled children remain protected by the Equality Act and Public Sector Equality Duty.

Completing annual reviews during the school closure period

Pragmatically, it may make sense for all parties involved to agree a revised timeline for the annual review. Depending upon the availability of families and the various professionals, it may be possible for annual reviews to go ahead using online meeting technology. At St Thomas More CVA, this will be dealt with on a case-by-case basis and in consultation with parents/carers.