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## WHAT IS THE SEN CODE OF PRACTICE?

### Information Sheet 1

Currently the most important piece of legislation governing the identification and assessment of, and provision for children's special educational needs (SEN) is Part IV of the Education Act 1996. This Act of Parliament, which was amended in 2001 by the SEN and Disability Act, sets out duties for schools, local education authorities (LEAs) and other in relation to pupils with SEN.

The SEN Code of Practice issued in November 2001, provides guidance and practical advice to LEAs, schools, early education settings and others on how to carry out their duties under the Education Act 1996. The new Code of Practice replaces the one issued in 1994 and came into effect on 1 January 2002. It has a special standing in law, which is that LEAs, schools, early education settings and those who help them, which includes Health and Social Services have a duty to "have regard to it". This means that they cannot ignore it and will not be able to for the life of the Code. In other words, although schools, LEAs and others do not have to do everything exactly as suggested in the Code, they have to be able to justify why they feel it is better to do things differently.

The following fundamental principles underpin the guidance in the Code.

- A child with SEN should have his or her needs met
- The SEN of children will normally be met in mainstream school or early education settings
- The views of the child should be sought and taken into account
- Parents have a vital role to play in supporting their child's education
- Children with SEN should be offered full access to a broad, balanced and relevant education, including an appropriate curriculum for the foundation stage and the National Curriculum

Copies of the Code of Practice can be obtained free of charge from:

DCSF Publications

PO Box 5050, Sherwood Park, Annesley, Nottinghamshire NG15 0DJ

Tel: 0845 6022260

Fax: 0845 6033360

Or online to order or download at [www.teachernet.gov.uk/publications](http://www.teachernet.gov.uk/publications)

#### **Additional information**

[www.parentcentre.gov.uk](http://www.parentcentre.gov.uk) at home page click on publications

Resources for parents by parents

'Help your children to learn' series of booklets published by Department for Education and Skills (DfES)