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A STATEMENT OF SPECIAL EDUCATIONAL NEEDS: What is it and how do you know what it should contain?

Information Sheet 11

When a Local Authority (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 by the LA, it must provide all of the special educational provision contained in 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 D	Advice from the Social Services Authority
Appendix F	Any other advice, such as the views of the pupil, which is considered to be useful
Appendix G (only when a reassessment is taking place)	Advice obtained since the last assessment was made

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

At the end of this information sheet is a statement analysis sheet that you may wish to use to note down details of the evidence given in various reports.

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

Part 1	Introduction	the child's name, address, date of birth etc.
Part 2	Special educational needs	each and every one of the child's needs as identified by the assessment should be described here
Part 3	Special educational provision	the help considered to be appropriate to meet the child's needs as described in Part 2
Part 4	Placement	the type and name of the school or other setting where the special provision is to be made. (Left blank in the proposed Statement – see below)
Part 5	Non-educational needs	details of any other non-educational help as agreed between the health services, Social Services and the LA, such as transport to school.
Part 6	Non-educational provision	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.

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

The LA will have sent you a form on which you can respond to the proposed Statement. This form 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 by the due date. If you need more time, you should telephone the Case Officer whose name is 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.

Why is no school named on the proposed Statement?

The law says 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. 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 SEN.

Can I ask for a private school?

The law does not allow you to express a preference for an independent (private) school, but does allow you to 'make representation'. This means that you can make a case to the LA about why an independent school might be the appropriate 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 response form?

If you have agreed with the Statement and the school suggested separately by the LA, the LA has 8 weeks to issue a final statement, which will be signed by an Education Officer for SEN. 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 you may be invited to meet with an SEN Officer to discuss your concerns. If there is agreement and your concerns are resolved, the LA will 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 disagreement¹, you will be offered the option taking part in a mediation process. You also have the right of appeal to the SEN Tribunal² within 2 months of the final Statement being issued.

Additional information

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)

STATEMENT ANALYSIS SHEET

CHILD' NAME:			dob:
NEEDS:	WHO SAYS:	WHERE	PROVISION IN PART 3