



Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

Statutory Assessment Guidelines for School Requests

Education, Leisure
& Lifelong Learning

www.npt.gov.uk

Statutory Assessment Guidance for School Requests (2020)

Education, Leisure & Lifelong Learning

Introduction

This document aims to:

- Enable schools to take appropriate action when making a request to the Local Authority (LA) for Statutory Assessment.
- Provide the LA with clear, concise documentation, which evidences that the school has adopted a graduated response when supporting the learner.
- Ensure there is consistency across Neath Port Talbot schools.
- Ensure all pupils in Neath Port Talbot are able to access the support they require.

Contents

This pack consists of three parts:

Part 1- Guidance for writing requests.

Part 2- Copies of the Request for Assessment form, Person Centered tools and other templates required for the submission and appendices.

Part 3- Relevant sections of the SEN Code of Practice for Wales (2002), and the Draft ALN Code for Wales (2018).

Additional information

- Evidence / documents / etc only need to be submitted in the appendices once. For example, if you have included the most recent '4+1' review in appendix 2, it does not need to be included in appendix 6.
- Incomplete submissions will not be considered by Panel members. If you are unable to provide a complete submission but would like to make a request for support, please contact the ALNSS department for further advice.

Part 1: Guidance for writing requests

There are 3 elements to the request:

- The Request for Support form, with completed checklist.
- The Submission: Background; Criterion 1; Criterion 2; Criterion 3.
- The Appendices.

Request for Assessment

The Request for Support form contains basic information about the learner. It will be the front page of the submission. Parental permission must be obtained and they must sign to confirm that they have read the full submission and agree to the information being sent to the LA.

A copy of this form is included in Part 2 of this pack.

The Submission

This is the main body of the request. Using the four headings, you will evidence that the learner's needs are severe, complex and exceptional as compared to other learners of the same age in similar schools, and that over an adequate period all reasonable steps have been taken to meet these needs.

The headings are:

- Background
- Criterion 1
- Criterion 2
- Criterion 3

The Appendices

The Appendices contain the items of evidence that the LA needs and must be attached.

1. Pupil's One Page Profile.
2. '4 plus 1' review form (template provided in Part 2) completed during/ after the most recent review with the learner and their family.
3. 'Working/ Not Working' (template provided in Part 2) from the learner's, family's and school's perspective
4. 'Good Day/ Bad Day' (template provided in Part 2) from the learner's perspective.
5. Overview of intervention and support provided at School Action and School Action Plus (template provided in Part 2).
6. Three most recent Individual Education Plans and the corresponding review documents.
7. The learner's weekly timetable indicating the nature, length and frequency of support.
8. Summative reports from other agencies.
9. Other relevant information if appropriate to the child i.e. one or two pieces of the learner's work which illustrate the learner's difficulties.

WHAT TO INCLUDE IN THE SUBMISSION

Background

Give a brief summary of the learner's background, an overview of their identified additional learning needs and their level of functioning at present i.e. National Test scores, spelling and reading ages and current outcomes/ levels. This should be no more than one side of A4 paper. This section gives the LA an outline of the learner's needs and the context in which they are set. It helps to establish that the learner's needs are severe, complex and persistent despite intervention. A summary of any health and social care needs can also be included here, along with reference to the learner's attendance.

Criterion 1

Submission: Give a brief outline of how a person-centered approach has been used to support the learner and their family.

Corresponding Appendices: 1, 2, 3 and 4.

Criterion 2

Submission: Provide an account which evidences that all steps have been taken to meet the learner's needs using the school's own delegated resources at School Action and School Action Plus, including the implementation of reasonable adjustments.

Use the table format provided in Part 2 to evidence in Appendix 5 what specific support / interventions have been in place, the length of the support / interventions and the progress that was made by the learner.

Corresponding Appendices: 5, 6 and 7.

Criterion 3

Submission: Using the table format provided in Part 2, provide a chronological account of all consultations, assessments and interventions that have been sought from and/or provided by outside agencies (Educational Psychology Service, Support For Learning, The Wellbeing Team, Health Therapies, etc).

This **must** include a **Level B Consultation** with an Educational Psychologist.

Corresponding Appendix: 8

Part 2: Forms and Templates

Copies of:

The Request for Statutory Assessment form

4 + 1 Tool

Good Day / Bad Day Tool

Working / Not Working Tool

Template for Criterion 3

Template for Appendix 5

School Request for Statutory Assessment
Cais Ysgol am Aseiad Statudol

Name of School / <i>Enw'r Ysgol:</i>	
Telephone Number / <i>Rhif Ffôn:</i>	
Contact Person / <i>Enw'r Cyswllt:</i>	

Pupil's Name / <i>Enw'r Disgbyl:</i>	
D.O.B/ <i>Dyddiad Geni:</i>	
Name of Parent/Carer <i>Enw'r Rhiant/Gwarchodwr:</i>	
Address / <i>Cyfeiriad:</i>	
Telephone Number / <i>Rhif Ffôn:</i>	

Does the pupil have a Statement? Yes No
Oes Datganiad gan y disgbyl? Oes Nac Oes

Signed / *Arwyddwyd:* _____ Date / *Dyddiad:* _____

Parent/Carer
Rhiant/Gwarchodwr

Signed / *Arwyddwyd:* _____ Date / *Dyddiad:* _____

Headteacher/ALNCO
Pennaeth/CADY

4 + 1 Questions

What have we tried?



What have we learned?



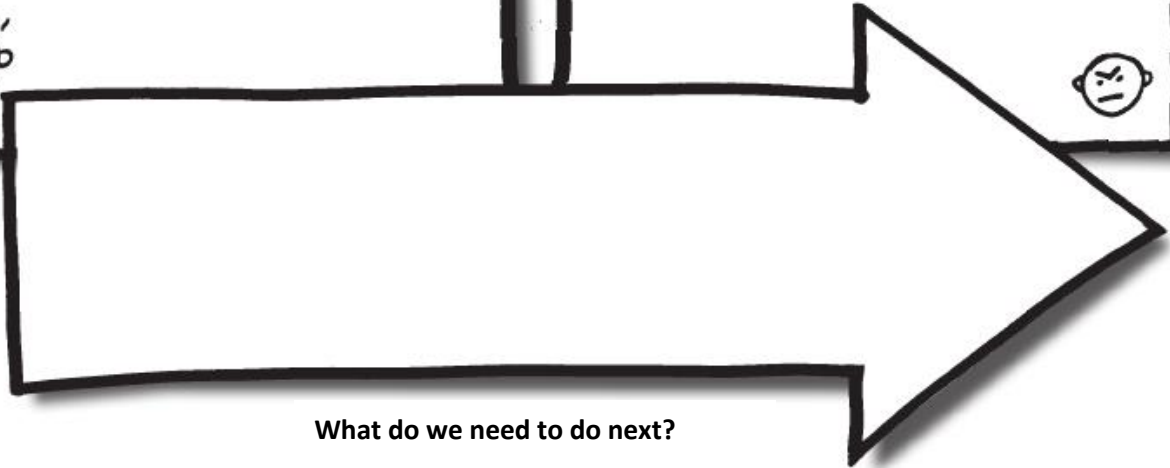
What are we pleased about?



What are we concerned about?



What do we need to do next?





What's working?



What's not working?

Pupil

Family

School

Good Day



Bad Day



Template to be used for Criterion 3

<u>Name of Agency/ Professional</u>	<u>Nature and period of involvement</u>

Template to be used for Appendix 5

Identified Need / Outcome	Intervention	Duration	Progress / Impact
<i>Briefly document the identified need and/or the person-centred outcome that has been set.</i>	<i>Briefly document the type of intervention provided or the support given.</i>	<i>For example: start and end dates; number of sessions; frequency of sessions; length of sessions; provided by whom.</i>	<i>Provide a clear summary of the impact the intervention / support has had on the learner.</i>

*Add or delete rows accordingly.

Part 3 - Relevant sections of the SEN Code of Practice for Wales (2002), and the Draft ALN Code for Wales (2018)

SEN Code of Practice for Wales (2002)

The relevant sections are included below, for reference.

7.11 Schools and settings should consult the parents before requesting an assessment. The LEA must comply with such a request, unless it has made a statutory assessment within six months of the date of the request or unless it concludes, upon examining any evidence before it or representations made to it, that a statutory assessment is not necessary. If at this time the head teacher judges that the full National Curriculum is not meeting the pupil's needs then a temporary disapplication may be appropriate.

7.13 When making a request for a statutory assessment, the school or setting should state clearly the reasons for the request and submit the following evidence:

- the views of parents recorded at Early Years Action and Early Years Action Plus or School Action and School Action Plus
- the ascertainable views of the child
- copies of Individual Education Plans (IEPs) at Early Years Action and Early Years Action Plus or School Action and School Action Plus
- evidence of progress over time
- copies of advice, where provided, from health and social services
- evidence of the involvement and views of professionals with relevant specialist knowledge and expertise outside the normal competence of the school or setting
- evidence of the extent to which the school or setting has followed the advice provided by professionals with relevant specialist knowledge.

7.34 In deciding whether to make a statutory assessment, the critical question is whether there is convincing evidence that, despite the school, with the help of external specialists, taking relevant and purposeful action to meet the child's learning difficulties, those difficulties remain or have not been remedied sufficiently and may require the LEA to determine the child's special educational provision. LEAs will need to examine a wide range of evidence. They should consider the school's assessment of the child's needs, including the input of other professionals such as educational psychologists and specialist support teachers, and the action the school has taken to meet these needs. LEAs will always wish to see evidence of, and consider the factors associated with, the child's levels of academic attainment and rate of progress. The additional evidence that authorities should seek and the questions that need to be asked may vary according to the child's age and the nature of the learning difficulty.

7.35 In considering whether a statutory assessment is necessary, LEAs should pay particular attention to:

- evidence that the school has responded appropriately to the requirements of the National Curriculum, especially the section entitled 'Inclusion: Providing effective learning opportunities for all children'
- evidence provided by the child's school, parents and other professionals where they have been involved with the child, as to the nature, extent and cause of the child's learning difficulties
- evidence of action already taken by the child's school to meet and overcome those difficulties
- evidence of the rate and style of the child's progress
- evidence that where some progress has been made, it has only been as a result of much additional effort and instruction at a sustained level not usually commensurate with provision through 'Action Plus'.

7.40 Nonetheless, attainment is the essential starting point when considering the evidence. LEAs should always be alert to indications that a child's learning difficulties may be particularly complex or intractable. They should be alert, therefore, to significant discrepancies between:

- a child's attainment in assessments and tests in core subjects of the National Curriculum and the attainment of the majority of children of their age
- a child's attainments in assessments and tests in core subjects of the National Curriculum and the performance expected of the child as indicated by a consensus among those who have taught and observed the child, including their parents, and supported by such standardized tests as can reliably be administered
- a child's attainment within one of the core subjects of the National Curriculum or between one core subject and another
- a child's attainments in early learning goals in comparison with the attainments of the majority of their peers.

7.41 LEAs should therefore seek clear recorded evidence of the child's academic attainment and ask, for example, whether:

- the child is not benefitting from working on programmes of study relevant to the key stage appropriate to their age or from earlier key stages, or is the subject of any temporary exception from the National Curriculum under section 364 of the Education Act 1996
- the child is working at a level significantly below that of their contemporaries in any of the core subjects of the National Curriculum or the Foundation Stage Curriculum
- there is evidence that the child is falling progressively behind the majority of children of their age in academic attainment in any of the National Curriculum core subjects, as measured by standardized tests and the teacher's own recorded assessments of a child's classroom work, including any portfolio of the child's work.

7.42 While academic assessments will provide important evidence, LEAs should not delay their consideration of a child until up-to-date assessment results are available. LEAs should also have regard to teachers' own recorded assessments of a child's classroom work, the outcomes of IEPs and any portfolio of the child's work compiled to illustrate their progress.

7.47 In order to reach a decision, LEAs should evaluate the action already taken by the school or setting to help the child, in particular the special educational provision that has already been made. Except when the child's condition has suddenly changed, LEAs will wish to see clear evidence of the learning difficulties identified and the interventions made by the child's teachers and other professionals through Early Years Action and Early Years Action Plus or School Action and School Action Plus, together with the SENCO's evaluation of these interventions. LEAs should also ask to see evidence that information from, and the insights of, parents has been used and that, so far as possible, parents have been involved in the process of meeting the child's learning difficulties.

7.49 In light of evidence about the child's learning difficulty, LEAs should consider the action taken and, in particular, should ask whether:

- the school or setting has, in consultation with outside specialists, formulated, monitored and regularly evaluated IEPs and whether the child's progress, measured by criterion referenced or standardized tests, continues to be significantly and consistently less than that which may be expected for the majority of children following such programmes
- the school or setting has sought the views of, and involved, the child's parents
- the school or setting has actively sought the views of the child, as appropriate to their age and understanding
- the school has, where appropriate, utilised structured reading and spelling programmes, and multi-sensory teaching strategies to enhance the National Literacy and Numeracy Frameworks
- the school has explored the possible benefits of, and where practicable, secured access for the child to appropriate information technology – for example word processing facilities (including spell-checkers), overlay keyboards and software, specialised switches and provision of training in the use of that technology for the child, their parents and staff – so that the child is able to use that technology across the curriculum in school, and where appropriate, at home
- the school has implemented its policy on pastoral care and guidance and sought external advice to meet any social, emotional and behavioural difficulties
- the school or setting has, with the parent's consent, notified and sought the assistance of the school doctor and/or the child's general practitioner, as appropriate.

Draft ALN Code of Practice for Wales (2018)

The relevant sections are included below, for reference.

2.7 One way of ensuring the child's, the child's parents' or the young person's views, wishes and feelings are taken into account and that they are able to participate as fully as possible in decisions is to adopt Person-Centred Practice (PCP). A range of resources to support practitioners in using Person-Centred Practice approaches is available online.

3.5 Ensuring children and young people are at the centre of all decisions that affect them is likely to lead to better outcomes because needs are more likely to be accurately identified and the provision decided upon is more likely to be effective.

7.3 Section 2 of the Act defines the term ‘additional learning needs’ (ALN), as set out in figure 1 below.

Figure 1: definition of additional learning needs

Additional learning needs

- (1) A person has additional learning needs if he or she has a learning difficulty or disability (whether the learning difficulty or disability arises from a medical condition or otherwise) which calls for additional learning provision.
- (2) A child of compulsory school age or person over that age has a learning difficulty or disability if he or she— (a) has a significantly greater difficulty in learning than the majority of others of the same age, or (b) has a disability for the purposes of the Equality Act 2010 (c. 15) which prevents or hinders him or her from making use of facilities for education or training of a kind generally provided for others of the same age in mainstream maintained schools or mainstream institutions in the further education sector.
- (3) A child under compulsory school age has a learning difficulty or disability if he or she is, or would be if no additional learning provision were made, likely to be within subsection (2) when of compulsory school age.
- (4) A person does not have a learning difficulty or disability solely because the language (or form of language) in which he or she is or will be taught is different from a language (or form of language) which is or has been used at home.
- (5) This section applies for the purposes of this Act.

7.6 The key questions to ask are, therefore:

- Does the person have a significantly greater difficulty in learning than the majority of others of the same age?
- Does the person have a disability (within the meaning of the Equality Act 2010) which prevents or hinders the person from making use of facilities for education or training of a kind generally provided for others of the same age in mainstream maintained schools or mainstream Further Education Institutes (FEIs)?

7.7 If the answer to either question is ‘yes’, the individual has a learning difficulty or disability for the purposes of the Act. If the answer is ‘no’ to both questions, the individual does not have ALN.

7.13 There is a slightly different test for children under compulsory school age. The first criterion is still to decide whether the child has a learning difficulty or disability, but the meaning of that is slightly different. It is whether the individual, when of compulsory school age, is, or would be if no ALP were made, likely to have:

- a significantly greater difficulty in learning than the majority of others of the same age, or

- a disability (within the meaning of the Equality Act 2010) which prevents or hinders them from making use of facilities for education or training of a kind generally provided for others of the same age in mainstream maintained schools.

7.21 In considering what amounts to a ‘significantly greater difficulty in learning than the majority of others of the same age’, it should be borne in mind that learning is about acquiring knowledge or skills, which may be done in many different ways and how it is done can vary according to the age of the learner. For example for young children learning takes place through play and experience, rather than through more formal methods which are more common for older children such as instruction by a teacher or study by a learner.

7.35 7. Concerns may arise, for example, where a child or young person, despite receiving appropriate educational experiences:

- makes little or no progress towards meeting their potential, even when teaching approaches are particularly targeted to improve the child’s or young person’s identified area of difficulty;
- continues working at levels significantly below those expected for children or young people of a similar age, or those expected of the individual themselves, which result in poor attainment;
- presents persistent emotional or behavioural difficulties, which are not improved by the behaviour management techniques usually employed;
- has delayed personal and social development, which are not improved by strategies and techniques usually employed;
- has delayed physical development or delayed creative development, which are not improved by strategies and techniques usually employed;
- has sensory or physical problems, and continues to make little or no progress against that which is expected of the individual, despite the provision of specialist equipment; or,
- has communication and/or interaction difficulties, and continues to make little or no progress despite the provision of differentiated teaching or techniques and strategies employed.

7.37 An early years setting, school or FEI’s system for observing and assessing the progress of individual children and young people will provide information about areas where a child or young person is not progressing satisfactorily. A number of different sources of evidence may be used to measure children and young people’s progress (in terms of attainment, and other areas for instance where a learner needs to develop wider social or emotional behaviours), including:

- standardised screening or assessment tools and frameworks;
- observational data;
- the quality of their work;
- developmental checklists;
- scaling questionnaires;
- assessments from other agencies, such as health bodies, and
- behaviour and social emotional questionnaires and standardised tests.

7.62 Staff from schools and FEIs should work with, and alongside, specialist professionals, where appropriate. ALNCOs will provide a great deal of expertise, they may however determine that further advice and input from specialist professionals is required.

9.46 Before referring a case to the local authority under paragraph 9.39, the school should consider consulting an educational psychologist to see whether this is appropriate.