



Young people's  
consultation  
on the  
Special Educational Needs  
Code of Practice

# What is happening?

The Government is changing the law on special educational needs (SEN). The Government is changing the law to make it focus more on support and people working together. The changes are designed to give young people a greater say over what support and services are available locally. The changes also aim to give young people a greater say in their own support. This means the Government need to write a new guide to tell everybody involved in supporting children and young people with SEN what the law says they have to do and how they should be doing it. This guide is called the SEN Code of Practice. The SEN Code of Practice is a very important document because no one is allowed to ignore what it says.

The Government has written a draft Code of Practice. Now it wants to know what people think of it. The Government wants to hear what young people think about the Code of practice.

In this document you will find information about some of the areas covered in the SEN Code of Practice. These are areas that young disabled people we have spoken to have said are very important. There are also some questions that the Government would like young people to answer.

If you want more detailed legal information about the SEN Code of Practice, you can read and respond to the full draft SEN Code of Practice which can be found by clicking on this [link](#).

The draft Code of Practice is 9 chapters long and has 176 pages. It looks at lots of different areas that affect children and young people with special educational needs.

# *What things have changed in the reforms*

Statements of special educational needs will be replaced with Education, Health and Care plans. The Education, Health and Care plans will still be legal documents local authorities have to follow but they will include information and support around health and social care as well as education. All the professionals who work with a young person should meet to talk about the support that someone's Education, Health and Care plan says they need.

Another change is that the Education, Health and Care plan will continue into further education and training, and for some young people up to the age of 25.

School Action and School Action plus will be replaced with SEN Support. SEN Support will be the support available in school for children and young people who have special educational needs but do not have Education, Health and Care plans. Additional SEN support is support to meet a student's needs so that they can meet their individual goals.



# Key issues affecting young people

## 1 Involvement of children when planning services in their local area

The Code of Practice says it is very important that children with SEN are asked about the services that are available in their local area. The Code says local authorities must involve children in planning decisions about what services for young people with SEN are needed. Local authorities will have to ask children things like:

- Are there enough services in the local area to give them the support they need?
- Are there any services they need which are not currently available in the local area?
- How they want to be told about the services that are available locally.

Local authorities can choose the best way to involve children.

## Questions



How would you like to find out what services there are for children and young people with special educational needs in your local area?

What are the best ways local authorities could ask children their views and get them interested in taking part?

What support will local authorities need to give to children to make sure they can communicate their views?

## 2

## Involvement of children when planning what support is needed for them

Some children with SEN will have Education, Health and Care plans. These are legal documents which list the support a child needs and the name of the school or college they will go to. There are other children with SEN who get support from their school and will not need an Education, Health and Care plan.

The Code of Practice says that however a child gets their support, they must be closely involved in deciding what support they need and the outcomes/goals they want to achieve.

The Code of Practice says that services should:

- treat children as individuals, not just seeing the SEN 'label'
- make things easy to understand and avoid jargon
- focus on the strengths and interests of a child, not on what they can't do
- understand the goals that a child wants to achieve and how to help them get there

## Questions



**What information and help do you think you might need, to be involved in decisions about the support you get?**

**When should you be involved in making decisions?**

**How and when would you like to be involved in the decision making discussions?**

“ I believe that disabled young people should be involved in decisions that could really affect them because they are the ones that are going to be affected and they know what helps them in life and what doesn't. ”



# Preparing children for taking more responsibility

The Code of Practice describes how young people over compulsory school age will get new rights to make the final decisions about their SEN support. Compulsory school age is the period when a young person has to be at school in England. This ends on the last day of summer term in the year when a student turns 16 years-old. The government has increased the participation age to 17 meaning that young people need to be in work, training or education until they are 17 years-old but this does not change young people's right to have the final say in decisions from the end of the school year you turn 16.

These decisions will be about things like the support they need and whether they want to go onto further education, training or employment. In some cases, young people with SEN will need to make difficult decisions about whether to challenge a school, college or local authority about the support they receive or where they get educated.

Before a child is 16 years-old, parents have the final say on these decisions but the child should still be involved in the discussions. This means that children under 16 years-old will need to prepare for when they are responsible for making decisions after they are 16.



## Questions

What involvement would you like in decisions before you are 16?

How would you want the final decisions to be communicated to you?

How should children aged 11-15 be prepared for taking on decisions at 16?



© Crown copyright 2013

You may re-use this document/publication (not including logos) free of charge in any format or medium, under the terms of the Open Government Licence v2.0. To view this licence, visit [www.nationalarchives.gov.uk/doc/open-government-licence/version/2](http://www.nationalarchives.gov.uk/doc/open-government-licence/version/2) or email: [psi@nationalarchives.gsi.gov.uk](mailto:psi@nationalarchives.gsi.gov.uk).

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned. Illustrations © NCB 2013.

Any enquiries regarding this publication should be sent to the Department for Education at [www.education.gov.uk/contactus](http://www.education.gov.uk/contactus).

This document is available for download at [www.gov.uk/government/publications](http://www.gov.uk/government/publications).

Reference: What you need to know about SEN reforms 15 years and under response pack DFE-00222-2013

## About these documents

These documents have been designed to help young disabled people understand information about some of the changes in the Code of Practice. The Code of Practice is a complicated legal document which is quite difficult for many young people to read. These documents have been created to help young people think about the changes and how they would like the changes to work for them.

We hope that charities, local authorities and parents will use these documents to help their young people get involved in the consultation on the Code of Practice. You can find the Government response form by clicking on this [link](#) or visiting <https://www.education.gov.uk/consultations/>.

We know that these documents won't be accessible to everybody so we will also be supporting some face to face meetings. Please use these documents in whatever way works for you.

Design by Anne Metcalfe. Illustration by Dylan Gibson.

