

## Frequently Asked Questions – Issue 1 SEND support during the Coronavirus pandemic

### How does the FAQ work?

- This FAQ shares questions sent into the [CDCQuestions@ncb.org.uk](mailto:CDCQuestions@ncb.org.uk) email inbox.
- Each week the questions received are collated and shared with the Department for Education (DfE) as well as colleagues with specific areas of expertise within CDC.
- Each FAQ includes questions received before Wednesday lunch time of the week in which it is published.
- If you have submitted a question but cannot see the response below your question is either awaiting feedback from DfE or will be featured in next week's FAQ.
- We may edit some of the questions to allow us to include as many as possible in each weeks FAQ and to protect individuals privacy so your questions may appear slightly differently than your original emails.
- Where questions are on similar themes or have similar answers we may group the questions together.

### Guidance and Resources

In addition to this FAQ, we have gathered a list of resources and guidance about Coronavirus related support for disabled children, young people and their families and the practitioners working with them across Education, Health, Social Care and the VCS which you can access [here](#).

For questions relating to specific individual circumstances the **Contact** helpline (0800 808 3555) and [website](#) are an excellent source of information and support.

### Changes to the law

Whilst the Coronavirus Bill is now an Act the provisions within it that relate to the Part 3 of the Children and Families Act 2014 have yet to be enacted. Therefore, until further notice, the law remains the same. However, in reality the current Coronavirus pandemic continues to have a significant impact on the extent to which local authorities and other public bodies can carry out their statutory responsibilities, including supporting children and young people in the same way.

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### Questions from parent carers and those supporting them directly:

**Q**

**My son has an Education, Health and Care plan (EHCP). He is currently at home due to the global situation. He is in mainstream primary and we have only heard from our social worker once, to say that she was leaving! Feeling a bit overwhelmed and isolated.**

**Can you tell me what the responsibilities of the school and social workers are while he is not at school?**

**A**

The local authority is responsible for ensuring that your son receives the provision set out in his plan, while this may not happen in the same way as it did before the pandemic some provision should still be made. It may also be possible for your son to attend school and you can talk to the school and the local authority about this, your local SENDIASS (<https://councilfordisabledchildren.org.uk/information-advice-and-support-services-network/find-your-local-ias-service>) can support you in having conversations with the local authority and the school. They can also support you in contacting social services to ask when you will be allocated a new social worker.

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**Q**

**My son has many health issues including severe epilepsy, autism, cerebral palsy. I am terrified they won't even consider ventilating him if he needed it because he's disabled and seen as a drain on the system. I really do need to understand and be reassured in some way that my feelings are wrong.**

**A**

NHS England have recently issued a letter on maintaining standards of care in pressurised circumstances which relates to the concerns you have raised. You can read the letter [here](#).

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Q

I am a mother of a child who attends a specialist provision and receives help as outlined in his EHCP. Along with this he also receives free school meals but does not qualify for the vouchers that some of the children now receive. I now need to provide 24hrs care for him but also find it difficult to manage financially due to the cost of having children off school.

My main concern is the lack of professional intervention so I would like to know why councils did not provide payments to parents like myself, is this something they are considering please? What support and financial help is available for disabled children who cannot access and receive the support they usually do at school please?

A

For questions relating to specific individual circumstances the **Contact** helpline (0800 808 3555) and [website](#) are an excellent source of information and support.

The local authority is responsible for ensuring that your son receives the provision set out in his plan, while this may not happen in the same way as it did before the pandemic some provision should still be made. It may also be possible for your son to attend school and you can talk to the school and the local authority about this, your local SENDIASS (<https://councilfordisabledchildren.org.uk/information-advice-and-support-services-network/find-your-local-ias-service>) can support you in having conversations with the local authority and the school. They can also support you in contacting social services. The local authority do have the power to provide financial help through direct payments where families are eligible.



Q

My child is currently on an EHCP at the local primary school. It was originally agreed that our child would continue to attend whilst our eldest (who is not on an EHCP) was asked to remain at home, however after two days of attending and after discussions with the Head mistress we have agreed with school to keep him at home. This is despite a number of children on EHCP's still attending during the current lockdown. If our child is to be home-schooled for a significant period of time, potentially for the rest of this school year, are we entitled to claim for part of any EHCP funding that has been provided to the school? And if so who do we look to contact?

A

It is likely that in the next couple of weeks the duties on local authorities to maintain the provision in an EHCP will be relaxed and they will provide what is 'reasonable'. It would be sensible to contact the SEND team and talk to them about what you think needs to and can be provided and whether there is a possibility of this being done through a personal budget. Your local SENDIASS can help you (<https://councilfordisabledchildren.org.uk/information-advice-and-support-services-network/find-your-local-ias-service>).

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#### Questions on travelling further afield with a disabled child:



Q

**I am supporting a mother who is worried about the impact of travel restrictions on her 18yr old Autistic son. The family are following the guidance around Covid-19 re. Social Distancing but their son only likes to walk in certain parks which would require the family to drive to them. The family would like to continue doing this as it maintains some routine to their days, in a time where routine has stopped and changed. However they are worried about being stopped by the Police. Is there any guidance or support regarding this currently?**

Q

**Are you able to tell me where I stand on taking my son out further afield? My Son is currently awaiting full diagnosis for Autism. We have Paediatrician letter, DLA middle care and I receive carers allowance. Also, are disabled kids and their carer allowed entry into supermarkets as a priority? Are there any proof type permits that could be rolled out to those who have proofs (letters)? That the supermarkets universally will accept?**

A

You can view the Government Coronavirus FAQ's [here](#). One relevant response taken from the page is:

*"You can leave your home for medical need. If you (or a person in your care) have a specific health condition that requires you to leave the home to maintain your health - including if that involves travel beyond your local area - then you can do so. This could, for example, include where individuals with learning disabilities or autism require specific exercise in an open space two or three times each day - ideally in line with a care plan agreed with a medical professional.*

*Even in such cases, in order to reduce the spread of infection and protect those exercising, travel outside of the home should be limited, as close to your local area as possible, and you should remain at least 2 metres apart from anyone who is not a member of your household or a carer at all times."*

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## Questions on Residential Settings:



**My son is currently in a residential home and school with the idea being he comes home at weekends. However the home is saying they are on a lockdown and he can't come home for the weekends. I'm seriously worried about the effect this will have on his mental health. He is gradually moving towards moving home and if this gradual move (which he is aware) doesn't happen I'm concerned how he will react. So my question is this what all residential homes are implementing and what are the guidelines? Both myself and my husband are currently working from home so are basically seeing no-one at the moment.**



**My nine year old adopted daughter suffered significant brain damage in early childhood, which has led to highly challenging behaviour and learning difficulties. In February she was given a full time placement in a residential children's home for disabled children with significant behavioural challenges. She was placed under section 20 of the children's act. We have full parental responsibility and up until last week she had never stayed full time in this placement as she stayed overnight at home weekly and we also visited her there at least twice a week. The local authority is currently deciding whether all face to face contact and visits home should be stopped indefinitely. They have been stopped for 14 days as a resident had a temperature. These restrictions are due to come to an end on Saturday. None of the children are clinically vulnerable to Coronavirus; however they are course vulnerable children in terms of their mental well-being. Obviously not being able to see family is affecting all of the children there. Along with learning difficulties, her attachment disorder is also adding to the challenges she is facing. What are her rights in relation to family contact?**



The Government has published "Guidance to support management of children and young people in residential educational settings, including boarding schools, residential special schools and specialist colleges and children's homes" which you can view here: <https://www.gov.uk/government/publications/coronavirus-covid-19-guidance-on-isolation-for-residential-educational-settings/coronavirus-covid-19-guidance-on-isolation-for-residential-educational-settings>

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### Questions on the VCS:

**Q** We would like to request is that you urge the Government to allow the staff of charities that have been placed on furlough via the Job Retention Scheme to continue to provide support services to the extent that they can and are able to do so safely.

**A** We have raised this with the DfE however in the meantime you may wish to review the information in the recent government announcement on the Charity Support Fund:

- [Guidance for charity sector](#)
  - [Financial support for charities](#)
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### Questions on education:

**Q** I work in a special school. We are unable to social distance from the children as we attend to the children's medical needs and personal care. Should special schools remain open if we have been denied personal protective equipment? We have been told to either work or go unpaid. I have to travel to work via walking through a town centre. I also live with 2 clinically vulnerable people, given the circumstances is this ok?

**A** We would advise you to speak to your trade union for individual advice on this matter. Please also see the following advice from the National Education Union and colleagues:

- National Education Union, Association of College and School Leaders and National Association of Headteachers joint union advice on Coronavirus. Read [here](#).
  - National Education Union- Coronavirus: what you need to know: special schools. Read [here](#).
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Q

**I have been appointed the task of helping teachers support students with SEN whilst teaching online. At the moment we are looking for help with adult students with Asperger's syndrome who suffer great anxiety from the new context and an adult with autism who struggles with turn-taking in the classroom - often interrupting other students and dominating conversation - we want to address this sensitively and be able to provide the student and the teacher with some support to make the lessons more inclusive. We are also experiencing difficulties with students who have been diagnosed with ADHD and are expected to study online.**

A

The following links share information and resources that may be helpful, please ensure you check the appropriateness of any resources for the individual needs and circumstances of those you are working with:

- <https://www.autismeducationtrust.org.uk/>
- <https://www.sendgateway.org.uk/resources.html>
- <https://nasen.org.uk/resource-listing.html>

Q

**I am an Early Years SEND outreach teacher, currently supporting the Nurseries and Schools in my borough, from home. I wondered if there will be a national (covid-19) approach to transition into Reception classes. I would be very grateful for any advice or strategies in this area. I also deliver inclusive support play sessions for families with 0-3 year olds (SEND) so I am supporting families during and post this crisis. Whether into a Nursery or emotionally. Any advice appreciated.**

A

You raise a really important point. We are approaching a key time of year for preparing young children for transition into Reception, or, with younger children, preparing for going into a nursery. This preparation is all the more important for young children with SEN and disabilities. Your continued support to the families you are working with will be vital. You should ensure that they are in touch with the local authority about placements and with local information, advice and support services (<https://councilfordisabledchildren.org.uk/information-advice-and-support-services-network/find-your-local-ias-service>). We are raising transition issues with the DfE, but think that any national approach is likely to be highly dependent on the timing of any easing of the current restrictions. We are also asking a range of Early Years practitioners through our [EYSEND Partnership](#) to let us know of examples of how local areas are approaching transition issues and we will share these examples through our EYSEND newsletter, which you can sign up to from [here](#).



## Questions on Social Care:

**Q**

**Can you clarify what the legal responsibility is now regarding assessing and meeting the needs of parent carers, and also if local authorities still have a duty to assess the needs of a disabled child that meets their criteria for support. I have looked at the Coronavirus Act 2020 and it is not clear to me.**

**A**

As noted in the introduction to this FAQ, whilst the Coronavirus Bill is now an Act the provisions within it have yet to be enacted. Therefore, until further notice, the law remains the same. Nor, in relation to the Children Act 1989, does it contain in the Act amendments or allow for disapplication of the powers to assess needs. However, in reality the current Coronavirus pandemic continues to have a significant impact on the extent to which local authorities and other public bodies can carry out their statutory responsibilities, including supporting children and young people in the same way.

Additionally, the Government has recently issued Guidance for local authorities on children's social care:

- <https://www.gov.uk/government/publications/coronavirus-covid-19-guidance-for-childrens-social-care-services/coronavirus-covid-19-guidance-for-local-authorities-on-childrens-social-care>



### Questions on health:



**Child is attending special needs primary school (for the most complex needs) has household contact with case of confirmed COVID-19. Child and family now isolating, but is there advice on whether contacts at school should also be isolating? And if so, how many days back should this include? I have looked through advice on the gov.uk website, but can't find anything that specifically covers this scenario.**



The DfE published [advice on what to do in education settings if someone becomes unwell](#), and this stipulates that if a member of staff who has helped someone who was taken unwell with a new, continuous cough or high temperature, they do not need to go home unless they develop symptoms themselves. They should wash their hands thoroughly for 20 seconds after any contact with someone who is unwell. Cleaning with normal household disinfectant after someone with symptoms has left will reduce the risk of passing the infection on to other people.

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### Questions referred to DfE – responses will feature in next weeks FAQ:



**I am currently working as Head of SEND across a chain of 52 Nurseries covering 19 different Local Authorities. The following guidance as you will be aware has since been provided: "Schools, colleges, other training providers and local authorities will need to consider the needs of all children and young people with an EHC plan, alongside the views of their parents, and make a risk assessment for each child or young person. They will need to consider a number of different risks to each individual, including: 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"**

**I would like to ask the following; Should we create a risk assessment including this information or will there be a standard risk assessment sent to the Local Authorities? Are we as a Nursery completing the risk assessment or the Local Authority? Does this only include children with a final plan not those under EHCP Needs assessment or draft stage? Should we be making weekly contact with children in this category whose parents have decided not to bring their child in- is this the responsibility of the setting or the Local Authority?**



**I would like to ask if there are any strategic documents or planning that considers the long term lasting impact of the Covid 19 crisis? Ideally, national guidance for local authority to implement in order to manage and negate longer lasting repercussions relating to pupils with SEND such as transition, qualifications, preparing for adulthood plus other anticipated long term risks. I realise this maybe unavailable at this point. I am aware local areas will identify their risks and response accordingly but would be keen to complete this within a national/regional context.**