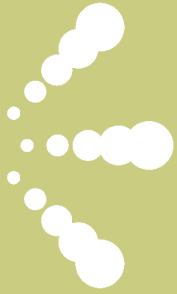


my child in school



# Getting Extra Help

a practical guide to  
parents' legal rights



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## Important notes

- The information in this booklet is based on the laws of England.
- This booklet applies to children in state-funded schools.

## Definitions and abbreviations

**Code** The Special Educational Needs Code of Practice.

**IEP** Individual Education Plan.

**IPS** Independent Parental Supporter. A trained volunteer working with Parent Partnership to support parents.

**LA** The Local Authority deals with the administration of a local council. The education department may be part of the LA's children's services authority or trust.

**PPS** Parent Partnership Service. An impartial service in each LA supporting parents and carers of children with SEN.

**SEN** Special Educational Needs.

**SENCO** Special Educational Needs Co-ordinator. The teacher in each school with responsibility for SEN.



**If there is anything in this booklet you don't understand or if you would like more information, please call our free advice line on 0808 800 5793.**

# “My child is struggling at school – what can I do?”

Many parents may be concerned that their child may be struggling in school. Some children may need some short term help in order to catch up. Others may have special educational needs and need more or different help over a longer term.

This booklet will help you talk to your child's school and find out what extra help may be available. Don't worry if it doesn't all apply to your child. Just use the sections you need.

## 1 Concerned about your child?

Many parents may have concerns about how their child is doing at school. Your child may be struggling with classwork or homework or becoming anxious about going into school.

You may be unsure about how your child is doing. Things may have changed since you were at school, so you may find it harder to tell whether your child is making good enough progress. If you had difficulties at school yourself, you may be particularly worried about your child falling behind.

### Gathering information

Get as much information together as you can to show why you are concerned. Look at your child's school reports and results of any tests or assessments. Talk to your child about how things are going at school. It may help to keep a diary so you can note things as they come up. If your child has a home-school book or planner this may also highlight some concerns. Samples of work such as reading or maths homework may also be useful.

Think about any other ways your child may be affected, such as:

- change in behaviour
- health issues
- increased anxiety.

When you have got some information together, make a list of all your concerns and questions.

# Talking to your child's teacher

Make an appointment to see your child's teacher. If your child is in secondary school, then a good starting point would be the form tutor or the head of year.

If you make an appointment, the teacher is more likely to have time to listen to your concerns. You could write a letter like the one below.

## Informal meeting letter

Use whatever applies to you.

Dear Teacher

I am concerned that my son/daughter <name> may be having some difficulties at school.  
He/she is

...struggling with reading/writing/maths

...having trouble with homework

...anxious about going to school

His/her behaviour is getting worse...

I have noticed the following changes at home...

I would like to meet with you to discuss his/her progress.

At the meeting I would like to discuss:

What level is <name> working at?

Is he/she at the expected level for his age?

Is he/she getting any extra help

What can I do to work with the school and help at home?

I am available <list dates and times>.

Let me know what would be convenient for you.

Yours sincerely

Parent

At the meeting tell your child's teacher about your worries. It may help to have a spare copy of your list of concerns.

Ask what extra help the school can provide and when this could start.

Ask what you can do to help at home.

Ask how you can keep in touch with your child's progress.



The teacher may be able to reassure you that your child is making progress or suggest things the school can do to help. It is helpful to write down what has been agreed and set a time to meet again to look at how your child has progressed.

## What the school can do

### Differentiation

All schools have a duty to adapt the curriculum to the needs of individual children. This is known as differentiation. If your child learns more slowly or in a different way from other children the school can set different work or try different teaching strategies.

#### National curriculum inclusion statement

This says that teachers must take account of 3 principles:

- setting suitable learning challenges
- responding to pupils' diverse learning needs
- overcoming potential barriers to learning and assessment for individuals and groups of pupils.

This means that one size does not fit all and that schools should look at tailoring what they do to suit different children. This applies to all children, those who learn more quickly as well as those who are struggling.

### Short-term programmes

The school may also have access to various interventions to help children who are falling behind. These are generally short-term programmes such as Reading Recovery, Every Child Counts (maths) or similar catch up programmes. What is available will vary from school to school and according to current government initiatives.

### What next?

Carry on keeping a diary about your child in school or start one if you have not already done so. This will help you judge whether any extra help provided by the school is working. Keep in touch with your child's teacher and if you are still worried arrange to meet again.

If your child needs longer term or different help then they may have special educational needs. The next section will tell you more about special educational needs and how schools can help.

# 2 Understanding special educational needs

## What are special educational needs?

Children with special educational needs are children with a learning difficulty which means that they need extra help at school.

Children with learning difficulties either:

- find it much harder to learn than most other children of the same age or
- have a disability which makes it harder for them to use the same school facilities (buildings, equipment etc) as other children in their area.

A learning difficulty could result from a physical or mental impairment, a medical condition, emotional and behavioural problems, communication difficulties or problems with learning to read or write.

Most children with special educational needs go to ordinary mainstream school. A mainstream school is a school which provides for all children including those with SEN and disabilities. A special school only provides education for pupils with SEN, generally those with the most severe or complex needs.

## The SEN Code of Practice

The Special Educational Needs Code of Practice is Government guidance on special educational needs. The law says that schools and local authorities (LA) must “have regard” to the Code – this means they must not ignore it. Important principles for a child with special educational needs in the Code are that:

- the child should have their needs identified and met;
- the child will normally have their needs met in a mainstream school;
- the child should have full access to a broad, balanced and relevant curriculum, including the National Curriculum or, for very young children, the foundation stage curriculum;
- children’s views should be taken into account;
- parents of children with SEN should be treated as partners;
- parents must be informed if the school considers that their child has SEN.

The SEN Toolkit has more detailed practical advice on implementing the Code.

You can get a free copy of the Code and the SEN Toolkit. See Further help on page 13 for details.

# The SENCO

Each school must have a special educational needs coordinator (SENCO) who must be a qualified teacher. In some schools the SENCO may be known by another name such as inclusion manager. The SENCO is responsible for overseeing all the special needs provision at the school. In smaller schools the SENCO may also be a class teacher, or the head or deputy may take on this role. The SENCO will be a key person if your child has special educational needs.

## Areas of special educational need

Special educational needs can cover anything that affects your child's capacity to learn in school. This is more than just narrow academic progress. The code of practice refers to four general areas of need. These are:

- communication and interaction
- cognition and learning
- behaviour, emotional and social development
- sensory and/or physical.

Children may have difficulties in more than one area.

It is also possible for a child to be high achieving in some subjects and still have special educational needs.

A child **does not need a medical diagnosis** to be considered as having special educational needs.

# 3 Meeting with the school

If your child is still not making progress or you have serious concerns, ask for a formal meeting with the special educational needs co-ordinator (SENCO). A meeting like this could also come about if the school feels that your child has special educational needs.

## Sample letter to SENCO

Use whichever points apply to your child.

Dear SENCO

I would like to arrange a meeting with you to talk about my son/daughter as I think that he/she may have special educational needs.

He/she has not made progress in reading/writing/maths and is a long way behind other children.

His/her behaviour in school is getting worse/has not improved.

He/she has difficulty understanding what is going on in the classroom/has difficulty interacting with other children.

He/she has difficulties concentrating or paying attention in lessons.

I enclose a list of my concerns with some examples.

Please send me a copy of the school's special educational needs policy and my child's school record including any records of progress.

I am available for a meeting <give times/dates>. Let me know what would be convenient for you.

I look forward to working in partnership with you.

Yours sincerely

Parent

# Gathering further information

If you had previously expressed concerns about your child you may already have gathered some information. If not, start doing this now.

## About the school

- SEN policy
- School profile – this is updated every year and may be found on the school’s website

## About your child

- School reports
- National curriculum levels
- Full school record. Put your request in writing to the school. You have a right to the record within 15 school days.
- Letters or reports from other professionals e.g. health

You can ask for some of these when you ask for a meeting with the school.

Keep a diary of how your child is doing at school, listing:

- areas of concern
- improvements
- difficulties with schoolwork
- difficulties with homework
- behavioural incidents, detentions, exclusions.

Make a list of things you want to discuss at the meeting.

# At the meeting

Go through your list of points and questions. You may want to ask the SENCO:

- Does my child have SEN?
- What kind of help can the school give them?
- Who will be involved in setting targets through an Individual Education Plan? (For more information on IEPs see page 9)
- Can the school arrange any other assessments e.g. from an educational psychologist or a specialist teacher?

You may find some education language confusing. If there is anything you don’t understand or it is not clear how your child will get help, then ask. As a parent you have a right to be fully involved and treated as a partner.

Make a note of what is agreed at the meeting or a friend or supporter could do this for you. Send a copy of your notes to the school.

The next section describes the sort of help that schools can give to children who are identified as having SEN.

If you are not happy with the result of the meeting go to page 11 If things go wrong.

# 4 How the school can help children with SEN

Most children with special educational needs will get help provided by the school at School Action or School Action Plus.

## School Action

If your child needs more or different help than the school can usually give by differentiation or catch up programmes, then they will be considered to have special educational needs. At 'School Action' the class teacher will involve the SENCO at the school. The SENCO will take the lead in planning the programme but day to day teaching will be carried out by your child's class teacher or individual subject teachers.

### ACE advises – get some help

Finding your way around the special educational needs system and handling meetings can be very stressful. You may want to find someone to come to meetings with you and possibly help you with paperwork. A suitable person might be:

- a parent support adviser from your child's school
- a parent partnership officer or independent parental supporter
- someone from a parents' group or a disability specific organisation
- a friend or family member.

See Further help on page 13 for sources of help.

Let the school know in advance if you need an interpreter or written material translated or in an alternative format.

At School Action your child might get help like:

- small group help such as a reading group or social skills group
- individual help from a teaching assistant
- special equipment
- extra time for staff to plan your child's work.

Your child's help should be recorded in a document usually called an Individual Education Plan (IEP). If your child's needs are mainly behavioural, they may have an Individual Behaviour Plan (IBP). The IEP should be reviewed regularly. If your child does not make good enough (adequate) progress and the school thinks they need advice from specialists they will move your child to School Action Plus.

## The individual education plan (IEP)

IEPs should include:

- three or four short-term targets that match your child's needs
- the ways of teaching (strategies) to be used
- the help to be put in place
- when the plan is to be reviewed
- how the school will decide if the help has been successful or
- how the school will decide if the help is no longer needed.

### Targets

The targets in an IEP will be set by or for your child and should be in small steps. Targets can be written like this "by the end of the term John will be able to...".

IEPs should be reviewed at least twice a year and preferably once a term. Parents should be involved in these reviews and your child's views also asked. If you have not been involved or have not been given a copy of the IEP, ask for a meeting with the school.

A review may decide that the extra help is no longer needed, should continue at the same level or that more help is required. Targets should not just automatically be carried over from one IEP to the next.

Don't wait for the next review if you feel that your child is not making good enough progress.

## School Action Plus

School Action Plus involves more or different help than your child gets at School Action. School Action Plus also generally involves people outside the school in giving advice or carrying out assessments. These outside specialists may be involved in teaching or helping your child in person. In many cases they may not do this themselves, but will draw up a programme to give to your child's class teacher or a teaching assistant.

At School Action Plus your child should have a new IEP with fresh targets and revised strategies.

### Outside help

The school may be able to call in outside specialists to assess your child and offer advice. These might be:

- educational psychologist
- speech and language therapist
- specialist teacher for dyslexia /specific learning difficulties
- specialist teacher for hearing or visually impaired children
- behaviour support teacher
- outreach team for autism etc.

Some schools may have access to these services via the local authority. Academies have to make their own arrangements. They may buy in services from the LA.

## Including your child

Children with SEN should be fully included in the life of the school. The governors of the school have a general duty to ensure that children with SEN join in the general activities of the school along with children who do not have SEN. In addition their needs should be made known to all who are likely to teach them.

## If your child needs a lot of extra help

If your child needs more help than they can get at School Action Plus, they may need the extra help that comes through having a statement of special educational needs. A statement describes all your child's difficulties and the special educational help they must be given. A statement can be written following a statutory assessment of special educational needs. More information on this can be found in the ACE booklet *Asking for Statutory Assessment*.

# 5 If things go wrong

Getting the right help for a child with SEN can be a lengthy and daunting process. You may run across difficulties such as:

- the school not agreeing that your child has special educational needs;
- your child not getting the right help or enough help – gap widening between your child and others;
- your child not getting the help that has been agreed;
- you are not happy with the way that the help is being carried out – e.g. quality of teaching;
- the school saying they can't afford any more help;
- the school refusing to call in an educational psychologist or other professionals;

Start by getting hold of:

- the school's SEN policy;
- the LA's SEN policy. This may tell you what help schools in the area generally provide at different levels.
- your child's school record. This should contain reports, assessments and other records of the help your child has had.
- the school's complaints procedure.

Set out in writing what you think has gone wrong and what you want to happen to put things right. Start by trying to sort things out informally. Your local parent partnership service or other parents' group may be able to help.

## Complaint to school

Start by meeting informally with the headteacher to try and resolve the situation. If you are still not happy you can make a formal complaint in writing to the headteacher and then to the governors of the school. The governors have a duty under section 317 of the 1996 Education Act to use their best endeavours to ensure that provision is made for any pupil identified as having SEN (see also Code 1:21).

## Disagreement resolution

Each local authority must make available to parents a disagreement resolution service for SEN. This is a form of mediation and may help you and the school to sit down and come to an agreed way forward. You can get more information and a referral from your local parent partnership service.

## Local Government Ombudsman

The remit of the Local Government Ombudsman has recently been extended to cover complaints about the internal management of schools. Currently this is at a pilot stage in a limited number of LAs. To check whether your area is covered, contact the LGO. Details under Further help on page 13.

## Young People's Learning Agency

If your child attends an Academy, you can make a complaint to the Young People's Learning Agency. Details under Further help on page 13.

# Further help

## From ACE

ACE freephone advice line **0808 800 5793**  
Information and free advice booklets can be downloaded from [www.ace-ed.org.uk](http://www.ace-ed.org.uk)

## From the Department for Education

Free publications to download from <http://publications.education.gov.uk>  
Ring DfE orderline **0845 60 222 60** to check availability of printed copies.

- Special Educational Needs – a guide for parents and carers
- Special Educational Needs Code of Practice
- SEN Toolkit
- Supporting young people with learning difficulties to participate and progress

Information from the DfE on SEN  
[www.education.gov.uk/schools/pupilsupport/sen](http://www.education.gov.uk/schools/pupilsupport/sen)

## From Directgov

- Helping your child to learn – practical advice for parents  
[www.direct.gov.uk/en/Parents/Schoolslearninganddevelopment/HelpingYourChildToLearn](http://www.direct.gov.uk/en/Parents/Schoolslearninganddevelopment/HelpingYourChildToLearn)
- Information for parents on SEN  
[www.direct.gov.uk/en/Parents/Schoolslearninganddevelopment/SpecialEducationalNeeds](http://www.direct.gov.uk/en/Parents/Schoolslearninganddevelopment/SpecialEducationalNeeds)

## From Parent Partnership

Parent Partnership is an impartial service funded by the LA to support parents of children with SEN. You can find details of your local

service via the National Parent Partnership Network.

Website: [www.parentpartnership.org.uk](http://www.parentpartnership.org.uk)  
Telephone: **020 7843 6058**

## From the Local Government Ombudsman

The LGO handles complaints about local authorities. The LGO is extending its remit to cover complaints about schools. See the website or ring for a list of areas covered by this.

Website: [www.lgo.org.uk](http://www.lgo.org.uk)  
Advice line: **0300 061 0614**

## From the Young People's Learning Agency

The YPLA investigates complaints about Academies.

Website: [www.ypla.gov.uk](http://www.ypla.gov.uk)  
Telephone: **0845 337 2000**

## Useful websites and advice lines

### IPSEA (Independent Panel for Special Education Advice)

Website: [www.ipsea.org.uk](http://www.ipsea.org.uk)  
General Advice: **0800 018 4016**  
Tribunal Advice: **0845 602 9579**

### Contact a Family – for families with disabled children

Contact a Family has details of support organisations for a wide variety of specific conditions including rare disorders.

Website: [www.cafamily.org.uk](http://www.cafamily.org.uk)  
Helpline: **0808 808 3555**

ACE is a charity and depends on grants and donations to operate our advice services. If you have found our advice helpful and would like to make a donation please visit [www.ace-ed.org.uk](http://www.ace-ed.org.uk)  
Thank you.

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