

Extract from - SEND Code of Practice 0-25 years

Statutory guidance for organisations which work with and support children and young people who have special educational needs or disabilities.

Children of Service personnel

- 10.53 The Children's Education Advisory Service (CEAS) within the Ministry of Defence provides advice and guidance to Service parents, educational establishments and local authorities on educational issues relating to Service children, including issues relating to SEN. Service Children's Education (SCE) provides mainstream education for Service children in some overseas locations. As the education, health and social care resources available overseas are different from the UK, MoD services complete an MoD Assessment of Supportability Overseas (MASO) for all Service children with complex needs before an overseas posting is agreed. Personal Budgets agreed in the UK cannot be transferred to SCE locations overseas.
- 10.54 Children whose parent(s) are Service personnel may face difficulties that are unique to the nature of their serving parent's employment. These needs may arise from:
- **service induced mobility:** Service personnel may relocate more often than the rest of the population and, sometimes, at short notice. Such transitions should be well managed to avoid Service children with SEN experiencing delays in having their needs assessed and met
 - the **deployment** of serving parents to operational arenas, while not constituting SEN in itself, may result in a Service child experiencing anxiety, dips in educational performance and/or emotional difficulties. Children may also be affected similarly by siblings' deployment

Action to take in respect of Service children with SEN

- 10.55 In having regard to this Code of Practice and in meeting the aspirations of the Armed Forces Covenant, which attempts to eliminate or mitigate some of the potential disadvantages faced by Service families, all those with statutory responsibilities towards Service children with SEN should ensure that the impact of their policies, administrative processes and patterns of provision do not disadvantage such children because of their Service-related lifestyle.
- 10.56 In respect of Service children, schools and other education providers should:
- ensure that mechanisms are in place to enable effective and timely receipt and dispatch of all relevant records for Service children with SEN moving between schools in the UK and overseas, to enable effective planning,

ideally in advance of the child's arrival in school. Maintained schools **must** transfer information, including SEN information, about pupils to other schools in the UK (maintained or independent) in accordance with the Education (Pupil Information) Regulations 2005. To support the transfer of information on Service children with SEN the MoD has developed the Pupil Information Profile for Service children, which includes details of a child's SEN. It is available for use by schools across the UK and overseas and is available from the Children's Education Advisory Service (CEAS) on the GOV.UK website (see the References section under Chapter 10 for a link)

- ensure that all reviews for Service children with SEN explicitly consider those Service-related issues (for example, Service-induced mobility) relevant to the outcomes of those reviews
- ensure that access to appropriate assessments, interventions and provision is determined solely on the nature, severity and complexity of the needs presented by Service children with SEN and not related to the amount of time they have left in a particular school
- consider how any funds received through the Service Pupils' Premium might be used to improve their overall approaches to meeting the SEN of Service children

10.57 Local authorities should:

- when commissioning services for children and young people with SEN, take account, with their partners (for example, Health and Social Care), of the particular needs of any Service communities within their boundaries for a Service child with SEN, consider the likely impact on the child's needs and the provision made to meet them of any relevant Service-related issue. When carrying out an assessment of a Service child's needs or making an EHC plan, local authorities **must** seek advice from CEAS, acting on behalf of the Secretary of State for Defence
- when children move home across local authority boundaries, transfer the EHC plan from the 'old' local authority to the 'new' local authority within 15 days from when they first become aware of the move. The new local authority will have to tell the parents within 6 weeks of the transfer of the EHC plan whether the authority will bring forward the annual review of the plan and whether it intends to reassess the child. From the transfer of the plan the new local authority **must** arrange the special educational provision set out in it, although a child may have to be placed in a school other than the one named on the plan if the distance of the move makes it impractical

to send the child to the named school

- work with each other, particularly those which have bases within their areas, and CEAS, so that special educational provision can be made as soon as a child arrives in the new authority. Anticipated moves should not be used to delay the provision of appropriate support for children or the carrying out of needs assessments
- when considering provision for Service children with SEN or disabilities, use all relevant evidence, including statements made for Service children in Wales and Northern Ireland, as well as Co-ordinated Support Plans made for them in Scotland and the Service Children's Assessment of Need (SCAN) completed for them by SCE
- when Personal Budgets are agreed with mobile Service parents, work with sending/receiving local authorities and the parents concerned to ensure that adequate, appropriate and timely arrangements are made in the receiving authority to ensure continuity of those elements of the overall provision purchased for Service children with SEN by the Personal Budgets allocated

First-tier Tribunal (SEN and Disability)

10.58 In reaching decisions about appeals from Service parents, the First-tier Tribunal

(SEN and Disability) should consider, on the basis of the evidence available to them, the extent to which Service-induced mobility has had, is having and will have an impact on the appropriateness and effectiveness of the provision offered by local authorities and that requested by the parents.

Further information

10.59 Further information and advice about the education of Service children with SEN, in

England or elsewhere in the world, including the public funds available for boarding placements and the services available in SCE schools overseas, is available from the Children's Education Advisory Service (CEAS) information page on the GOV.UK website – see the References section under Chapter 10 for a link.