

PLEASE FORWARD TO ANY PARENTS, CARERS OR PROFESSIONALS WHO MAY BE INTERESTED. THANK YOU

IMPORTANT CHANGES AND LEGISLATION

School exclusion of autistic boy unlawful, judge rules

The case, which was funded by the Equality and Human Rights Commission, centred on the fact that children with disabilities that mean they have "a tendency to physically abuse" are not protected by the Equality Act 2010.

This means that children like L are not treated as "disabled" in relation to their physically aggressive behaviour and so cannot challenge decisions to exclude them from school.

Judge Rowley, who examined whether this rule was in breach of L and other children's human rights, found that this rule came "nowhere near striking a fair balance between the rights of children such as L on the one side and the interests of the community on the other".

Judge Rowley said that "aggressive behaviour is not a choice for children with autism".

[Link to Irwin Mitchell press release](#)

<https://www.autism.org.uk/get-involved/media-centre/news/2018-08-14-landmark-ruling-exclusions.aspx>

<https://www.bbc.co.uk/news/education-45182213>

[Link to local government lawyer article](#)

Alternative provision

Pupils with SEND are more likely to attend alternative provision than those without. The Education Select Committee's report into alternative provision is linked to below.

[Forgotten children: alternative provision and the scandal of ever increasing exclusions](#)

The government's response to the report is linked to below.

[Alternative provision: response to the select committee report](#)

Two research reports on alternative provision are linked to below

[Alternative provision market analysis](#)

[Investigative research into alternative provision](#)

New secondary and special school

The Northstowe Education Campus will be built on the former RAF Oakington base on the northwest edge of Cambridge. The campus will include a secondary school and will also have a 110-place special education needs school.

<https://www.cambridge-news.co.uk/news/cambridge-news/northstowe-secondary-school-sixth-form-15321012>

<http://www.cambridgeindependent.co.uk/education/schools/northstowe-secondary-college-to-feature-state-of-the-art-facilities-1-5722634>

Ombudsman case regarding special educational provision, social care and transport

Ombudsman case about the EHCP process including social care and transport. Some aspects of the case were serious enough that the LGO took the unusual step of publishing a report on the transport issues.

<https://www.lgo.org.uk/decisions/education/special-educational-needs/16-012-609>

Link to transport report below

<https://www.lgo.org.uk/information-centre/news/2018/aug/council-school-transport-policies-must-not-fail-young-adults-with-disabilities>

[Link to fact sheet from Contact on transport to school and college](#)

[Link to Contacts transport to school and college guidance](#)

Local services face further government funding cut in 2019/20

With demands for services increasing each year between 2010 and 2020, councils will have lost 60p out of every £1 the Government had provided for services.

<https://www.local.gov.uk/about/news/local-services-face-further-ps13-billion-government-funding-cut-201920>

<https://www.bbc.co.uk/news/education-45573921>

New guidance on producing Tribunal Bundle

New guidance for tribunal bundles, for all appeals registered by the Tribunal from 1 October 2018

[Link to guidance](#)

[Link to Douglas Silas article which includes information on the changes](#)

Improving outcomes for children in Fenland and East Cambs

The delivery plan to improve social mobility by ensuring that all children and young people in Fenland and East Cambridgeshire have access to high quality education, training and employment has been published. Link to the plans for the 12 selected areas, including Fenland and East Cambridgeshire can be found via the link below.

[Link to plans](#)

NATIONAL NEWS

Relationships and Sex Education

The Government is making Relationships Education compulsory in all primary schools; Relationships and Sex Education (RSE) compulsory in all secondary schools; and Health Education in state-funded schools compulsory for primary and secondary schools. They want to identify particular issues relating to SEND and so want to invite SEND stakeholders to respond to the consultation which closes on 7th November.

<https://consult.education.gov.uk/pshe/relationships-education-rse-health-education/>

Bercow 10 years on – the government's response

Bercow 10 years on found strategic system-wide approaches to supporting SLCN are rare, services are inaccessible and inequitable and too many children with SLCN are being missed and are not getting the vital support they need. The government published its response on 22 October, see link below.

<http://www.nasen.org.uk/newsviews/newsviews.government-responds-to-bercow-10-years-on.html>

Education secretary's speech to Directors of Childrens Services

[Damian Hind raised concerns at the gap between children with SEND and those without, 'off-rolling' – schools removal of pupils without following the exclusion process, addressing the movement of pupils with SEND away from mainstream school and the rise in exclusions of pupils with SEND. He stated he wanted to incentivise and equip schools to do better for these children.](#)

<https://www.gov.uk/government/speeches/education-secretary-makes-inaugural-speech-to-childrens-services-sector>

Wellbeing and mental health in schools

[Pupils with SEND are thought to be more likely to have mental health issues particularly if their SEND results in high levels of stress which is not recognised and measures put in place to reduce it. Schools have a major role in helping with this. This report found that of the schools surveyed 27/45 \(60%\) of primary schools and 25/41 \(61%\) of secondary schools were promoting mental health within their SEN policies.](#)

[Link to report](#)

Mental health in young autistic people

[Although autism is not a mental health condition, around 70-80% of children and adults on the autism spectrum have experienced mental health problems](#)

[Link to article](#)

Mental Capacity - NICE Guideline Published

Relating to the Mental Capacity Act 2005, this new guideline from NICE aims to set out clear recommendations for professionals to support decision making.

<https://www.nice.org.uk/guidance/ng108>

Bristol parents successfully challenge cuts to SEN budget

This recent case concerned the judicial review of Bristol City Council's decision to reduce its high needs block budget by over £5million and the requirement to consult parents.

<https://www.ipsea.org.uk/news/bristol-parents-successfully-challenge-cuts-to-sen-budget>

Surrey parents say it failed in its duty to consult on SEN Budget cuts

<https://www.eagleradio.co.uk/news/local-news/2702409/council-challenges-surrey-parents-send-cuts-claims/>

Information for young people (16-25) with SEND who are unhappy with the support they are getting

The guide provides advice and information about how young people who are unhappy with the support they are getting for their special educational needs or disability can find the right help and advice to resolve their issues. The guide explains who young people can go to for support and the steps to take.

[Link to young people's guide](#)

Academy Trusts: Notices about Poor Performance

The DfE have released a spreadsheet listing all (212) academy trusts in receipt of pre-warning notice or warning notice letters about poor or inadequate performance including those in Cambridgeshire

[Link to spreadsheet](#)

Overview of Key Legislation Affecting Children

The NSPCC has published a new resource summarising the main legislation affecting children. It covers a range of issues including definitions of a child, leaving school and data protection.

<https://learning.nspcc.org.uk/child-protection-system/children-the-law>

Cerebral Palsy (CP) NICE Guidelines

Looks at the role the recent NICE guidelines can play in early diagnosis and intervention for CP. The article includes a link to the guidelines.

<https://senmagazine.co.uk/home/articles/senarticles-2/early-support-for-cerebral-palsy>

The State of Children's Services 2018-19

Look at the current state of children's services, the challenges facing commissioners and providers, and those facing vulnerable children and young people and their families with recommendations including the government must work with local authorities and providers to develop a vision for the purpose of children's social care and specialist education.

[Link to report](#)

Disabled People's Rights in the UK – United Nations review

Last year the [UN looked at](#) the UK's record in implementing the Convention on the Rights of People with Disabilities (CRPD). Its report is below.

[Link to UN report](#)

The UK Government were asked to provide a response to specific recommendations from the UN's concluding observations. The link to this is below.

[Governments response to the United Nations recommendations](#)

Charging for School Activities

DfE guidance to help schools set out their policies on charging for school activities and visits including what can and cannot be charged for.

https://www.gov.uk/government/publications/charging-for-school-activities?utm_source=279130d3-322f-4f73-9027-c8b7a0208d0d&utm_medium=email&utm_campaign=govuk-notifications&utm_content=immediate

Put children and young people at the heart of Government spending

There is compelling evidence that the services and support that children rely on are at breaking point. Despite this, children and young people are being ignored in the Government's spending plans. NCB is proud to be part of a group of 120+ organisations calling for the Government to act swiftly to put children at the heart of its spending decisions. Supporters include teaching unions, children's charities, disability organisations, physical and mental health organisations and poverty campaigners.

<https://www.ncb.org.uk/childrenattheheart>

Special needs pupils being failed by system 'on verge of crisis'

Children with special educational needs and disabilities (SEND) are being failed by a system “on the verge of crisis” as demand for specialist support soars and threatens to bankrupt local authorities, a Guardian investigation has revealed.

<https://www.theguardian.com/education/2018/oct/22/special-needs-pupils-being-failed-by-system-on-verge-crisis>

Most secondaries are using 'internal exclusion units'

Most secondary schools are using “internal inclusion units” to deal with difficult pupils as an alternative to exclusions, according to new government-backed research. The Department for Education-commissioned report found that over half of secondary schools surveyed used “internal inclusion units” to deal with poorly behaving pupils, as well as a minority of primary schools.

[Link to article in Times Education Supplement](#)

[Link to article in Schools Week](#)

[Link to DfE report](#)

OTHER NEWS...

Health and social care

Supporting children and young people with SEND in the health system

One of our aims of the SEND reforms is to join up services across health, education and social care and improve transition from childhood to adulthood. The SEND Quick Guides are designed to assist health commissioners and providers with joint commissioning of services and provide guidance on developing processes to ensure that children and young people with SEND are fully supported.

<https://www.england.nhs.uk/learning-disabilities/care/children-young-people/send/>

Care Quality Commission warns of care injustice

The Care Quality Commission has published its most recent annual assessment of the health and care service in England. It found that, although a lack of funding does not appear to have led to a dip in care quality, it has led to an increasing amount of unmet need where people simply cannot access services.

<https://www.cqc.org.uk/news/releases/cqc-warns-growing-care-injustice>

Campaign for Disabled Children (CDC) Health Resources List

CDC has produced an updated list of key health related resources including information, toolkits and e-learning modules.

[Link to list](#)

Transition Guidance for Health Services for Children and Young people with SEND

This guidance from NHS England is intended to help local areas develop their transition processes for young people with SEND from childhood to adulthood.

[Link to guidance](#)

Commissioning for Transition to Adult Services for Young People with SEND

This guidance from NHS England aims to help health commissioners and providers tackle the challenges involved in implementing the joint commissioning of services for children and young people with SEND introduced by Part 3 of the C&F Act 2014.

[Link to guidance](#)

Early years and childcare

30 hours limits places for disadvantaged two-year-olds

Research shows take-up of funded childcare for disadvantaged two-year-olds lags far behind that of three- and four-year-olds. Providers say insufficient funding makes it uneconomical to create two year-old places.

<https://www.cypnow.co.uk/cyp/analysis/2005876/focus-on-30-hours-limits-places-for-disadvantaged-two-year-olds>

Schools and colleges

Exams and Autistic Students

Autistic students may face additional challenges when taking exams, such as sensory overload. The DfE commissioned the Autism Education Trust (AET) to develop [guidance around accommodations](#) to help teachers and exam officers support autistic students to demonstrate fully their knowledge and skills in qualifications. The guide was written specifically to support autistic students being entered for GCSEs, but the principles and good practice examples can be applied to all public examinations.

[AET exam accommodations guidance to support students with autism at GCSE](#)

Autism Education Trust article on the guidance

[Link to article](#)

JCQ guidance on making exams more accessible

The Joint Council for Qualifications (JCQ) publishes requirements for the most common access arrangements for GCSEs etc. Access arrangements include reasonable adjustments that are needed to make exams accessible for candidates who have disabilities. A reasonable adjustment may be unique to that individual and may not be included in the JCQ's list of available access arrangements.

<https://www.jcq.org.uk/exams-office/access-arrangements-and-special-consideration>

Anxiety and autism in the classroom

Article suggesting instead of seeing anxiety as a separate and distinct issue we should focus on anxiety coming from an autism root and tackle it from this perspective.

[Link to article](#)

Young people with autism explain their experiences

The Autism Voices film features a number of young autistic students exploring their experiences of school and being autistic.

[Link to the film](#)

Emotional wellbeing and mental health in young autistic people

For many young people with an autism spectrum disorder (ASD) anxiety permeates their daily life. This article looks at emotional wellbeing and learning, before outlining some approaches used to improve emotional wellbeing in young autistic people.

[Link to article](#)

Work Experience Guide for Employers and Education Providers

Work experience is an important part of a young person's journey towards employment, and young people with SEND often struggle to gain a meaningful experience of being in the workplace. A new guide on work experience has been published on the Preparing for Adulthood website. It contains top tips on supporting employers and education providers to prepare, and host, young people with SEND on work experience.

[Work experience that works](#)

Routes Into Work Factsheet

The Preparing for Adulthood website contains a factsheet on routes into work. This factsheet provides information about options for young people with SEND to help them move into paid employment. It includes details of what qualifications are required to access study programmes, supported internships, traineeships and apprenticeships, where to find out more information about them, and how to apply to join a programme.

[Routes into work guide](#)

'Moving on' options for School Leavers with Additional Needs

Details of school, college, apprenticeships and training and employment opportunities for school leavers with SEND in Cambridgeshire.

<https://ccc-live.storage.googleapis.com/upload/www.cambridgeshire.gov.uk/residents/children-and-families/Moving%20On%20Document%20Updated%20October%202018.pdf?inline=true>

Bullying

The Anti-Bullying Alliance have developed primary and secondary school packs which include lesson and assembly plans, cross curricular ideas, films to show and other resources to help bring Anti-Bullying Week to life.

[Link to school packs](#)

Combating bullying involving pupils with SEN

Article suggesting schools need a bespoke approach to combating bullying involving pupils with SEN

<https://senmagazine.co.uk/home/articles/senarticles-2/bullying-rethinking-policy-and-practice>

Approaches to preventing and tackling bullying.

DfE report examining anti-bullying practices that schools have found effective, focusing on common themes. Strategies identified in the research and in 7 case studies included: a whole school approach involving teaching and non-teaching staff, pupils, parents and carers and governors; preventative practices such as a focus on positive behaviours and attitudes, and empowering pupils through anti-bullying roles.

[Link to DfE report](#)

Pathological demand avoidance (PDA)

If you have a young person whose behaviour you find hard to understand, you might want to consider PDA. Those with relatively unusual and complex presentations of autism, such as pathological demand avoidance, are at particular risk of being misunderstood.

<https://senmagazine.co.uk/home/articles/senarticles-2/pathological-demand-avoidance>

What is pathological demand avoidance (PDA)?

Pathological demand avoidance (PDA) is increasingly, but not universally, accepted as a behaviour profile that is seen in some individuals on the autism spectrum. People with a demand avoidant profile share difficulties with others on the autism spectrum in social communication, social interaction and restricted and repetitive patterns of behaviours, activities or interests. However, those who present with this particular diagnostic profile are driven to avoid everyday demands and expectations to an extreme extent. This demand avoidant behaviour is rooted in an anxiety-based need to be in control.

[Link to article](#)

Strategies to support pupils with PDA

Interview discussing the main characteristics of PDA and what can be done to support those with the condition.

[Link to interview](#)

Top 5 tips for professionals on supporting pupils with PDA

[Link to article](#)

PDA and mental health

Article on mental health issues that people with PDA may experience, and some approaches that can be used to support them.

[Link to article](#)

Schools struggling to meet the needs of pupils with SEND

A survey of head teachers by the National Association of Head Teachers shows that the majority are struggling to meet the needs of pupils with SEND, with funding and support services critically stretched.

<https://www.naht.org.uk/news-and-opinion/news/funding-news/empty-promises-the-crisis-in-supporting-children-with-send/>

A culture of success for dyslexics

“When things go wrong for a child with literacy difficulties, it is likely to be due to a lack of whole school systems in place to support them. If a learner cannot access text and struggles to record their knowledge in a way which is commensurate with their understanding, they require reasonable adjustments in the classroom to remove this barrier and allow success in another way.”

<https://senmagazine.co.uk/home/articles/senarticles-2/a-culture-of-success-for-dyslexics>

Money, benefits and finance

Checklist of entitlement to benefits and financial health

Contact's 'Money Matters' - A checklist of the entitlements to benefits and other financial help you may be able to get if you are the parent of a disabled child in England, Scotland and Wales.

https://contact.org.uk/media/1174614/money_matters.pdf

Benefits and Tax credits

Contact's Benefits and tax credits information sheet - There are a number of benefits and tax credits that you may be entitled to.

<https://contact.org.uk/advice-and-support/benefits-financial-help/benefits-and-tax-credits/>

Disability Living Allowance (DLA)

Contact have updated their guide: Claiming Disability Living Allowance for Children. Parents who need more help with a DLA claim can also call Contact's free helpline on 0808 808 3555.

[Link to the guide](#)

Further Roll out of Universal Credit During October – including Cambridgeshire Job Centres

Universal Credit is a new benefit for people aged between 16 and 64 and replaces most of the existing means-tested benefits for people of working age with a single monthly payment.

<https://contact.org.uk/advice-and-support/benefits-financial-help/benefits-and-tax-credits/universal-credit/>

Link to Contact's 'Universal Credit - the essentials factsheet' is below

https://contact.org.uk/media/1195460/universal_credit_-_the_essentials.pdf

Universal credit - £175 million cut for disabled children

100,000 families with disabled children will be worse off by more than £1,750 per year as a result of the 50% cut to the child disability payment under Universal Credit.

<https://contact.org.uk/news-and-blogs/take-action-on-175-million-cut-from-disabled-children/>

Contacts money and advice factsheets

Contact produces arrange of fact sheets on benefits and other financial support

https://contact.org.uk/media/1203292/publications_list_july_2018.pdf

General Special Educational Needs and Disabilities

Schools 'incentivised' to off-roll SEND pupils mid-year to keep high needs cash

Justin Cooke, policy and public affairs manager at Ambitious About Autism, told the Commons education select committee that cash-strapped schools can push out SEND pupils but keep their high needs funding from the local authority.

<https://schoolsworld.co.uk/schools-incentivised-to-off-roll-send-pupils-mid-year-to-keep-high-needs-cash/>

Social media and children's mental health

The Chief Medical Officer is reviewing the impact that too much social media use can have on children's mental health and will draw up guidance to help parents.

[Link to announcement](#)

Carers Action Plan 2018 to 2020

This plan sets out how the government will improve support for carers in England over the next 2 years.

[Link to plan](#)

Healthwatch England have published a briefing on carer issues:

[Link to briefing](#)

Nuffield Trust response aimed mostly at local authorities about sources of information on carers, and pointing out where information is not readily collected (eg around number of carer assessments)

<https://www.nuffieldtrust.org.uk/resource/understanding-carers-a-guide-for-local-authorities#carers-outcome-measures>

Local Government and Social Care Ombudsman – poor assessments for blue badges

The ombudsman advised it is important councils offer someone a face-to-face assessment if they question the outcome of a desk-based assessment and that it is particularly important for people whose condition can vary and present differently from one day to the next.

<https://www.lgo.org.uk/information-centre/news/2018/sep/man-twice-denied-blue-badge-without-having-proper-assessment>

Summer baby school delays: Parents face postcode lottery

Parents who want to delay their child's first year of school have varying success rates depending on where they live, a BBC investigation has found. Parents often request this as their child has SEND and they would like them to benefit from starting school a year later or their child was born in the summer and is nearly a year younger than other children starting school that year.

<https://www.bbc.co.uk/news/uk-england-45901714>

Link to Cambridge shire's admission page

<https://www.cambridgeshire.gov.uk/residents/children-and-families/schools-&-learning/apply-for-a-school-place/>

Parents need support too

Ways to help manage the stress of parenting a child with SEN and disabilities

<https://senmagazine.co.uk/home/articles/senarticles-2/parents-need-support-too>

What's going on with SEN law?

Article expressing concerns that the reforms introduced in 2014 may not be accomplishing what was hoped.

<https://senmagazine.co.uk/home/articles/senarticles-2/what-s-going-on-with-sen-law>

Events, training, groups and consultations

Autism and Mental Health day

Learn about autism and how to improve mental health and wellbeing. This is part of the Curly Hair Project, this is a social enterprise supporting people with autism and the people around them. Parents pay a reduced price.

<https://www.eventbrite.co.uk/e/autism-mental-health-day-ely-cambs-tickets-48602291763#tickets>

Autism – skills to help independence

[Developing self-care skills](#)

[Autism and eating](#)

[Building confidence through visual supports](#)

[Top tips for travelling on public transport](#)

[Supporting autistic students with going to the toilet](#)

Relationships and Sex Education

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