

## **SECTION 11: ADVICE AND INFORMATION**

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## About this Section

11.1 This Section of the SEN Code of Practice (the Code) gives practical guidance and sets out the requirements on the EA to make arrangements for the provision of advice and information regarding the Special Educational Needs (SEN) and Inclusion Framework (the SEN Framework).

### **This Section is underpinned by:**

- Article 5A (Duty on EA to have regard to the views of the child)
- Article 21A (Advice and information) -duty placed on the EA to arrange for
  - (a) the child who has special educational needs,
  - (b) the parent of any child with special educational needs,to be provided with advice and information about matters relating to those needs.

(of the Education (Northern Ireland) Order 1996)

**Key point: See the Glossary for the definition of the key terms used in this Code.**

## Introduction

11.2 The provision of clear and concise advice and information for the child or young person who has SEN and their parents will assist understanding about the identification, assessment and special educational provision.

11.3 Within the SEN Framework, partnerships with young people and parents and securing the views of a child will not be totally effective if they do not have a clear understanding of their rights, the processes and the roles and responsibilities of all concerned.

## EA Arrangements for Advice and Information

11.4 The EA has a general duty, under Article 21A of the 1996 Order, to arrange for the child who has SEN, and the parent of any child with SEN, to be provided with advice and information about **matters relating to the child's needs**. At all times when making the arrangements to provide this advice and information, the EA shall have regard to any guidance given by the Department.

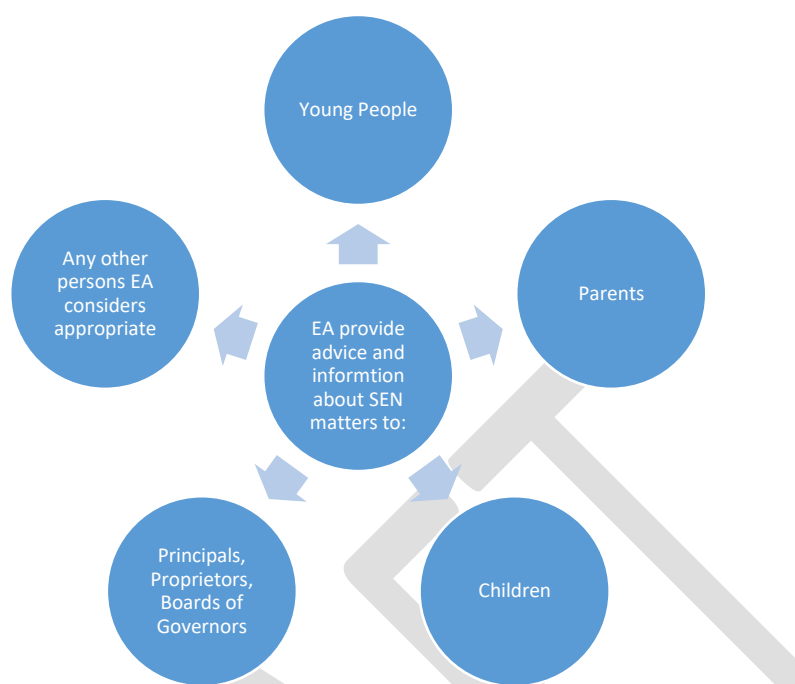
11.5 Within the context of the views of the child, Article 5A stresses the importance of a child being provided with information and support necessary for the child to participate in any decisions which the EA makes within the SEN Framework. The arrangements which the EA make for the provision of advice and information should extend to children (of all ages) and be child friendly and age appropriate.

**Key Point: The arrangements which the EA make for the provision of advice and information should also extend to children (of all ages) and should be child friendly and age appropriate.**

11.6 The EA is required to take such steps as it considers appropriate to make its arrangements for advice and information known to:

- a) children who have SEN;
- b) a parent of any child with SEN;
- c) a young person who has SEN;
- d) principals and Boards of Governors of grant-aided schools;
- e) principals and proprietors of independent schools; and
- f) any other persons that the EA considers appropriate, such as Education Other Than At School (EOTAS) settings.

**Diagram 11.1: Audiences for Advice and Information**



11.7 The EA is required to set out its arrangements for special educational provision (see paragraph 2.17), which should include its arrangements for the delivery of advice and information. Clear and concise **information** should be provided through these arrangements in order to help children, young people and parents to fully understand who has rights, what those rights are and any relevant processes. The SEN learner journey for most children will be through the delivery of school-provided special educational provision, others will require this provision to be supplemented by the EA. For others, it may mean the start of the statutory assessment process which may, or may not, result in the making of a ‘Statement of Special Education Need’ (a Statement). The information provided by the EA to parents and children should reflect all the key aspects and processes within each Section of this Code.

11.8 In providing effective advice and information, the EA should be guided by the underlying principles of good advice and information set out in paragraph 11.17. The EA need to be proactive in identifying the best opportunities to offer information at **all** Stages of special educational provision. The timing and proportionality of the giving of advice and information should be considered, for example, providing too much information may not be helpful. Likewise not providing enough information may leave

a school or relevant party confused and ill prepared, for example, not knowing when or how to make a request for a statutory assessment of a child.

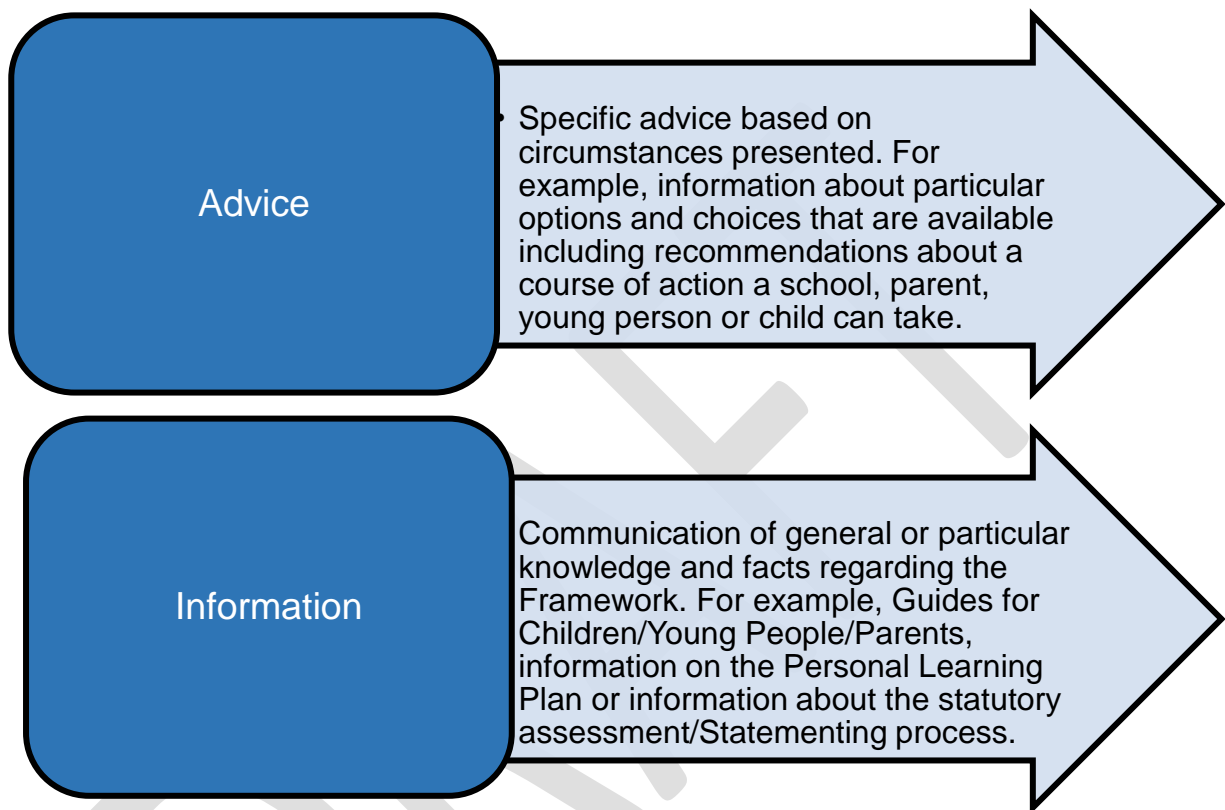
11.9 Advice and information provided to children, young people and parents by the EA should always be on the sound basis of helping them to make well-informed choices about the education of a child with SEN. Through the provision of clear information, the child, young person or parent may decide they want **advice** from the school or the EA about SEN matters. Not only does advice and information help participation in any decisions that are needed, it is also vital to avoid unnecessary delay in processes.

11.10 In the provision of advice and information it should be recognised that children, young people and parents have different needs of. The EA is required to provide advice and information relating to the identification, assessment and provision regarding a child's SEN, which should be both readily available and upon request. As a matter of good practice, the EA should provide separate user-friendly guides for children, young people and parents on all aspects of the SEN Framework. The different needs of children, young people and parents are detailed below:

- **Children** – while many children will access information, advice and support via their parents, some may want to access it directly and the EA should ensure that, wherever possible, this is provided in a format that children can understand and apply to their own situation.
- **Young people** - the EA should recognise the specific needs of this group. This may be the first time that they are finding their voice and they may need support in exercising choice over the support they receive. These children must have the confidence that they are receiving confidential, impartial advice and information enabling them to participate fully in decisions about the outcomes they wish to achieve.
- **Parents** – parents require information, advice and support to help them embark on their child's journey within the SEN Framework whether the child is of compulsory school age or earlier. Parents of a young person can still access

advice and information in support of the child. However, in providing the advice and information, sensitivity is required to ensure they are aware of the transfer of some rights and responsibilities (unless there is an issue of a lack of capacity for the child) and that they may assist and support the child. (See Section 13).

**Diagram 11.2: Difference between Advice and Information**



11.11 In delivering the arrangements for **advice and information** the EA is required to ensure that they are clearly signposted for children, young people and parents. The content should, where possible be provided in the format preferred by the person requesting it while making best use of IT to share advice and information. The EA should also make sure that it is available in a number of different formats. (See paragraph 11.7(d)). In addition to guides for children, young people and parents the EA should consider every means to make advice and information accessible to everyone and where possible use a mixture of different methods of delivery, as follows:

- a) face to face contact;

- b) telephone;
- c) use of leaflets and posters for schools;
- d) websites (including automated characters explaining things in a simple way);
- e) internet applications; and
- f) email.

**Key Point: In delivering the arrangements for advice and information the EA is required to ensure that they are clearly signposted for children, young people and parents.**

11.12 The EA should ensure that any person providing the advice and information is suitably trained and skilled to support, understand and explore what advice and information is needed, responding quickly and positively to enquiries. It should ensure that its advice and information arrangements are sufficiently resourced to handle telephone, face to face and electronic queries. It should provide the contact details of those from whom advice and information can be sought. Any helplines should be clearly advertised on the EA website. The EA's arrangements for advice and information are required to be included within the EA's plan of arrangements for special educational provision. (See paragraph 2.17).

### **Monitoring the Delivery of Advice and Information**

11.13 The EA should put in place suitable arrangements for ongoing monitoring, evaluation and review of the effectiveness and delivery of its provision of advice and information. (See paragraph 2.23).

### **EA - Working with Schools**

11.14 While the EA has the duty to make the arrangements for the provision of advice and information, a child's school will be the first point of contact to obtain advice and

information within the context of the SEN Framework. Consistency and accuracy of advice and information being delivered is therefore key. The EA should ensure that schools have, or can access, the necessary advice and information available to them at **all** Stages of special educational provision. Frequently asked questions along with answers should be provided to schools by the EA.

11.15 In delivering advice and information, the EA should seek to:

- a) support school staff in their development of their awareness of SEN;
- b) encourage school staff to liaise closely with parents and young people;
- c) liaise with Boards of Governors and inform them of the advice and information that is available;
- d) liaise with Learning Support Co-ordinators (LSC);
- e) support schools in developing parent friendly policies and practices; and
- f) encourage schools to make parents, young people and children aware of the advice and information which is available from the EA.

### **Advice and Information from Schools**

11.16 Schools have the direct day to day engagement with children, young people and parents and they also have a responsibility to provide advice and information within the context of Partnership with Parents and Young People. (See Section 3). In particular, the law states that the school is required to provide the relevant party with information about:

- the steps which have been taken by the school's Board of Governors (as set out in the school's annual report) to secure the implementation of the school's SEN policy in relation to the provision of education for children with SEN – see paragraph 3.92;



- when and what special educational provision the school is making for the child – see paragraph 3.65; and
- the EA’s arrangements for dispute avoidance and resolution (“dispute resolution”) between the Board of Governors of the school and relevant party - for more information on dispute resolution see paragraphs starting at 12.6.

### **The Underlying Principles of Good Advice and Information**

11.17 When providing advice and information the EA should take into account the following principles, to ensure it:

- a) is impartial, free and confidential;
- b) is clear, unambiguous and standardised across Northern Ireland;
- c) in correspondence, is free from jargon and written in a way suitable to its audience;
- d) is available in a variety of formats which are accessible by and relevant to the needs of all users;
- e) is accurate, reviewed and kept up to date in line with changing procedures;
- f) is provided by suitably trained staff who are able to deal with queries efficiently and effectively;
- g) contains contact details for relevant EA staff;
- h) refers to and gives contact details for other relevant agencies and voluntary organisations who can assist if appropriate (this is called signposting);

- i) is delivered in a timely manner to avoid delay;
- j) is available for young people and helps promote independence and self-advocacy allowing them to be empowered to deliver their views ; and
- k) contains clear 'next steps' information, where appropriate.

### **Ensuring Equality of Access to the EA Advice and Information**

11.18 Certain groups of parents and children may have difficulty in gaining access to the advice and information. Such groups may include those for whom English is not their first language (known as Newcomers) and those who may themselves have SEN and/or a disability. The EA should try to reach out to those parents who, for one reason or another, may have difficulty accessing advice and information.

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