

Advice from IASS - Returning to school

Parents are starting to think about the return to school after, what for many, has been a long break. Here is some of the information that you need to know, but more information is available on [our website](#).

Since June 1st there has been a phased return to educational settings for pupils in specific year groups and those children of critical workers. On the 19th June, the government announced that all pupils in all year groups will return to school full time in September. The Government's aim is to support all children to have a safe transition back to full time education. For those children who have support set out through an Education Health and Care Plan, local authorities, and professionals working with the child, will need to consider the best way to do this, for the child and their individual needs.

Since lockdown the local authority, along with the settings and professionals involved, have been required to carry out appropriate risk assessments for those individuals with an EHCP to determine whether the safest and most appropriate place for children and young people's needs to be met would be home or their educational setting. These risk assessments should be kept under regular review as the child/ young person's circumstances change as well as considering the updated advice regarding COVID-19. Children and young people should be involved in completing their risk assessment and have the opportunity to share their views. If there is a social worker involved, they should also be part of completing it.

The duty to secure provision remains with the local authority, however the local authority and educational setting could decide between themselves who was best to carry out the risk assessment. It is also their decision as to how long they deem it appropriate to continue the risk assessment. When deciding not to continue a risk assessment, local authorities and educational settings should be mindful of the possibility for an individual to have to self-isolate in the future, or if a setting needs to reduce numbers or temporarily close due to a COVID outbreak.

With the latest announcement that pupils are expected to return to their full time education in September, settings should be contacting parents, carers and young people to involve them in the planning for this. The risk assessments will be useful when planning their return as it should help identify what additional support needs to be implemented to ensure a safe and successful transition back. For example, provision might include visiting their educational setting, social stories and any other strategies which might help. It might be the case that the increase in attendance for some children and young people may take place over a longer period of time. Schools should use additional catch up funding, pastoral support and pupil premium to put measures in place for those needing additional support.

The Coronavirus Act 2020 has temporarily amended the duty set out in the Children and Families act 2014 to make the provision set out in an EHCP to use their 'reasonable endeavours' to arrange and secure provision. This means that local authorities were required to do whatever they reasonably can to put provision in

place. However, there are currently no plans from the Government to continue this modification from August 1st which means that settings will be required to deliver what is set out in an EHCP.

Some children and young people with SEND present behaviours which are challenging to manage whilst maintaining social distancing. This is also true for some children and young people's care needs. In these circumstances, staff should still minimise contact as much as possible but also increase hand washing, cleaning, and changing PPE.

Some children with complex needs will struggle to maintain good "respiratory hygiene", for example those who spit uncontrollably or use saliva as a sensory stimulant. This is not a reason to deny these pupils face to face education but this should be considered in risk assessments in order to support these pupils and the staff working with them.

Children who have been shielding due to specific health conditions are currently still advised to stay at home. The setting should still ensure that the child or young person engages in remote learning as far as possible. However, shielding advice will pause on August 1st subject to a continuing decline of COVID cases which means many pupils who have been shielding will be able to return to education in September.

Parents and carers who have concerns about their child's return to school should discuss this with their setting. Settings need to be clear about what procedures they are putting in place. They should also identify pupils who are likely to have heightened anxiety and struggle to engage, and work with the family to put a plan in place.

When pupils return to school in September, the usual rules on school attendance will apply, so parents have a duty to ensure that their children attend regularly if they are registered at a school and are of compulsory school age.

Schools continue to hold responsibilities to record attendance and follow up absence, and the availability to issue sanctions, including fixed penalty notices, in line with local authorities' codes of conduct is reinstated.

If a pupil is unable to attend school because they are complying with clinical and/or public health advice, they are exempt. Schools are expected to be able to immediately offer them access to remote education and schools should monitor engagement with this activity.

If once schools fully reopen and all children are expected to attend full time education, you feel your child is better off staying at home, you will have two options. You can electively home school but bear in mind it is likely that the local authority will conclude that you are making your own arrangements and will no longer make provision through an EHCP. You might want to discuss this with IASS before making such a decision. The other option is to request a review of the plan and ask for EOTAS (Education other than at school) to be stated as the placement. It would need to be demonstrated that it would be "inappropriate" for the provision to be made in a school (s. 61 Children and Families Act 2014).