**Re: Children and Young People with SEND and school closures**

Dear Parents and Carers of children and young people with an Education, Health and care Plan (EHCP) in Southwark

I am writing to you with what I hope will be useful information during these extraordinary times. I am very aware that you and your family will be very anxious at this time for the welfare of your children or young people that you care for. Everyone in our education system is working hard to make sure that children and young people with and EHCP and staff are as safe as possible.

There has been a lot of government guidance published in the last few days. This is being interpreted in a variety of ways and so this letter to you is to clarify the Southwark position on school attendance for pupils/students with an EHCP.

Our schools are following published government guidance which states:

*Special schools, colleges and local authorities are advised to make case by case basis assessments of the health and safeguarding considerations of pupils and students on an education, health and care (EHC) plan. For some, they will be safer in an education provision. For others, they will be safer at home. We trust leaders and parents to make these decisions and will support them as required.*

For the vast majority of children, it is safer for them to stay at home. The approach should be for pupils to remain at home if possible, but for the decision in relation to each pupil to be made on a case-by-case basis based upon local risk assessment with input from both the school and the family.

Southwark Headteachers, working closely with families are best placed to make accurate risk assessments about whether or not children should continue coming to school or should stay at home. The LA will support those decisions.

We understand that these are uncertain times and that you will have a lot of questions and concerns. We encourage you to keep up-to-date by regularly checking the gov.uk webpages; this is where the government will publish reliable updates and guidance.

Most recent guidance is below:

**Emergency Powers**

The government has set out a Bill that includes provision that would enable The Secretary of State to disapply or modify for a specified period various sections of the Children and Families Act 2014 including those relating to the duty to secure special educational provision and health care provision in accordance with an EHC Plan (s 42), the duty to admit (s. 43) and reviews and re-assessments (s. 44).

The Bill needs to go through due parliamentary process, and once it becomes an Act, it will become law.

**Key Workers, Vulnerable Children and Schools**

The government has announced school closures for everyone except children of key workers and vulnerable children, in order to prevent the spread of coronavirus.  The government has now published questions and answers about these changes:  <https://www.gov.uk/government/publications/coronavirus-covid-19-guidance-on-vulnerable-children-and-young-people>.

**Isolation for Children and Young People in Residential Educational Settings**

The government has also published guidance on isolation and COVID-19 to support management of children and young people in residential educational settings, including boarding schools, residential special schools and specialist colleges and children’s homes: <https://www.gov.uk/government/publications/coronavirus-covid-19-guidance-on-isolation-for-residential-educational-settings>

The other most recent updates on the school closures announcements are:

* A [transcript of the Secretary of State’s announcement](https://hansard.parliament.uk/Commons/2020-03-18/debates/FCD4DEB2-86A8-4F95-8EB8-D0EF4C752D7D/EducationalSettings) to the House about school closures.
* The [press notice](https://www.gov.uk/government/news/schools-colleges-and-early-years-settings-to-close) issued by the Secretary of State.
* The prime minister’s [announcement](https://www.gov.uk/government/speeches/pm-statement-on-coronavirus-18-march-2020).

I hope this letter is helpful and please feel free to contact the SEND Team via your named contact if you need to discuss your particular circumstances.

Many thanks

Yvonne Ely

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