

POST 16 PLACEMENTS: Meeting the 31 March Deadline



This paper outlines the process that is in place in Bath & North East Somerset (B&NES) that enables them to meet the legal requirement to have reviewed, amended and finalised EHCPs for young people who are transferring in to a Post 16 placement by 31 March of any given year. It also includes some tips based on their experience.

It is recognised that for some young people and their families the March deadline is very early in the year for decisions^{1&2} to be made about their future. Support is offered by the SEN Team, (in particular, the Preparing for Adulthood Coordinator) and a Youth Connect worker to allow genuinely person-centred discussions to take place. In this way, young people have the right information to make informed choices by the 31st March.³

Key Features of The Process

- In September there is a meeting between the SEND practitioners (who are attached to different schools⁴, their senior and the administrator to discuss all the young people who will need new educational placements by the March deadline. This is to check that they have all the information they need and to ensure that any review meetings that need to happen do so between November and January at the latest.
- An email is sent to schools to arrange an early review meeting, if needed. The meeting is arranged around the young person ensuring that their views are fully expressed, in particular in relation to their preference for their next placement. Where appropriate parents/carers are also fully involved in the process both pre-meeting and at the meeting. Where the young person is 16 or over this would be done with their consent.

¹ The Mental Capacity Act 2005 applies to 16-17year olds. There are 5 key principles that should be applied: <https://www.legislation.gov.uk/ukpga/2005/9/section/1>

² For more information go to: <https://www.scie.org.uk/mca/introduction/mental-capacity-act-2005-at-a-glance#key-messages>

³ *The specific decision-making rights about EHC plans (see Chapter 9 of the SEND Code of Practice) that apply to young people directly from the end of compulsory school age are:*

- *the right to request an assessment for an EHC plan (at any time up to their 25th birthday)*
- *the right to make representations about the content of their EHC plan*
- *the right to request that a particular institution is named in their EHC plan*
- *the right to request a Personal Budget for elements of an EHC plan*
- *the right to appeal to the First-tier Tribunal (SEN and Disability) about decisions concerning their EHC plan*

⁴ Please see case study: <https://www.preparingforadulthood.org.uk/downloads/education-health-and-care-planning/practice-example--send-school-practitioners-and-ehcps.htm>

- All advice is collated in preparation for the review.
- There is a Local First policy in place so all local Post 16 options are considered to see whether the local providers can meet an individual's needs and what reasonable adjustments are needed. In the last year only two young people went out of area.
- Where appropriate, schools are encouraged to invite Bath College to the review meeting
- All reviews for post 16 take place by the end of January. Work continues with young people who are undecided or for whom no obvious placement is available

Some Tips

- Know who is coming through the system and start planning early.
- Work closely with the young person, parents and carers.
- Identify gaps in information early and hold reviews no later than January.
- It is helpful if SEND practitioners are familiar to the young people through school, can obtain information from professionals easily, can talk to parent-carers and can work in a person-centred way with young people prior to reviews.⁵
- Involve further education staff in transition reviews.
- Develop a range of options to meet need; B&NES has developed over several years:
 - post 16 further education provision which caters for those with higher levels of need
 - two supported internships programmes
 - a Learning for Work course
 - plus, two new additional work focused projects that are part of the West of England Combined Authorities' employment programme.
- Conduct quality assurance for EHCPs relating to the strength of the Preparing for Adulthood elements of the plan, and then do multi-agency training for all advice givers based on what has been found. Ensure all new staff are included.

BANES has identified some particular challenges in meeting the 31 March deadline. These include:

- Some young people not yet having clear ideas of the programme of study they wish to pursue
- Dealing with requests for independent specialist provision and the associated negotiations
- Absence of responses from the young person to requests to discuss options.

In all cases, the council continues to work with them and their families until the matter is resolved.

⁵ B&NES use a vocational profile from year 9 as well as other person-centred planning tools. For free person-centred planning tools, go to: <https://www.preparingforadulthood.org.uk/downloads/person-centred-planning>