

North Somerset Local Area SEND Panel and SEND Resource Panel

Terms of Reference

North Somerset holds two panels in relation to statutory SEND decisions. These are the SEND (Special Educational Needs and Disability) Panel and the SEND Resource Panel.

The SEND Panel is an integral part of the whole Education, Health and Care (EHC) assessment process. The following information describes the different functions of the panel and its background. These Terms of Reference are designed to be realistic and practical, representing the spirit and ethos of the SEND Code of Practice, 2015.

They aim to provide the right balance between helping the system to work for the diversity of children, young people and families living in North Somerset and the need for the Local Authority, NHS and schools to carry out their duties, using robust decision making and accountability procedures.

The SEND Resource Panel has been set up as a separate panel to look at those decisions that require a consideration of a financial decision in relation to a change of placement or a request for funding to support an EHC plan.

1. Background and Functions of the SEND Panel & SEND resource Panel

- 1.1 The SEND Panel and SEND Resource Panel both meet on a weekly basis, including during school holidays. They are separate panels with SEND Resource Panel being held in the morning and then the SEND panel will be held in the afternoon.
- 1.2 The role of the SEND Panel is to support the Council's statutory decision making in respect of:
 - Whether an **EHC assessment/reassessment** is needed
 - Whether an **EHC plan** is required following completion of assessment (see below)
 - Whether an EHC plan should be ceased following annual review.
 - Whether to direct a school to take a pupil onto their roll.
- 1.3 The SEND Resource Panel supports the Council's decision making in respect of:

All decisions which have a financial implication. These decisions will include funding associated with meeting the needs of a pupil with an EHC plan as well as placement decisions.

2. SEND Panel & SEND Resource Panel Principles

2.1 The following principles must be considered and applied at both panels:

- The aspirations of the child and young person are central to the process
- Promotion of equality and equitability throughout the whole process including reviews and tribunals
- Timely, engagement and co-production with family has been taken to prepare the child or young person for transition at the appropriate phases, for example moving schools and moving into adulthood
- Discussions are evidence based and transparent, following consistent processes and decision making
- Using the evidence of the child or young person's aspirations, needs and SMART outcomes, the panel will ensure services work together when jointly shared outcomes are to be met
- Safeguarding and jointly working together for positive outcomes for children and young people which help to develop their optimum independence and to stay safe

2.2 Discussion at Panel must focus on matters related to the decision to be made about the individual case before them. Wider issues about process or policy will be followed up separately as appropriate.

2.3 The SEND Programme Board is the strategic body which is best placed to make multi-agency decisions affecting policy across the Local Area, and panel members may request that the SEND Panel Chair refers issues to the board as required.

3. Chair

SEND Panel

3.1 SEND Panels will be chaired by the **SEND Team Manager** or, in the absence of the Chair, by another manager within the SEND team.

SEND Resource Panel

3.2 SEND Resource panel will be chaired by the Assistant Director of Education Partnerships or, in the absence of the chair by the Head of SEND services.

Chair responsibilities

3.3 The role of the Chair is to ensure all cases presented to the Panel are considered fairly and on their own merits with consistency in the decision making. The Chair will be responsible for ensuring that all decisions are recorded appropriately and that decisions are signed and dated.

4. SEND Panel Composition

Team	Position in team/agency	Role on panel
SEND Team	SEND Manager	Chair

SEND Team	SEND Operational Manager	Panel Member/Deputy Chair
Educational Psychology	Senior Educational Psychologist (SEP)	Panel Member
Clinical Commissioning Group (CCG)	Designated Clinical Officer (DCO)	Panel Member
Special Schools	Head Teacher/Principal	Panel Member, one Head Teacher per panel, roster basis
Social Care	Team Manager	Panel Member, Team managers on a roster basis
Early Years Team	Early Years Support Advisor/Consultant	Panel Member
Mainstream Schools	Special Educational Needs and Disability Co-ordinator (SENDCO)	Panel Member on roster basis

- SEND Resource Panel Composition
- Assistant Director of Education Partnerships
- Head of SEND Services
- SEND Team Manager
- Finance representative
- Home to school transport representative
- Contracts and Commissioning representative
- Representative from Social care
- SEND panel co-coordinator for minute taking.
- School representative

5. Panel Observers

- 5.1 From time to time, the Local Authority receives requests for colleagues to join the Panel to observe the decision-making process. The Local Authority agrees to this in the spirit of promoting joint working, understanding and professional and workforce development.
- 5.2 To manage this effectively, observers must book in advance to attend by contacting the Chair of Panel.
- 5.3 Observers must note that the chair will not permit them to take part in any elements of the panel's case discussions, and that they are bound by the same requirements regarding confidentiality as panel members.
- 5.4 The chair reserves the right to ask observers to temporarily leave the meeting should a particularly sensitive case arise.

6. Confidentiality and Safeguarding Duties

- 6.1 Panel members and observers must uphold confidentiality in all cases considered at the SEND Panel & SEND Resource Panel, acting in

accordance with the Information Governance duties of the Local Authority and other agencies represented at the panel meeting.

- 6.2 Panel members will not advise on decisions about cases which they are directly involved in or where there maybe the perception of a conflict of interest.
- 6.3 The panel will actively work to safeguard children and young people and, may in specific circumstances, be required to escalate cases where it is determined that a risk to a child has been identified. In these circumstances, the chair will advise on the correct application of safeguarding policies.
- 6.4 Current safeguarding policies and procedures can be found via the [North Somerset Safeguarding](#) website.

7. Preparation Required Prior to Panel

SEND Panel

- 7.1 In consideration whether an EHC assessment/reassessment should take place or whether an EHC plan should be issued, the relevant **SEND PANEL Co-ordinator** will add the child/young person's EHC case to the Portal's panel meeting schedule.
- 7.2 The **SEND Panel Co-ordinator** will make sure the agenda and associated reports using the EHC portal are sent out by midday of the Monday before SEND Panel.
- 7.3 The Panel members will have sight of all documents ahead of the panel meeting to give them time to read through the information so that they can share their views.
- 7.4 SEND Panel members offer advice and recommendations that enable the Local Authority's decision to be made by the Chair of the Panel. Every effort will be made to reach consensus on each case, but the final responsibility for decisions where agreement cannot be reached will lie with the Chair.

SEND Resource Panel

- 7.5 In consideration of a funding request or a change of placement the SEND Panel Co-ordinator will add the child/young person to the agenda. The SEND Officer will complete the relevant panel summary sheet and make sure all supporting evidence is available.
- 7.6 The **SEND Panel Co-ordinator** will make sure the agenda and associated reports are shared with panel members by midday of the Monday before Panel.
- 7.7 The Panel members will have sight of all documents ahead of the panel meeting to give them time to read through the information so that they can share their views.
- 7.8 SEND Resource Panel members offer advice and recommendations that enable the Local Authority decision to be made by the Chair of the Panel. Every effort will be made to reach consensus on each case but the final responsibility for decisions where agreement cannot be reached will lie with the Chair.

8. Reviews and Quality Assurance

- 8.1 Each week 10 cases, where it has been agreed that a plan will be issued, will be brought back to the SEND Panel for a quality assurance check. The draft plan and professional advice will be quality assured by the SEND Panel members. The panel members will use the Q/A template and guidance document to aid them in reviewing the plan. This information /data will be captured within a spreadsheet and included in the Local Area's SEND dashboard data. This same information will be used to improve the quality of advice, and the writing of the draft EHC plan.

The paperwork and advice will be shared via the portal a week ahead of the meeting so that the panel members have time to quality assure the EHC plan and advice ahead of the meeting to aid discussions. The SEND Panel co-ordinator will record any changes proposed to the plan and will pass these back to the SEND Officer before the plan is then formally issued to the family.

8.2 Reviews of SEND Panel & SEND Resource Panel operation and process

The Local Authority SEND Panel is designed to promote equality in respect of decision making. Comments and feedback are welcome at any stage and should be addressed to the SEND Manager. Minor amendments to the operation of Panel, which do not impact on the due processes being followed and compliance with legislation, can be made by agreement with the Education Inclusion Service Manager

- 8.3 These terms of reference will be reviewed and agreed at the start of each academic year by the panel at the first available meeting.

8.4 Quality Assurance

- To ensure quality and consistency of decision-making, a report on the activity and operation of the panel will:
- Form an annual review of the Panel's operation, undertaken by the SEND Manager prior to the start of each academic year.
- Be included in the SEND Manager's contribution to the Local Area Annual Self-Evaluation, which will be presented to the SEND Programme Board.
- Be shared with North Somerset Parent Carers Working Together with the local SENDIAS, Supportive Parents

9. Further Advice and Support

- 9.1 These terms of reference should be read in conjunction with our guidance documents, which form our approach to delivering services across the local area.

- 9.2 Further advice and guidance regarding the local policies, procedures and services in North Somerset are published via the [Local Offer](#) website.