

Top Children & Families Bill Myths

This information sheet is designed to dispel some of the myths associated with the progress and implications of the Children & Families Bill. With the Bill still working its way through parliament (and not likely to be finalised until April 2014) there is currently a large amount of speculation, half-truths and fallacies regarding the Bill's content and implications. Below are some of the key myths we hear which are **NOT TRUE**.

- 1. Myth: 'Fewer children and young people will get an Education, Health and Care plan than get a statement of special educational needs.'** - The legal criteria for an Education, Health and Care plan will be the same as the current criteria for a statement. If a child currently has a Statement of SEN, unless there is evidence that their needs have changed, they should be entitled to an EHC plan.
- 2. Myth: 'After a child turns 16 a parent CANNOT be involved in decisions about their child's support'** – Young people can continue to have their parents as involved as much as they want. The difference is, when a person with an Education, Health and Care plan turns 16 years old, they have the final say (subject to a young person's mental capacity). A parent will not automatically be involved in the process. E.g. the right of appeal to challenge an LA's decision to the SEND Tribunal will be the young person's no longer the parents.
- 3. Myth: 'All parents and young people with a plan will be able to access direct payments'** - All parents and young people will be able to request a personal budget where an EHC plan is in place. A personal budget is an amount identified by the local authority as being available to secure particular provision that is specified, or proposed to be specified, in the EHC plan. Once identified parents and young people can then request that some or all aspects of the personal budget be converted into a direct payment, but the local authority, and the education provider where relevant, must agree to this and have significant discretion about what they agree to.
- 4. Myth: 'ALL young people who have the new Education, Health and Care plans in school will have a plan until they are 25'** – An Education, Health and Care plan will continue only for young people who choose to stay in education or training. For most young people this will be to go to further education (college), or to get an apprenticeship.

Where can I find out more?

IPSEA (www.ipsea.org.uk) is a registered charity offering free and independent advice to parents of children with special educational needs in England and Wales. IPSEA's general advice line is 0800 018 4016.

If you need to talk to someone you can contact your local parent partnership service who offer free, impartial, confidential information and advice to parents and carers of children and young people with special educational needs. You can find your local service here: www.parentpartnership.org.uk or call 020 7843 6058.

Contact a Family (www.cafamily.org.uk) have a Helpline for parents of children and young people with SEN - helpline 0808 808 3555 / email helpline@cafamily.org.uk.

