

The guidance and expectations from the government are becoming clearer on a daily basis.

The Government updated its published guidance about supporting vulnerable children on 25 March 2020. It included a number of frequently asked questions and is available at:

<https://www.gov.uk/government/publications/coronavirus-covid-19-guidance-on-vulnerable-children-and-young-people/coronavirus-covid-19-guidance-on-vulnerable-children-and-young-people>

Also new guidance that provides household isolation advice for children and young people who live in residential settings, and the staff that support them. This guidance is available at:

<https://www.gov.uk/government/publications/coronavirus-covid-19-guidance-on-isolation-for-residential-educational-settings>

The guidance on supporting vulnerable children states that local authorities, nurseries, schools, special schools, colleges and other training providers should undertake a risk assessment to establish the individual needs of each child or young person with an Education, Health and Care (EHC) plan. This assessment should incorporate the views of the child or young person and their parents. This will inform the decision about whether they should continue in school or college, or whether their needs can be met at home safely.

If needs are best met at schools or settings, support is to be provided, wherever possible. For those on SEN support, schools, colleges and local authorities have discretion to use the same risk judgement to decide whether home or school is the safest setting for these children. It is, however, important that as many children as possible remain at home during this time in order to help reduce transmission rates.

On 19 March 2020, the Government introduced new legislation into Parliament, in the form of the Coronavirus Bill ('the Bill'), in response to the outbreak (<https://services.parliament.uk/bills/2019-21/coronavirus.html>). The third reading of this bill took place 25 March 2020.

Through the Bill, and the proposed changes to regulations that are to follow, and to balance the needs of this vulnerable group to receive the support they need with managing the demands on local authorities and health bodies to respond to this outbreak, the Bill has included temporary emergency powers to modify the legal requirements on local authorities in fulfilling their duties in relation to EHC plans.

In practice, this will mean that where a local authority is, because of the outbreak, unable, for example, to put in place stated provision, they will need to use their reasonable endeavours to do this, but won't be penalised for failing to meet the existing duty as set out in the Children and Families Act 2014. These emergency powers will only be exercised for the shortest period and where necessary, and will be regularly reviewed.

We encourage you to keep up to date by regularly checking the [GOV.UK webpages](#), and raise awareness of the DfE Coronavirus helpline we have established for local authorities, providers and parents to get information on the latest Government advice. The number is 0800 046 8687, and lines are open between 8am and 6pm (Monday – Friday), and between 10am and 4pm (Saturday and Sunday).

We realise that the impact of these extraordinary circumstances on this group of children and young people can be particularly acute.

We know that by working together, we can ensure that children and young people with SEND receive the support they need during this difficult time. Alongside your individual school arrangements, please complete the attached forms (available on the right hand side of this page) for all children receiving support through an Education Health and Care Plan and return as instructed on the form, as soon as you are able. This is a statutory duty and we ask that it is completed at the earliest opportunity in order that we can oversee and support to meet need.

Thank you once again for all you are doing to support our most vulnerable children across Derbyshire at this time.

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