

## Frequently Asked Questions – Issue 2 SEND support during the Coronavirus pandemic

### How does the FAQ work?

- This FAQ shares questions sent into the [CDCQuestions@ncb.org.uk](mailto:CDCQuestions@ncb.org.uk) email inbox.
- Each week the questions received are collated and shared with the Department for Education (DfE) as well as colleagues with specific areas of expertise within CDC.
- Each FAQ includes questions received before Wednesday lunch time of the week in which it is published.
- If you have submitted a question but cannot see the response below your question is either awaiting feedback from DfE or will be featured in next week's FAQ.
- We may edit some of the questions to allow us to include as many as possible in each weeks FAQ and to protect individuals privacy so your questions may appear slightly differently than your original emails.
- Where questions are on similar themes or have similar answers we may group the questions together.

### Guidance and Resources

In addition to this FAQ, we have gathered a list of resources and guidance about Coronavirus related support for disabled children, young people and their families and the practitioners working with them across Education, Health, Social Care and the VCS which you can access [here](#).

For questions relating to specific individual circumstances the **Contact** helpline (0800 808 3555) and [website](#) are an excellent source of information and support.

### Changes to the law

Whilst the Coronavirus Bill is now an Act the provisions within it that relate to the Part 3 of the Children and Families Act 2014 have yet to be enacted. Therefore, until further notice, the law remains the same. However, in reality the current Coronavirus pandemic continues to have a significant impact on the extent to which local authorities and other public bodies can carry out their statutory responsibilities, including supporting children and young people in the same way.

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## Questions from parent carers and those supporting them directly:

**Q**

**I'm a parent of an autistic adult, can I still take him out shopping as he can't go alone and doesn't eat anything others touch as unsure at moment of rules for this. Also as a support worker can we still support our service users to shop for food in our cars and support them into super markets?**

**A**

For questions relating to specific individual circumstances the **Contact** helpline (0800 808 3555) and [website](#) are an excellent source of information and support.

Disability Rights UK have also shared some useful information on support and shopping for vulnerable people which may be helpful more generally for those being supported by carers. You can view it here:

<https://www.disabilityrightsuk.org/coronavirus#Shopping>

For individuals with specific circumstances, such as those described above, it would be appropriate to obtain a letter from a social worker and/or health practitioner to explain why their specific circumstances require them to be supported in this way.

Further guidance is also available on The National Autistic Society's website and the SCIE website:

- <https://www.autism.org.uk/services/helplines/coronavirus/going-out-and-shielding.aspx>
- <https://www.scie.org.uk/care-providers/coronavirus-covid-19/learning-disabilities-autism/carers-family>

**Q**

**I am the parent to a 19 year old girl who has severe learning disabilities. I myself am having to work through covid19. I work for a pharmacy, but not in the pharmacy. In my department I am not an essential worker, but we have been told that if any pharmacy staff go of sick we will be asked to stand in, hence the reason we aren't being sent home, even though staff who are employed through my company ( make up counters have been sent home on full pay). My older child (19) is struggling with the situation and is having good days and bad days, but all in all is quite unsettled. My work however are saying that, they obviously can't make me stay, but I wouldn't get paid. Is there anything that I can do about this?**



You can view the Government Coronavirus FAQ's [here](#). Relevant responses taken from the page include:

***“10. My boss is forcing me to go to work but I’m scared of coronavirus. What should I do?”***

*Employers must make all efforts to help people to work from home where possible, as this will help limit the spread of the virus by reducing the amount of contact between people.*

*In some circumstances this may be impossible – this would apply to those working for a business or organisation that we have not asked to close and requires them to travel and be at work, such as train or bus drivers, construction workers, restaurant workers handling deliveries or those on the frontline like NHS workers.*

*For these workers who need to be at work, do not have symptoms or live with anyone who has symptoms, and are not vulnerable people, we have outlined [clear guidance for employers to help protect workers](#).*

***11. I can’t go to work because I need to look after my child, but my boss is threatening to sack me if I don’t. What should I do?”***

*We would urge employers to take socially responsible decisions and listen to the concerns of their workforce – particularly when they have childcare responsibilities.*

*Employers and employees should come to an agreement about these arrangements.*

*If individuals need advice they should approach ACAS where they can get impartial advice about in-work disputes.”*

You can access further advice from ACAS here:

<https://www.acas.org.uk/coronavirus/vulnerable-people-and-high-risk>

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Q

**My son was on DLA but now he's 16 it will be PIP. I have forms to fill in and have not done so as yet due to the coronavirus will he still get his DLA in the meantime?**

A

For questions relating to specific individual circumstances the **Contact** helpline (0800 808 3555) and [website](#) are an excellent source of information and support.

They also have a webpage focused specifically on Coronavirus and benefits: <https://contact.org.uk/advice-and-support/benefits-financial-help/benefits-and-tax-credits/coronavirus-and-welfare-benefits/>

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### Questions on Residential Settings:

Q

**What is the legal situation for a non-verbal child on a section 20, 52 week residential placement, who is unable to have contact with their family other than FaceTime, which is not especially helpful as they are non-verbal.**

A

Good practice in relation to children who use non-verbal communication maintaining contact with their families, is that it should be highly individualised and is dependent on a number of factors including consideration of:

- How does the child prefer to communicate?
- How do they usually communicate with family outside of Covid-19 times?
- How can that be adapted safely now e.g. can they safely meet between school and home outdoors for exercise together if distance allows, and transport can happen safely?
- Is there a way for someone to support or facilitate a FaceTime call incorporating the young person's preferred method of communication (e.g. communication board)?

Additionally, it will be important to make sure that the independent visitor was able to make contact with the young person somehow, or consider access to an advocate if there was any issue communicating with the family.

If you have not done so already it might be appropriate to contact the Head to share your concerns about communication channels and suggest what could work for you and/or your child.

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## Questions on education and EHCPs:

**Q**

**My daughter has an EHCP and is in Year 3. I have kept her at home with me since schools have closed as I feel that is the safest option for her. As far as I'm aware her school carried out no risk assessment and she was actively discouraged from attending. It didn't really matter as I had decided to keep her at home, but she was very distressed by this decision. During the first week of schools being shut, I emailed the school to ask if her TA would be able to make contact with her at a pre-arranged time to maintain some consistency as my daughter was very anxious about the change to her routine. I was told 'yes' by the head and 'no' by the deputy head, who also happens to be her class teacher. I had copied her TA in so she did contact me. The schools SENCo was not copied in to any of these emails. Since lockdown, we have not had any contact from the SENCo, or her class teacher, the work that her class teacher has put on the Virtual learning platform has not been differentiated for any lower ability children, so unless I differentiate this for her, my daughter can't access the work. I would just like to know, as I hear things anecdotally about what other schools are doing, about the duty of care of a school to continue to provide educational provision for those with differentiated learning needs.**

**Q**

**My granddaughter, who has Down's, is at a special school which has closed during the current crisis. Is the school obliged to provide education for her? They are refusing online lessons with her teacher. (The teacher herself is very willing to do this). One of her parents is a key worker.**

**A**

The local authority is responsible for ensuring that children receive the provision set out in their plan, while this may not happen in the same way as it did before the pandemic some provision should still be made. It may also be possible for children to attend school and you can talk to the school and the local authority about this, your local SENDIAS service (<https://councilfordisabledchildren.org.uk/information-advice-and-support-services-network/find-your-local-ias-service>) can support you in having conversations with the local authority and the school.

You can also find additional information here:

<https://councilfordisabledchildren.org.uk/information-advice-and-support-services-network/resources/sendiog-information-sheet>

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### Questions on education and SEN support:

**Q**

**My Son is in year 11 due to take GCSE. My son has uncontrolled epilepsy, has had brain surgery and takes 3 different types of medication. The school has a My Support plan in place. Sadly this was not always followed by the teachers. He had hoped to go to sixth form but the school have said he may not get the grades and may have to go to college. The school had promised they would mentor him and look at other course set up taster sessions and get in touch with the SENCO at College. I have found out the school have not set anything up and he only has an application in for sixth form. The school have not supported him or followed my support plan. My Son has been let down and to be told by a teacher "I think it's really important to remember that we are all working with hundreds of young people and [he] is just one of those" He has a disability and I feel he has been pushed aside like it doesn't matter. My question is what happens when the school has not supported him or helped with transition, and we are left to sort out his next step in his education. Any help would be appreciated as I feel my son let down and forgotten by the system and as parents we are left to pick up the pieces.**

**A**

Your local SENDIAS service (<https://councilfordisabledchildren.org.uk/information-advice-and-support-services-network/find-your-local-ias-service>) can support you and your son in having conversations with the school about next steps. They may also be able to offer support with the transition process from school to college.

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### Questions on Social Care:

**Q**

**How will the coronavirus outbreak affect short break respite for families and children? For example, if prior to coronavirus, respite had been actioned within a CIN meeting as crucial but now this will be stopped or resources placed elsewhere – how does this help as breakdown of placement could be inevitable?**

**A**

Where possible services should continue whilst following the relevant Government guidance in relation to Coronavirus. Where this is not possible local authorities should be working closely with parents to look at reasonable alternatives.

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## Questions on health:

**Q**

**My daughter has profound multiple learning disabilities and has received an at high risk letter from her GP so we are now shielding. I registered on the 8th April on the government website but we are still not being recognised as priority customers at any of the major supermarkets and we are struggling to get deliveries. We have not received any of the food packages that some vulnerable people are getting either. In light of this I tried to register on the 0800 number provided on the letter. The automated phone system tells me it does not recognise my daughters NHS number and cuts me off. I therefore do not know if our online registration was successful and I cannot find any way of speaking to an actual live person to find out. The GP practice cannot offer any assistance. The impact of this is we are stuck at home and stressing over when we will be able to get food.**

**A**

The guidance from NHS England is that patients are being added to the central data base all the time. But that there may be a delay between you being identified as highest risk, receiving a letter and then being recognised by the Government website and phone line as someone who is eligible for support. If you experience a delay and require urgent help in obtaining food or medication during this period, please contact your local council where you will find information about help available in your area. There is an issue with lists not being shared in some local areas and we have escalated this with NHSE on your behalf.

In the meantime you may be able to get some support from the WellChild Covid-19 Direct Response Service <https://www.wellchild.org.uk/coronavirus/direct-response/>

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**Q**

**We've had a lot of parents of children who are shielded asking questions about how to safely provide personal care, manage social distancing in small living areas, or where people have to share a room / bed. There's lots of guidance out there, and I've signposted people to the advice on your website, but I think they are hoping for something that names the specific issues. Is this a request you've had too, and do you know if anyone has produced anything?**

**A**

This is a guide from SCIE to help family members and carers living with and supporting adults and children with learning disabilities, or an autistic adult or child, through the COVID-19 crisis. Its aim is to assist carers to carry on giving good, safe support to their family members during the pandemic. The guide focuses on families who are living with an autistic person or a person with learning disabilities; if your family member lives away from the family home, you may also wish to look at their guide for [care staff](#).

<https://www.scie.org.uk/care-providers/coronavirus-covid-19/learning-disabilities-autism/carers-family>

Q

We have a number of parents of children who have previously used swings or roundabouts etc to self-soothe, and this has become particularly important at such a high anxiety time. With all the playgrounds off limits, and many families without resources / space to source swings etc themselves, families are asking whether there is anything that can be done. Again, is this something you are aware of, and are you aware of any advice for families or Local Authorities?

A

Thank you so much for raising this issue, it must be affecting many families. Public Health England are picking this issue up with the Local Government Association and we will update you when we are able.





### Questions related to risk assessments:

We have received many questions related to risk assessments. A selection of them are shared below along with the link to the Government's recent guidance:



**I am currently working as Head of SEND across a chain of 52 Nurseries covering 19 different Local Authorities. The following guidance as you will be aware has since been provided: "Schools, colleges, other training providers and local authorities will need to consider the needs of all children and young people with an EHC plan, alongside the views of their parents, and make a risk assessment for each child or young person. They will need to consider a number of different risks to each individual, including: the potential health risks to the individual from COVID-19, bearing in mind any underlying health conditions. This must be on an individual basis with advice from an appropriate health professional where required the risk to the individual if some or all elements of their EHC plan cannot be delivered at all, and the risk if they cannot be delivered in the normal manner or in the usual setting the ability of the individual's parents or home to ensure their health and care needs can be met safely the potential impact to the individual's wellbeing of changes to routine or the way in which provision is delivered"**

**I would like to ask the following; Should we create a risk assessment including this information or will there be a standard risk assessment sent to the Local Authorities? Are we as a Nursery completing the risk assessment or the Local Authority? Does this only include children with a final plan not those under EHCP Needs assessment or draft stage? Should we be making weekly contact with children in this category whose parents have decided not to bring their child in- is this the responsibility of the setting or the Local Authority?**



**My daughter is autistic and epileptic. She goes to a special school. The school phoned me today saying that she won't get back to school next week even though she is a vulnerable child and has an EHCP. They say because of epilepsy she needs to stay at home as a government guidance. This is frustrating to us as a family as it's becoming very challenging to keep her at home, it is affecting her mentally so much and she is losing all skills that she learnt at school. Can you please let me know what can be done? And why they don't accept her back to school because of epilepsy?**

Q

**My daughter is 17 with severe learning disabilities and associated challenging behaviour. I'm wanting to know, in light of the education secretary's statement saying "schools are open for our most vulnerable students" why my daughter's school is shut indefinitely. I was told that as the school only had 2 students in post lockdown they couldn't meet need. I'd like to know please is it acceptable for a school just to shut up shop with the weakest of excuses? I'm only receiving weekly "wellbeing" calls from her teacher.**

A

The Government has recently published SEND risk assessment guidance which you can view here:

<https://www.gov.uk/government/publications/coronavirus-covid-19-send-risk-assessment-guidance/coronavirus-covid-19-send-risk-assessment-guidance>

It states that:

*"As part of the response to coronavirus (COVID-19), educational settings have been asked to continue to provide care for a limited number of children and young people - those who are vulnerable (including those with an education, health and care (EHC) plan), and those whose parents or carers are critical to the coronavirus (COVID-19) response. It is important to underline that all educational settings remain safe places for children and young people.*

*This guidance advises local authorities to conduct risk assessments and makes suggestions and recommendations for how that might be done in collaboration with educational settings and parents. It has been put together with help from special educational needs and disability (SEND) sector organisations and outlines pragmatic approaches that local authorities, educational settings, and parents or carers may wish to take.*

*This guidance document relates particularly to children and young people whose need for hands-on care or whose behaviours mean that there are more, or more nuanced, risks to be managed than for the majority of children and young people with EHC plans. Most of these children and young people attend special schools, specialist colleges and other specialist settings, but this guidance also applies to any mainstream educational setting caring for such children and young people."*

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