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Marina Mulvihill

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17 April 2015
Ref: 3168297

Dear Sir/Madam

Freedom of Information Act 2000

I can confirm that the information requested is held by Brent Council. I have detailed below the information that is being released to you.

1. Who is the statutory decision-maker?

Please confirm who is responsible for exercising statutory decision-making powers on behalf of your authority under the Education Act. These powers include, but are not limited to, the responsibility for agreeing to statutory assessments of SEN and for making decisions on the issue of, or provision in, a statement.

Decisions made in relation to assessments for Special Educational Need are made by a panel. There is another multi-agency panel for considering requests for specialist provision for completed assessments.

2. Is information about the decision-maker shared with parents?

Please confirm whether the identity of the person/persons responsible for decision-making under the Education Act is explicitly communicated to the parents, i.e. are parents told that a specific person or body will be responsible for making decisions on behalf of the authority?

If it is, please confirm how this is done.

If it is not done, please explain why.

Decisions are conveyed by letter from a designated officer, in the case of letters not agreeing to statutory assessment, the Team Leader of the Special Educational Needs Assessment Service is appended to the letter.

3. Do you have a SEN Panel?

If your local authority utilises a SEN Panel system, please confirm its role and its place within the statutory SEN system.

Please confirm who sits on the Panel and how they are appointed.

Please also confirm whether the role of the SEN is communicated to parents and, if so, how this is done.

If this is not done, please explain why.

There is a SEN Panel for considering requests for statutory assessments. This Panel consists of; the Team Leader for the Special Educational Needs Assessment Service, an Educational Psychologist, a School Improvement Adviser, a Special Educational Needs Co-ordinator from a school in addition to a Special Educational Needs Officer.

There is a separate multi-agency panel for considering specialist provision it's membership will include the Team Leader for the Special Educational Needs Assessment Service, an Educational Psychologist, the Strategic Lead for Sensory and Communication Services, Social Workers and Community Health.

The roll of the SEN Panel is communicated to the parent by letter on receipt of a request for statutory assessment.

4. Is your SEN Panel the statutory decision-maker?

Does your SEN Panel make statutory decisions about the provision in or the issue of a statement?

If it does, is any oversight exercised in relation to the panel by executive officers of the authority or by elected members?

Please confirm whether parents or parental representatives may attend meetings which make decisions about their child.

If your SEN Panel has a decision-making role, please confirm whether information about the identity of those making the decisions is shared with parents.

Please confirm whether SEN Panel meetings are minuted. If they are minuted, is the decision-making process or just the decision recorded? Is this information available to parents? If so, how is it made available, e.g. does it have to be requested under the FOI Act?

If your SEN Panel exercises statutory powers of decision-making under the Education Act but does not minute its meetings or record its decision-making or share these decisions with parents, please explain why.

There is a separate multi-agency panel for making decisions about specialist provision. There is no separate oversight of the SEN Panel. There is no facility for parents or parental representatives to attend Panels. The designated officer communicates a decision from a SEN Panel, details of the panel members are not shared. SEN Panel meetings are not minuted, the full decision of the panel which is recorded, is shared with parent by letter.

5. Duty to explain decisions under the Education Act

Irrespective of the identity of the statutory decision-maker, please confirm how decisions on SEN issues under the Education Act (for example, about the quality or quantity of provision or undertaking a statutory assessment) are recorded and whether decision-making is then shared with parents. This question refers not to the fact of the decision but the reason for it and relates to the guidance set out in para 8.32 in respect of decision-making.

Para 8:32 of SEN COP, advises local authorities, in the event of a dispute about the nature or quantity of provision, to resolve and give reasons for their conclusions on the choice of opinions or evidence. How does your authority comply with this statutory guidance? If it does not, please explain why.

Decisions regarding requests for statutory assessment or in relation to specialist provision are made on the basis of documentation received as part of the request for assessment or following an assessment or annual review of a child's Statement or Education, Health and Care Plan. Decisions are recorded and shared with the parent giving the rationale behind the decision too.

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to:

Brent Civic Centre
Engineers Way
Wembley HA9 0FJ
xxxxx.xxx@xxxx.xxxxxxxxxx.xxx

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.
Phone: 0303 123 1113
Website: www.ico.gov.uk

I will now close your request as of this date.

Yours faithfully

Sara Williams
Operational Director, Early Help and Education