

**Consultation**

**Launch Date 13 March 2009**

**Respond by 22 May 2009**

**Ref: Department for Children, Schools and Families**

## **Consultation on Draft Regulations for the Training of Newly Appointed Special Educational Needs Co-ordinators (SENCOs) in England.**

Consultation on draft regulations to amend the Education (Special Educational Needs Co-ordinators) (England) Regulations 2008, to require school governing bodies to ensure that SENCOs new to the role undertake nationally approved training leading to a specified award.

**department for**  
**children, schools and families**

# Consultation on Draft Regulations for the Training of Newly Appointed Special Educational Needs Co-ordinators (SENCOs) in England.

## A Consultation

**To** Schools, governors, teacher associations, local authorities, SEN and disability organisations, and other interested bodies

**Issued** 13 March 2009

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## Enquiries

**To** If you have a query relating to the consultation process you can contact the Consultation Unit on:

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## 1 Background and Context

- 1.1 Special educational needs co-ordinators (SENCOs) play a key role within schools to ensure effective provision for children with SEN and disabilities. They are also an important point of contact with parents. The importance of their role was recognised in the statutory SEN Code of Practice (November 2001) and in the (third) report of the then Education and Skills Select Committee on SEN (July 2006). In its report, the Select Committee recorded a number of concerns and recommendations in relation to the qualifications, status and training of SENCOs, which Ministers accepted.
- 1.2 Section 173 of the Education and Inspection Act 2006, which amended the SEN provisions of the Education Act 1996, required governing bodies to designate a member of staff as the lead person responsible for co-ordinating SEN provision for pupils. Section 173 came into force on 8

January 2008. Ministers made clear their intention to make regulations relating to the role, responsibilities, experience and training required of SENCOs.

- 1.3 The Education (Special Educational Needs Co-ordinators) (England) Regulations 2008, which come into effect on 1st September 2009, require that the person, designated by the governing body as responsible for the co-ordination of SEN provision, must be a qualified teacher working at the school, the head teacher or acting head teacher. The Regulations also provide that where the person undertaking the SENCO role is not a qualified teacher, but has been in post for at least six months on 31 August 2009 they may continue in that role provided that the governing body is satisfied that there is a reasonable prospect of them being able to become a qualified teacher by 1 September 2011.
- 1.4 The draft Education (Special Educational Needs Co-ordinators) (England) (Amendment ) Regulations 2009 further require the governing body to ensure that the person designated as SENCO undertakes nationally approved training, where he or she is new to the role.

## 2 The Proposals

### **Draft Regulations**

- 2.1 The draft regulations apply in relation to community, foundation and voluntary schools and maintained nursery schools in England. They require governing bodies to ensure that the person:
  - a) who has been the SENCO at the school for a period of less than one year before 1 September 2009 (the date on which the regulations are due to come into force) and who has not previously been the SENCO at any maintained school for more than a year; or
  - b) subsequently becomes the SENCO and who has not previously been the SENCO at any maintained school for more than one year;completes a nationally approved training course and is awarded a qualification called, for the purposes of the regulations, *The National Award for Special Educational Needs Co-ordination* (or such other title as may be determined at a future date).
- 2.2 The qualification must be awarded:
  - a) by 1 September 2012 (i.e. within three years of the regulations coming into force), in respect of a SENCO to whom a) above applies; or

b) within three years of appointment in respect of a SENCO to whom b) above applies – subsequent appointees.

- 2.3 The intention of the proposal to allow up to three years to complete the qualification is to provide flexibility to meet the individual circumstances of schools and SENCOs and help in planning to cover any absences.
- 2.4 The requirements are intended to impact on those coming new to the role. Experienced SENCOs (in post for upwards of a year) simply transferring schools would not be affected.
- 2.5 A SENCO who takes a career break and returns to be a SENCO again (even in another school) wouldn't need to get the national SENCO award if they could demonstrate that they had previously fulfilled the lead SENCO role for more than a year at a relevant school, including the one they are still at. If they hadn't completed a full year previously, they would be caught.

### **Timetable**

- 2.6 The proposed timetable for implementing the Regulations is:
- 22 May consultation closes. The Department's published response to the Select Committee's report commits us to consulting social partners in framing the new SENCO regulations. This has meant that, in this instance, the consultation runs for ten weeks rather than the usual twelve.
  - July 2009, regulations made (i.e. signed by the Minister) following analysis of the responses to the consultation, and laid before Parliament;
  - 1 September 2009, regulations come into force;
  - 1 September 2012, the latest required date for those in post as SENCO for less than one year at 1 September 2009 to be awarded the SENCO nationally approved qualification. (SENCOs appointed after 1 September 2009 must undertake nationally approved training and be awarded the qualification within three years of their date of appointment as SENCO.)

### **Nationally approved training for all teachers newly appointed to the SENCO role**

- 2.7 The Training and Development Agency for Schools (TDA) will issue invitations to potential training providers to start to apply for approval to offer the courses from September 2009.

- 2.8 The TDA had previously conducted its own consultation exercise on the draft specification for courses, the results of which can be viewed on the TDA website [www.tda.gov.uk](http://www.tda.gov.uk) or by clicking on the attached link.

[http://www.tda.gov.uk/teachers/sen/senco\\_consultation.aspx](http://www.tda.gov.uk/teachers/sen/senco_consultation.aspx)

- 2.9 The TDA expects that the course (which will provide 60 credits towards a Masters degree) should take a year to complete on a part-time basis, assuming that no prior credit is awarded for previous experience or qualification.
- 2.10 The Government is providing funding to cover course fees and supply cover for SENCOs who are new to the role – defined as within one year of first being designated as SENCO.

### 3 How To Respond

- 3.1 Consultation responses can be completed online at [www.dcsf.gov.uk/consultations](http://www.dcsf.gov.uk/consultations) by emailing [senco.trainingconsultation@dcsf.gsi.gov.uk](mailto:senco.trainingconsultation@dcsf.gsi.gov.uk) or by downloading a response form which should be completed and sent to:

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### 4 Additional Copies

- 4.1 Additional copies are available electronically and can be downloaded from the Department for Children, Schools and Families e-consultation website at:  
<https://www.dcsf.gov.uk/consultations>

### 5 Plans for making results public

- 5.1 The results of the consultation and the Department's response will be published on the DCSF e-consultation website by the end of July 2009.

