This case study is a case summary, and has been developed solely as a training tool for the purposes of the DfE/IPSEA SEND decision making and the law workshops delivered in January and February 2017.

Case Study 2: Refusal to Issue a Plan

Jessica is currently in Year 4 and was assessed by an EP as part of an EHC needs assessment following a request made by her parents. In testing Jessica achieved a score at the 25th percentile for both word reading and spelling. Information provided by Jessica's school indicates that she is attaining at National Curriculum level 2c in reading and writing. In relation to numeracy, Jessica when tested on the Numerical Operations sub-test and achieved a score at the 73rd percentile, which placed her within the average range. In her report the EP set out a number of recommendations to support Jessica's literacy and numeracy. She also noted comments from Jessica's teacher that Jessica appeared to becoming stressed and worried, although when the EP spoke to Jessica she said she had told her there were no areas she was worried about.

Jessica is currently in Year 4 in a school judged to be a good school by Ofsted. There are 28 pupils at the school identified as having special educational needs of whom 9 have either statements or EHC plans. The SENCO has attended two half day courses on working with pupils with dyslexia held at the British Dyslexia Society and a three day accredited course on dyslexia.

Jessica's Individual provision plan includes spelling made easy in a small group for 3 x 15 minute sessions a week, precision teaching on an individual basis daily for 15 minutes, auditory memory work on an individual basis for 5 minutes daily as well as individual reading, using an overlay, every day for 10 minutes. Work is differentiated for Jessica in literacy and numeracy and she regularly works in a small focus group with either the teacher or teaching assistant.

Jessica's parent disputes that all of the support is being delivered in the way school describe. In particular she says the spelling made easy sessions are in a larger group, reading is not happening on a daily basis and Jessica is not having access to staff who have the relevant qualifications in working with pupils with dyslexia. Whilst there is a teaching assistant in Jessica's class that person works in both Jessica's class and a parallel class. The parent does not believe there is anyone who is trained and experienced in working with children with dyslexia and certainly not a teacher with the minimum level 5 dyslexia qualification as has been recommended by the parent's privately commissioned EP.

School is of the view that Jessica is a happy and confident member of her class and making progress. Her confidence in maths has developed during the year, her handwriting is neat and consistent and her spelling age has improved. It is however recognised that she needs to work on her reading fluency and decoding skills.

A document from the LA costs the provision Jessica is accessing at £498.10 pa.

Jessica's parents arranged for her to be assessed by an independent EP who concluded that "Jessica requires targeted intervention from a dyslexia trained teacher three times a week for thirty minutes, regular in-class support and work that is differentiated for her." She said "even though Jessica's dyslexia is classified as mild it has a profound impact on her ability to learn, access the curriculum as well as her self-esteem and confidence."

Jessica's class teacher has attended a number of courses including Dyslexia Awareness in 2015/16. The teaching assistant in her class has also undertaken courses in Dyslexia Awareness. The SENCO has a dyslexia qualification level 3 BDA and is awaiting training for level 5.