

Response from [REDACTED] Regarding EHCP Consultation for Oliver

Following a full and careful review of the consultation documents and in accordance with Section 39 of the Children and Families Act 2014, [REDACTED] provides the following response.

Unsuitability Based on Ability, Aptitude, or Special Educational Needs

After due consideration, [REDACTED] does not consider itself a suitable placement for Oliver, based on his ability, aptitude, and identified special educational needs. We do not believe that a placement at our school would enable Oliver to make expected progress towards the outcomes outlined in Section E of his Education, Health and Care Plan (EHCP). There is significant concern that our learning environment would be unable to meet his academic or emotional needs. This mismatch could result in increased anxiety, social isolation, and the escalation of behavioural difficulties.

Oliver's EHCP identifies complex needs across multiple domains: communication and interaction, cognition and learning, social, emotional and mental health (SEMH), and sensory and physical needs. Diagnoses include autism spectrum disorder, global developmental delay, and speech and language delay. He is currently assessed as working at a developmental level between 6 months and 2 years—over four years below his chronological age.

While [REDACTED] is an inclusive setting with experience in supporting a range of additional needs, we do not have the highly specialist provision, staff training, or therapeutic infrastructure required to meet Oliver's needs as detailed in his EHCP. Specific concerns include:

- **Communication Needs:** Oliver is non-verbal and uses an AAC device to communicate. [REDACTED] does not currently have this type of device nor staff trained to support its use effectively.
- **Curriculum Access:** Oliver is unable to access the standard Year 1 curriculum. He requires a fully bespoke, play-based learning approach aligned with his developmental stage (6 months to 2 years). Our Year 1 environment and curriculum do not support the delivery of education at this level or style.
- **Learning Environment:** The EHCP states that Oliver struggles to engage with adult-led tasks, is at risk of absconding due to a limited awareness of danger, and requires continuous one-to-one adult supervision for safety. We are unable to offer this level of supervision consistently throughout the day.

- **Peer Group Requirements:** The EHCP stipulates that Oliver should learn in a small group of peers with similar developmental profiles. [REDACTED] does not have an appropriate peer group or class structure to accommodate this.
- **Personal Care:** While our staff can support personal care needs, the level of support Oliver requires, alongside his other identified needs, makes our provision unsuitable overall.

Given the above, we agree with Oliver's parents that he would be more appropriately placed in a specialist setting, where he can access the necessary resources and expertise to support his progress and wellbeing. Although [REDACTED] is committed to making reasonable adjustments to support inclusion, Oliver's profile—based on his EHCP, supporting reports, and ongoing dialogue with his family—indicates that he would not be able to access education effectively within our mainstream Year 1 setting. As such, we cannot make the adjustments required to meet his complex needs without a significant impact on the broader school community.

Incompatibility with the Efficient Education of Others

We must also consider the impact Oliver's placement would have on the education of other pupils. The level of support he requires would create significant challenges for our existing provision, particularly within the Year 1 cohort.

Currently, [REDACTED] supports a high proportion of pupils with EHCPs— [REDACTED]

[REDACTED]

Because of this, the introduction of a pupil with Oliver's high-level, complex needs would place additional pressure on limited staffing and resources. This would inevitably compromise the education and wellbeing of other children, including those with existing EHCPs, by reducing the support available to them and increasing the likelihood of behavioural disruptions linked to heightened anxiety and unmet needs. We are particularly concerned that the level of adult supervision and differentiation required to safely support Oliver would result in a disproportionate allocation of resources, undermining our ability to provide efficient education to others within the class.

Incompatibility with the Efficient Use of Resources

Oliver's needs demand a bespoke learning environment and high levels of staffing, including full-time 1:1 support. Reports from his previous setting indicate that his placement broke down when full-time 1:1 provision was removed. At present, [REDACTED] is not in a financial or operational position to provide this level of support without compromising the delivery of education across the wider school. Given the high level of specialist input required to meet Oliver's needs—including access to therapeutic interventions, specialist teaching, and an alternative curriculum—we believe the placement would not represent an efficient use of our resources.

Conclusion

In light of the above, we respectfully advise that [REDACTED] should not be named in Section I of Oliver's EHCP. We do not consider ourselves a suitable setting based on his ability, aptitude, and special educational needs, and we believe his placement here would be incompatible with both the efficient

education of others and the efficient use of resources, as outlined in Section 39 of the Children and Families Act 2014.

We remain committed to supporting Hertfordshire County Council and Oliver's family in identifying a specialist setting that can fully meet his needs and enable him to thrive educationally and emotionally.