

Undertaking a Special Education Needs and Disability Plan (EHCP) Needs Assessment

Summary

National guidelines state that the assessment process should not take longer than **20 weeks** to complete, although with unprecedented levels of demand that is outstripping all available capacity, this is taking longer for the majority of cases.

The assessment process is broken down into a number of stages.

The EHCP Team will contact you at 3 points during the assessment.

1. A notification from the website when we receive a request to assess which explains the process
2. **At 6 weeks** when the initial review of the supporting documentation has been presented to the panel and the panel has said either yes or no to assess.
 - If no, the panel will explain why, and offer you the right to mediation and/or give you the opportunity to resubmit more evidence.
 - If yes, the EHCP Team will start to request information to be included in the plan.
3. **At week 16** when the panel has decided either yes or no to issue an EHCP. If no, the panel will explain why and offer you the right to appeal. If yes, the EHCP Team will issue a draft plan and ask for your comments and your preferred educational placement. The Team will also request local maintained or state funded educational providers to assess the plan to see if they could meet your child's needs.
4. **At week 20** when the final plan will be issued. Due to demand at the moment, this is taking longer than the expected 20 week deadline.

The process explained

Week 1: a request for an EHC needs assessment is made

The request for an EHC needs assessment is received. To ensure we capture the detail needed to make the decision to assess, we request that this is received through the online form. Please ensure you include any evidence, information or reports which we will share with the decision making panel.

These can include (Code of Practice Section 9 Education, Health and Care needs assessments and plans para 9.13):

- evidence of academic attainment or developmental milestones and rate of progress
- information about the additional needs of the child or young person
- evidence of the action already being taken by the early years provider, school or post-16 institution to meet the child or young person's SEN

- evidence that where progress has been made, it has only been as the result of much additional intervention and support over and above that which is usually provided
- evidence of the child or young person's physical, emotional and social development and health needs, drawing on relevant evidence from health professionals
- where a young person is aged over 18, we will consider evidence that states the young person requires additional time, in comparison to the majority of others of the same age who do not have special educational needs, to complete their education or training.
[hyperlink to referral form]

You will receive a notification if your referral has been successfully received. The notification will outline what will happen next.

Weeks 1 to 6: we'll make a decision about whether or not an EHC needs assessment is needed.

A panel of representatives from education, health and social care teams will look at all of the information that's been provided and decide if an EHC needs assessment is needed or not. The panel members will consider:

- evidence provided about the child or young person's academic attainment, or developmental milestones in younger children and their rate of progress
- information about the nature, extent and context of the child or young person's Special Educational Needs (SEN)
- evidence of the action that has already been taken by the early years provider, school or post-16 institution to meet the child or young person's SEN
- evidence that where progress has been made, it has only been as the result of additional intervention and support over and above that which is ordinarily provided by the school or placement
- evidence of the child or young person's physical, emotional and social development and health needs.
This includes relevant evidence from clinicians and other health professionals and what has been done by other agencies to meet the child or young person's needs

If the young person is aged over 18, the panel will also consider whether they need additional time to complete their education or training, compared to the majority of young people of the same age who do not have SEN.

We will contact you to let you know the panel's decision. This will be via email or message you through the parent portal.

If an assessment is agreed

We will ask you for your views and let you know who we're requesting advice from.

If an assessment is not agreed

We will let you know the reasons and inform you of the next steps and your rights of appeal against the decision.

Weeks 6 to 12: we will request and receive advice.

We will contact professionals who have been involved and know your child and ask them for advice about the:

- child or young person's needs
- provision required to meet the child or young person's needs
- outcomes that are expected to be achieved by the child or young person through the provision being recommended.

The advice that we request includes:

- educational advice from the early years provider, school or college
- medical advice (from clinicians who know your child)
- information from an educational psychologist
- advice and information about social or care needs
- advice and information from any other person that the local authority thinks appropriate
- advice and information from any other person that the child or young person's parents reasonably requests that the local authority should ask for advice from

We will not ask for new advice if advice has previously been provided or there are existing current reports, for example, if there is already a recent report from an educational psychologist. (Code of Practice: Section 9 Education, Health and Care needs assessments and plans para 9.47)

You will receive communication from the Local Authority if:

- there are any exemptions that will delay the assessment being completed on time
- if any advice is going to be late or has not been received

Weeks 13 to 16: after the advice has been received.

A panel of representatives from education, health and social care teams will look at all of the information that's been provided and decide if an Education, Health and Care Plan (EHCP) is needed or not.

We will contact you:

If an EHCP is **not** agreed, we'll let you know the reasons why. You have 2 months from the date of the decision letter or 1 month after the mediation certificate is issued (whichever date is the latest) to appeal the decision.

If an EHCP is agreed, we will let you know and we will issue a draft EHCP.

Week 16: we will send you a draft EHCP

We will send you a draft EHCP. We will ask you to:

- read the plan and respond with any requested amendments within 15 days
- let us know which early years setting, school or college you'd like us to name in the EHCP

We will consider any changes that you'd like to make to the plan (there may be a requirement for supporting professional evidence regarding this).

We will correspond with the early years setting, school or college that you've named.

We will consult with local maintained or state funded providers.

We will share consultation responses with you and communicate next steps.

Weeks 18 to 20: we will send you a final EHCP

We will send you a copy of the final EHCP.

We will also send this to the named educational placement and those services named in the plan as supporting your child.

Appealing to the SEND Tribunal and mediation

Should you disagree with the final plan, your letter will explain your rights to appeal and the timescales and the process.