

THE STATUTORY EDUCATION, HEALTH AND CARE (EHC) NEEDS ASSESSMENT PROCESS FOR CHILDREN AND YOUNG PEOPLE IN BEXLEY.

Q1. My child has a special educational need and/or disability, should they have an EHC needs assessment?

The majority of children and young people with special educational needs and/or a disability (SEND) will have their needs met through the resources and expertise available within their educational setting. The Special Educational Needs Co-ordinator (SENCO) at a child/young person's educational setting is usually the first point of contact for parents/carer who have questions about their child's additional needs. The SENCO will know the child/young person well and will be able to give advice about a child/young person's learning, the progress they are making, their strengths, their needs and the support they require.

Children/young people who are receiving support in school for their special educational needs but who don't have an education, health and care plan may be being supported at 'SEN support'. More information about what it means to be working at SEN support can be found in the 'My Guide to SEN support' available on the Bexley local offer www.bexleylocaloffer.uk. If a parent/carer feels that their child may need more support in school to meet their special educational needs it is recommended that they speak with their child's SENCO or a professional working with their child.

Q2. Who can request a statutory Education, Health and Care (EHC) needs assessment and how is a request made?

If a parent/carer and/or an educational setting feel that a child or young person's needs are not being met with the resources available they can make a request for an EHC needs assessment (sometimes referred to as a Statutory Assessment).

An EHC needs assessment is the first step toward an Education, Health and Care (EHC) plan. It is a legal process carried out by the local authority. It isn't to be confused with other assessments that teachers, GPs or other professionals may arrange for a child/young person.

In order to make a request parents/carers or the educational setting the child/young person attends, will need to complete an EHC needs assessment request form. They will be asked to provide as much information as possible about the child or young person's needs and the services/professionals already working with them. It is important that they include recent relevant professional reports or assessments to support the request. This will help the local authority decide whether or not an EHC needs assessment is appropriate.

If a child/young person's nursery, school or college is making a request for an EHC needs assessment parents/carers may be asked to work with the setting to complete Section A of the EHC plan. This details the views, wishes and aspirations of the child/young person and their parent/carers so that this information can be included with the request.

Parents/carers who would like information, advice or support regarding how to complete the request form are advised to speak to the educational setting their child attends. Parents/carers who would like advice that is independent of their child's educational setting and the local authority can contact the Independent Advice and Support Service (IASS) or Independent Support (IS) - contact details can be found at the end of this guide.

Young people over 16, with the necessary capacity, can also apply for an EHC needs assessment themselves using the young person's request form.

Bexley EHC needs assessment request forms for parents/carers, young people and educational settings can be found on the Bexley Local Offer www.bexleylocaloffer.uk by searching the term 'EHC request'

If the local authority decides that an EHC needs assessment is appropriate the parent/carer will be asked to give their signed consent for assessments to be undertaken (e.g. by an Educational Psychologist and a Consultant Paediatrician) and for their child's information to be shared with other professionals, including schools, during the consultation processes.

Q3. Who decides if a statutory EHC needs assessment is appropriate?

When an EHC needs assessment request is received the local authority must make the decision whether or not to undertake an assessment for a child or young person within 6 weeks. When deciding if an assessment is appropriate, the local authority will look carefully at and consider the SEN support that has been put in place for a child/young person by the educational setting they attend and how well we understand the child/young person's needs.

In Bexley, a panel of local area representatives consider the information provided in the request and makes a recommendation about whether or not an EHC needs assessment is appropriate. This panel may include Head Teachers or SENCOs from local mainstream or special schools, Educational Psychologists, SEND officers and health representatives.

Q4. What happens if the local authority decides that an EHC needs assessment is not appropriate?

Parents/carers are informed of the outcome in writing within 6 weeks of a request being made. A local authority representative contacts the parent/carer to discuss the decision further. The local authority will give a reason for their decision and will often make a recommendation about what the next steps should be. Parents/carers or the educational setting the child/young person attends may be asked to provide further information about the child/young person's needs.

Parents/carers are advised to discuss the decision and any recommendations with the SENCO at their child's educational setting. Parents/carers may also wish to discuss the decision with someone who is independent of the local authority such as the Independent, Advice and Support Service (IASS) – contact details can be found at the end of this guide.

If a parent/carer would like to discuss the decision further with someone from the local authority a meeting with a local authority representative can be arranged. If a parent/carer is still unhappy with the local authority's decision they can lodge an appeal to the Special Educational Needs and Disability Tribunal (SENDIST). However, parents/carer will be required to consider mediation before registering an appeal. Mediation is a free, independent and confidential service which aims to settle disagreements between parents and local authorities. The local authority provides parents/carers with contact details for both of these services with the letter informing them of their decision – contact details can also be found at the end of this guide.

Q5. What happens if the local authority decides an EHC needs assessment is appropriate?

The local authority will write to all professionals who are detailed as working with the child/young person in the request, to ask that they contribute to the EHC needs assessment. This will include the educational setting the child/young person attends, an Educational Psychologist, a health representative and any other education, health or social care professional detailed in the request. Parents/carers will receive a letter from the SEN Case Officer who has been assigned to the child/young person. This letter introduces the case officer and explains their role.

Parents/carers and their child will be asked to attend some appointments as part of the assessment e.g meeting with an Educational Psychologist. Parents and carers are asked to ensure that they and their child attend all meetings or appointments as not doing so could delay the assessment process.

The SEN Case Officer will then use the reports received and the Section A information to draft a 'Working Document' setting out the child/young person's needs and the support they require. The parents/carers and the child/young person will then be invited to attend a multi-agency meeting to discuss and agree the wording of this document including the outcomes the child/young person will be working towards.

The 'Working Document' will be updated at the multi-agency meeting and this, along with professional reports received during the assessment, will be sent back to the local authority and the panel representatives to decide if an EHC plan is appropriate. If it is decided that a plan is appropriate, the SEN Case Officer will send the parent/carer a draft EHC plan for their consideration.

Q5. What happens if the local authority decides that an EHC needs assessment is not appropriate?

If the decision is made that following assessment an EHC plan is not required parents/carers can discuss the decision and the support that will be in place with their child's nursery/school/college. When a parent/carer receives a no decision at this stage they are contacted directly by a member of the SEN team who will advise them further about the possible next steps.

Q6. How long does statutory the EHC needs assessment take?

The whole assessment process can take up to 20 weeks from the date the request is received by the local authority, although some plans are finalised sooner than this. The local authority will make the decision about carrying out an EHC needs assessment within 6 weeks and the decision about whether it is appropriate to issue an EHC plan within 16 weeks. More information on the 20 week assessment process in Bexley can be found on the Bexley Local Offer www.bexleylocaloffer.uk

Q7. What is the role of the SEN Case Officer during the EHC needs assessment?

A SEN Case Officer works for the local authority in the Statutory Assessment Service.

They are responsible for:

- Being the key contact for parents/carers from the point at which an EHC needs assessment is agreed.
- Writing the initial 'Working Document' that brings together all contributions from professionals, parents/carer and the child/young person's views.
- Inviting parents/carers, the child/young person and professionals to the multi-agency meeting.
- Chairing the multi-agency meeting
- Sending the 'Working Document' and supporting advice to local authority representatives for consideration.

If an EHC plan is agreed the SEN case officer is also be responsible for:

- Sending out the Draft EHC plan for review by parents/carers and professionals
- Consulting with educational settings
- Finalising the EHC Plan and agreeing an educational placement that can meet the child/young person's needs.

Q8. If my child has an EHC plan will they have to move schools?

The majority of children and young people remain in their current mainstream setting with the support detailed in the EHC plan being used to meet their needs. Every child or young person has the right to a mainstream education and only in specific circumstances would a mainstream school not be able to meet a child or young person's needs. Some children and young people do require support in more a specialist setting such as a Resource Provision within a mainstream school or a Special School. Once the needs assessment has taken place and the EHC plan has been agreed the SEN case officer supporting the parents/carers will discuss placements that can meet a child/young persons' needs

Q9. What happens after an EHC plan is finalised?

The final EHC plan will detail the support required to meet a child/young person's needs, the outcomes they are working towards and will name the educational setting they will be attending. Once named the educational setting is responsible for ensuring that the support detailed in the plan is in place to meet the child/young person's needs and work towards their outcomes.

The EHC plan must be reviewed regularly. For children under 5 years old this will happen every 6 months and for children aged 5 or over the review will be held annually by the educational setting the child/young person attends.

More information about Annual Reviews can be found in the 'My Guide to the annual review of an Education, Health and Care Plan' on the Bexley Local Offer www.bexleylocaloffer.uk

Further Information, Advice and Support

Bexley Local Area Information

Statutory Assessment Service – SEND Team Email: specialneeds.els@bexley.gov.uk Telephone: 020 3045 3311	Bexley Local Offer Website: www.bexleylocaloffer.uk Email: localoffer@bexley.gov.uk Telephone: 0203 045 5677
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For information and advice that is independent of the local authority you can contact:

- **The Independent, Advice and Support Service (IASS)**

Email: bexleyIASS@bexley.gov.uk

Tel: 0203 045 5976

- **Independent Support (IS)** (Provided by Greenwich Association for the Disabled)

Website: www.gad.org.uk/Services/

Email: info@gad.org.uk

Tel: 020 8269 0674

For information on Alternative Dispute Resolution and Mediation in Bexley you can contact:

- **KIDS London SEN Mediation Service**

Website: www.kids.org.uk

Email: enquiries.london@kids.org.uk

Tel: 0207 359 3635

National information and advice

- **Contact (previously known as Contact A Family)**

Providing direct advice and support services to parent carers. They host a free national helpline which is open Monday to Friday between 9.30am and 5.00pm.

Website: [www.contact.org.uk/advice-and-support/education-health-social-care/education/education-health-and-care-\(ehc\)-needs-assessments/](http://www.contact.org.uk/advice-and-support/education-health-social-care/education/education-health-and-care-(ehc)-needs-assessments/)

Tel: 0808 808 3555

- **Council For Disabled Children**

For information on SEND including an excellent guide on EHC Plans with examples of Section A.

To view or download:

www.councilfordisabledchildren.org.uk/sites/default/files/field/attachemnt/EHCP%20Exemplar%20Guide%202017.pdf

Website: www.councilfordisabledchildren.org.uk

For information about registering an appeal you can contact:

- **Special Educational Needs and Disability Tribunal (SENDIST)**

Website: www.justice.gov.uk/tribunals/send

E-mail: sendistqueries@hmcts.gsi.gov.uk

Tel: 01325 289350

For information on advocacy for young people aged 10-25 years old in Bexley you can contact:

- **Advocacy for All**

Website: www.advocacyforall.org.uk

Email: info@advocacyforall.org.uk

Tel: 020 8300 9666