

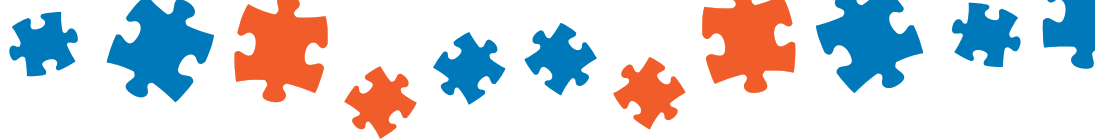
SEND Information, Advice & Support Service



Your guide to

Education Health and Care (EHC) Needs Assessments





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Guide to Education, Health and Care (EHC) Needs Assessments

This guide is about the Education, Health and Care (EHC) Needs Assessment as set out in the Children and Families Act 2014.

The EHC Needs Assessment is sometimes called ‘Statutory Assessment’ and covers:

- ✚ Children in early years settings, for example nurseries
- ✚ Children of school age
- ✚ Young people (up to 25yrs) in Post-16 provision, for example colleges

Chapter 9 of the SEND Code of Practice 2014 sets out this process in full.

It is available to download at

www.gov.uk/government/publications/send-code-of-practice-0-to-25

The EHC assessment process should be person centred with children, young people and their families being at the heart of the process and to be supported and encouraged to be involved at every step.

Local Authorities must have regard to the views, wishes and feelings of the child, young person and his or her parents and consider their aspirations, the outcomes they wish to seek and the support needed to achieve them.

Feedback

The formation of an EHC plan should have the wishes and views of the child and young person at the heart of it. This includes the planning and assessment process, as well as the final document.

Coventry Local Authority would welcome all feedback from families on the EHC process, to help ensure that it is designed and developed to support families undergoing an EHC needs assessment/plan.

To add your thoughts of your experience, a short questionnaire is available through the Local Offer website or from the Statutory Assessment and Review Team (START) (contact details on back cover). Visit:

https://letstalk.coventry.gov.uk/coventry-send-local-offer/survey_tools/ehcna-survey



What is an EHC needs assessment?

An EHC needs assessment is an in depth assessment of a child or young person's special educational needs (SEN) and the help and support he or she needs to learn and make progress.

The Local Authority (Coventry City Council) is responsible for carrying out EHC needs assessments in Coventry under the Children and Families Act 2014. The needs assessment is a detailed look at your child or young person's difficulties and brings together information about:

- ✿ What your child or young person can or cannot do
- ✿ The special help and support he or she needs

The assessment will include information from:

- ✿ Parents / Carers
- ✿ The child or young person
- ✿ The nursery, school or college your child attends
- ✿ Other professionals who work with and support your child

The assessment will determine if your child or young person needs an Education, Health and Care Plan (EHC plan).

When is an EHC needs assessment necessary?

The majority of children and young people with special educational needs will have their needs met at 'SEN Support' within a mainstream setting. This means that the nursery, school or college makes additional or different provision to meet their needs. This may include the involvement of other professionals and specialist support services, such as an Educational Psychologist or Sensory Support. (See our guide on [SEN Support](#) for further information).

The SEND Code of Practice says:

In considering whether an EHC assessment is necessary, the local authority should consider whether there is evidence that despite the early years provider, school or post 16 institution having taken relevant and purposeful action to identify, assess and meet the special educational needs of the child or young person, the child or young person has not made expected progress. (9.14).



Step 1:

Making an EHC Needs Assessment Request

The Local Authority has a duty to consider requests for an EHC needs assessment. In the majority of cases, the requests are made by the educational setting together with parents/carers and the young person, but requests can also be made by:

- 🔧 Parents (for children under 16)
- 🔧 Young people (between the ages of 16 and 25)

The SEND Code of Practice says:

The Local Authority must conduct an assessment of education, health and care needs when it considers that it may be necessary for special educational provision to be made for the child or young person in accordance with an EHC plan. (9.3).

When considering a request for an EHC assessment the Local Authority will look at:

- 🔧 The child or young person's level of attainment and rate of progress
- 🔧 The child or young person's special educational needs
- 🔧 The support that is in place and what has already been done to help
- 🔧 The difference that the extra support has made
- 🔧 The child or young person's physical, emotional and social development and health needs
- 🔧 Where the young person is over 18 whether he or she needs additional time to complete education or training

The SEND Code of Practice says:

In considering whether an EHC needs assessment is necessary, local authorities should pay particular attention to the views, wishes and feelings of the child and his or her parent, or the young person. (9.12).



Coventry Local Authority has developed criteria as a guideline to help them decide when it is necessary to carry out an EHC assessment. You can find this criteria at: www.coventry.gov.uk/sendcriteria

Once the local authority receives an EHC assessment request it has 6 weeks to notify parents, school and everyone involved of its decision.

EHC Needs Assessment: weeks 0-6



The Family Conversation

The “Family conversation” is a tool used to gain the views of parents and carers as part of the EHC needs assessment process. It normally takes place prior to a request being made. The information gathered during the family conversation should then be used across agencies so families need only tell their story once.



Step 2:

The local authority's decision

What happens if the local authority decides that an EHC Needs Assessment is not necessary?

The local authority must tell you why it thinks that an EHC needs assessment is not needed. It must also tell you about:

- ✚ Your right of appeal
- ✚ Independent disagreement resolution and mediation
- ✚ How to get further advice and support

If you disagree with the local authority's decision you can contact the EHC Plan Co-ordinator who will be named on the decision letter and / or the SEND Information, Advice and Support Service which will be able to discuss your options with you.

The SEND Code of Practice says:

“The Local Authority should also provide feedback collected during the process of considering whether an EHC needs assessment is necessary, including evidence from professionals, which the parent, young person, early years provider, school and post-16 institution may find useful.” (9.19).

What happens if the EHC Needs Assessment goes ahead?

Once a decision to move ahead with the assessment is made, the local authority will ask for advice from relevant professionals about your child or young person's education, health and care needs.

The local authority must ask for advice and information from:

- ✚ Parents/carers or the young person
- ✚ Your child or young person's early years setting, school or college - If your child has a vision or hearing impairment, the local authority must also seek information and advice from a suitably qualified teacher
- ✚ Educational Psychologist
- ✚ Health professionals who work with your child or young person. This might include a paediatrician, speech and language therapist, physiotherapist or occupational therapist
- ✚ Social care - this could also include information from Early Help
- ✚ Anyone else you ask them to contact who may be able to give relevant advice



EHC Needs Assessment: weeks 6-16



Step 3:

EHC Needs Assessment: What happens next?

The local authority will carefully consider all of the advice collected during the assessment and will decide whether an EHC Plan is necessary for your child or young person.

If the LA decides not to issue an EHC plan

If following the completion of an EHC needs assessment the local authority decides NOT to issue an EHC Plan it must notify you, the current educational setting and services involved and give reasons for the decision. This notification must take place as soon as practicable and at the latest within 16 weeks of the initial request.

If the local authority decides not to issue a draft EHC Plan it must tell you about:

- ✿ Your right of appeal
- ✿ Independent disagreement resolution and mediation
- ✿ How to get further advice and support

Again, if you disagree with the local authority's decision you can contact the EHC Plan Co-ordinator who will be named on the decision letter and / or the SEND Information, Advice and Support Service which will be able to discuss your options with you.

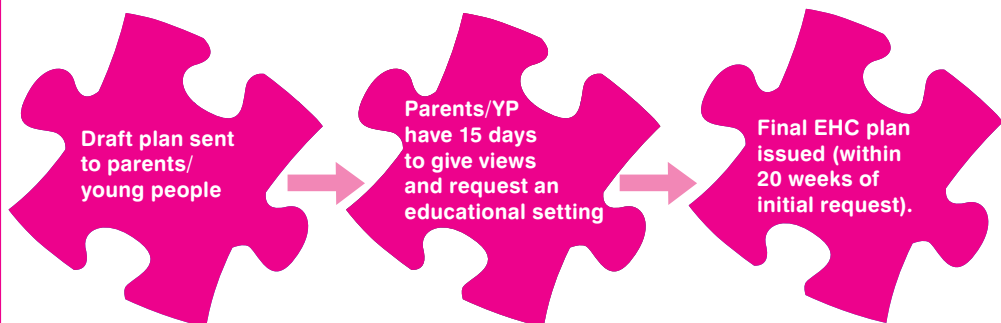
If the LA does decide to issue an EHC Plan

If the local authority decides that an EHC Plan is necessary, they will send you a draft EHC Plan, together with a copy of all the advice and reports collected during the assessment.

The EHC Plan is a legal document written by an EHC Plan Co-ordinator of the Local Authority. It describes the special educational needs that your child or young person has and the provision needed for them to meet those needs and achieve outcomes.

The EHC Plan will also include any health and care provision which is needed. You can read more about Education, Health and Care Plans in our next guide **'Your guide to the EHC Plan.'**

EHC Needs Assessment: weeks 16-20



How long does the whole assessment process take?

The whole process should take no more than 20 weeks.

View the timeline on pages 12-13 for a breakdown of what happens and when.

What if I do not agree with the Local Authority about the EHC Needs Assessment?

At any stage of the process you can talk to your Local Authority EHC Plan Co-ordinator. This person will be named in the letter you receive from the Local Authority to notify you that it has received a request for an EHC assessment.

The SEND Information, Advice and Support Service (SENDIASS) can give you impartial, confidential information and advice about the options open to you, discuss any concerns you may have and support you through the process.

The Local Authority must inform you of your right to appeal to the Special Educational Needs and Disability Tribunal Service (SENDIST) and the requirement for you to consider mediation should you wish to appeal.

The Local Authority will state this in its letter to you at the following stages:

- 1. If the Local Authority refuse to make an EHC assessment of your child or young person's special educational needs**
- 2. If the Local Authority refuse to issue a draft EHC Plan following the assessment**

You can find out more information about resolving disagreements in Chapter 11 of the Code of Practice.

www.gov.uk/government/publications/send-code-of-practice-0-to-25



What is Mediation?

When a parent/carer or young person wishes to register an appeal about the Local Authority's decision or the special educational needs elements of the EHC Plan, you may only do so if a mediation adviser has provided you with information about mediation and how it might help your situation. This is called mediation advice.

Mediation is arranged by the Local Authority, but it must be independent from it. However, if any issues only relate to health, the responsible commissioning body must arrange the mediation.

If you choose mediation the local authority must take part. The meeting will be arranged within 30 days and the independent mediator runs the meeting. When the mediation has finished, the mediator will issue you with a certificate within 3 working days.

If you or the young person decides against mediation, you will be able to go to appeal only after you have received a certificate from the mediation adviser stating that you have been given advice about mediation and have considered it.

The SEND Code of Practice says:

11.19 When the local authority sends the parent or young person notice of a decision which can be appealed to the Tribunal it must tell the parent or young person of their right to go to mediation and that they must contact a mediation adviser before registering an appeal with the Tribunal.

The notice must give the contact details of a mediation adviser, contain the timescales for requesting mediation and the contact details of any person acting on behalf of the local authority who the parent or young person should contact if they wish to pursue mediation.

The notice should also make clear that parents' and young people's right to appeal is not affected by entering into mediation.



EHC Assessment Process Timeline

Week 0

This is the start date - the LA receives an EHC request.

The LA must inform parents/young person about this request.



Family Conversation

(See page 5 of guide)

1 | 2 | 3 | 4 | 5 | 6

The LA decides whether to conduct an EHC Assessment.

The parents/young person must be notified within a maximum of 6 weeks.



Right to appeal
(See page 7 of guide)

7 | 8 | 9 | 10 | 11

The LA gathers information and advice from professionals involved, formally conducting the EHC Assessment. Professionals have 6 weeks to respond.

12 | 13 | 14 | 15

The LA makes the decision whether to draft an EHC plan.

The draft plan is sent to parents/young person.

Parents/young person have 15 calendar days to respond, comment and express a preference for an educational setting.



Right to appeal
(See page 9 of guide)

16 | 17 | 18 | 19

The LA must consult parent/young person's preferred educational setting. The setting should respond within 15 calendar days.

Week 20

The final plan is issued within 20 weeks.

The LA will notify parents/young person of right to appeal.



Right to appeal

Coventry's Special Educational Needs and Disability (SEND) Local Offer



Coventry Special Educational Needs and Disability (SEND) Local Offer brings together information for children and young people with special educational needs and disabilities and their families.

It outlines all the provision expected to be available to families across education, health and social care and should be accessible, comprehensive (in the information provided), up-to-date, and transparent. This will include:

- ✿ **Education:** such as nurseries, playgroups, schools and colleges and support services like educational psychologists, sensory support and the Local Authority SEN team (including statutory assessment processes)
- ✿ **Health:** children's and adult services including GPs, therapists and hospital services
- ✿ **Social care:** such as short break services, community/support groups and children's and adult disability services

It also offers the chance to feedback and make suggestions about what is (or isn't!) available across Coventry, helping to shape the provision in the future. For more information, visit www.coventry.gov.uk/localoffer

Transport

Whilst home-to-school transport is very rarely included in EHC plans themselves, children and young people with EHC plans may well be eligible for assistance in getting to and from school or college.

You can find out more about eligibility by speaking to your EHC plan co-ordinator at the Local Authority throughout the EHC process.

Coventry Local Authority's travel assistance policy, as well as information about the type of provision, application process and appeals procedure is available at [www.coventry.gov.uk/travel assistance](http://www.coventry.gov.uk/travel%20assistance). This policy is produced in line with the Department for Education's "Home to School Travel and Transport statutory guidance" (2014).

Any further queries about travel assistance can be made to the LA's "Access Co-ordinators" on 024 7683 1614 or at access@coventry.gov.uk



Special Educational Needs

Useful Contacts for further information:

IPSEA

www.ipsea.org.uk

(Independent Parent Special Educational Needs Advice)

IPSEA is a national charity providing free legally based advice to families who have children with special educational needs.

Contact

contact.org.uk

Contact is a national charity for families with disabled children, offering support and advice on a range of issues.

Council for Disabled Children (CDC)

www.youtube.com/channel/UCGOeEXhdJ2z1PoP28vewmA

A selection of short animated videos explaining SEND areas such as EHC needs assessments and plans.

Coram Children's Legal Centre

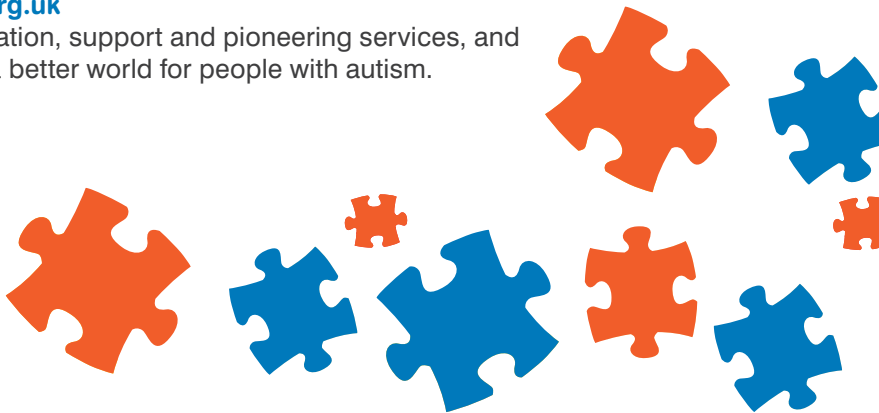
www.childlawadvice.org.uk

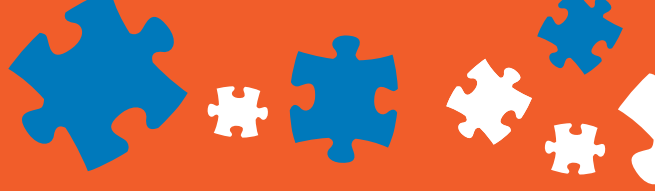
Coram provides free legal information and advice to children, young people and their families.

National Autistic Society (NAS)

www.autism.org.uk

Provide information, support and pioneering services, and campaign for a better world for people with autism.





For further information about SEN Support and support available to parent/carers, children and young people, ask at your educational setting or contact:

SEND Information, Advice and Support Service



Limbrick Wood Centre
Thomas Naul Croft
Tile Hill
Coventry CV4 9QX

Statutory Assessment and Review Team (START)



PO BOX 15
Council House
Coventry CV1 5RR



024 7683 1614

If you require this information in another format or language please contact us.



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