



# Parent, Carer, and Young Person's Guide to Education, Health and Care (EHC) Needs Assessment

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*Information about the arrangements made by Lambeth's SEND Service for children and young people who are undergoing an EHC Needs Assessment*

## **A Guide to Education, Health and Care (EHC) Needs Assessment**

Welcome to this information and support leaflet; “Parent, Carer, and Young Person’s Guide to Education, Health and Care (EHC) Needs assessment.” We hope you find this guide useful in giving you information about the arrangements made by Lambeth Local Authority SEND Service for children and young people who are undergoing an EHC Needs Assessment.

The assessment and planning approach should be person-centred with families being at the centre of the process, supported and encouraged to be involved at every step.

Planning should start with the individual and local authorities **must** have regard to the views, wishes and feelings of the child, child’s parent or young person, their aspirations, the outcomes they wish to seek and the support they need to achieve them. It should enable children, young people and parents to have more control over decisions about their support including the offer of a Personal Budget for those with an EHC plan.

A “Family Conversation” will be held where the EHC coordinator will help the child, young person and their family to get their views across. The whole principle is based on “tell us once” which means you shouldn’t have to keep repeating your story.

Each Local Authority must also provide access to an independent supporter when required to help guide you through the EHC needs assessment process.

If you feel you would like to know more please ask at your child’s school or contact:

Lambeth’s Information and Advice Support Service (formally Parent Partnership Service). The service will also inform you about the local authority’s services for resolving disagreements and for mediation. Contact: [lambethiass@lambeth.gov.uk](mailto:lambethiass@lambeth.gov.uk)

Chris White - Advice Officer:020 7926 9805

Anita Bey - Advice Officer:020 7926 1831

The Government has produced statutory guidance “*Special Educational Needs and Disability code of practice: 0-25years*” for organisations about SEND assessment and planning. It is available to download at [www.gov.uk/government/publications/send-code-of-practice-0-to-25](http://www.gov.uk/government/publications/send-code-of-practice-0-to-25)

A parent guide is also available at:

[www.gov.uk/government/publications/send-guide-for-parents-and-carers](http://www.gov.uk/government/publications/send-guide-for-parents-and-carers)

Further information is available on the Lambeth SEND Website.

## **What is an Education, Health and Care (EHC) Needs Assessment?**

The Children and Families Act 2014 replaces Statements of SEN and Learning Difficulty Assessments with an Education, Health and Care Plan which will co-ordinate the support for children and young people from 0-25 years in a way that focuses on desired outcomes including, as they get older, preparation for adulthood.

Most children and young people's special educational needs will be met by the help available through their education setting and the community, which is known as **The Local Offer** [www.younglambeth.org/local-offer/useful-links/parents-information-advice-and-support-service.html](http://www.younglambeth.org/local-offer/useful-links/parents-information-advice-and-support-service.html). The Local Offer sets out what services are available to children, young people and families. Every school has to produce and publish a SEN Information Report on their website which sets out the support available for pupils at that school. However for a very small number of children and young people where their needs cannot be met by the provision that is normally available, the Local Authority may decide that an EHC needs assessment is required to find out exactly what extra help is needed.

All schools must have a designated qualified teacher that is responsible for co-ordinating SEND provision. This teacher is called the Special Educational Needs Co-ordinator (SENCO). It is normally best for families to discuss their concerns with the Special Educational Needs Coordinator at your child or young person's education setting or a professional / key person who is involved with them. The education setting or professional/ key person can ask the Local Authority to make an EHC assessment.

Parents and young people (over 16yrs) can also request an EHC needs assessment by writing to the Local Authority's SEND Services.

When it has been agreed that it is necessary to submit a request for an EHC needs assessment, the early years key person / the school SENCO will organise a meeting with the child / young person and their parents to gather the key information and family views that will inform the request and any potential EHC Plan.

This is an opportunity for the parent, child or young person to give their views and to think about the current position and any thoughts the family may have about the future. You and your child or young person will be asked to consider what strengths or barriers exist, what help is needed, how it could be provided, and the aspirations you all have for the future. This will be used to inform the EHC needs assessment process.

The Local Authority's, SEND Service is responsible for co-ordinating the assessment and will carefully consider the request and if they feel it is necessary, will carry out the assessment. They must inform everyone involved of their decision within six weeks of receiving a request for an EHC Assessment.

If the Local Authority SEND Service decides that an assessment is **not** needed, they will write to the child's parents or young person and the education setting to explain the reasons for their decision. This should include feedback about the information gathered during the assessment to help inform how the outcomes sought for the child or young person can be achieved through the special educational provision made by the school, setting or post 16 institution. They must also give parents and young people details about their right to appeal against the decision to the Special Educational Needs and Disability Tribunal (SENDIST) and their need to consider mediation.

The Local Authority will also tell you about the informal disagreement resolution arrangements available.

### **What happens during an EHC Needs Assessment?**

If the Local Authority decides to undertake an EHC needs assessment, parents or the young person will be allocated an EHC Coordinator who will act as the Lead Professional. The EHC Coordinator will be in contact with the family throughout the assessment period to give information on the progress of the request / assessment and to reach agreement on the contents of the EHC Plan.

The child, young person and their family will be at the very centre of the assessment and their views will be listened to every step of the way. This is called a **person-centred approach**. The assessment will focus on **outcomes** for the child or young person.

The Local Authority also have a duty to provide all parents, children and young people with impartial information, advice and support to help them to take part in the assessment and planning process. Each Local Authority must have a **Special Educational Needs and Disability Information, Advice and Support Service** (formerly called the Parent Partnership Service).

The Local Authority will start gathering information about the child or young person from a number of people. This information is called 'advice'.

### **Who else is involved with the EHC Needs Assessment?**

If the Local Authority decides to undertake an EHC needs assessment the SEND Service will also ask other people for 'advice' to help inform the plan.

- **The Child or Young Person's education setting – you will already have had conversations and you will be knowledgeable about what concerns exist.** They will send a report about what the child or young person can do and what he/she finds

difficult. They will also write about what has been tried to support the child or young person.

- **Educational Psychologists** are specialists, trained to assess a child's or young person's learning and can advise on how they might be helped if there are difficulties. The Educational Psychologist will talk with the child, child's parents and young person and with others who know the child or young person well. The psychologist will write about the child or young person's needs and how he/she may be helped to learn.
- **A Health Officer** will be asked to write about whether any health factors affect the child or young person's learning.
- **Social Care** if a child or young person / their family already has contact with social care a report will be included in the assessment.
- **Other Specialist practitioners** such as a Speech and Language Therapist, Physiotherapist and Occupational Therapist might also be asked to write a report, but this will depend on the child or young person's needs.

### **EHC Multi Agency Meeting (MAM)**

As part of the process for gathering advice the EHC Coordinator will contact everybody involved to initiate an EHC MAM.

The EHC planning meeting follows a person centred format, in which the child or young person is at the forefront. The EHC Co-ordinator should be present to pull information together following this meeting.

This meeting brings everyone that is participating in the EHC assessment together to discuss and continue a shared understanding of the child's needs, strengths, what is working well and to be clear about the next steps.

The child and family are, again, at the centre and everyone should feel that they can contribute. Helping the family to take part in this meeting will enable them to contribute in the future to person-centred annual review meetings.

If all attendees have seen the draft assessment reports beforehand, then this meeting provides an opportunity to comment on them. Where there are misunderstandings or differences of opinion then these can be discussed. Reports may be amended or further reports commissioned as a result of the MAM.

## **EHC Needs Assessment: What happens next?**

The Local Authority SEND Service will carefully consider all of the advice collected during the assessment and will decide whether an EHC Plan is necessary for the child or young person.

If following the completion of an EHC needs assessment the local authority decides NOT to issue an EHC Plan it **must** notify the child's parent or the young person, the current educational setting and the health service and give reasons for its decision.

This notification **must** take place as soon as practicable and at the latest within **16 weeks** of the initial request. The local authority **must** inform the child's parent or young person of their right to appeal the decision to the Special Educational Needs and Disability Tribunal (SENDIST) and of the requirement for them to consider mediation should they wish to appeal.

If the Local Authority decides that an EHC Plan is necessary, they will send a Draft EHC Plan, together with a copy of all the advice / reports collected during the assessment to the parent or young person. The Local Authority must give the child's parents or young person at least 15 days to give their views on the content of the Draft EHC Plan, to express a preference for an educational institution and to seek the agreement of a personal budget. Parents or young people can request a meeting with the SEND Service to discuss any issues or concerns.

## **The Education, Health and Care Plan**

Decisions about the content of the EHC plan should be made openly and collaboratively with parents, children and young people. It should be clear how the child or young person has contributed to the plan and how their views have affected it.

EHC plans should describe positively what the child or young person can do and has achieved and be forward looking. They should be clear, concise, understandable and accessible to parents, children, young people, practitioners and providers and must specify the outcomes sought for the child or young person.

The EHC Plan will be written to include the following sections: A to K.

*Section A: the views, interests and aspirations of the child and his or her parents or the young person*

*Section B: the child or young person's special educational needs*

*Section C: the child or young person's health needs which are related to their SEN*

*Section D: the child or young person's social care needs which are related to their SEN or to a disability*

*Section E: the outcomes sought for the child or young person. This should include outcomes for adult life. The EHC plan should also identify the arrangements for the setting of shorter term targets.*

*Section F: the special educational provision required by the child or young person. This must be detailed and specific and should normally be quantified*

*Section G: any health provision reasonably required by the learning difficulties or disabilities which result in the child or young person having SEN. Where there is an Individual Health Care Plan in place it should be included.*

*Section H1: any social care provision which **must** be made for the child or young person under 18 resulting from section 2 of the Chronically Sick and Disabled Persons Act 1970*

*Section H2: any other social care provision reasonably required by the learning difficulties or disabilities which result in the child or young person having SEN. This will include any adult social care provision being provided to meet a young person's eligible needs under the Care Act 2014*

*Section I: the name of the school, maintained nursery school, post-16 institution or any other institution to be attended by the child or young person and the type of that institution*

*Section J: where there is a Personal Budget – details of how it will support particular outcomes.*

*Section K: the advice and information gathered during the EHC needs assessment must be attached (in appendices). There should be a list of this advice and information. 9*

At the Draft EHC Plan stage, Section I will be left blank to enable the parents or young person to state a preference for a particular school or educational institution.

This may be the school that the child or young person is already attending.

The Local Authority must agree with the parent or young person's preference as long as:

- the school is suitable for the child or young person's age, ability and needs
- the child or young person's presence in the school will not affect the efficient education of other children already at the school
- placing the child or young person there will be an efficient use of the Local Authority resources.

If the parents or young person state a preference for a mainstream school, the Local Authority must provide a mainstream place as long as:

- The child or young person going there will not damage the education of other children or young people already at the school.
- There are no practical steps that the school or the Local Authority could take to prevent the child or young person affecting the other children's or young people's education.

The Local Authority **must** consult a school before naming it in the EHC Plan, but the Local Authority make the final decision.

The Final EHC Plan will be sent to you and will include the name and type of school or educational institution in Section I. It will also include a date by which the Plan must be reviewed. EHC Plans have to be reviewed on an annual basis.

### **Mediation / Appeal**

The Local Authority **must** inform the child's parent or young person of their right to appeal to the Special Educational Needs and Disability Tribunal (SENDIST) and of the requirement for them to consider mediation should they wish to appeal, if they disagree with the final EHC plan. Mediation is arranged by the Local Authority, unless the issues relate only to health, in which case the responsible commissioning body must arrange the mediation. The mediator must be independent of the local authority.

When a parent or young person wishes to bring an appeal about the special educational needs element of the plan, they may do so only if an independent mediation adviser has provided them with information about mediation and how it might help.

Parents and young people can then decide whether to go to mediation before they bring an appeal to the Special Educational Needs and Disability Tribunal (SENDIST). Where they decide against mediation, they will be able to go straight to appeal after receiving a certificate stating they have considered mediation.

To find out more about Special Educational Needs and Disability support in Lambeth:

Contact SEND Service on 0207 926 9460 / 7754



## Statutory timescales for EHC needs assessment and EHC plan development

