

2. REQUESTING AN EHCP NEEDS ASSESSMENT



An EHCP can be requested by parent, young person, teacher or anyone else concerned about the child's SEN

WHERE, DESPITE THE SCHOOL HAVING TAKEN RELEVANT AND PURPOSEFUL ACTION TO IDENTIFY, ASSESS AND MEET THE SEN OF THE CHILD OR YOUNG PERSON, THE CHILD OR YOUNG PERSON HAS NOT MADE EXPECTED PROGRESS, THE SCHOOL OR PARENTS SHOULD CONSIDER REQUESTING AN EDUCATION, HEALTH AND CARE NEEDS ASSESSMENT.

Contact your local authority's SEND department and ask to start the Statutory Assessment process. They must reply within six weeks of your initial enquiry (make a note of the date)

When your initial request has been received, think about what help you might need with your application. The government funds impartial advice from trained advisors called SENDIASS who can help you through the process. They are available in every area and offer free information, advice and support to children, young people and parents on a range of SEND issues. This includes EHCP applications.

A full diagram of the process can be found in the SEND Code of Practice

There is then a six-week period during which the LA should gather evidence of your child's SEND e.g. school reports, Assess/Plan/Do/Review documents, speech & language/Ed Psych/ Occupational Therapy or other reports. *If possible, parents themselves may want to gather together relevant reports and information as well, to ensure everything is considered by the LA. This will also assist as a timeline reminder when you are writing your child's story as part of the application.*

You will need to explain why your child needs an EHCP assessment. It can be useful to write your child's story from birth, including any relevant information from any previous reports, assessments or diagnoses. Include how your child's difficulties impact upon your whole family and what support your child already has that really helps. Remember to think about their strengths as well! Make sure you number the reports and include them in your application (only ever send copies). Any medical and social care needs should be included.

THE LOCAL AUTHORITY DECIDES WHETHER OR NOT TO CONDUCT AN ASSESSMENT OF SEND.

If your assessment request is refused, the LA should advise you of other options short of statutory assessment that can support your child. You can find services listed on your area's Local Offer website that your school may be able to access to support the Assess, Plan, Do, Review process. Your LA should never just say 'No' without looking at what else can be done to better help your child.

If you are not satisfied with this decision or any other help sourced from the Local Offer help you can seek mediation and/or appeal to the First Tier SEND Tribunal

If an assessment is agreed, move to part 3 "Conducting an assessment"

Move to part 4, "Disagreements"

3. CONDUCTING AN EHCP NEEDS ASSESSMENT



THE LOCAL AUTHORITY HAS DECIDED THAT A STATUTORY ASSESSMENT OF YOUR CHILD'S SEND IS REQUIRED.

Meet the LA representative to decide if any further external assessments are needed, e.g. OT, SLT and Ed. psych. You may want to take a friend, partner or advocate to meetings.

Any organisation asked to carry out an assessment or offer advice must comply within 6 weeks.

Draw up a profile, that can be used to show practitioners so they can understand who your child is as an individual. Your school may help you with this. This helps to tailor the support specifically for your child. Include what they like about themselves, what is important to them and how they would like to be supported as an individual.

Ensure that your final submission includes all the evidence and reports (copies only). Number them and list them all on a separate sheet. Update your parental statement to reflect any other assessments or changes. Don't forget to include all the interventions that have been tried by both school staff and from the local offer.

The local authority makes a decision whether to issue an EHCP or whether it thinks your child can be helped sufficiently from the Local Offer

If the LA decides not to draw up an EHC plan, it must inform the parent within 16 weeks of the original request for an EHC plan. There is a right of appeal.

The local authority will prepare a draft EHCP and send it to you to be reviewed. The Plan writer/coordinator should be expected to work with you during the drafting to co-produce the plan. Make sure all the sections are filled out to your satisfaction and are accurate. Think about if & how a personal budget might be used to support your child's needs. The legal duty to ensure your EHCP complies with the law lies with the LA

If an EHCP is to be drawn up, meet with the plan coordinator from the local authority and any representatives from education, health and social care to discuss the provision that will be required for your child from each sector.

Remember that at any point, if you can't agree on any aspect of the plan, you can ask for disagreement resolution

The LA send the draft plan & should also invite you to apply for a personal budget for your child.

Once you receive the draft plan, you have 15 days to check through to ensure all needs are included and are met with specified and quantified provision. You can request alterations if not. During this time you should name your preferred school and agree how any personal budget will be allocated.

For the provision sections F to H2, ensure all the provision you agreed on earlier with the education, health and social care representatives and during your meetings with the plan writer, as well as realistic outcomes.

The LA has to discuss the placement with the proposed school to ensure that it is suitable before naming it in the EHCP. The institution should respond within 15 calendar days.

AFTER FURTHER CONSULTATIONS BETWEEN THE LA & THE FAMILY, THE FINAL PLAN IS ISSUED. IT MUST BE REVIEWED AT REGULAR INTERVALS TO ASSESS PROGRESS

The whole process must be completed within 20 weeks.

The plan is implemented. If you're unhappy with the final plan, you can appeal after contacting the mediator. (See sheet 4)

If you want to appeal, go to sheet 4