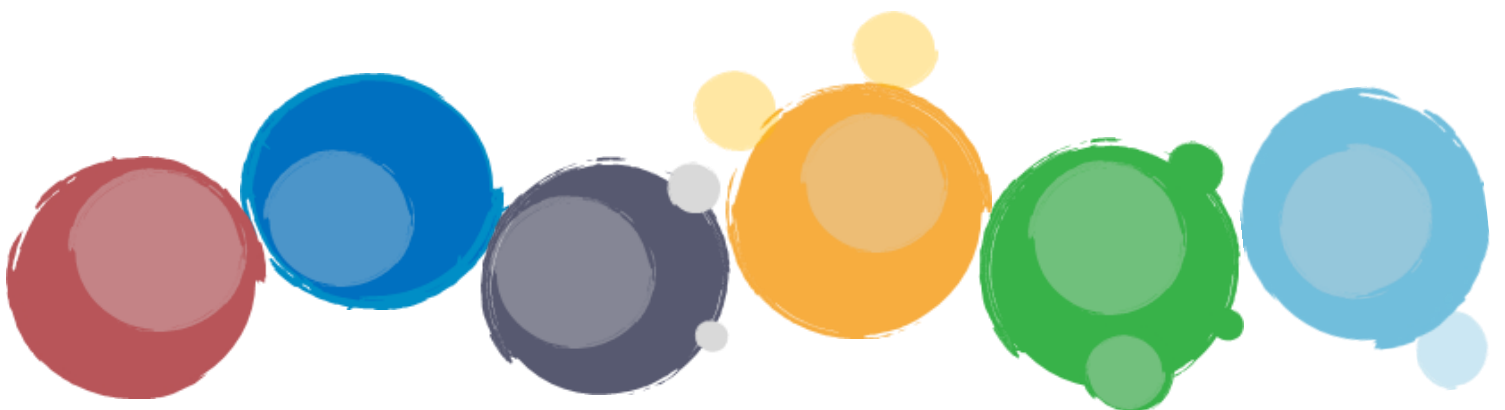




S | E | N | D | I | A | S | S
H E R T F O R D S H I R E

Applying for an Education Health and Care Needs Assessment

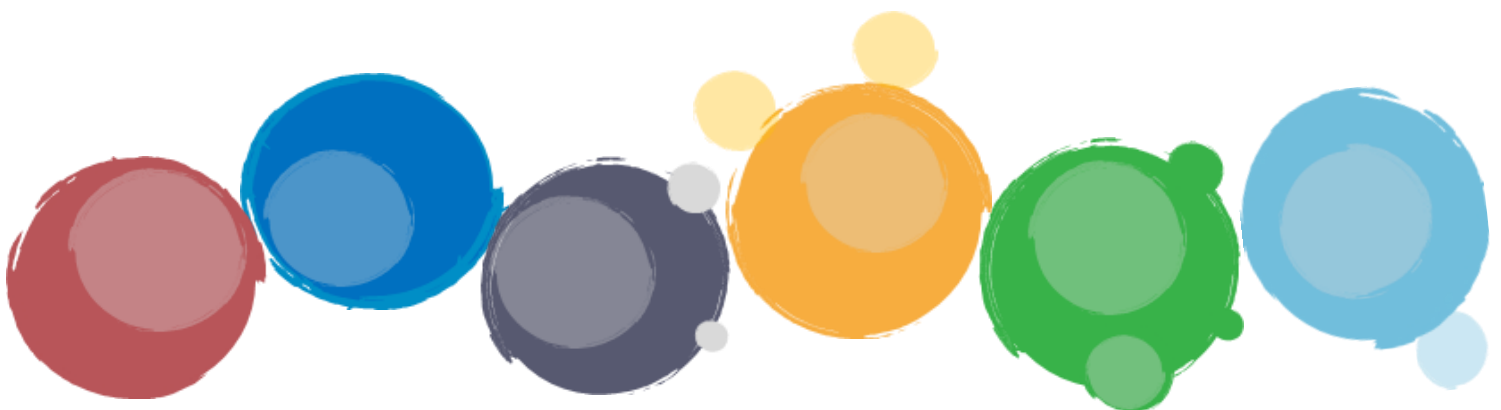


The Law and Guidance

The Children and Families Act was introduced in 2014. In terms of Special Educational Needs (SEN), the Act has the aim of simplifying and improving the support available for children and young people with special educational needs and disabilities. Provision was extended from birth to 25 years of age and the Act introduced the Education, Health and Care (EHC) Plan to replace the SEN Statement with the objective of making support for families more tailored.

From the Children Families Act 2014 came the Special Educational Needs and Disability Code of Practice 2015.

The SEND Code of Practice was devised to explain the responsibilities of Local Authorities, educational establishments such as early education settings, schools and academies together with health organisations to those with special educational needs in accordance with the Children and Families Act 2014. The Code is for Head Teachers and Academy Principals; Governing Bodies; school staff; SEN coordinators; Local Authorities (LA); early education providers, health and social services personnel and other professionals.



Children and Families Act 2014 —

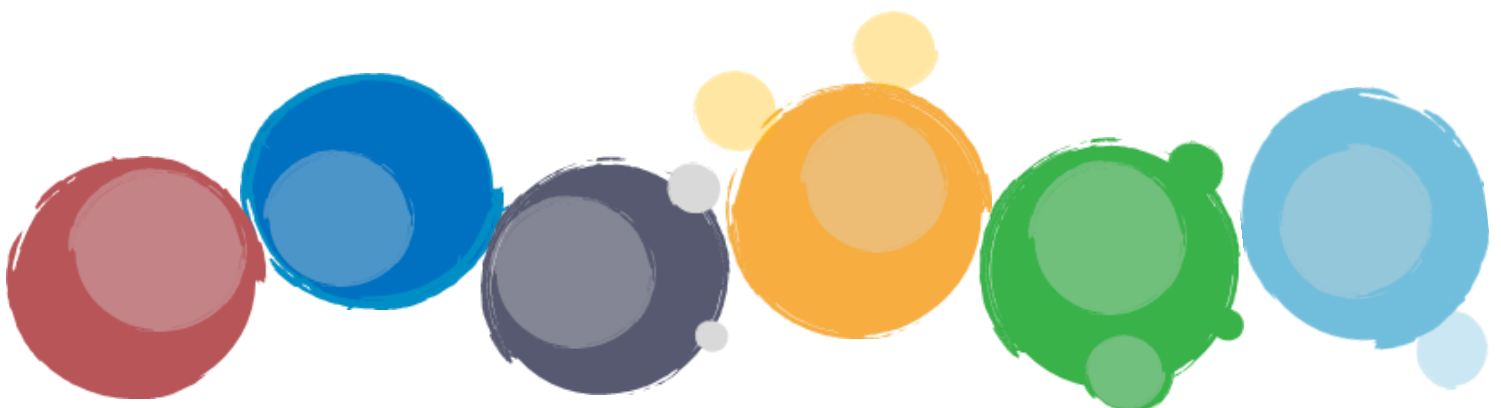
Section 19

Part 3 of the Children and Families Act 2014, is an important section of the Act for those Children and Young People (CYP) with SEN and their families. In particular and for the purposes of applying for an EHC Needs Assessment (NA); you may wish to look at Section 19 which states that;

“Local Authorities must have regard to:

- the **views, wishes and feelings** of the child, young person, adult, parents or those with parental responsibility
- the importance of them **participating as fully as possible** in decisions around SEND
- the importance of them having the **information and support** they need in order to participate
- the need to support them so that the pupil can achieve the best possible educational and other **outcomes.**”

These participation principles lie at the base of the SEND Code of Practice 2015.



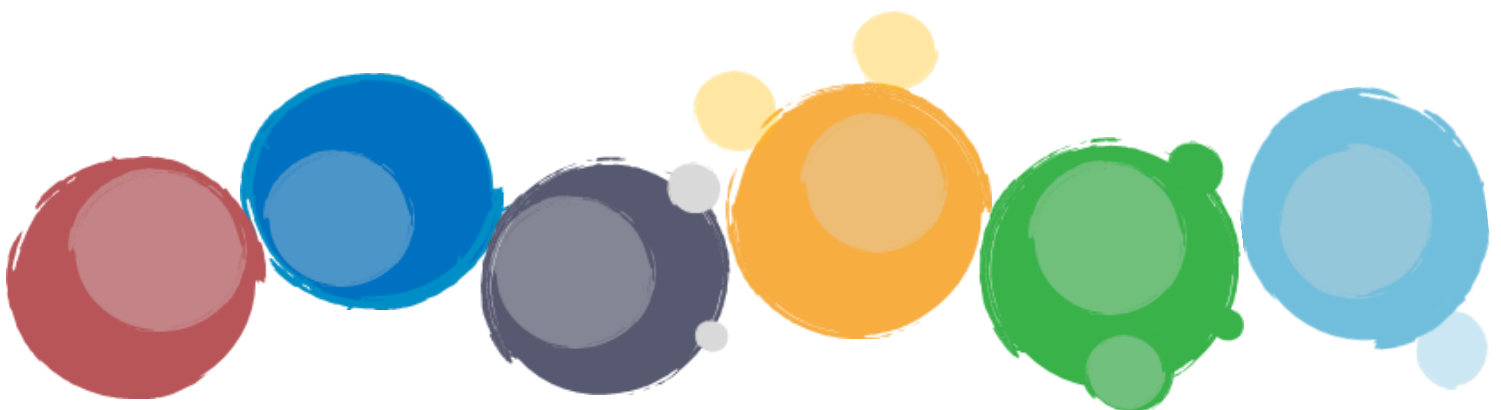
SEN Code of Practice 2015—

Sections 6 & 9

Once again, although the information within the SEND Code of Practice (CoP) 2015 is important document as a whole; when thinking of applying for an EHC Needs Assessment, you may find it useful to read the information within Section 6 and Section 9.

Section 6 - looks at schools and it mostly applies to mainstream schools. This section of the CoP explains the action mainstream schools should take to meet their duties in relation to identifying and supporting all children with SEN whether or not they have an EHCP.

Section 9 – covers all the key stages in an EHC NA and the planning and preparing for an EHC Plan. It includes information on when the Local Authority must carry out a NA, who must be consulted, the steps required to carry out a NA and further information on EHCP's.



EHC Needs Assessment

Children and Young People progress at different rates and learn in different ways. Through *differentiation* of the curriculum, a child or young person who is making slow progress can be helped to reach their full potential. Differentiation means that teachers will use different learning styles, materials and resources to meet the individual's needs and ways of learning.

Most children and young people's special educational needs and disabilities can be met effectively in mainstream education via SEN Support. In a small number of cases, where a child or young person's needs are significant and/or complex, the LA may need to carry out an EHC Needs Assessment, and then consider whether or not to issue an EHC Plan.

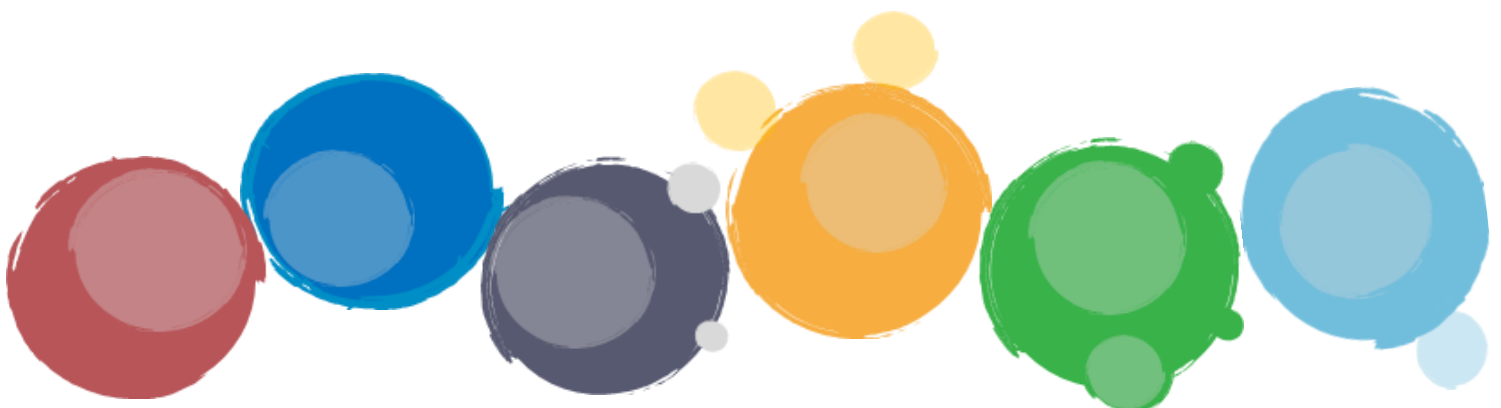
An EHC Needs Assessment is a detailed look at the special educational needs (SEN) of a child or young person and the support he or she may need in order to learn. Local authorities are responsible for carrying out EHC needs assessments under the Children and Families Act 2014.

The needs assessment brings together information about:

- what your child can and cannot do
- the special help they need.

It includes information from:

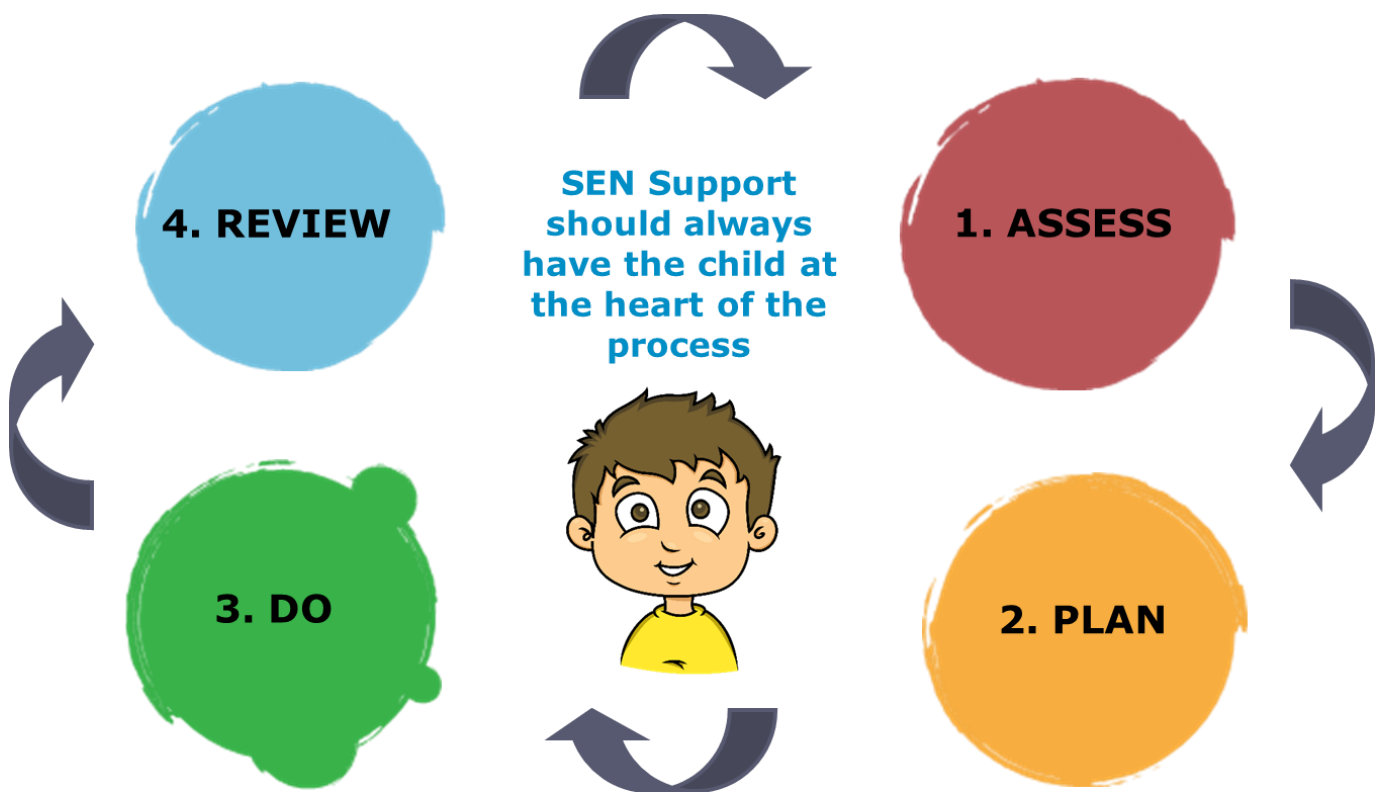
- you
- your child
- the early years' setting or school
- other professionals who work with or support your child.



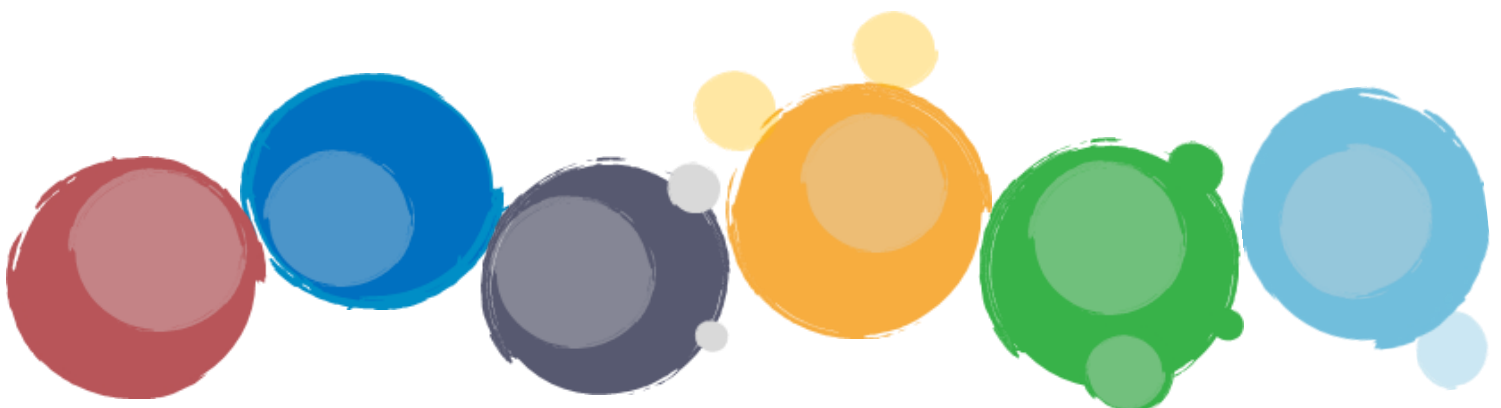
SEN Support

Before you apply for an EHC NA, we would advise that you explore the SEN support that has been put in place for your child. The purpose of SEN support is to help children and young people achieve the outcomes or learning objectives set for them by their school or educational setting. SEN Support is the system by which schools should assess the needs of children, and then provide appropriate support.

The system should follow a cycle of four stages, often referred to as the Graduated approach: It follows the 4 stages of **Assess, Plan, Do, Review** which is shown in the diagram below.



(SEND Code of Practice 5.43 & 6.55)

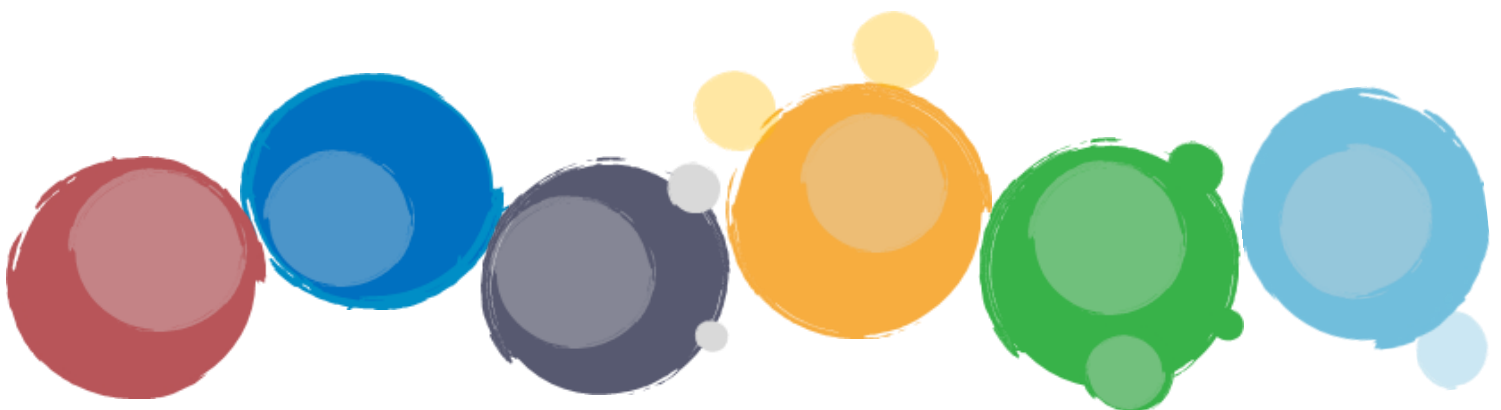


The graduated approach cycle:

- 1. ASSESS**– Your child’s class teacher, working with the SENCO should carrying out a clear assessment of your child’s needs. This should look at previous progress your child has made and things they have achieved. The SEN CoP states that ‘Schools should take seriously any concerns raised by a parent’.
- 2. PLAN** – exploring and agreeing with you (and as far as possible your CYP) what support your CYP will need
- 3. DO** - the setting then delivers the strategies in the SEN support plan. The class teacher should remain responsible for working with the child on a daily basis and the SENCO should support the class teacher with any further assessments.
- 4. REVIEW**- where families and settings look at how effective the support plan has been and agree what might need to change going forward. You as parents should have clear information about the impact of the support provided and should be enabled to be involved in planning any next steps.

The law expects the needs of the majority of children with special educational needs or disabilities to be met within this graduated cycle of SEN support. This type of support is can be referred to as other names such as ‘Pupil passport’ or ‘IEP’.

When it is decided by the school to provide your child with SEN support you should be formally notified. When planning the SEN Support; the teacher and SENCO should speak with you about what they have planned and should agree a date to review the process. This should be reviewed at least 3 times per school year.



Exploring Further Support

The **SEND Code of Practice** says:

'Where a pupil continues to make less than expected progress, despite evidence based support and interventions that are matched to the pupil's area of need, the school should **consider involving specialists**, including those secured by the school itself or from outside agencies'.

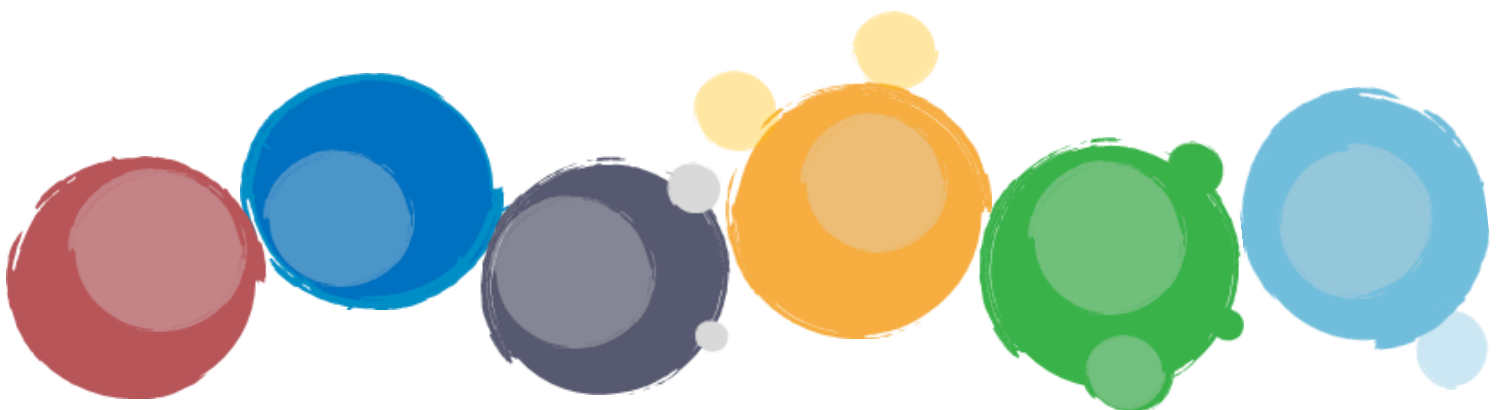
SEN Code of Practice 2015 (6.58)

In Hertfordshire there are several external services that can be brought into your child's setting for further support as part of SEN support.

These services include:

- Speech, Language & Communication
- Hearing loss and Sight loss
- Mental health & Wellbeing
- Learning difficulties & Disabilities
- Physical Needs
- Behaviours that challenge

You can find out more about these services [here](#) on the Hertfordshire Local Offer.



When is an EHC Needs Assessment necessary?

Some children need more help than the school can provide. If your child does not make progress despite everything the school has tried, an EHC needs assessment might be the next step.

The EHC NA is split into two steps.

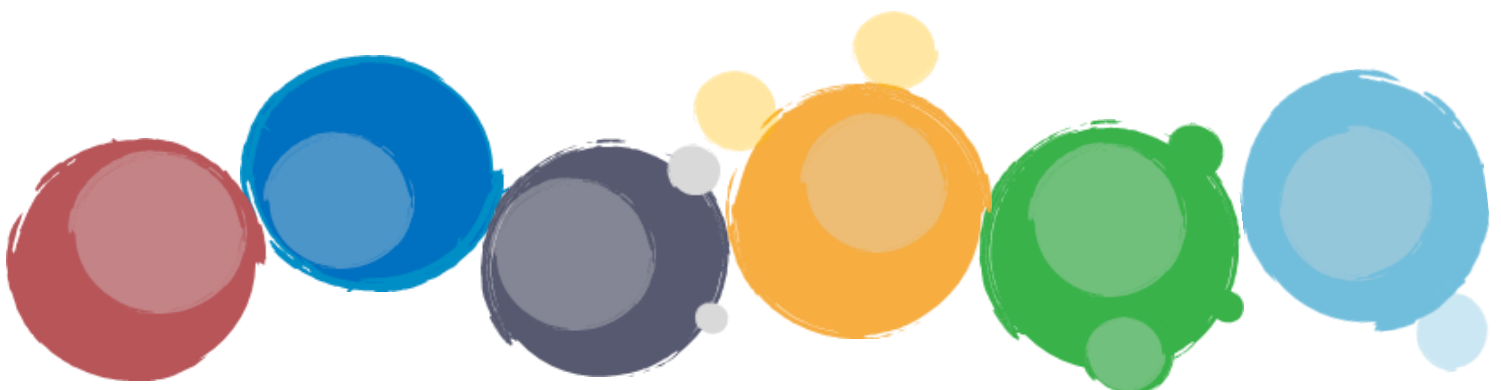
The first step is applying for an EHC NA This is weeks 0-6 in a 20 week timeline for the EHC process. You have a copy of this timeline within your resource pack.

The second step comes after the LA agree to carrying out a needs assessment. This is weeks 7-16 in the 20 week process where the local authority will carry out assessments on your child and speak with relevant professionals and yourself to gather up as much information as possible.

The **SEND Code of Practice** says:

“In considering whether an EHC needs 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)



The local authority will look at:

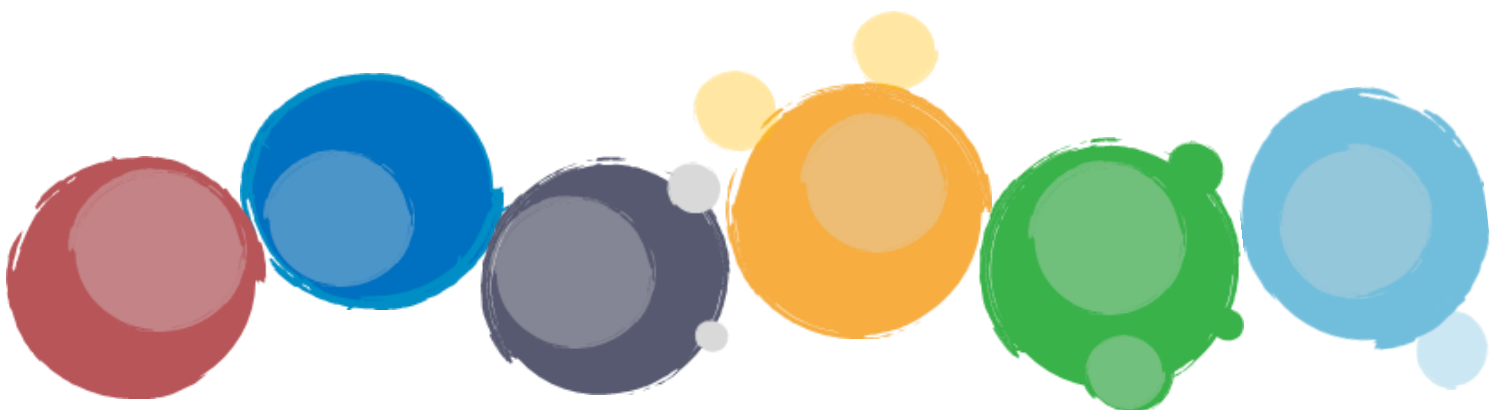
- your child's attainments and rate of progress
- their special educational needs
- what has already been done
- the difference that support has made
- your child's physical, emotional and social development and health needs.

The law states that if your child has or may have special needs and may need provision to be made via an EHC plan, the local authority must conduct an EHC needs assessment. This means that you do not have to prove that an EHC plan is necessary to obtain an assessment, you just have to show it *may* be necessary. If you think your child needs more help than the school can provide, you can ask for an assessment.

The **SEND Code of Practice** says:

"A 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)



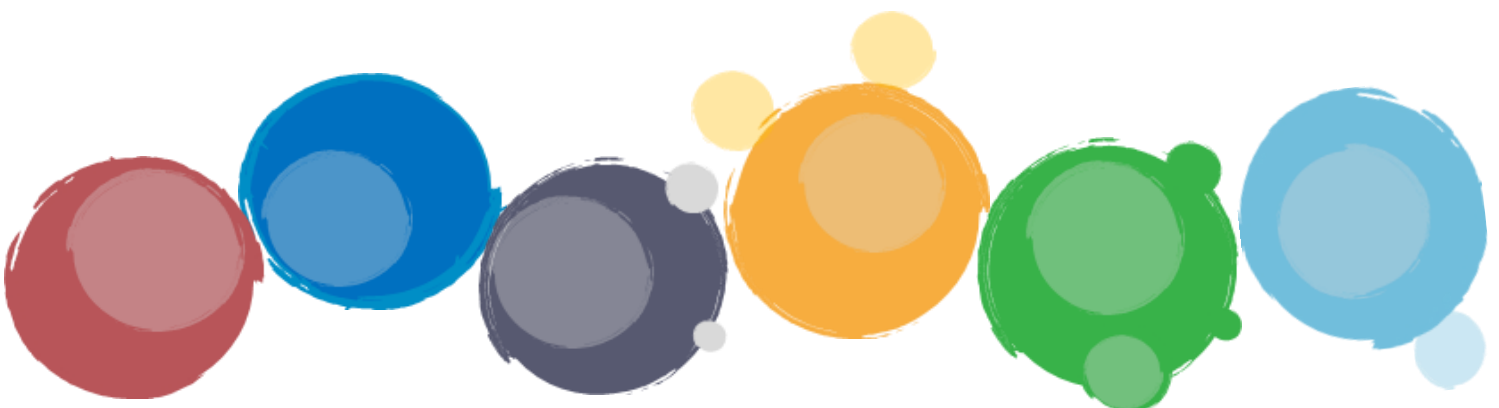
Who can ask for an EHC Needs Assessment?

The following people have a specific right to request an EHC needs assessment:

- **The CYP's parent** or person with parental responsibility. You can make a request for your child if they are under 16.
- **A young person** over the age of 16 but under 25 years.
- **The educational setting** – SENDIASS always get asked '*should we tell the school we are applying for an EHC NA?*' we would advise that it will be helpful to speak to the school or college about your worries before sending in your form to the LA. You should speak to the relevant class or subject teacher, the school SENCO or the person at the college responsible for SEN provision.

The SEND Code says that in addition anyone else can bring a CYP who has (or may have) special educational needs to the attention of the local authority, **particularly where they think an EHC needs assessment may be necessary**. So, for example, a GP or a Children's Practitioner, a swimming teacher or anyone else can contact the LA and say why they think an EHC needs assessment would be helpful. This should be done where possible with the knowledge and consent of you as a parent.

It is always a good idea to talk to the school or early years setting before asking for an EHC needs assessment. Other people, such as your doctor or a health visitor, can tell the local authority that they think your child needs an assessment.



Making a request

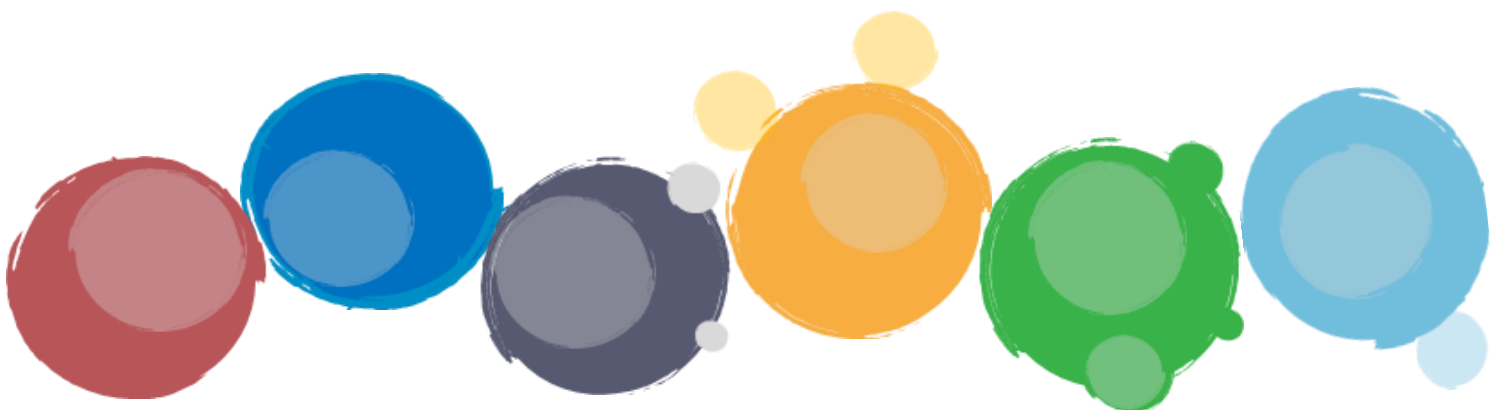
As mentioned previously, you should always consider making a request for an EHC Needs Assessment in partnership with your child's setting

However, if you do not wish to do it in partnership with the school then we would recommend that you at least talk to the setting as the LA will need to contact them.

In Hertfordshire, you can make a request however you wish for example via email or a letter to your area SEN team. However, Hertfordshire County Council do provide a standard form which helps their SEN officers to handle information more efficiently and may also be useful to help you collate and submit all information you feel is relevant for your child.

You can download a form on the [Hertfordshire Local Offer website.](#)

Hertfordshire SENDIASS service does offer support with completing the EHC Needs Assessment request form. Our Helpline Information Supporters and Information Officers can help advise you on how to complete the form, read over anything you have written and support you on what to send off with the form. You can contact us via email or telephone.



What to include with your request

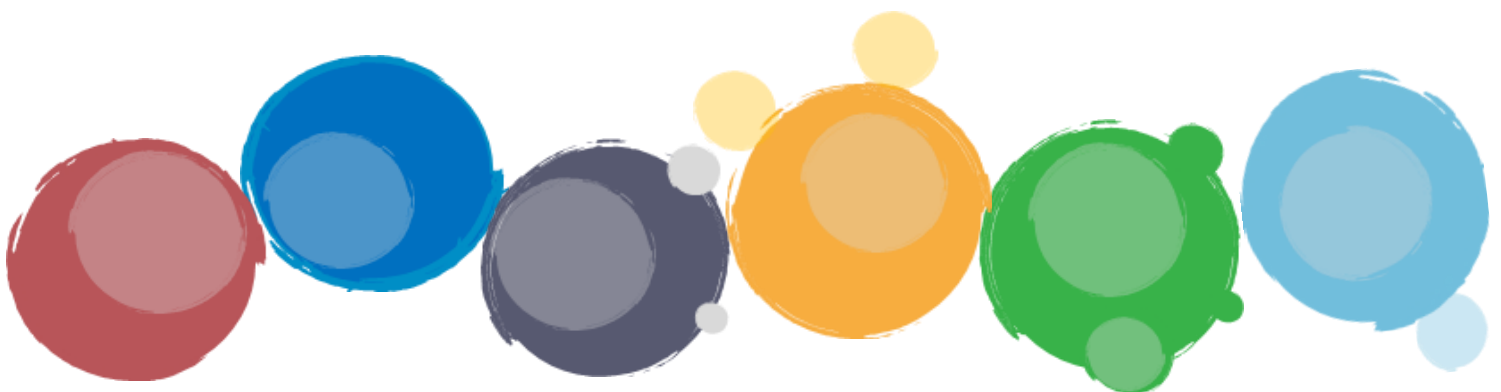
Providing your views within your request for an EHC Needs Assessment is an opportunity to describe your child in as much detail as you would like the Local Authority (LA) to know about them. You may also wish to include information such as:

- copies of any information you feel is relevant e.g. school reports, behaviour support plans or copies of exclusion letters
- Letters of diagnosis
- Professional reports or recommendations
- Any statements from a person who may have worked with your child outside of the school setting

Remember, an EHC needs assessment is about clarifying the difficulties your child has with learning and there are other people outside of school who may also be helping your child to learn a skill like a Scout's leader or swimming teacher. They may be happy to email a paragraph explaining what difficulties they have noticed and what kind of adjustments they have had to make to help your child to learn.

You don't have to use the Hertfordshire form if you find it difficult. Some parents or young people may prefer to record their views, perhaps for example using their phone.

It is also really important for you to write everything down that you experience with your child on a daily basis. What everyday support for your child looks like to you, may be very different to what others see. For example, if you experience a certain routine which has to be followed daily or do certain things to help support your child at home then no matter how small please list these in your request. You need to paint a picture to the Local Authority of what your most difficult days look like to show the level of support your child has currently.



Child and Young Person Views

It's really important to include your child or young person's views as this process is all about them. We would encourage you to go through some of the questions on the form with your child and think about these points:

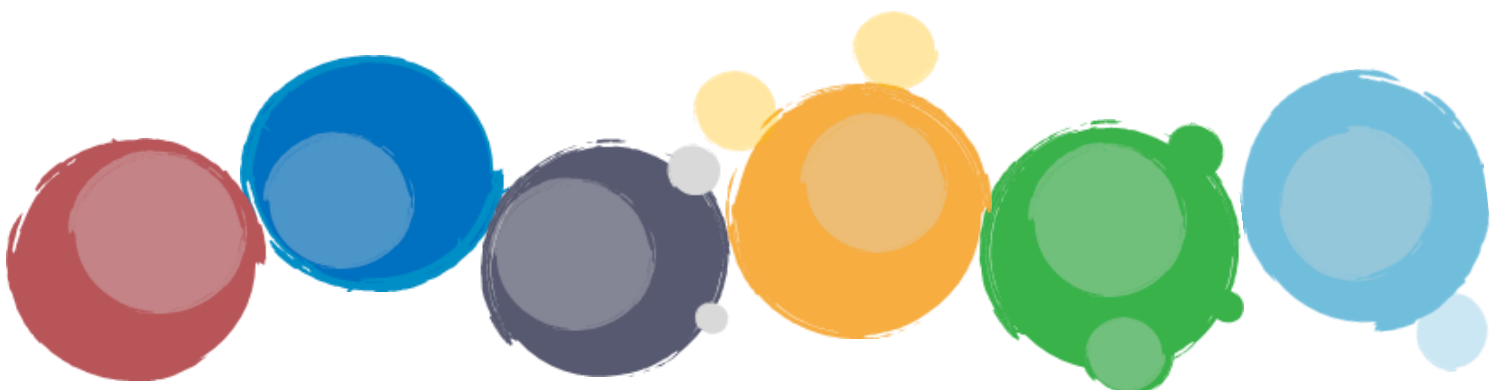
- What have they been enjoying?
- What are their dreams for the future?
- What things (support) have helped them the most at school and at home?
- What do they find difficult or hard to do?
- What may make this better for them?

Don't just ask them about school support here. Most parents will have been making adjustments for their child in the home environment for years – what has your child found most helpful? For example, maybe before a trip out or a party, they really like you to explain what will happen and help them prepare. Maybe they like to have a bath rather than a shower because they find the feel of the bath water easier to tolerate on a sensory level.

Sometimes it can help to ask your child or young person if they woke up tomorrow and it was the best day what would that look like to them?

When schools are fully open, there may be a member of staff in school or college who can work with your child separately to support them to share their thoughts and feelings. And remember your Young Person can contact SENDIASS for confidential support and advice in sharing their views.

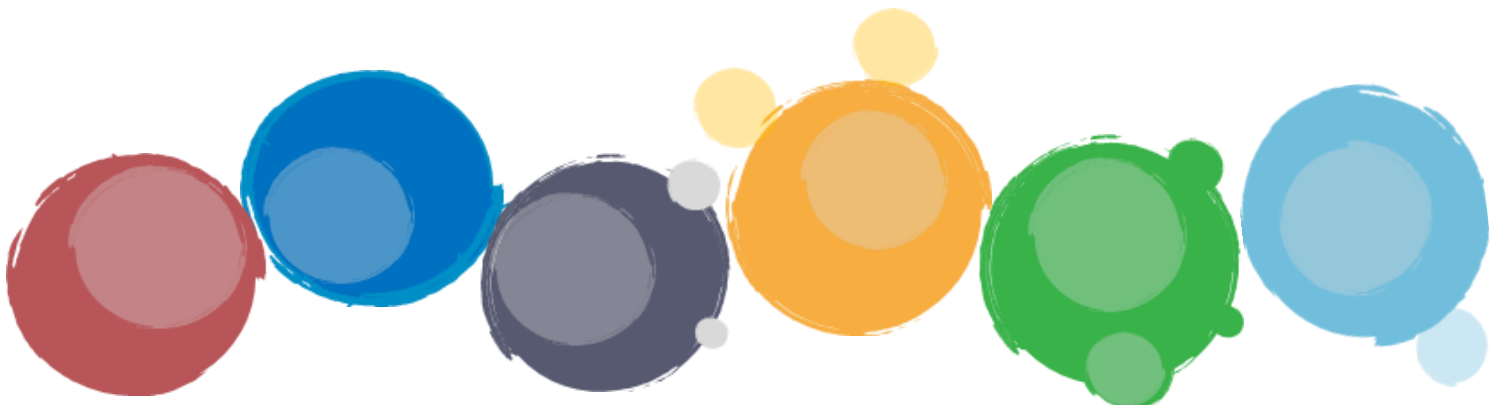
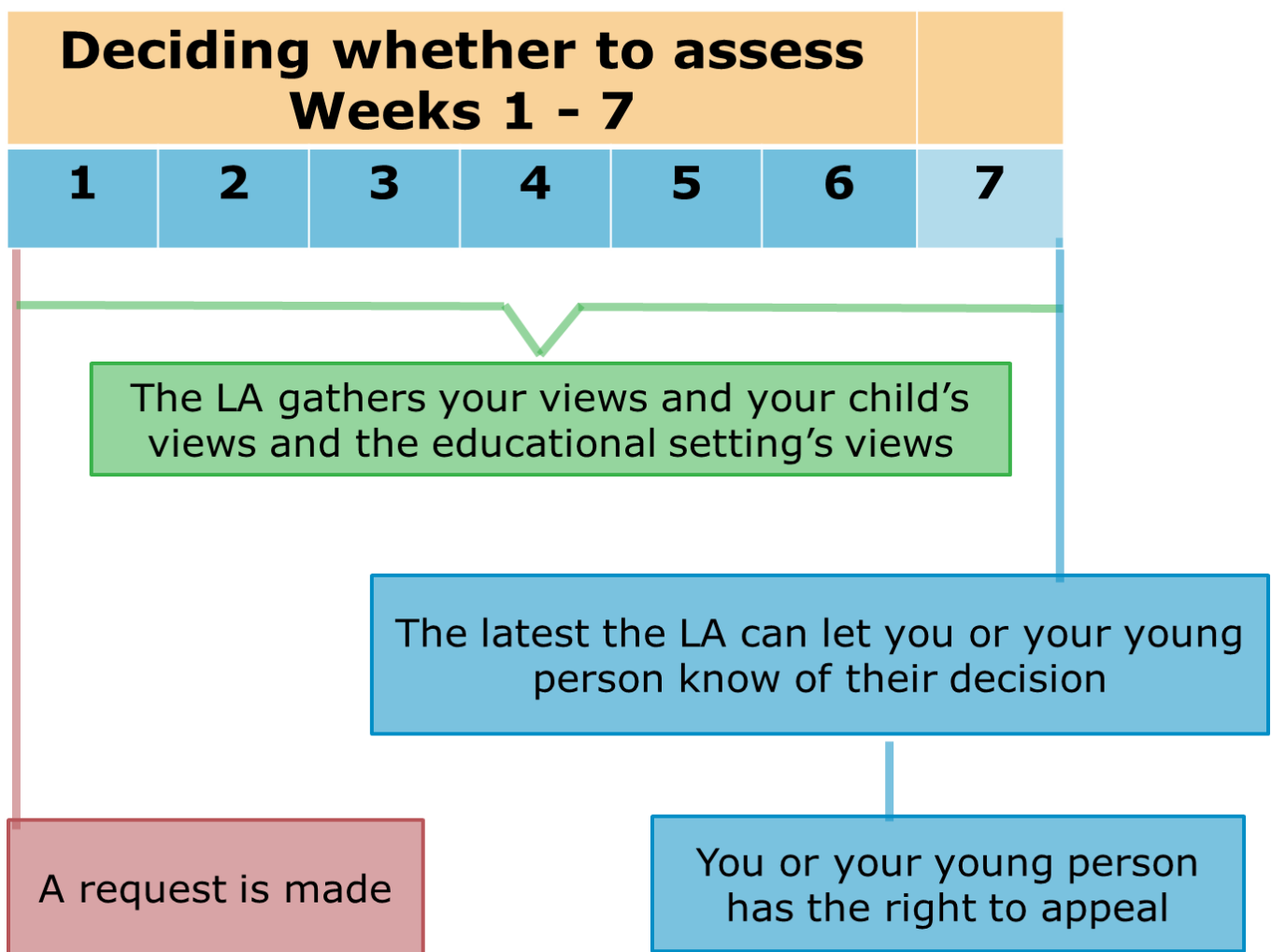
In your resource pack you will find some useful resources that may have you to capture the views of your Child/Young Person.



The timescale

This diagram shows the time frame for this first stage in the EHC process. This is the first 7 weeks out of the 20 week EHC process. So, week one starts when the Local Authority receives the request for an EHC needs assessment.

There then follows a 6-week period when the Local Authority gathers the views of you, your CYP and the educational setting views to help them decide whether a needs assessment is appropriate.



***For free confidential, impartial
information, advice and support please
contact us:***



www.hertssendiass.org.uk



sendiass@hertfordshire.gov.uk



01992 555847

**Telephone
Opening Hours**

Monday - Thursday: 9:30am - 3pm

Friday: 9:30am - 2pm

