

A Guide to Requesting an Education, Health and Care Plan

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Introduction

Chapter 1.17 - Parents' views are important during the process of carrying out an EHC needs assessment and drawing up or reviewing an EHC plan in relation to a child. Local authorities, early years providers and schools should enable parents to share their knowledge about their child and give them confidence that their views and contributions are valued and will be acted upon. At times, parents, teachers and others may have differing expectations of how a child's needs are best met. Sometimes these discussions can be challenging but it is in the child's best interests for a positive dialogue between parents, teachers and others to be maintained, to work through points of difference and establish what action is to be taken.

Chapter 9.1 - The majority of children and young people with SEN or disabilities will have their needs met within local mainstream early years settings, schools or colleges. Some children and young people may require an EHC needs assessment in order for the local authority to decide whether it is necessary for it to make provision in accordance with an EHC plan.

Chapter 9.2 - The purpose of an EHC plan is to make special educational provision to meet the special educational needs of the child or young person, to secure the best possible outcomes for them across education, health and social care and, as they get older, prepare them for adulthood.

Chapter 9.3 - 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. The factors a local authority should take into account in deciding whether it needs to undertake an EHC needs assessment are set out in paragraphs 9.14 to 9.15 of the SEN Code of Practice.

Chapter 9.16 - Local authorities may develop criteria as guidelines to help them decide when it is necessary to carry out an EHC needs assessment (and following assessment, to decide whether it is necessary to issue an EHC plan). However, local authorities **must** be prepared to depart from those criteria where there is a compelling reason to do so in any particular case and demonstrate their willingness to do so where individual circumstances warrant such a departure. Local authorities **must not** apply a 'blanket' policy to particular groups of children or certain types of need, as this would prevent the consideration of a child's or young person's needs individually and on their merits.

This document has been prepared for use in Reading in light of the above guidance.

Purpose

The purpose of this document is to explain the criteria that have been adopted by Reading Borough Council when considering whether to undertake a Needs Assessment of a child or young person's special educational needs. This document will also explain the link between a person-centred approach (see Glossary) and Education, Health and Care plans (EHC).

Further information can be found in:-

- The Special Educational Needs and Disability Code of Practice: 0-25 years issued by the DfE (July 2014) (referred to in this document as COP).

<https://www.gov.uk/government/SENDCodeofPractice2014> and

- The Reading Borough Council Local Offer

www.reading.gov.uk/servicesguide

If you have any queries or would like support in applying for an EHC plan, please contact the Reading Information, Advice and Support Service for Special Educational Needs and Disabilities on 0118 937 3421 or iass@reading.gov.uk

Who is this guidance for?

This guidance is for:-

- Young people (16 - 25)
- Parents and carers (and their supporters)
- Staff from all education settings (early years settings, schools and colleges - including Voluntary and Independent provision and Further Education colleges)
- Local Authority practitioners (including education and social care staff)
- Health practitioners (including paediatricians, therapists and Child and Adolescent Mental Health Service)

Background

From September 2014, the Children and Families Act 2014 introduced a number of significant changes in the way that children and young people with special educational needs and disabilities (SEND) are supported. These changes include:-

- A single assessment process leading in some cases to an Education, Health and Care plan supporting 0-to-25 year olds who have SEND. The systems leading to statements of SEN and Learning Difficulty Assessments (LDAs) are replaced with a new assessment process which integrates education, health and social care provision.
- The introduction of a Local Offer which will reflect the services that are available across education, health and social care without the need for a Needs Assessment or an EHC plan. Voluntary sector provision can also be shown in the plan. An EHC plan **will not** be needed to access these services.

What is an Education, Health and Care plan (EHC plan)?

An Education, Health and Care plan is for children and young people (aged 0-to-25) who have SEND and need a much higher level of support than education settings can deliver on their own. An EHC plan is led by the needs and aspirations of the child or young person and his or her parents working in partnership with practitioners and other supporters.

The purpose of an EHC plan is:-

- To secure the special educational provision assessed as being necessary to meet the SEN of the child or young person;
- to secure the best possible outcomes for them across education, health and social care, and;
- as they get older to prepare them for adulthood;
- establish outcomes across education, health and social care based on the child or young person's needs and aspirations;
- specify the provision required and how education, health and care services will work together to meet the child or young person's needs and support the achievement of the agreed outcomes (ref. COP Chapter 9.2).

In **most** cases, children and young people will be able to access the services they require through the Local Offer and/or Reading's Cluster Moderating Process and a Needs Assessment (or an EHC plan) will not be needed.

For a full explanation of what an education setting should offer your child without an EHC plan, please see Reading's JOINT STATEMENT for Mainstream Schools Special Educational Needs & Disability (SEND) on the Local Offer.

On **some** occasions more specialist help will be needed and the child/young person's needs will be best met by having an EHC plan. In **all** cases, it will be appropriate to adopt the person-

centred approach to ensure that the child or young person remains at the centre of the planning for the services that they require.

Requesting an Education, Health and Care needs assessment

The following people have a specific right to ask a local authority to conduct an education, health and care needs assessment for a child or young person aged between 0 and 25:-

- The child's parent;
- A young person over the age of 16 but under the age of 25, and;
- A person acting on behalf of the early years setting, school or post-16 institution (with the knowledge and agreement of the parent or young person where possible).

In addition, anyone else can bring a child or young person who has (or may have) SEN to the attention of the local authority, particularly where they think an EHC needs assessment may be necessary.

To request an EHC assessment, please talk to your early years or educational setting or, alternatively you can put your request in writing to:-

Chris Stevens, Service Manager, Special Educational Needs
Reading Borough Council
Civic Offices,
Bridge Street,
Reading, RG1 2LU

Reading Borough Council will make a decision whether to undertake a Needs Assessment towards an EHC plan. They will consult with Reading's SEN panel which is made up of educational psychologists, headteachers, health and social care providers. The families' confidentiality will be respected by all on the panel.

They will make the decision and let the child's parent or young person and the educational setting know within 6 weeks.

Reading's Criteria for starting an Education, Health and Care plan assessment

The Special Educational Needs and Disability Code of Practice (Chapter 9.16) allows local authorities to develop criteria for deciding whether to undertake a Needs Assessment for an EHC plan. Criteria must be flexible and adaptable.

In considering whether a child or young person requires a Needs Assessment, Reading will look for evidence from all of the following four criteria:-

Criterion One:- The child/young person has exceptional, severe or complex needs that are likely to be long term

The child or young person's needs are significantly greater than their same-age peers, are long term and require specialist resources or provision to achieve long-term positive outcomes. It should be noted that a request for an Education, Health & Care Needs Assessment will ordinarily be made after the educational setting has considered all alternative avenues of support, such as the allocation of additional resources through the Cluster Moderation process.

Evidence of the exceptional nature of needs will be required, for instance:-

- A report from a medical practitioner explaining the child/young person's condition;
- Early years outcomes and/or academic attainments which are significantly below age expected levels or other specific examples such as lack of progression in phonics or reading development over a prolonged period;
- A log of behavioural incidents over time, ideally, this will be for at least two terms. The log will include dates, times and duration of episodes, the interventions used and the success of the measures implemented;
- Life, social and emotional skills, including independence skills;
- Special equipment, adaptations or facilities required to access the curriculum or maintain school attendance.

For some children, their condition will be sufficiently severe and/or complex to justify an assessment for an EHC plan on its own. For example a preschool child with complex health needs and severe learning difficulties who will require placement in a specialist educational setting.

Criterion Two:- Effective Planning is in place. Key features will include:-

- Person centred planning: The experiences, opinions, goals and hopes of the child, young person and their family are central. All ways of working should lead from how they are experienced by the child, young person and family and should be developed with them. For young people (aged 16 to 25 years), it is the young person's views and opinions which will take precedence, although their parents or carers will commonly still be an important supporter;
- A clear focus on outcomes, particularly those important to the child or and their family;
- A One Page profile setting out the needs of the child/young person in the classroom which is available to all staff;

- Evidence of a series of ‘assess-plan-do-review’ cycles for a minimum of two terms or 8 months that include person-centred planning and appropriate external services.

Criterion Three:- Effective interventions are being implemented

The Special Educational Needs and Disability Code of Practice: 0-25 years are being used by early years/school/college staff and other practitioners to inform a graduated response to identifying and meeting pupils’ or students’ needs. Chapter 6.44 addresses schools’ responsibilities and Chapter 7 covers the provision available through colleges.

Criterion Four:- The school/college is fully using its allocated SEN funds

A fully costed plan or provision map should be submitted by the early years, school or college showing how the child or young person’s outcomes and needs are being met.

The key questions are:-

- Have the resources available in the school or college been utilised fully and appropriately? Has this been evaluated?
- Have services available through the Local Offer been accessed? Has this been evaluated?
- Is there evidence that the school or college has provided targeted intervention addressing the child or young person’s individual needs? Is there evidence of individual or small group support?
- Is there evidence of active monitoring informing adjustments to the child or young person’s programmes in the event of limited progress being made?
- Has the school or college sought advice or support from external services?
- Is there evidence that the child or young person has had access to Quality First Teaching?
- Is there evidence that the school or college have focussed on meeting the agreed outcomes for the child or young person?

Glossary of terms

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| CoP | SEND Code of Practice 2015 |
| Cluster Moderation Process | Clusters of schools come together to decide whether additional short-term resources are needed |
| Early Years | Nursery and Pre-school provision 0 - 5 years |
| EHC | Education Health and Care Plan |
| Local Offer | List of services in Reading for children and young people with SEND and their families. Available at http://servicesguide.reading.gov.uk/ or by phoning 0118 9373777 |
| One Page Profile | List of child/young person's strengths and what they need in the class room for all teachers to understand. |
| Person centred planning | <p>Assessment and plans that:-</p> <ul style="list-style-type: none"> •focus on the child or young person as an individual •enable children and young people and their parents to express their views, wishes and feelings •enable children and young people and their parents to be part of the decision-making process •be easy for children, young people and their parents or carers to understand •highlight the child or young person's strengths and capabilities •enable the child or young person, and those that know them best to say what they have done, what they are interested in and what outcomes they are seeking in the future •tailor support to the needs of the individual •minimise demands on families •bring together relevant professionals to discuss and agree together the overall approach, and •deliver an outcomes-focused and co-ordinated plan for the child or young person and their parents |
| SEN | Special Educational Needs |
| SEND | Special Educational Needs and/or Disability |