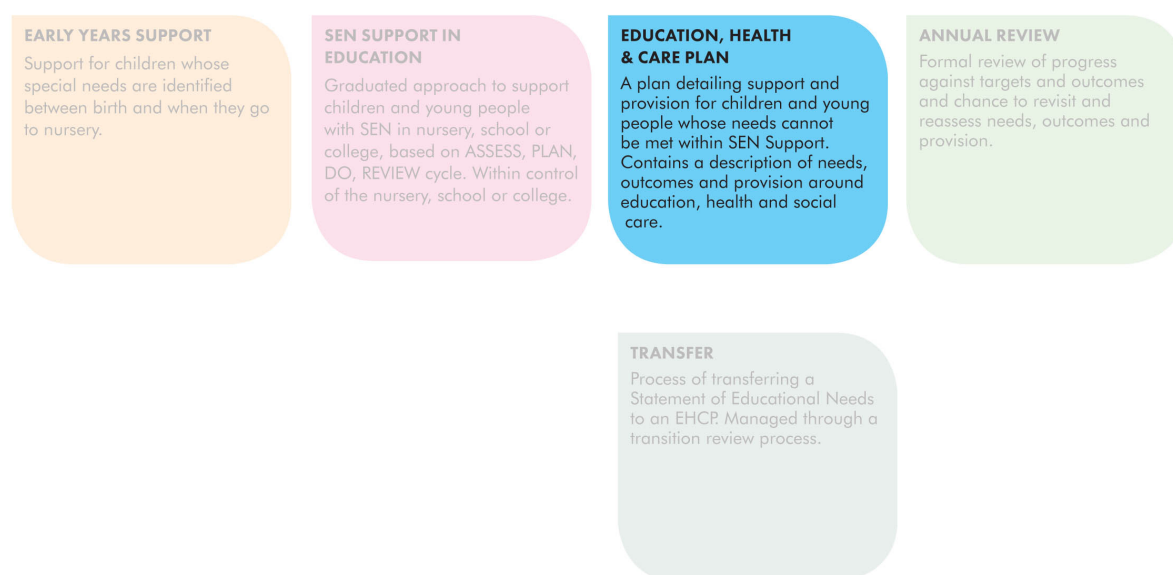


# EDUCATION, HEALTH AND CARE PLANS

## What is an education, health and care plan?

Since September 2014, there has been a new approach to planning and assessment of support for children and young people with special educational needs (SEN). The education, health and care plan (EHCP) replaces the current process, which is a statement of special educational need and there are some significant changes. EHCPs are for children and young people aged 0 to 25, where there is an identified special educational need, in full time education with significant and complex special educational needs. The purpose of the plan is to provide a coordinated process for children and young people with the most complex arrangements across education, health and social care services.



An EHCP must:

- establish and record the views, interests and aspirations of the parents and child or young person;
- provide a full description of the child or young person's special educational needs and any health and social care needs;
- establish outcomes across education, health and social care based on needs and aspirations. The focus long term should be on preparing for adulthood and the young person being independent, having relationships, being healthy and being in employment;
- specify the provision required and how education, health and care services will work together.

A good quality education, health and care plan will contain a 'golden thread' (in the words of the Department for Education) that connects the aspirations of the child or young person (or the aspirations of the family for the child) with their needs, provision and outcomes.



# EDUCATION, HEALTH AND CARE PLANS

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## Department for Education quality criteria for an EHCP

- Meets the requirements of the Act, Regulations and Code of Practice
- Describes positively what child or young person can do
- Is clear, concise, understandable and accessible
- Is co-produced (with family and/or young person)
- Sets good, relevant outcomes
- Tells the child or young person's story well/coherently.

A request for a needs assessment for an EHCP may be made by a nursery, school or college or by the family, or by a young person of 16 or over. Where a child or young person is in education, it may be advantageous to make the request via the educational institution, as the nursery, school or college will have access to information on current SEN support arrangements that should be submitted as part of the request. The local authority (Achieving for Children) has a statutory duty to consult the educational institution, so the request will go back to the school, nursery or college anyway.

In some cases however, the child may not be in school (coming from abroad or is out of school) or the family or young person may wish to request a needs assessment themselves.

The Code of Practice paragraph 9.21 sets out that "local authorities **must** consult the child and the child's parent or the young person throughout the process of assessment and production of an EHC plan. They should also involve the child as far as possible in this process. The needs of the individual child and young person should sit at the heart of the assessment and planning process."

## Person centred planning (PCP)

A person centred planning approach involves careful listening and learning in order to understand a child or young person's choices about how they want to live their life and working out how to make that happen.

The most widely accepted criteria for a Person Centred Plan are as follows:

- the child or young person is at the centre of their plan
- family members and friends are partners in planning
- the plan reflects what is important to the young person, their abilities and the support they need
- the plan results in action, that focuses on people leading ordinary lives
- the plan includes on-going listening, learning and further action

A person centred planning approach will ensure the 'golden thread' of the child or young person's aspirations genuinely runs through an education, health and care plan.

### **What does this look like?**

In practice, PCP means ensuring the child's or young person's wishes, choices and needs are not only taken account of, but central to all aspects of the planning and review process.

Whilst the approach ensures the child or young person is central. It also ensures that everyone involved has the opportunity to give their views and that those views are valued.

The approach has been proved to be a powerful one that fosters a spirit of willingness to participate and results in positive and productive review outcomes.

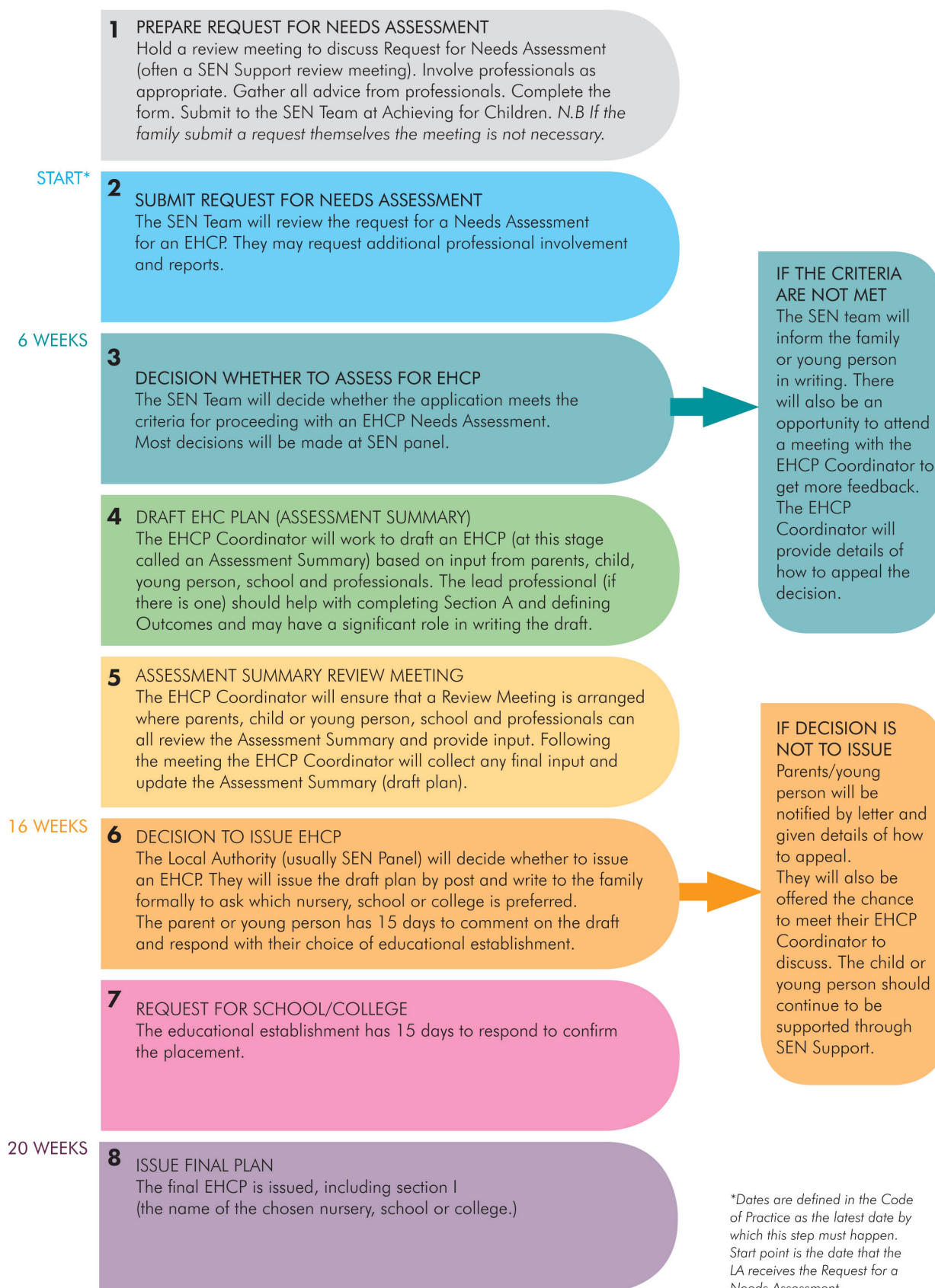
More details can be found in the Annual Review chapter of this document, and in the appendices.

## EDUCATION, HEALTH AND CARE PLANS

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**The statutory needs assessment from request to issue of plan**

# EDUCATION, HEALTH AND CARE PLANS



## EDUCATION, HEALTH AND CARE PLANS

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### Help for families and young people during the EHCP process

The EHCP request and needs assessment can be daunting and complex and many families and young people find that they need support with the process.

There are a number of organisations that will help you fill in forms and give you guidance and advice. A good place to start is with your local Independent Supporters.

[independentsupport@richmondaid.org.uk](mailto:independentsupport@richmondaid.org.uk)

Telephone: 020 8831 6076

or

[RichmondKingston@kids.org.uk](mailto:RichmondKingston@kids.org.uk)

Telephone: 020 8831 6179

For other organisations that can help you see the Local Offer or 'Who is Who in SEN' in Section 1 of this guide.

# EDUCATION, HEALTH AND CARE PLANS

## Information needed to make decision on a request for a needs assessment

The Code of Practice states: "A local authority **must** conduct an EHCP Needs Assessment if:

- the child or young person has or may have special educational needs, **and**
- it may be necessary for special educational provision to be made for the child or young person in accordance with an EHC plan (i.e. the level of support required **goes beyond what can be provided in an SEN support plan.**"

Therefore, it is important that the documentation submitted with the needs request demonstrates clearly that the child has special educational needs **and** that if the child is in an educational institution that the SEN support plan arrangement is not sufficient for the child to make expected levels of progress in line with their ability. For most children this will mean that the SEN Panel will expect to see at least two terms of SEN support planning to support a request for a needs assessment for an EHCP.

As part of the plan, do, review cycle within the SEN support plan there may be a variety of techniques and strategies used in order to meet an identified need. Therefore, the needs request should provide evidence that attempts have been made to ensure appropriate strategies have identified and adapted to meet the need and not just relied upon one strategy. There are, however, some exceptional individual situations where a child will clearly need support over and above what is reasonably available where asking for two terms of progress monitoring would not be sensible and will not be expected.

As far as it is available, the documentation that should be submitted with the request for a needs assessment form is as follows.

### CHECKLIST

- ✓ Parents' views
- ✓ Child's or young person's views
- ✓ Draft Section A (recommended)
- ✓ Copy of current SEN support plan (which should contain details of child's or young person's SEN, their planned outcomes and the details of any provision that has been put in place to support them)
- ✓ Copy of current provision map with costings (to demonstrate that the notional SEN support funding has been exhausted)
- ✓ Early Years: Moving On (if relevant)
- ✓ Educational psychologist's advice or evidence of EP input, which should be outcomes focused and clearly link to provision and needs identified at SEN support
- ✓ Advice from other professionals or individuals important to the child or young person
- ✓ Copies of recent reviews (which demonstrate the actual progress being achieved by the child or young person)
- ✓ Most recent annual school or college report
- ✓ Minutes of other meetings with those involved (in particular the SEN support review meeting where the Request for a needs assessment was discussed)
- ✓ If requesting an assessment for a young person over 18 planning to remain in education and training, evidence of planned outcomes should be provided so that the appropriateness of further support for education or training may be evaluated in light of those outcomes. (For young people up to 25 an EHCP may be maintained under certain conditions if there are outcomes that have not been met and the young person requires more time to meet those outcomes, and continues to make progress towards them.)

In general it is helpful to focus the information provided around outcomes for the child or young person.

## EDUCATION, HEALTH AND CARE PLANS

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### **Parental or Young Person request for an EHCP Needs Assessment**

A parent or young person may also submit a request for a needs assessment themselves. This may be appropriate if the child is not in education or if the educational institution is not supportive of the request or has insufficient resources. It is worth noting however that if the child is in a school or college then the school or college will be asked for their views by AfC during the process of deciding whether or not to proceed with a needs assessment.

If the family or young person is submitting the request themselves (rather than the educational institution) they may not have access to all the documentation listed above – but they should try to gather as much as possible as it is likely to make the decision making much quicker and more likely to result in a positive decision. It is worth noting that parents and young people are not able to request advice from the Educational Psychology Team directly (this can only be done by schools or the local authority), so if no EP report is available then it would not be expected to be included. Some (but not all) therapy teams operate a self-referral system, but children or young people would have to meet the referral criteria to be followed up.

AfC will consider all requests for EHC needs assessments and will make a decision and inform the family or young person of this within six weeks of the assessment being submitted.

If AfC decides not proceed to an EHC needs assessment, the family or young person has the right to appeal. Please see the Section 10 'Decision making and what to do if you disagree with a decision' for details on this.



## Role of the lead professional

### When and how to identify the lead professional

It is recommended that a lead professional be identified at the review meeting where the request for a needs assessment is discussed and is clearly written into the assessment request. Anyone can be a lead professional. It is important that it is someone the family trusts and who is available to take on the role. For children at school, the SENCo or another member of school staff may be the most obvious person as they may well know the child best, however each child is different and it could also be Portage worker, a speech and language therapist, a family member, or independent supporter – to name a few possibilities. It is worth noting that although a family may request that a professional take on the role of lead professional, that professional is not obliged to accept.

Some feel that they do not have the time or expertise to be able to support the process in this way. In this case the family may consider asking someone else or managing the coordination on their own behalf. For families that do not have someone who can act as lead professional and do not feel able to manage the role themselves they are strongly recommended to seek support from the independent supporters or a voluntary sector organisation that has knowledge of the EHCP process. Some families or young people may decide that they do not want to nominate a lead professional at all (the role is optional).

### Why have a lead professional?

The lead professional role is available for the entire lifetime of an EHCP, although who takes this role will change over time as the child grows and circumstances change.

The lead professional is a contact point for parents and families who will help ensure that the provision of services and support are joined up and that the input needed for an EHCP plan is coordinated. They can also act as advocates for the family or young person where there are concerns or issues around the process or the content of the plan.

The lead professional is a person who the parent, carer and/or young person feel comfortable working with and vice versa. They may have some professional or therapeutic expertise from which the family can learn as they navigate their path through SEND support.

It is helpful for the lead professional to know and understand the background of the family. This can be particularly helpful for the family in reducing the need to re-tell their story.

Following meetings, the lead professional is able to re-visit the discussion with the family and reassure them about agreed actions, rationale and next steps (as appropriate). They will raise concerns with relevant services as/if appropriate although they are not accountable for the actions of other professionals or services.

### What does the lead professional do?

- Acts as a main point of contact for the child and the family
- Supports families in ensuring that all needs are properly identified and that suitable outcomes for the child or young person are included in the EHCP
- Keeps an overview of the case and be included in communication about what is happening
- Using their knowledge of the overall situation, helps to identify any concerns or issues
- Supports families in ensuring that agreed actions are carried out
- Hears concerns from parents and help to signpost them in terms of services or facilitate communication with others as needed
- Reduces overlap and inconsistency.

# EDUCATION, HEALTH AND CARE PLANS

## The request for an EHCP Needs Assessment – Step-by-step



\* In the case that a family or young person submits their own Needs Assessment it is not necessary to have a review meeting to discuss this (although it is helpful if it can be arranged). In this case the family or young person should submit as much evidence as they have available.

# EDUCATION, HEALTH AND CARE PLANS

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When submitting a request for a needs assessment, it is important to understand that the decision makers (usually SEN Panel) do not know the child, so they can only base their decisions on the documents submitted to them. It is therefore vital to ensure that as much appropriate information as possible is gathered in advance of submitting the request to ensure that a quick decision can be taken.

## 1a. Prepare SEN support plan review meeting – EHC consideration

### **By nursery, school or college**

In most cases, the discussion about requesting a needs assessment will happen during the scheduled SEN support review meeting. If the SENCo believes that the request for a needs assessment may be necessary (based on the above criteria) then all professionals involved with supporting the child or young person, as well as the parent, child or young person should be invited to this meeting. At this stage, it becomes a review meeting with a specific purpose: to review whether the child's or young person's needs can continue to be met through SEN support and to decide next steps. The SENCo should schedule this review meeting and make sure that all the professionals are invited to attend and have either submitted outcome focused advice in advance of the meeting or plan to do so afterwards. The SENCo should circulate any professional's advice submitted prior to this meeting to all invitees. The parent has the right to ask the SENCo to move this meeting if it is at a time that they or a key professional are unable to attend.

### **By parent or young person**

If the request is to be made by a parent or the young person, then there is a simplified version of the request form available. It may not be possible for all the evidence to be submitted that would be available from a school, however the more detail and reports that can be submitted, the more likely it is that a rapid decision will be made. It is worth noting that parents and young people are not able to request advice from the Educational Psychology Service directly (this can only be done by schools or the local authority), so if no EP report is available then it would not be expected to be included. Some (but not all) therapy teams operate a self-referral system, but children or young people would have to meet the referral criteria to be followed up.

## 1b. Holding the SEN support plan review – EHC consideration

The review meeting will usually take place in an early years setting, school or college. This is not to say that there will not be other circumstances whereby other arrangements will be made. It is also important to understand that there is no legal obligation to hold a review meeting prior to submitting a request for a needs assessment.

### **Purpose of the meeting**

The purpose of this meeting is for the young person, parents and professionals to decide whether or not the child or young person is making expected progress in line with their ability and whether the additional support they are receiving via the Local Offer (AfC's provision) and through SEN support (school provision) is meeting their needs. Based on this discussion a decision should be reached whether to proceed with a request for an EHCP needs assessment. If it is not possible for all professionals to attend the meeting their views can also be sought via email.

# EDUCATION, HEALTH AND CARE PLANS

## Agenda items

### AGENDA

- Deliberations should be undertaken to consider whether the current outcomes are being achieved, and to discuss future outcomes and how these can be achieved. (Outcomes should be recorded in an SEN support plan or similar.) Professionals should advise whether they believe any additional intervention is required to meet these proposed outcomes, and how and when they should be reviewed.
- The educational setting should consider whether they have used their delegated resources and can evidence this. Panel will consider this information. Remember, with any EHC provided, the school automatically funds the first £6,000.
- A decision should be made by all of those at the review meeting whether to request an education health and care plan.
- A lead professional should be identified who will support the family through the EHCP process if it goes ahead (see previous section for more details on the lead professional role).
- Any additional professional advice or input that may be required during the needs assessment should be identified (there is a space on the request form to fill this in). A parent may provide reports in addition to those requested by the local authority, although it is for them to decide whether it is beneficial to do so. (For example, reports from hospital consultants or from private or voluntary sector therapy providers.) This should all be recorded on the request form so that it is clear which information should be taken into account during the needs assessment.
- There should be a discussion whether or not there are identified social care needs, which would require a social work assessment (Social care will be asked for input during any needs assessment).
- The parent or young person should be given the EHCP Section A form to look at and as far as possible complete in draft
- A date should be agreed by when all advice will be submitted to the SENCo prior to the submission of the Request.
- Contact details and email addresses for all participants to be collected so they can be added to the request form.
- The young person's views should be submitted as part of any application.

## 1c. Getting professional input

Normally all the professionals who need to be involved with the child should already have been working with them as part of their SEN support plan. However, there will be times when a child with complex and profound needs moves in to the area which will require a different mechanism of support, the graduated response available through a SEN support plan. This allows time for parents, professionals and young people to get to know the child in their new school setting and undertake an assessment, which allows professionals to engage in a more meaningful way and provide robust advice before an EHC assessment request is made. Professionals are given six weeks to respond during an assessment.

Any additional professional advice needed at the request for a needs assessment stage should be identified at the review meeting. The SENCo should contact these services and request their involvement, detailing why their service is being requested and the intended purpose. It is for that service to provide advice, which will further determine whether a needs assessment is required. In the majority of cases, where a child or young person has an identified special educational need, advice from an educational psychologist (ideally over time) will be critical to the application to form part of the evidence but the report should be read alongside other advice to provide a full picture of the child's needs. Other professionals who may be involved at this time (and may already be involved) are: speech and language therapist, occupational therapist, physiotherapist, paediatrician or specialist doctor, counsellor, or professional from Child and Adolescent Mental Health Service (CAMHS), Portage worker, family support worker or social worker. There may be others.

# EDUCATION, HEALTH AND CARE PLANS

If the child is not already known to the service when the request is made, then it may take some time for an assessment to be scheduled or completed. However, it is not necessary to delay submitting the request until all reports are received – only those necessary to demonstrate that the child may have special educational needs, that the child is not making progress in line with their ability and that the provision required to meet those needs cannot be met through resources available. Any additional reports can be submitted during the full needs assessment process.

When submitting their report, the professionals should ensure that their reports contain a statement of the child's needs, the outcomes that they should be working towards and the provision that the child will need to meet their needs and enable them to meet their outcomes. Reports written in this format serve as input to the decision making for the needs assessment but can be used also as input for an EHCP, should this go ahead.

The Code of Practice makes clear outcomes and provision should be considered when writing advice for Statutory Assessment, (p155 – Para 9.46.9.51).

(CoP Para 9.51) "The evidence and advice submitted by those providing it should be clear, accessible and specific. They should provide advice about outcomes relevant for the child or young person's age and phase of education and strategies for their achievement. The local authority may provide guidance about the structure and format of advice and information to be provided. Professionals should limit their advice to areas in which they have expertise. They may comment on the amount of provision they consider a child or young person requires and local authorities should not have blanket policies which prevent them from doing so."

## 2a. Finalise and submit the request for a needs assessment

Once all the required evidence and reports have been submitted the SENCo should

- complete the new 'request for an EHC Needs Assessment' form;
- share the contents of the form with the parents or young person and support them in completing their sections (and signpost them to additional support if required – see Useful contacts);
- Support the parent or young person with completing a first draft of Section A
- collate the additional supporting information including the minutes of the meeting(s);
- once all parts of the form have been completed and all reports collated, submit the request for needs assessment to AfC.

If a parent or young person is submitting the request for a needs assessment themselves, they rather than the SENCo will do these steps.

## 2b. Reviewing the request

Once Achieving for Children receives the request for a needs assessment they must decide whether it may be necessary for the child or young person to have an EHCP. If the decision is yes, they will proceed with a full needs assessment, which may lead to a draft EHCP. If the decision is 'not to proceed', they will inform the family or young person in writing. In the decision letter there will be clear rationale to the decision, often with further suggestion to the educational setting about what additional evidence would be required and, or further support which can be accessed from with AfC, or other key partners. Parents and young people will have the right to appeal following the decision letter (see the section on 'What to do if you disagree with our decision'). In either case, AfC must notify the parent or young person as soon as practicable and in any event within six weeks of the request being received.

Once the request is received, AfC will allocate an EHCP coordinator and an EHC assistant to the case who will contact the family or young person to introduce them and set a date for a feedback meeting. This person is responsible for ensuring that the processes associated with an EHC application and

## EDUCATION, HEALTH AND CARE PLANS

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creating the education, health and care plan goes smoothly, to provide guidance to families on the process and to ensure that the statutory guidelines are adhered to.

The EHCP coordinator will review the request and the supporting documentation.

If the request has come from a young person or parent then there may not be the same level of information and professional input.

### 3. Decision whether to go ahead with an EHCP needs assessment

The EHCP coordinator is responsible for preparing a panel briefing note, which acts as a front sheet to the information received to help SEN Panel with the decision on whether to go ahead with an EHCP needs assessment. The EHCP coordinator will attend the panel meeting to speak on behalf of the case.

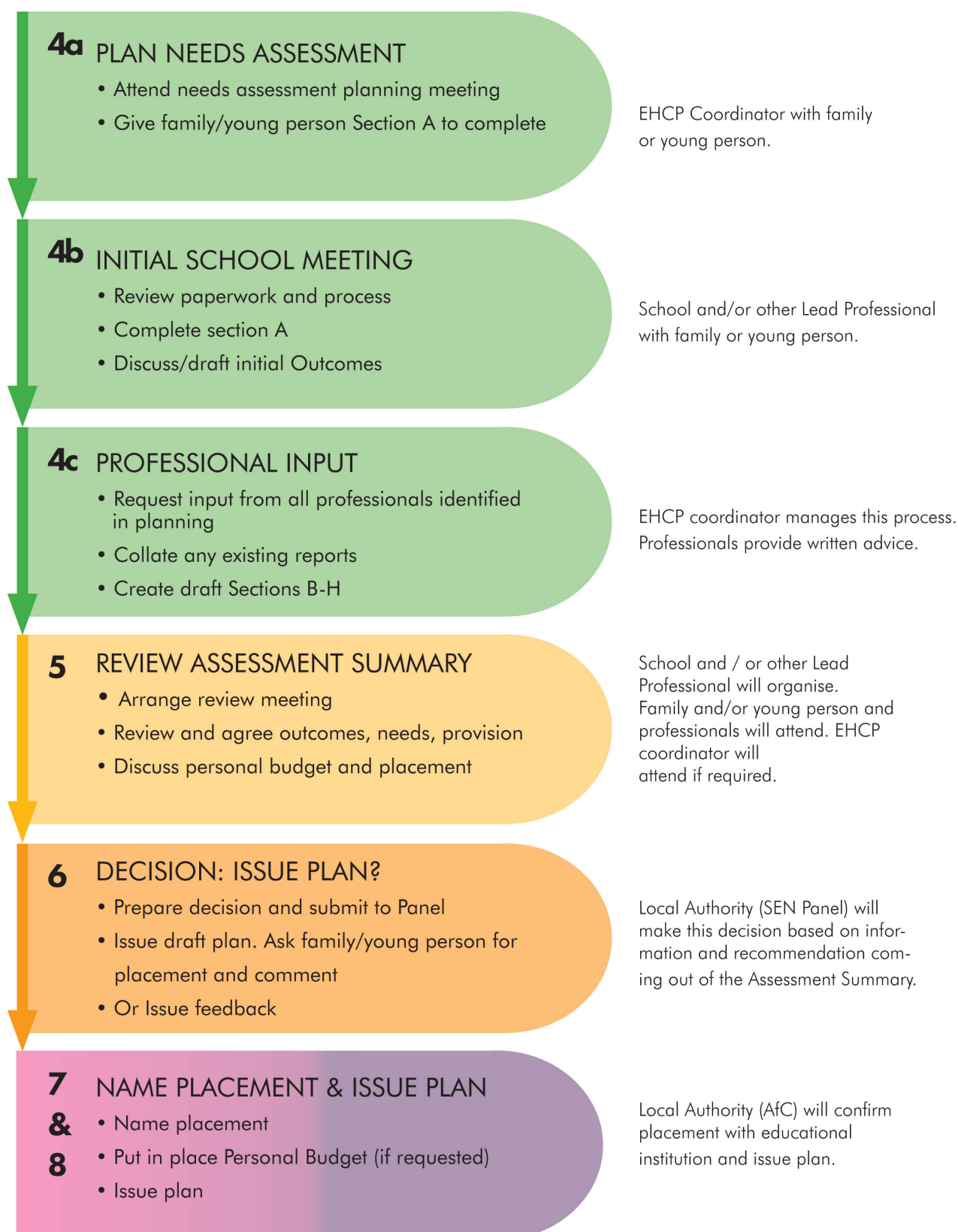
The EHCP coordinator will inform the family or young person of the decision in writing. At the feedback meeting in the case of a 'not to proceed' decision, the EHCP coordinator will provide more details of why this decision was reached, next steps and possible ways forward. They will also provide details of how to appeal the decision.

If the decision is a 'yes', the EHCP coordinator will use the meeting to explain the next steps in the EHCP needs assessment process and agree with the parent or young person which professionals and reports need to be included so as to cover all identified needs and achieve desired outcomes.

# EDUCATION, HEALTH AND CARE PLANS

## The needs assessment and issue of EHCP – Step-by-Step

### Who creates the draft EHCP?





## EDUCATION, HEALTH AND CARE PLANS

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Many individuals will need to provide input to the needs assessment and contribute to the final draft of an EHCP, assuming that the local authority decides to go ahead and issue one. The most challenging aspect of the needs assessment is to get all of the input needed to get a complete picture of the child's or young person's aspirations, needs, outcomes and provision. The more complex the needs of the child, the more input is likely to be needed. Managing this process is critical. The EHCP coordinator at AfC has the overall responsibility for the creation of the draft, so throughout the process they will take all the input from parents, young person and professionals and use it to create the assessment summary (draft) of the EHCP using the EHCP template - their role is overall editor of the document. In some cases the parent or lead professional may feel that they are better placed to do this – in which case the EHCP coordinator may delegate the role of bringing together elements of the assessment summary in the EHCP form template. However, the EHCP coordinator remains responsible overall for the assessment summary and the final EHCP.

For children who have already had SEN support plans in nursery, school or college, much of the information required to create a draft EHCP should already be available as the SEN support plan, which should also be structured around needs, outcomes and provision. It may however be necessary for information to be added during a full Needs Assessment.

### Who provides input to an EHCP?

The Code of Practice States: “9.47 The local authority should consider with the child's parent or the young person and the parties listed under paragraph **the range of advice required to enable a full EHC Needs Assessment to take place**. The principle underpinning this is 'tell us once', avoiding the child's parent or the young person having to provide the same information multiple times. The child's parent or the young person should be supported to understand the range of assessments available so they can take an informed decision about whether existing advice is satisfactory. The local authority must not seek further advice if such advice has already been provided (for any purpose) and **the person providing the advice, the local authority and the child's parent or the young person are all satisfied that it is sufficient for the assessment process**. In making this decision, the local authority and the person providing the advice should ensure the advice remains current.”

The Code of Practice 9.48 further states: “Decisions about the level of engagement and advice needed from different parties will be informed by knowledge of the child or young person held by the early years provider, school or post-16 institution they attend. For example, if the educational provider believes there are signs of safeguarding or welfare issues, a statutory social care assessment may be necessary. If there are signs of an underlying health difficulty, a specialist health assessment may be necessary.”

In other words, AfC should agree with the parent or young person which professional input is needed and should agree when advice already exists whether this is considered sufficient to be used for the needs assessment and drafting the assessment summary which may lead to an EHC. When using pre-existing reports as input to the EHCP, agreement is required that the existing advice is sufficient, including from the original author of the report. The original author may therefore disagree with the use of their existing advice as the advice for the Assessment. AfC should also consult the early years provider, school or post-16 institution about who to involve in the needs assessment.

To ensure that everyone is clear on which professionals and reports should be included, it is critical that there is an initial planning meeting where all the input is identified and documented. There is space on the request for a needs assessment form to document all professionals who need to be involved.



# EDUCATION, HEALTH AND CARE PLANS

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## Which professionals must be involved?

The Code of Practice Para 9.49 sets out which professionals must be consulted. In summary this is:

- the child's parent or the young person
- educational advice from the headteacher or principal of the school or post-16 or other institution. If that is not available e.g. the child is not at school, the LA must get advice from the person teaching them (which could include the parent) or someone with experience of teaching children or young people with SEN, or knowledge of SEN provision which may be called for in different cases to meet those needs
- medical advice and information from a health care professional identified by the relevant commissioning body
- psychological advice and information from an educational psychologist who should normally be employed or commissioned by the local authority
- advice and information in relation to social care
- advice and information from any other person the local authority thinks is appropriate
- where the child or young person is beyond Year 9, advice and information in relation to provision to assist them in preparation for adulthood and independent living
- advice and information from any person the child's parent or young person reasonably requests
- advice from a specialist visual or hearing impairment professional if relevant.

## 4a. Planning of needs assessment

A date for an initial planning meeting should have been set by the EHCP coordinator at the time when the request was received and the EHCP coordinator first contacted the parent or young person. If the meeting was not arranged, then the EHCP coordinator should set one up at this point. It could be a face-to-face meeting or a telephone conversation.

### Purpose of the needs assessment planning meeting

The meeting/conversation is for the EHCP coordinator to explain the needs assessment process to the parent or young person. Together, the parent or young person and the EHCP coordinator should review the list of professionals in the request form whose advice was requested to be included in the needs assessment process. They should agree which reports already exist that can be used for the needs assessment, which new advice will be requested and how the input will be requested (i.e. by the local authority, by the educational setting or by the parent directly). When using pre-existing reports as advice for the needs assessment, the agreement of the original author of the reports is required that their advice is sufficient for this purpose. They may not agree that their advice can be used as the assessment advice. The EHCP coordinator should document this list of professionals to consult. The parent or young person may also request that their Lead Professional is involved in this meeting, but availability and timescale may dictate possibility.

At (or following) this meeting, the EHCP coordinator should give the parent or young person a copy of Section A of the EHCP, which is the part of the form which is all about the child or young person. The parent or young person may already have completed a version of Section A in draft as part of the application for a needs assessment – in which case they should review the earlier version and update as required. More details on this can be found in the section 'Detailed guidance on completing an EHCP form'.

If the child or young person already has a SEN support plan in school, much of the information needed for section A (and indeed much of the professional advice) may already be documented in this plan and parents or young people should ensure that they use this as a basis.

# EDUCATION, HEALTH AND CARE PLANS

## Suggested agenda for the needs assessment planning meeting

### AGENDA

- Needs assessment process and timescales
- Who needs to provide input to the needs assessment and whether advice is already available in the form of suitable reports
- Agreement on any additional professionals or services that will be contacted during the needs assessment process and who will be contacting them (parent, educational institution or EHCP coordinator)
- Overview of the purpose of Section A and where to get a copy of the form (electronically or on paper) – or discussion of the draft that was submitted with the Request for a Needs Assessment
- Initial conversation about educational setting placement, when this needs to be decided and where to go to get more information (AfC Local Offer and voluntary organisations such as SENDIASS, SEND Family Voices)
- Initial conversation about the option of requesting a personal budget and where to go to get more information and support with this
- Where to go for help and guidance (including written guides such as this one and contact information for independent support and other organisations who may be able to help)
- Contact details of everyone that needs to be involved plus best way to contact the parent or young person and details of when and how the EHCP coordinator can best be contacted (some work part time)

## 4b. Initial school meeting

For children that are in an educational setting (nursery, school, college), it is strongly recommended that the educational setting organises an initial EHCP 'paperwork' meeting with the parent (involving the child if appropriate) or young person to discuss Section A of the form and also to discuss suggested outcomes (Section E), which should link clearly to the aspirations expressed in Section A. If a lead professional other than the SENCo has been nominated, then it is advisable to include that lead professional in the meeting. More detailed guidance on filling in the form can be found under the section 'Detailed guidance on completing an EHCP form'. One of the most difficult and important parts of the form to complete is Section E on outcomes. For children who already have a SEN support plan, there should already be a set of outcomes that have been defined (which may need to be reviewed and expanded on) and also a pupil profile that could form the basis for Section A.

If a child is not in school or does not feel that the SENCo is the right person to support with defining outcomes then they can ask their lead professional to help them define some suggested outcomes. Other professionals will also provide input on outcomes so they could be consulted also. Once the parent and SENCo or lead professional have created some suggested outcomes these should be submitted to the EHCP coordinator who will send them out to the professionals involved, so that everyone has a view of the draft outcomes as input to their reports.

## The importance of Section A

Section A is the part of the EHCP form where the child or young person has an opportunity express their aspirations (hopes and wants) and their experiences and preferences. It is the part of the form where the voice of the individual needs to be clearly heard, so that the rest of the EHC Plan has a context and direction and is truly about the child or young person. It is important that this section is the views and voice of the child or young person themselves and not the views of their parents or teachers. For younger children or children with more complex needs this can be difficult to achieve, however it is important. Some thoughts on how to support a child or young person with completing Section A (or how to complete it on their behalf) can be found in Chapter 5, "Detailed Guidance on Completing the

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EHCP Form". There is also space on the form for the parents or carers to add their views of the child's aspirations, experiences and preferences in case they feel that more information needs to be added.

### Defining outcomes

Defining effective outcomes is important as it provides clarity around what the child or young person is working towards to meet their aspirations. An outcome is defined as:

'The benefit or difference made to an individual as a result of an intervention'

The outcomes in the final EHCP (if one is issued) will be finally agreed by everyone involved at the 'review of assessment summary' meeting, but it is important that those involved in drafting input for the plan understands the importance of defining appropriate outcomes and how to write them. Below is a tool that helps when writing outcomes. More detailed information can be found in the appendices.

### How to write an outcome

- **By** (time period)
- X **will** have gained the (description of skill)
- **so that** they can (measureable impact or behavioural observation)

**Example:**

Time period	Description of the skill that will be gained	Description of what the pupil will be doing differently
By the end of Year 6...	...Malie will have gained understanding and use of spoken language skills...	...so that she can hold conversations with other children and adults, describing (in simple detail) things about her everyday life

### What the Code of Practice says about outcomes:

9.64 EHC plans must specify the outcomes sought for the child or young person in Section E. EHC plans should be focused on education and training, health and care outcomes that will enable children and young people to progress in their learning and, as they get older, to be well prepared for adulthood. EHC plans can also include wider outcomes such as positive social relationships and emotional resilience and stability. ...

9.65 Long-term aspirations are not outcomes in themselves – aspirations must be specified in Section A of the EHC plan. A local authority cannot be held accountable for the aspirations of a child or young person. ...

9.66 An outcome can be defined as the benefit or difference made to an individual as a result of an intervention. It should be personal and not expressed from a service perspective; it should be something that those involved have control and influence over, and while it does not always have to be formal or accredited, it should be specific, measurable, achievable, realistic and time bound (SMART). ....

9.67 When agreeing outcomes, it is important to consider both what is important to the child or young person – what they themselves want to be able to achieve – and what is important for them as judged by others with the child or young person's best interests at heart...

9.68 Outcomes underpin and inform the detail of EHC plans. Outcomes will usually set out what needs to be achieved by the end of a phase or stage of education in order to enable the child or young person to progress successfully to the next phase or stage..... In all cases, EHC plans must specify the

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special educational provision required to meet each of the child or young person's special educational needs. The provision should enable the outcomes to be achieved.

9.69 The EHC plan should also specify the arrangements for setting shorter term targets at the level of the school or other institution where the child or young person is placed...

For young people, post-16, it is particularly important to draft clear outcomes to carefully plan for that young person's transition in to adulthood and the various pathways within them. Clear consideration has to be given for young people or their parents who wish to remain in education post-19 and what outcome they aim to achieve. For young people up to 25, an EHCP may be maintained under certain conditions if there are outcomes that have not been met and the young person requires more time to meet those outcomes (and continues to make progress towards them).

Conversely, if a young person is capable of, and wishes to work, AfC can offer support to help him or her to find a traineeship or apprenticeship in the local area. This can be stipulated in the EHCP.

### 4c. Professional input

Having discussed the process with the family and educational setting, the EHCP coordinator will write to all the professionals who have been identified to provide advice to the needs assessment. The letters will confirm that AfC is undertaking a needs assessment and formally request professional advice. At this stage any representations from the parents or young person (such as Section A) should be sent to professionals whose advice is being requested. The professionals have six weeks from the receipt of this second stage letter to submit their reports. In many cases, professional advice should already have been provided as part of the SEN support; little or no further advice will be required from the professional during the needs assessment. In other cases, new professionals may need to become involved and they will need to provide advice, which may involve an assessment to inform their report, within the six week period. Paragraph 9.49 in the Code of Practice sets out the professionals whose input must be sought during a needs assessment, unless the family, professional and local authority **all** agree that the existing advice is sufficient to write a needs assessment. This complete list is under 'who provides input to an EHCP' in a previous paragraph of this section on pp15-16. If professionals receive a request for advice as part of a needs assessment they must provide it. It is not sufficient to say, 'not known to this service'. It is however possible that the advice provided by the service is 'does not meet our referral criteria' or 'our advice is that this child or young person does not need an assessment'.

**The Code of Practice 9.41: "When local authorities request information as part of the EHC Needs Assessment process, those supplying the information must respond in a timely manner and within a maximum of 6 weeks from the date of the request"**

Professionals should provide their advice in a format and structure that makes needs, outcomes and provision easy to identify. Wherever possible, the outcomes should link to the aspirations of the child or young person (which should be documented in section A and should have been sent to the professional at the time when the request for advice was made). If possible an electronic copy should be submitted to the EHCP coordinator so that the relevant parts of the report can be included in the draft EHCP without retyping. There is a health advice form (see appendices), which may be used by health professionals to give their input. Professional advice should be based on assessment of the child's needs (not on standard models). More detailed information on wording and phrases that are recommended or should be avoided can be found in the Section on detailed guidance on completing an EHCP.

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Code of Practice 9.51: "The evidence and advice submitted by those providing it should be clear, accessible and specific. They should provide advice about outcomes relevant for the child or young person's age and phase of education and strategies for their achievement."

AfC is responsible for requesting advice (when required) from services listed in Para 9.49 of the Code of Practice. Families may also request or provide additional reports over and above those requested by the local authority. These may include reports from specialist health professionals (for example, consultant surgeons or specialist paediatricians), private therapy providers or private educational psychologists. The local authority has a duty to review and consider all such information submitted by parents. The local authority may ask a professional from the local authority teams to review the information provided if they deem it necessary.

The professional input will be used to populate Assessment Summary Sections B (Needs and Strengths), Section E (Outcomes) and Section F (Provision to meet special educational needs). Also for Health professionals sections C (Health Needs) and Section G (Health Provision) and Social Care professionals – Section D (Social Care Needs) and Section H1 and H2 (Social Care Provision). More detailed notes on how these sections should be populated can be found in the section 'Detailed guidance on completing an EHCP form'.

### 5. Assessment summary review meeting

The EHCP coordinator will take all the input and use it to populate a draft assessment summary. Before the assessment summary review meeting, they will review the draft with their supervisor to agree whether it looks likely that a plan will be issued, or whether in fact it looks as though the child's or young person's needs can be adequately met through SEN support, without issuing an EHCP. At this stage no decision is taken, however it is helpful for the EHCP coordinator to have a sense of this before the review meeting, so that the possibility that an EHCP may not be needed can be explicitly considered at the review meeting. A final decision on whether to issue a plan or not will in any case only be taken after the review meeting and will usually involve a review by the SEN Panel.

The EHCP coordinator will formally request that the educational setting set up the assessment summary Review Meeting and then the SENCo is responsible for organising it and inviting the necessary participants. If the parent is unable to attend or wishes a particular professional to attend they may ask the SENCo to reschedule the meeting.

If the child is not in school (or nursery or college) then the EHCP coordinator will organise the assessment summary review meeting.

At least five days prior to the meeting the EHCP coordinator should send out the assessment summary, providing all the advice that has been received by professionals, to all participants (including the parent or young person) so that everyone can review it in advance of the meeting.

In circumstances where it is not possible for everyone to come together the EHCP coordinator should ensure that there is a mechanism for everyone involved to review and to give feedback on the relevant section. However, this should be a last resort as a meeting is usually much the best way of getting everyone's views for a collaborative assessment summary.

Not all professionals will attend the assessment summary review meeting. They will prioritise according to need (cases where there is likely to be significant discussion necessary).

#### Purpose of the meeting

The purpose of the meeting is to focus on sections E (Outcomes) and F (SEN provision) of the assessment summary ensuring that needs, provision and outcomes are clearly linked, challenging and personalised to that child. Needs and provision should have been detailed in the written advice provided by professionals and should only need minor adjustment during the meeting (hence often professionals will not need to attend the meeting). If substantial change is needed to sections B, C, D or

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F, G, H1, H2 then professionals may need to update their written advice so that their reports are consistent with the content of the assessment summary.

The meeting should ensure that there is a 'golden thread' running through the assessment summary, from aspirations (section A) through strengths and needs (Section B, C, D) to provision (Section F, G, H1 and H2) and outcomes. The meeting will primarily focus on identifying and agreeing the outcomes and making sure that they are specific, measurable, attainable, realistic and timely (SMART). Outcomes are defined as 'the benefit or difference to be made to the child or young person as the result of the intervention (provision)'. **Provision should be identified for each need specified** and should support the child or young person in reaching the defined outcomes. This should all be backed up by the professional's reports. The EHC coordinator will have numbered the needs, provision and proposed outcomes as part of the summary assessment to help show the linkage.

## At the meeting

The SENCo should agree a chair for the meeting. Normally this would be the SENCo, however they may ask the EHCP coordinator or other professional to chair. The chair is responsible for ensuring that the meeting meets its objectives and for ensuring that the child or young person is engaged and parents feel comfortable in expressing their views. The education, health and care plan coordinators will attend those meetings where there is a new SENCo or inexperienced SENCo, or where there are particular concerns or points of contention as they are unable to attend all meetings.

During the meeting it is helpful to have access to a laptop and interactive whiteboard so that updates to the draft plan can be made and seen by all throughout the meeting.

## Suggested assessment summary review meeting agenda

- Review of Section A – in particular aspirations.
- Review B, C and D – Needs and strengths. Ensure that they represent a full list of the child or young person's SEN. Major edits should not be required at this stage as these should be provided by the advice from professionals.
- Discussion of Section E – Outcomes. Draft outcomes should already be included based on the advice provided during the needs assessment and, or the initial meeting between parent and SENCo. It is important that these draft outcomes are discussed and agreed and that there is a clear 'golden thread' running through aspirations (Section A), needs (Sections B, C and D), provision (Sections F, G and H1 and H2) and Outcomes (Section E).
- Discussion of provision specified in Sections F, G, H1 and H2. It is important that the appropriate needs and provision are matched, for example attention difficulties that may relate to speech, language and communication needs are matched to communication rather than cognition provision. Provision should be specific, detailed and normally quantified.
- If the parent or young person wishes to request a personal budget for an EHCP, if one is issued, it should be recorded in this meeting. Any request for a personal budget has to go to the SEN panel for agreement. Personalized budgets have to be used to meet the outcomes and provision identified in the EHCP. More details on eligibility etc. can be found in the section 'Personal budgets'.
- Educational setting preference. It is helpful to identify what the young person, parents and professionals thoughts are around the educational setting placement. For children already in an educational setting there should be discussion around what is working well and perhaps not so well. In some cases considerations may be given to alternative provision. For children not yet in an educational establishment there should be discussion around what type of provision might be appropriate. This should be documented.
- Transport. Some children will be entitled to transport to schools (in line with the new Kingston and Richmond SEN Transport policy). This should be discussed at the assessment summary review meeting so that the parent or young person is aware of what transport options may be available

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- If the proposal from the meeting is to issue Feedback, rather than an EHCP the SEN Panel will consider this and make a final decision following this meeting.

### Follow up

Following the meeting the EHCP coordinator will update the assessment summary. If anyone involved was not able to attend the meeting the EHCP coordinator will circulate all relevant documents to them and ensure that any input has been collated. At this stage the draft should be ready to go to panel (or consideration outside of panel,) so that the decision can be made whether or not to issue a plan. The EHC coordinator will then issue either a proposed EHC or feedback to the parents or young person.

### Requesting a personal budget

If the family or young person wishes to request an education personal budget this should be formally documented during the assessment summary review meeting. There is more detailed information on personal budgets (types of budget, what is in scope, etc) in a separate section of this guidance document. Normally an indicative budget should be produced within 12 weeks of the request being made.

## 6. Decision making and issue of draft EHCP

The assessment summary from the review meeting will go to the local authority which must make a decision on whether to issue an EHCP and, if an EHCP is to be issued, the provision of support, placement (if already indicated) and personal budget. The EHC coordinator will take the case through this process and link with the parent and/or young person and lead professional. The EHCP coordinator may have the authority to make the decision (which must be ratified by senior managers), but in the majority of cases the decision will be taken at SEN Panel. The EHCP coordinator will attend the panel meeting to put the case.

The following is a typical format for panel decision making on whether to issue an EHCP. Some cases will require a lot of discussion and some will go through with minimal discussion. (Panel participants receive documentation in advance of the meeting.)

- Child's or young person's views considered
- Parents' views considered
- Has all evidence been looked at to inform plan? (Attach plan and advice)
- Listen to recommendation of EHCP coordinator (verbal feedback)
- Has parent already provided their preference for a placement; will the current placement continue?
- Has the parent already requested interest in a personal budget? (At draft plan review meeting)
- Has the educational setting indicated how much support will be required? (Request for needs assessment form, minutes of SEN support review meeting, provision map, learning support, teacher resource, etc)
- Consult reports if necessary (case file)
- Final proof read/safe guard and amend as necessary (draft plan)
- Main presenting need (draft plan)
- Provision and/or placement (SEN policy, matrices, unit list, special school places, costs)

The Code of Practice, pg 158 –para's 9.54 – 9.56, provides clear guidance decision making for EHC requests.



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"9.54 In deciding whether to make special educational provision in accordance with an EHC plan, the local authority should consider all the information gathered during the EHC needs assessment and set it alongside that available to the local authority prior to the assessment. Local authorities should consider both the child or young person's SEN and the special educational provision made for the child or young person and whether:

- the information from the EHC needs assessment confirms the information available on the nature and extent of the child or young person's SEN prior to the EHC needs assessment, and whether
- the special educational provision made prior to the EHC needs assessment was well matched to the SEN of the child or young person

9.55 Where, despite appropriate assessment and provision, the child or young person is not progressing, or not progressing sufficiently well, the local authority should consider what further provision may be needed. The local authority should take into account:

- whether the special educational provision required to meet the child or young person's needs can reasonably be provided from within the resources normally available to mainstream early years providers, schools and post-16 institutions, or
- whether it may be necessary for the local authority to make special educational provision in accordance with an EHC plan

9.56 Where a local authority carries out an EHC needs assessment for a child or young person and

- their circumstances have changed significantly, or
  - the child or young person has recently been placed in a new setting, or
  - their special educational needs were identified shortly before the EHC needs assessment,
- and no comparable special educational provision was being made for the child or young person prior to the EHC needs assessment, then the local authority should consider what new special educational provision is needed, taking into account the points in 9.55 above."

### **If the decision is 'yes'**

If panel decide that an EHCP should be issued, the parents or young person will be informed in writing and will receive the proposed EHCP. The letter will ask them to respond within 15 days with their comments on the draft plan and their preferred educational placement. They also have 15 days to request any final changes to the draft EHCP.

### **If the decision is 'no'**

In a few cases, the needs assessment may identify that the child's or young person's needs can be met through the Local Offer or through SEN support (in other words the local authority does not believe that additional resources are needed to top up provision that is available through the educational setting or generally accessible services). In this case, a decision will be taken to issue feedback rather than an EHCP. This feedback is intended to summarise the outcome of the needs assessment process, which should help the school or other educational setting with putting the right SEN support plan in place. The parents or young person and all professionals involved will be informed of this decision in writing. This **must** be within 16 weeks of the date that the initial request for a needs assessment was received. In this case the letter will also contain details of what to do if the parents or young person do not agree with AfC's decision and details of the mediation and tribunal service.

## **7. and 8. Placement and issue of final EHCP**

A parent, carer or young person has the right to request a placement in a maintained setting, an academy, a non-maintained special school, a further education college, an independent special school or independent special college which is approved under section 41 of the Children and Families Act. Once AfC receives a request for such a placement, it will formally consult the placement. Consultation will be sent to the governors of the school or college and to the local authority if the request is for a maintained school in another local authority area. The consultation will ask the school or college (and if relevant the local authority) to respond as to whether the school or college can meet



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the needs and provision identified in the EHC and whether it can offer a place to the child or young person. The educational institution must respond within 15 days of the receipt of the request.

If the educational setting has confirmed they can meet the needs, and offer a place, AfC will endeavour to meet parental preference and that placement will be named in the EHC. In considering whether AfC is able to do this, they must take into account the legal framework, which in some cases mean they are unable to meet parental preference. The Code of Practice sets out the legal framework thus:

Para 9.79 states: "If a child's parent or a young person makes a request for a particular nursery, school or post-16 institution in these groups the local authority must comply with that preference and name the school or college in the EHC plan unless:

- it would be unsuitable for the age, ability, aptitude or SEN of the child or young person, or
- the attendance of the child or young person there would be incompatible with the efficient education of others, or the efficient use of resources"

Once the placement has been determined it will be recorded in Section I and the plan will be issued.

In some cases the local authority may name only a type of placement (rather than the name of the educational setting), although this should be the exception. The family or young person and everyone involved in the creation of the plan will receive a copy of the final EHCP in writing.

## Determining nursery, school, college or placement

### How to decide on an educational setting

When deciding on a nursery, school or college, it is helpful to identify what the young person, parents and professionals thoughts are about the educational placement at an early stage. What is working well and, perhaps, not so well in the current setting (if there is one), and this should be part of the discussion during the needs assessment. In some cases considerations may be given to alternative provision. This should be documented. A list of educational institutions can be found on the AfC Local Offer website.

A formal request for preference from the parents or young person about an educational setting placement will be made once a draft EHCP is issued. It is important for parents, carers and young persons to consider where their needs or the needs of their child will be best met. The EHCP coordinator and SENCo should be able to provide guidance on this however, the local authority is not permitted to recommend particular schools. Professionals and/or the local authority may make a recommendation on the **type** of provision that might be appropriate (for example, schools which can make available the provision set out in the EHCP, such as smaller class sizes). Families and young people are not obliged to take this advice when making their request. Section I on the EHCP form is where the educational placement is specified and this **must** be left blank until the final EHCP is issued.

Many families and young people will want to remain in the educational setting they are currently attending. However, it is a big decision and families and young people may want to review and visit other educational settings before making a decision on preference. Getting information on and visiting educational settings will take time. All schools are required to publish information about support they offer to children and young people with SEND in their school. This is called the SEND information report, and should be clearly signposted on the school website. When visiting mainstream schools, it is always worthwhile talking to the SENCo about the child's needs and what the school has experience of providing (although the fact that they haven't made provision for a child with particular needs in the past should not be a barrier to them doing so in the future.) Educational settings are required to make reasonable adjustments to accommodate children with SEND. AfC has recently undertaken consultation around reasonable adjustments. Examples of such adjustments can be found on the Local Offer under the Education Section.

### Where to go for advice

Families or young people looking for advice on specific nurseries, schools or colleges might want to start with the education section of the AfC Local Offer. This contains information on all the in-borough schools and also lists all the out of borough schools which are currently attended by children from Kingston or Richmond with statements of SEN or EHCPs. There is a lot of useful additional information on post-16 provision in the 'Opps Pack' which can be accessed through the post-16 section of the Local Offer.

For more personalised advice, KIDS Kingston and Richmond SEND Information, Advice and Support Service (SENDIASS) should be able to provide information and advice on how to select an educational setting. Local voluntary groups, such as SEND Family Voices may also be able to put families in touch with parents who already have children at particular nurseries, schools or colleges who can give a personal view.

There is also an early years specific brokerage officer in each borough. Their role is to help parents find local early year's settings, explain early education funding, how to access this funding, eligibility, etc. and they are often contacted by parents of children with SEND to talk through concerns that they might have in terms of taking those first steps into an educational setting. Although they would not necessarily advise on one setting over another, they would be able to explain what support, resources

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and funding the setting could access. (Contact details are listed on the Local Offer under childcare brokerage).

If the parent, carer or young person does not wish to exercise the right to request a placement in a maintained setting, academy, non-maintained school or independent school or college which is approved under Section 41 of the Children and Families Act, they may make representations for placement in non-maintained early years provision or at independent schools or independent specialist colleges, or other post-16 providers that are not on the Section 41 list if the family or young person feels that this best meets their needs. However, AfC would have to be clear that the educational setting proposed is able to meet the needs, as set out in the draft EHCP, and is likely to represent a reasonable use of public expenditure before consulting such a provision.

In the case of an independent school, the child will be subject to the school's entry criteria and the funding and support arrangements may be different to those for a mainstream maintained school or academy. This should be discussed with the EHCP coordinator. The local authority will only name the school or college in the EHCP and meet the cost of the placement if there is an offer of a place and there is no alternative suitable provision that can meet the child or young person's needs at a lower cost to the local authority (taking account of all costs such as for instance transport costs).

A parent is also able to make their own arrangements for an independent placement, if it is suitable to meet the child or young person's needs. In this situation, the parent they would be responsible for financing the placement and all associated costs, such as home to school transport.

### Requesting and confirming a nursery, school or college placement

Requests for out-of-borough placements will be considered by AfC's SEN Panel and Independent School Placement ISP Panel (see FE ISP Funding and Placement Protocol on the Local Offer website as well as more information in Section 8). If a parent, carer or young person requests a residential placement, the appropriateness of a residential placement will be considered in the light of the young person's outcomes set out in the EHCP and whether the placement will support transition into adult life in the local community.

AfC is entitled to consult with schools or colleges that have not been requested by the family or young person and not identified in the request, if AfC considers that the school or college could appropriately meet the needs of the child or young person. The local authority has a duty to meet parents' or the young person's preference where possible and compatible with reasonable public expenditure, but all placement options will be assessed alongside each other and against the criteria in the SEND Code of Practice: suitability for the age, aptitude or SEN of the child or young person, and the efficient use of resources and education of others. All responses will be discussed with parents or young people as part of any decision making.

If the educational institution believes that they are unable to meet the needs and provision as set out in the child's consultation documentation or that they are unable to offer a place because the placement of the child or young person would be incompatible with the efficient education of others, or the efficient use of resources, they must be able to demonstrate why they cannot meet the needs of the child or young person this would be the case.

The SEND Code of Practice para 9.79 states: "If a child's parent or a young person makes a request for a particular nursery, school or post-16 institution in these groups the local authority must comply with that preference and name the school or college in the EHC plan unless:

- it would be unsuitable for the age, ability, aptitude or SEN of the child or young person, or
- the attendance of the child or young person there would be incompatible with the efficient education of others, or the efficient use of resources."

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A parent or young person has the right to request placement in a mainstream school or college and the local authority must specify mainstream provision in the EHCP unless it would be:

- against the wishes of the parent or young person
- incompatible with the efficient education of others

A local authority can rely on the exception of incompatibility with the efficient education of others in relation to maintained nursery schools, mainstream schools or mainstream post-16 institutions taken as a whole, only if it can show that there are no reasonable steps it could take to prevent that incompatibility.

The SEND Code of Practice para 9.93 states that: "There may be a range of reasons why it may not always be possible to take reasonable steps to prevent a mainstream place from being incompatible with the efficient education of others – for example, where the child or young person's behaviour systematically, persistently or significantly threatens the safety and/or impedes the learning of others."

If a mainstream school or college respond to consultation that they are unable to offer a placement, AfC will challenge them on their view if they feel needs can be met in the placement through reasonable adjustments. However, if the institution is already oversubscribed, it may be reasonable that they cannot offer a place due to capacity. That said, just because a nursery, school or college is 'full', (has filled its planned roll) it does not automatically follow that it can reject a request for placement if it can reasonably accommodate the child requesting the place.

## What to do if you are unhappy with the named educational setting?

If you are not happy with the placement that has been offered, you should speak to your EHC coordinator in the first instance to express your concern, which may result in further considerations. You also have the option of taking this through a dispute process, which could include mediation and could lead to a tribunal. These can be scheduled through SENDIST, an independent panel, separate to AfC, who will assess the case. Please see 'What to do if you disagree with a decision' for further information on the Tribunal process.

## Transition between key stages

Transitions between key stages include:

Early Years to Primary

Primary to Secondary

Secondary to College

This also includes Infants to Juniors where appropriate.

During this transition process, placements will be discussed as part of the transition review, or part of the transfer from statement to EHCP, if this is underway. All of the phase transfer placement choices need to be confirmed by AfC by **15 February** of the year in which the child or young person is transferring, or **31 March** for transfers to colleges or other post-16 provision. The EHC coordinator will write to you in the autumn term the year of transition explaining the process and seeking your preference for placement.

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## Requesting and creating an EHCP - Who does what?

### Educational setting's role

- Hold a meeting with the family or young person and professionals to discuss SEN support and consider whether an EHCP needs assessment should be requested. (Initial review meeting)
- Complete the EHC needs assessment request form, using the forms provided.
- Ensure that appropriate professional advice is brought together prior to submission of request.
- Support the family, child or young person with completing their part of the Request form and if possible a draft of Section A
- Signpost additional help and support to families and young people (SENDIASS, Independent Support, Parent or Carer forum - SEND Family Voices).
- Submit all supporting evidence and advice as detailed in the form, in particular evidence of why the school/educational setting is unable to meet the child or young person's needs within the delegated SEN support budget.
- Be prepared to act as lead professional (SENCo most likely to be asked) if asked to do so.
- Work with the family and the SEN Team to ensure that all the professionals who need to provide input to the Needs Assessment are identified.
- Potentially hold an 'admin' meeting with the parent or young person to discuss Section A (all about me) and Section E (Outcomes). Use any existing SEN Support plan as the starting point.
- Prepare any plans and documentation relating to the special needs of the child or young person from a nursery/school/college setting in particular any existing SEN Support Plans as input to the draft EHCP.
- Schedule the assessment summary review meeting where the assessment summary will be reviewed. Invite all relevant professionals as well as the family and/or young person. Be prepared to chair the meeting and be prepared to put the case as to why the child or young person will require support that goes beyond the delegated school SEN support budget.

### Guidance for parents, carers and young people

- Attend the initial review meeting where the decision whether to request a needs assessment is made (if such a meeting is held). You can ask the SENCo to reschedule this so that you are able to attend. If there are key professionals whose involvement you want, ensure that they have been invited, and that they are able to attend.
- Make sure that you review the needs assessment request form, if prepared by the school, and are happy with the content. You can request any changes you feel are appropriate. You may submit your own EHC needs assessment request form (e.g. if your child is out of school).
- Ensure that you provide as much supporting evidence as possible to submit with the Needs Assessment form. Ideally also complete a draft of Section A of the EHC plan
- Ensure that you have discussed which existing reports you are happy to use for the Needs Assessment (if they are still relevant) and which new reports you expect to be requested.
- Get copies of reports from medical or other professionals that the school may not be aware of. The more evidence that can be provided the easier it will be for Achieving for Children to make a decision on Assessing for an EHCP.
- If you are unhappy with AfC's decision not to proceed to an EHC assessment then you may appeal. Please see 'Mediation' for details on this.
- Think about who would be the most suitable person to act as the lead professional during the preparation of the plan as this will be agreed at the initial review meeting.
- Ensure that you attend the assessment summary review meeting as this is your opportunity to shape the final draft contents of a possible plan. Do remember that at this stage there is no formal decision to issue a plan – this will be decided when the assessment summary is submitted to SEN panel.
- Start thinking early about suitable placements for your child. The process only allows 15 days for the formal response and this does not allow much time to visit possible schools.
- Consider whether you would like to request a personal budget, but do find out what can be included and whether it will be practical.
- Be aware that at the end of the EHCP needs assessment it is possible that the decision is not to proceed with the creation of a plan but to meet the needs of the child or young person within the contact of SEN support within the educational setting. You have the right to appeal this decision.

## EDUCATION, HEALTH AND CARE PLANS

### SEN Team role

- Receive request for needs assessment and assign EHCP coordinator and EHC assistant.
- Contact family once Request received to introduce themselves and set a date for a feedback meeting.
- If decision is not to proceed for an EHC assessment for then inform parent or young person of decision in writing and attend feedback meeting to provide more information. Provide details of how to challenge the decision.
- If decision is to proceed with an needs assessment for an EHCP, attend feedback meeting (can be a phone call) with parent to discuss which professional advice will be required for the assessment and to inform the parent about the process and the decisions that they will need to make around placement and personal budget (as well as completing Section A and contributing to Outcomes and other parts of the draft plan).
- Send letter to school and professionals identified requesting advice to the EHCP (second stage letters). Provide these professionals with copies of any relevant evidence already obtained, including any evidence or reports submitted by the family or young person.
- Create the assessment summary using the EHCP template based on advice from parent, child, young person (Section A) and school and professionals (sections B-H2).
- Chase up any input that has not been received.
- Review critically the professional advice received to ensure that it contains detailed and specific advice on needs and provision.
- Request that the school arranges an assessment summary review meeting to review the assessment summary (and ensure that this happens). Attend where appropriate. Organise this meeting if child or young person is not in school.
- Ensure that the family or young person have been told about Personal Budgets and understand how to request one.
- Finalise the assessment summary after the assessment summary review meeting. Ensure that any professional that was not able to attend has a chance to comment on the outcomes and provide input.
- Prepare the assessment summary for the decision on whether to issue an EHCP or issue feedback. Attend the panel meeting to put the case.
- In the case of a decision not to issue, send letter to parent or young person regarding feedback and offer a feedback meeting. Send details of how to challenge the decision.
- In the case of a decision to issue an EHCP. Issue a proposed EHCP to parents, copying in professionals involved. Parents will be asked formally for their views and preferred school placement.
- Consult schools as appropriate.
- Finalise the EHCP, including section I, placement and issue the plan.

## EDUCATION, HEALTH AND CARE PLANS

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### Other professionals

- Where possible attend the initial SEN support review meeting to discuss and review whether needs can continue to be met at SEN support or whether a request for a needs assessment should be made. If attendance is not possible submit views in writing (for example by email).
- Provide professional advice relating to a child's needs, outcomes and suggested provision to support the needs assessment request and the EHCP content.
- Wherever possible submit information in standard formats (for example, use health advice form) and structure advice around needs, provision and outcomes.
- If advice is requested it must be provided; it is not sufficient to say that the child or young person is not known to the service
- Ensure that provision defined in the reports is detailed, specific and quantified and based on Needs, not standard blocks of provision.
- If professional input is requested by AfC during the needs request, this must be supplied within six weeks of the request.
- Attend the assessment summary review meeting to review the draft EHCP, or if unable to attend, provide comments in writing.