

Information for parents

When your child has special educational needs – England

contact a family
for families with disabled children



National Network of Parent Carer Forums
'Our Strength is our Shared Experience'

Education, Health and Care needs assessments

An Education, Health and Care (EHC) needs assessment is the first step to getting an Education, Health and Care plan (EHC plan). It is a full investigation of a child or young person's education, health and social care needs. It is a legal process carried out by the local authority where a child lives.

Guidance on EHC needs assessments is set out in the *Special educational needs and disability code of practice: 0-25 years, Chapter 9*.

Who should have an EHC needs assessment?

The law says that a child or young person must have an EHC needs assessment if:

- they have, or may have, special educational needs (SEN), and
- it may be necessary for special educational provision to be made, in accordance with an EHC plan.

A child or young person aged between 0–25 will have an EHC plan if they need more help, or a different kind of help than a mainstream school, college or nursery can normally provide. See our factsheet on *Education, Health and Care plans*.

Key principles

- Children, young people and families should be asked for their views.
- There should be a 'tell us once' approach, with a system for sharing information so that families don't need to repeat information or go through lots of different assessments.
- Local authorities should publish local information about how social care assessments will contribute to EHC needs assessments.
- Information, advice and support must be available to families.
- Young people over 16 must have access to separate information, advice, and support.

How does the process start?

Important: If your child already has a statement, the process will be different – see our factsheet *From statements to Education, Health and Care plans*, or contact our helpline for advice on 0808 808 3555.

The following people can formally request the local authority to do an EHC assessment:

- a parent
- the young person themselves, if they are between 16 and 25 years of age, or
- someone representing the young person's school or college.

Other people can also tell the local authority if they think a child may need an EHC needs assessment.

Making a parental request

As a parent you have the right to ask the local authority to carry out an EHC needs assessment. It is important to put your request in writing so that there is a record of it. Our example letter on page 3 may help. If your local authority has their own request form, you can attach your letter to this. As you are an expert on your child, it is important to give a detailed picture of your child's day to day difficulties. You also need to say what help they have had so far with their education, and why you think they need something extra, or different, to help them learn. Our checklist on the next page may help you think about what to say.

Need advice?

Call our freephone helpline

0808 808 3555

helpline@cafamily.org.uk

Open Monday to Friday, 9.30am–5pm



What happens during the process?

Step 1 – Local authority considers the request

When they receive your request, the local authority must write to you within six weeks to tell you if they are going to carry out an EHC needs assessment. If they decide not to assess your child you will have the right to appeal. They must give you information about this.

Step 2 – Assessment

Local authority gathers information, called ‘advice’, from:

- you, the parent
- your child
- your child’s nursery, school, further education college or other setting
- health and social care professionals
- specialist teachers, if your child has a vision or hearing impairment
- any other person that the local authority considers reasonable, when requested by a parent or young person
- for a child in Year 9 (age 14) or above, advice about preparing for adulthood and independent living.

Advice and information requested by the local authority should be provided within six weeks.

The local authority does not have to seek further information from professionals if this has been provided recently. However, any existing reports should meet the requirements of the assessment process. They must have detailed information about your child’s needs, the support or provision they require, and the expected outcomes (how the support will make a difference to your child).

The local authority must help your family, including your child, to take part in the process. They must provide you with any information, advice and support you need to do this.

If you have already provided information about your child as part of your request, you don’t need to repeat this, but you can send in new information if you want to. You can send in other reports if you have them, for example a report from an independent professional. You can also ask the local authority to seek information about your child from someone who has not been contacted before. For example, you may want to ask if a speech and language therapist can assess your child.

Step 3 – Decision

The local authority must write to tell you whether or not they are going to make an EHC Plan, with reasons for the decision. If they are not going to make a plan, they must

write to you within 16 weeks to tell you this. You will have the right to appeal, and the local authority must give you information about this.

Step 4 – Draft plan

When you receive the draft, you have 15 days to put forward your views to the local authority about the contents of the plan. You can ask to meet with them, and other people who gave advice as part of the EHC assessment process. This is your chance to ask questions if anything is unclear, or to say if you think anything in the plan should be changed, before the final plan is issued.

The EHC plan is a legal document. The local authority must ensure that any special educational provision is provided. It is therefore very important to check that the plan describes all your child’s educational needs accurately, and is clear about the amount and kind of extra help your child needs. If you are not sure about what should be in your child’s plan, see our factsheet on *Education, Health and Care plans* and seek further advice from our helpline if needed.

You can say which school, college, or other educational institution you would like your child to go to. The local authority must tell you how to find out about schools and colleges. They must also consult the institution before naming it in the final EHC plan.

At this stage, you can also ask the local authority to prepare a personal budget, if appropriate. See our factsheet on *Personal Budgets in England*.

Step 5 – Final plan

Must be issued within a maximum of 20 weeks of the initial request.

You must send your appeal within two months of the date on your decision letter, or one month from the date of the mediation certificate – whichever is later. Call our freephone helpline for more information about appealing a decision.

Writing about your child – a checklist to help

As a parent you are an expert on your child. If you are requesting an assessment, or providing further information as part of the assessment itself, it is important to give clear information about your child’s needs.

Your child’s early years

When did you first noticed any problems – big or small? Did you tell anyone? What help or advice did you get?





Your child now

- Health: eating, sleeping, illnesses, tiredness, depression, panic attacks
- Physical skills: walking, climbing, handwriting, using scissors
- Communication: hearing, gestures, eye contact, speech: describing things, talking to people, using the telephone, taking messages
- Personal skills: dressing, washing, dealing with pocket money, time-keeping, remembering to pack sports kit/or pencil case
- Behaviour: showing anxiety or frustration, problems with concentration.
- Your child at home
- Watching TV, reading, hobbies
- Outside activities: clubs, sports
- Relationships: parents, brothers and sisters, other adults, friendships
- Behaviour at home: sharing, listening, fighting with siblings, moods, tantrums

- Homework: difficulty remembering what to do, or finishing in the set time.
- Your child at school or college
- What lessons or activities does your child enjoy?
- Friendships, relationships with teachers
- Problem areas: lessons, playtime, new teacher, change in routine
- Extra help which has worked or not worked for your child
- Are your child's difficulties getting worse? Does any particular incident or piece of work illustrate your child's difficulties?
- What help do you think your child needs?

Your child's views

- Does your child enjoy going to school? What do they like best?
- What would they like to achieve? What makes it hard for them to do this?
- What help does your child think they need?

Sample letter to the local authority to ask for an assessment

Here is a sample letter you can adapt to write to your local authority to ask them to assess your child. You can call our freephone helpline for more advice first. We also have a Word version on our website you can use at www.cafamily.org.uk/ehc-assessment-letter

Your name and address

Date

Dear (name of Director of Children's Services)

(Put your child's name, date of birth, and the name of the school or college they go to here)

I am the parent of the child above, and am writing to ask you to carry out an assessment of his/her special educational needs under section 36 of the Children and Families Act 2014.

My child has a diagnosis of

This affects him/her in the following ways.....

.....

S/he has difficulty with (say how your child's difficulties affect their ability to learn. Think about reading, writing, numbers, talking, listening and understanding, friendships, physical skills, concentration, emotions, behaviour, mental health)

S/he has had the following extra support in school (say what help your child has been getting on School Action, School Action Plus or SEN support. For example, help in school from a teaching assistant, or support from specialists like an educational psychologist or dyslexia teacher)

Sh/e has also had support from (say if health or social care services have helped, for example Child and Adult Mental Health Services (CAMHSs))

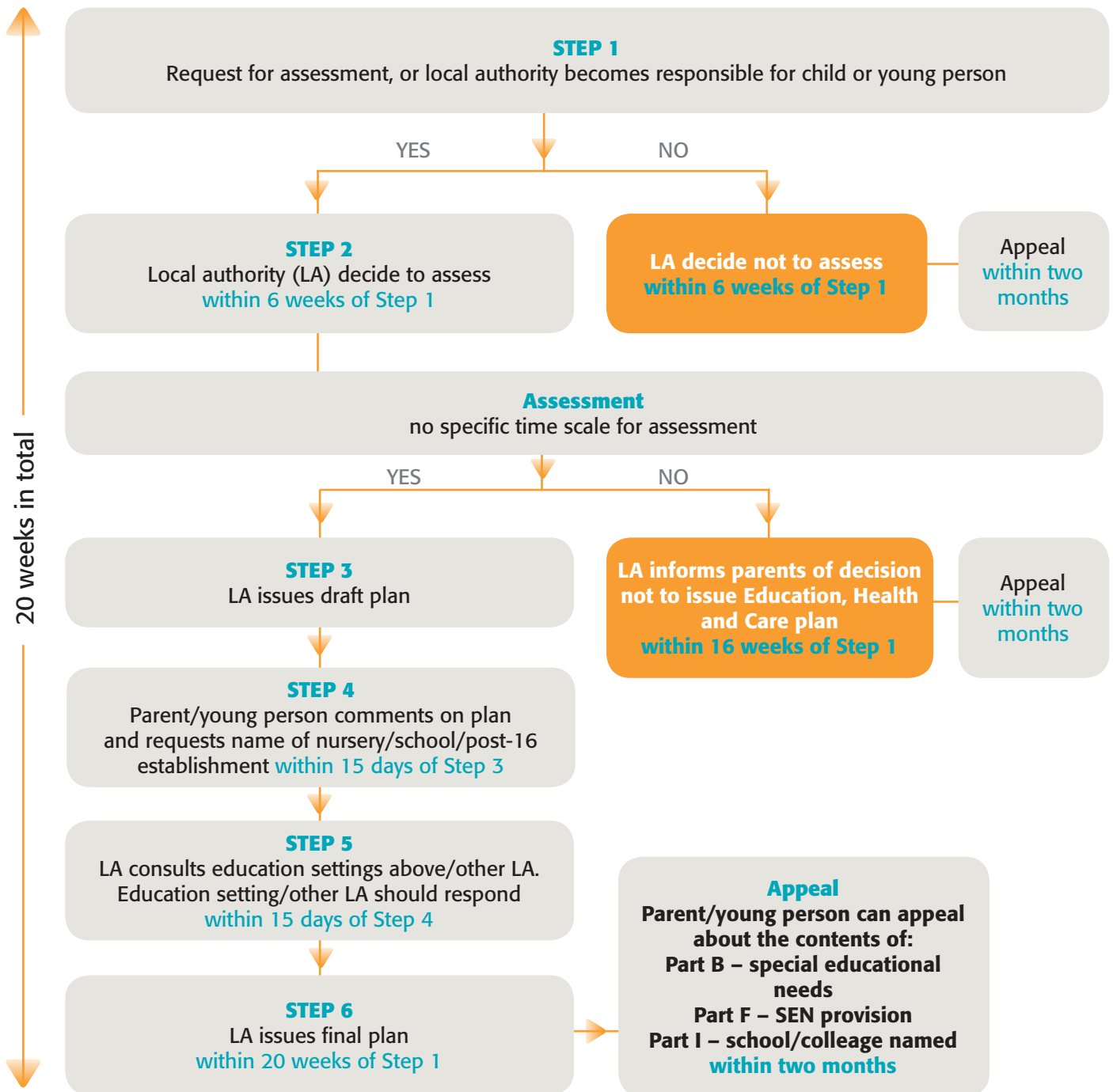
However, my child is likely to need more help than the school is able to provide from its own resources because (say if you are worried about your child's progress and/or behaviour. Mention any evidence you have for this, for example recent exclusions, refusal to attend school, signs of anxiety at home, school reports, test results)

I understand that you are required by law to reply to this request within six weeks, and that if you decide not to assess my child I will be able to appeal to the SEND tribunal.

I look forward to hearing from you soon.

Yours sincerely

Assessment timetable



Find out how you can have a say about services in your area by joining your local parent carer forum.

Contact the National Network of Parent Carer Forums:

www.nnpfc.org.uk 020 7608 8708 info@nnpfc.org.uk

www.facebook.com/NNPCF www.twitter.com/NNPCF

Incorporating The Lady Hoare Trust Registered Office: 209-211 City Road, London, EC1V 1JN
Registered Charity Number: 284912 Company Limited by guarantee
Registered in England and Wales Number: 1633333.
Charity registered in Scotland Number: SC039169. VAT Registration Number: GB 749 3846 82

© Contact a Family, September 2016

