



Guidance document to support the Education, Health and Care needs assessment and plan Pathway

January 2018

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Introduction

This guidance has been written for parents, carers, young people and professionals who wish to apply for an Education Health and Care needs assessment (EHCna). The guidance takes you through the steps to apply for an EHCna and, where appropriate, to produce an Education Health and Care plan (EHCplan).

Please use this guidance alongside the Education and Care Needs Assessment (EHCna) and Plan (EHCplan) Pathway flowchart.

Request for an Assessment

A request for an Education, Health and Care needs assessment (EHCna) for a child or young person can be made by the parent/carer or the young person themselves by sending a letter with supporting evidence to the Access and Response Team. With written parental consent, settings or professionals working with the family and child/young person can also make a request for an Education, Health and Care needs assessment. Evidence must be submitted with the request to show what interventions have been implemented and reviewed under the SEND graduated approach and whether this has had an impact on the child/young person's learning.

All requests **must** be sent to the Access and Response Team (ART):

- Call 01454 866000 Monday to Thursday 9.00 – 5.00, (4.30 on Friday)
- 01454 615165 out of hours and at weekends
- For professionals: email accessandresponse@southglos.gov.uk. Do not send personal data via an unsecured email. If required, send a request for access to the secure portal to this address before proceeding.

Week 1: The Statutory Process - Referral Received by ART Day 1

When an application for an Education, Health and Care (EHC) Needs Assessment has been made to ART, the ART Team will notify the family by letter or email that the request for an EHC Needs Assessment has been received.

The day the referral is received by ART becomes the **first day** of the 20 week statutory process. The information from the ART referral is then forwarded on to the SEND Panel.

Week 6: EHC needs assessment decision

The SEND Panel is held weekly and takes responsibility for deciding whether or not to undertake an EHC needs assessment. The SEND panel is a multi-agency panel consisting of senior staff from Education, Health and the Local Authority. The decision whether to assess or not **MUST** be made within **6 weeks** of the receipt of the referral and families informed of the outcome.

The SEND panel can make the following decisions regarding whether to assess:

- **Weeks 6-12: Yes to EHC needs assessment**

If an agreement is made to undertake this assessment the case will be allocated to a SEND Case Coordinator/SEND Senior Case Coordinator within the SEND Team following the Panel decision. The allocated SEND Case Coordinator will become the point of contact for the family throughout the remaining 20-week process.

The allocated SEND Case Coordinator will contact the referrer and/or the family by telephone and in writing to tell them whether or not an Education Health and Care needs assessment has been agreed. If it has been agreed, they will outline the process and what to expect over the coming weeks.

Once written consent has been obtained and after an initial meeting/conversation with the family the allocated SEND Case Coordinator will send out letters to various professionals asking for their contributions towards the EHC needs assessment.

The SEND Case Coordinator will automatically write to the current Education Setting, Community Health Services, Educational Psychology and Social Care. They will also make contact with any professionals requested by the family if they are actively involved with the child or young person's education, health and social care needs. During this stage, the SEND Case Coordinator will arrange a provisional date for a Person Centred Planning Meeting to take place (on or around the 12th/13th week).

The advice givers (professionals) **MUST** respond within the statutory **6 week** timeframe as outlined in the SEND Code of Practice 2015.

- **Week 6: No to an EHC needs assessment**

If the application is unsuccessful, notification will be sent in writing within 6 weeks from request for assessment. The letter will detail the reasons why the panel didn't agree to conduct an assessment, details of independent support and the family's rights to appeal the decision.

This is a stage when a family can appeal a decision. The letter explains this and that mediation must be considered as part of this process.

Weeks 6-12: Outcome of the Education Health and Care needs assessment

Once all the information/reports have been received, a decision whether to draft the Education, Health and Care plan (EHCplan) will be made by the SEND Team Leader in liaison with the SEND Case Coordinator/SEND Senior Case Coordinator through reviewing the relevant information gathered.

If the decision is:

- **Yes to draft the plan** - The allocated SEND Case Coordinator will contact the family by phone to say they will **proceed** to draft the EHC plan.

A letter will also be sent out to inform families. The Person Centred Planning Meeting provisionally arranged will now be confirmed (if appropriate).

The SEND Case Coordinator/SEND Senior Case Coordinator will make a note on the case file and the decision taken by the SEND Team Leader will be recorded on the SEND Panel log for auditing purposes.

- **No** - All information received must still be presented to the SEND Panel who will conduct a multi-disciplinary team decision to agree if 'No' is the final decision. The allocated SEND Case Coordinator will contact the family to inform them of the decision by letter. The letter will open the right of Appeal for parents/carers and young people.
- **Unclear** - All information received should be presented to the SEND Panel for a multidisciplinary team decision who will make a final decision on whether or not to draft an EHCplan.

Week 12/13: Person Centred Planning Meeting

It is important that families are very much involved in the drafting of the plan. This meeting is to discuss the findings of the actual assessment and to have open discussions about the outcomes and aspirations of the child/young person.

Week 14: Drafting the EHC plan

On or around the 14th week of the 20 week process, the information gathered from the EHC needs assessment and the Person Centred Planning Meeting will be incorporated into a draft EHCplan by the allocated SEND Case Coordinator.

Week 15/16: Consultation of the draft EHCplan with Family/Young Person

On or around week 15/16 the draft EHCplan and the advice gathered during the assessment phase will be sent to the family and young person for consultation.

The family and young person will have the opportunity to comment on the draft and request amendments within 15 days from the date of the letter. Some requests can be approved by the SEND Case Coordinator/SEND Senior Case Coordinator, however some requests for amendments may need to seek further approval. Amendments will be made if appropriate and agreed.

At this stage families/young people will also formally be asked:

- 1) to identify their preferred choice of educational setting
- 2) if they would like to request a Personal Budget.

Week 18/19: Consultation with education setting

Around week 18 the draft EHCplan will be sent to education settings for consultation in line with the parents/carers/young person's preference and local setting/provision. The education settings will have 15 days to respond.

Week 20: Issuing of final EHCplan

From start to finish an Education, Health and Care needs assessment should take no more than 20 weeks. The Final Education, Health and Care plan (EHCplan) must be issued by week 20 of the process (unless there are exceptions to this timeframe).

Following the consultations with the settings, the SEND panel will finalise the EHCplan which will name the education setting within Section I. The SEND Case Coordinator will send out the final EHCplan along with a letter to the parent/carer/young person and the education setting.

The setting that is named in the final EHCplan must admit the child/young person and make the necessary provisions.

Once the final EHCplan has been issued it will be reviewed once a year via the Annual Review process which is usually held within the education setting.