



## Walsall Information Advice and Support Service (SEND)

### EHC needs assessments

#### What is an EHC needs assessment?

An Education Health and Care assessment (usually called an ECH needs assessment) is a detailed assessment of a child or young person's special educational needs (SEN) in accordance with the Children and Families Act 2014. It is also sometimes called a "statutory assessment" and has replaced the old form of statutory assessment under the Education Act 1996.

The purpose of the assessment is to decide:

- whether your child has special educational needs,
- what those special educational needs are, and
- how those special educational needs will be met.

In most, but not all cases, an ECH needs assessment leads to an Education Health Care Plan (EHCP).

Please note that a child who has no difficulties academically might still have special educational needs. Special educational needs also includes communication and understanding, behaviour, emotional and social development and sensory and/or physical needs.

Most children and young people with special educational needs will have their needs met by the school or college who will give them extra support. This is called SEN support. However, some may still not make the progress expected of them. When this happens the Local Authority (LA) carry out an EHC needs assessment.

## How can I request an EHC needs assessment?

It is often your child's school/college that makes the request after discussing your child's needs with you. However, you do have the right as parents or carers to request the assessment yourself. Young people (aged 16 to 25) also have the right to make the request independently themselves.

We suggest that before making a request for an assessment you may like to discuss your concerns with the Special Educational Needs Coordinator (SENCO) or Inclusion Manager at your child's school/college as they may already be gathering the information required to request an assessment.

If the school/college is not planning to request an EHC needs assessment, but you consider that they are unable to meet your child's needs, then you or the young person can make the request yourself. You might find it useful to discuss your concerns with Walsall Information Advice and Support Service (SEND), they can help you to make the request and discuss other options with you. (contact details on back page).

Requests for EHC needs assessments should be made in writing. An example of a parental request is shown on the next page.

Don't worry at this point about including every detail as you will get an opportunity later on to provide more information.

If you have any reports or letters from professionals who have been working with your child (for example a speech therapist, doctor, psychologist, specialist advisory teacher) it is a good idea to send a copy of these with your letter.

The law states that if the child or young person has or may have special needs and may need provision to be made via an EHC plan, the local authority **must** conduct an EHC needs assessment. You do not have to prove that an EHC plan is definitely necessary to obtain an assessment, you just have to show it **may** be necessary.

My name  
My address

SEN Team Manager  
Walsall Children's Services  
Education Development Centre  
Pelsall Lane Rushall  
Walsall  
WS4 1NG

Date

Dear SEN Manager,

**Child's name, date of birth and name of school/college**

I am writing to ask you to carry out an EHC needs assessment of my son/daughter **[child's name]** under section under section 36 of the Children and Families Act 2014.

I believe that **[child's name]** is entitled to an assessment of their needs because he/she requires special educational provision to meet their needs.

*[Give further details here. This should include:*

- *the child or young person's special educational needs, including details of any diagnosis if there is one*
- *how this affects him/her in school*
- *what the school/college have done to meet those needs*
- *and where appropriate, the provision that you think that they might need]*

My child should have an EHC needs assessment to identify the extent of his/her special needs and what support he/she should have to meet those needs. I believe he/she needs more support than can be provided by the resources normally available to a mainstream school/college.

Yours faithfully,

*My signature*

My name (print)

## The SEND Code of Practice 2015

The [SEND Code of Practice 2015](#) is statutory guidance from the government which states how schools and LA's should meet the needs of children and young people with SEN. It replaces the old Code of Practice which was issued in 2001. The SEND Code of Practice 2015 says:

*In considering whether an EHC needs assessment is necessary, the local authority should consider whether there is evidence that despite the early years provider, school or post-16 institution having taken relevant and purposeful action to identify, assess and meet the special educational needs of the child or young person, the child or young person has not made expected progress. (9.14)*

### How long must I wait for a decision?

The local authority (LA) must write to you within 6 weeks of receiving the request, saying if they will or will not carry out the assessment. They must also notify the school/college.

During this 6 weeks an SEN keyworker should be identified who will fill in a "Family Conversation" with you to make sure you and your child or young person have had the opportunity to provide more information and express your views and wishes. The keyworker will be someone who already knows the child or young person and who will co-ordinate the assessment process.

The LA can refuse to do an assessment if they don't think it is necessary. You must be informed of the reasons for the decision and of your right to appeal to the Special Educational Needs and Disability Tribunal.

### What happens during an EHC needs assessment?

The Local Authority gathers information from:

- you and the child or young person
- the nursery, school or college the child or young person attends
- an Educational Psychologist
- health and social care professionals
- specialist teachers (if you child has a vision or hearing impairment)
- any other person requested by you or the young person that the local authority considers reasonable

Advice and information requested by the local authority should be provided within 6 weeks.

### What happens when the assessment is complete?

The LA **must** inform you or the young person in writing within 16 weeks from the request for an EHC needs assessment, whether or not they are going to make an EHC plan, with reasons for the decision.

If the LA decide to issue an EHC plan, you must be sent a draft plan and given 15 days to provide your own views on the content of the plan and to say which school or college you would like the child or young person to attend.

The section of the EHC plan which names the school or college must be left blank at this stage.

### What happens if I don't agree with the contents of the draft plan?

You or the young person can ask for a meeting with the LA and other people who gave advice towards the EHC assessment. This is your chance to ask questions if anything is unclear or to ask for changes to be made, and to discuss which school/college will be named before the final plan is issued.

The LA must consult the school, college or other educational institution before naming it in the EHC plan.

For more information on naming a school or college in an EHC plan see our separate leaflet **Education Health and Care Plans**.

### How long does it all take?

The final plan must be issued within a maximum of 20 weeks of the request for the assessment. The school or college will be named in the plan and it will be signed by an officer of the LA.

The EHC plan is now a legal document and the child or young person must receive the support specified in the plan.

## What can I do if the LA decides not to issue an EHC plan, or if I don't agree with the content of the final plan?

You or the young person have a right to appeal to the SEND Tribunal. The appeal must be made within 2 months. More information on tribunals and how to appeal can be found on [gov.uk](http://gov.uk)

You can discuss your options with Walsall Information, Advice and Support Service (SEND), who can support you with an appeal to tribunal if this is the option you decide to follow.

If you require any further information or support please contact Walsall IASS (SEND). Our contact details are below.

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