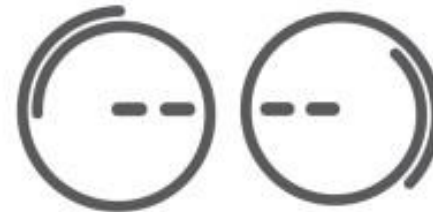


**Buckinghamshire  
SENDIAS  
Online Training  
coproduced with  
FACT Bucks**



BUCKINGHAMSHIRE  
**SEND IAS**  
SERVICE

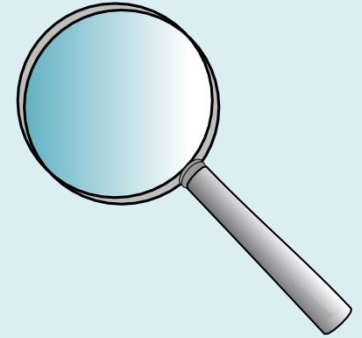
# Live recording link

- [FACT Bucks/ Bucks SENDIAS Service EHC needs assessment webinar July 2021](#)

# Asking for an EHC Needs Assessment

- **Summary:** This webinar should help you to find out when and how to apply for EHC needs assessment
- **Duration:** 30 minutes

# What is an EHC Needs Assessment?



**An in-depth assessment to look at:**

- a child's or young person's special educational needs
- the support they may require to help them to learn and make progress
- the outcomes the child or young person is expected to achieve

**The assessment may lead to an EHC plan.**



Slides with  
this symbol  
tell you about  
the law and  
statutory  
guidance

It is a legal process



Law trumps policy

Law is **must**

Guidance e.g. SEND Code is **should**

Policy is local way of doing something – ‘**how we do this here**’



**Links to  
the law  
and  
statutory  
guidance**

[Children and Families Act 2014](#)

[SEND Code of Practice 2015](#)

# Did you Know?

- The EHC needs assessment and EHC plan should be **coproduced** with your child and you.
- **Coproduction** means that you influence the support and services you need. Your voice is heard, and you feel empowered about the decisions being made about your future.





## What does the law say about coproduction?

### The Local Authority must have regard to:

the views, wishes and feelings of the child and their parent, or the young person;

the importance of them participating as fully as possible in decisions

the importance of them being provided with the information and support necessary to enable participation in those decisions;

the need to support them, in order to facilitate the development of the child or young person and to help him or her achieve the best possible educational and other outcomes



## What does the law say?

### What is a special educational need?

Special educational need is a legal term.

It is a **significant** learning difficulty which requires special help – more than most children require.

Or it is a disability which stops the child from using what is provided for mainstream children –or makes using this harder for them.



## What does the law say?

What is a disability?

Disability is a legal term.

You're disabled under the Equality Act 2010 if you have a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on your ability to do normal daily activities.

# What is an EHC Needs Assessment?

**It includes information from:**

- Your child or young person
- You
- The school or setting
- Professionals working with your child or young person





## Did you Know?



You can ask for an EHC needs assessment for any child or young person between the ages of 0 and 25

# Should I ask for an EHC Needs Assessment?

1. Is your child not making progress despite everything the school has tried?
2. Does your child need more support than the school can provide?

**If the answer is yes then they may need an EHC needs assessment**

# Example

- A child is not making progress
- The school feel they have put everything they can in place to support
- It is agreed that more support is needed for the child to make progress
- The school cannot provide this support – they say they do not have the resources
- The next step would be to apply for an EHC needs assessment to secure that extra support



**What does  
the law  
say?**

**Your Local Authority must consider 2 things:**

**1) whether your child has or *may* have special educational needs**

**2) whether they *may* need special educational provision to be made through an EHC plan**





**What does  
the SEND  
Code of  
Practice  
say?**

*“.....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”*



**What does  
the law  
say?**

There is a 3<sup>rd</sup> test the LA must consider if the young person is over 18 years old

*“the local authority must consider whether the young person requires additional time, in comparison to the majority of others of the same age who do not have special educational needs, to complete their education or training”*

# Answers to common questions



1. A child or young person does not need a diagnosis to request an EHC needs assessment
2. There is no legal requirement that the school spend a certain amount of money on support before requesting an assessment
3. Assessment of progress should focus on all areas of SEN, not just academic progress
4. Changes in the near future are relevant and should be taken into account

# What will the Local Authority look at?

- The child or young person's attainments and rate of progress
- their special educational needs
- what has already been done to support them
- the difference that support has made
- the child or young person's physical, emotional and social development and health needs



**What does  
the law  
say?**

**Do my views count?**

**YES**

*In considering whether an EHC needs assessment is necessary, local authorities should pay particular attention to the views, wishes and feelings of the child and his or her parent, or the young person.*

# Who can make a request?

- As a parent, you can apply for your child until they are over [school leaving age](#)
- Unless . . . He or she lacks mental capacity to make the decision to request an assessment – in which case you can usually do it for them at any time.
- If your child is aged 16 – 25 and does have the mental capacity to make the decision, he or she should apply, or ask you to do so on their behalf.
- An early years setting, school or college can apply at any time.

# How else is an EHC needs assessment triggered?

- The local authority identifies a child or young person as having or possibly having special educational needs either itself or because any other person lets them know about the child or young person.

# How do I apply?

There is no form or template letter you have to use – but it will help if you send in all the information you need to in a format which Buckinghamshire Council can easily read.

You could try [EHC Needs Assessments and template letters Bucks SchoolsWeb](#) - find the sections for parents and young people as on the next slide.

SENDIAS also have a letter template we can send you – it will be downloadable on our webpages soon - [Bucks SEND Information Advice and Support Service](#)

It also saves time if you provide:

Your consent or consent of the young person for the EHC needs assessment to be carried out – you could use the BC consent form on the next slide

Information about your child's health – you could use the BC health questionnaire on the next slide



# How do I apply?

## For parents

 [Letter to request an EHC needs assessment with consent](#) (for parent-carer) June 2018

 [Parental Health Questionnaire for the EHCP Initial Assessment Process](#)

 [Education, Health and Care Plans Information from SEND IAS](#)

## For young people

 [Letter to request an EHC Needs assessment with consent](#) (for young person) June 2018

 [Young Person Health Questionnaire for the EHCP Initial Assessment Process](#)

[Buckinghamshire Council EHC needs assessments and template letters](#)

[Send your request and evidence to:](#)

Aylesbury

[Senaylesbury@buckinghamshire.gov.uk](mailto:Senaylesbury@buckinghamshire.gov.uk)

Wycombe

[Senwycombe@buckinghamshire.gov.uk](mailto:Senwycombe@buckinghamshire.gov.uk)

Chiltern and South Bucks

[SenCSB@buckinghamshire.gov.uk](mailto:SenCSB@buckinghamshire.gov.uk)

# How do I apply? Explaining why my child needs an EHC needs assessment

Give the **reasons** why you think your child needs an EHC assessment.

- Start with their difficulties with learning – called Special Educational Needs.

You should also write down:

- the help they have now
- any extra help you think they should have – called Special Educational Provision.
- the differences or improvements that the help will make – called Outcomes.

We will look at these in turn – the law and what to write:



**What does  
the law  
say?**

**What is a special educational need?**

Special educational need is a legal term.

It is a **significant** learning difficulty which requires special help – more than most children require.

Or it is a disability which stops the child from using what is provided for mainstream children –or makes using this harder for them.



## What does the law say?

What is a disability?

Disability is a legal term.

You're disabled under the Equality Act 2010 if you have a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on your ability to do normal daily activities.

# What types of special educational need are there?

Special Educational Needs can be any difficulty which affects your child's learning . Think about whether your child has any of these difficulties:

- Difficulties with understanding information, memory, reading – called **Cognition and Learning** difficulties
- Difficulties with speaking, listening, understanding other people – called **Communication and Interaction** difficulties
- Difficulties with parts of the body – e.g. mobility or hearing difficulties – called **Physical and Sensory** difficulties
- Difficulties with relationships and behaviour – called **Social, Emotional and Mental Health** difficulties.
- Difficulties with doing things for oneself – called **Independence** difficulties.

# My child's special educational needs

What **difficulties** does your child have? You should include any diagnoses, but it is more important to explain what their difficulties are and how they affect your child. Show how your child's difficulties are enough to need extra help.

## *It helps if you :*

1. Say what each **difficulty** is. (Use the professional term if you can)
2. Describe the **frequency** (how often) and **intensity** (how severe) and **context** (in what situations is this a difficulty) .
3. Say how it acts as a **barrier**.
4. Say what the **impact** is without support

# My child's difficulties - example

**Difficulty:** Conrad has difficulty understanding what people say to him.

**Frequency/intensity/context:** This means he will fail to respond almost whenever he is addressed by either an adult or a child or there will be a long delay in him responding. This occurs in almost every interaction and is even worse in group environments.

**Barrier:** This difficulty acts as a serious barrier for Conrad to access learning in any social or learning situation and in making friends.

**Impact:** Without intensive support and expert help, Conrad is falling behind with learning, misses out on vital instructions and is becoming lonely, isolated and depressed.

# Support or help for your child now

- This is often called Special Educational Provision.
- What support does your child already have?
  - You should have been involved in putting together a SEN Support Plan for your child. This will tell you what support your child is getting. You can use it to compare your child's progress and support over time.
- How do you know they aren't getting enough support?:
  - Maybe your child is not making any progress or progress is very slow compared to others of the same age
  - Maybe the gap between your child and most others of the same age is widening



# Support of help for your child in the future

What help will an EHC plan will provide that they are not already getting?

- Explain the support your child needs and isn't yet getting
- Explain the difference this help will make – the outcomes for your child

# Example

## Support

- Amelia needs specialist autism teaching support

## Outcome

- By the end of keystage 2, for Amelia to be able to use strategies to manage her emotions when unexpected situations occur.

# What about your child's views?

As far as possible encourage your child to be involved in their assessment and plan - it is for them, and works best if their views are included.

- What are their strengths?
- What do they find difficult?
- What do they want to be able to do – now and in the future?
- What sort of help would they find useful to make this happen?
- You could try:
- [What Matters Island \(preparingforadulthood.org.uk\)](http://preparingforadulthood.org.uk)

# What other evidence could I include?

## From school, nursery or college:

- Support plans
- Reports
- Information on achievement levels and progress
- Behaviour logs
- Home/ school diaries
- Examples of work



## From other professionals e.g. therapies, paediatricians, CAMHS

- Assessments
- Clinic letters
- Diagnoses letters (No diagnosis necessary)

# What Happens Next?

The Local Authority have 6 weeks to make a decision

They will look at all the information and must then tell you whether it has decided:

- that an EHC needs assessment is **not necessary**

OR

- to start the EHC needs assessment **immediately**

# What happens if an assessment is refused?

- The Local Authority must tell you why they have decided not to assess
- You have the right of appeal, including mediation
- The Local Authority must tell you about your right of appeal and how to apply for mediation

What to do if you disagree with a decision not to assess your child:  
[IPSEA Refusal to Assess Pack-](#)

Bucks SENDIAS Service can help you if you do not agree with the decision

# What happens if assessment is agreed?

## The Local Authority must ask for advice from:

- parents (or the young person)
- your child's early years setting or school or college
- an educational psychologist
- health professionals who work with your child.
- social care staff
- anyone else you ask them to contact who may be able to give relevant advice.

# What happens during assessment?

Every piece of advice should include information on:

1. Your child's education, health and care **needs**
2. The **outcomes** wanted for your child
3. The education, health and care **provision** that they might need to meet their needs and achieve the outcomes

You should receive a copy of all assessments



# Coproduction tip

- You should be involved with the development of the draft plan. You could ask for a meeting with your child's Education, Health and Care Coordinator once the assessments are done to talk about what to include in the Draft EHC plan.



## What does the law say about coproduction?

*9.21 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.*

*9.61 . . . Decisions about the content of EHC plans should be made openly and **collaboratively** with parents, children and young people. It should be clear how the child or young person has contributed to the plan and how their views are reflected in it. . . .*

# Will an EHC plan be issued?

**An EHC needs assessment does not automatically lead to an EHC plan**

Within **16 weeks** of your original request the LA must either:

- Send you a draft EHC plan
- Tell you that they are not going to issue an EHC plan

If the LA decide not to issue an EHC plan then you have the **right to appeal this decision**

# What should I expect when I get the draft EHC plan?

- You should receive a covering letter or email, the draft EHC plan and a copy of all of the reports which were used.
- If you don't agree with the draft plan, you should let your Education, Health and Care Coordinator know. You can send your concerns by email. You have a right to have a meeting if you would prefer this.
- You have 15 days to respond to the Local Authority
- You should say which school you want for your child.
- You should say if you want a personal budget for your child.

# How long will it take?

The final EHC plan should be issued within 20 weeks of your original request.

This includes the original 6 weeks the Local Authority took to decide whether to assess



# What if I have questions?

- At any stage you can ask to talk to a member of the local authority's staff.
- If the local authority decides that an EHC needs assessment and an EHC plan are necessary, they must carry out the assessment and issue a plan whatever your views are.

# Further information on EHC needs assessments

- [IPSEA EHC Needs Assessments](#) – clear guidance on the law around EHC needs assessments
- [SENDIAS Guide to EHC Needs Assessments](#) - our summary of the process
- [EHC Plan Checklist \(ipsea.org.uk\)](#) – use this to make sure everything your child needs is in their EHC plan
- [IPSEA Refusal to Assess Pack](#)- what to do if you disagree with a decision not to assess your child
- [Education, Health and Care Plans \(EHCPs\) Bucks SchoolsWeb](#)  
Buckinghamshire Council detailed information about their process



# Further information on SEN Support

This is the level of support early years settings, schools and further education settings are expected to provide from their own resources. Some will get just a bit of help and some will get lots, up to £6,000 worth in some cases.

- SEN Support in the early years : What to expect from preschools and nurseries.
- Ordinarily available provision in the early years : Explains the help Buckinghamshire Council and health teams expect Buckinghamshire early years settings to provide for children on SEN Support.
- SEN Support in school: What to expect from mainstream schools
- Ordinarily Available Provision in schools: Explains the help Buckinghamshire Council and health teams expect Buckinghamshire schools to provide for children on SEN Support.
- Contact - SEN Support in further education. Brief information about what to expect from colleges



# Feedback please

- 
- 

# Bucks SENDIAS Service Online Form

- [Bucks SENDIAS Contact Form](#)
- For enquiries from new and existing service users
- Sign up for our email updates
- Include your child's ethnicity details if possible

# Bucks SENDIAS Service

## Live Web Chat



If you require general advice from one of our advisers, we invite you to use our live web chat service that is accessible via our website

[www.buckinghamshire.gov.uk/sendias](http://www.buckinghamshire.gov.uk/sendias)

**There will be one adviser available for each 2 hour session, every week (term time only):**

- **Monday 13:00 – 15:00**
- **Friday 10:00 – 12:00**

To access the live chat, please click this button that appears on any of the Bucks SENDIAS web pages.



Please have any relevant supporting documentation in electronic format available to share via the chat.

# Alternative contact options

If not possible to use the form, please contact us by email [sendias@buckinghamshire.gov.uk](mailto:sendias@buckinghamshire.gov.uk)

We do have a voicemail service 01296 383754 – this is not answered, you will need to leave a message.

We triage our enquiries- if you have not heard from us within 10 days of your query, please contact us again.

# FACT Bucks

<https://www.factbucks.org.uk/>

→ ↻ 🏠 🔒 https://www.factbucks.org.uk



[Young People's Plan](#) [Local Offer](#) [Transitions](#) [Jargon Buster](#) [SEND Conference](#) [FACT AGM](#)



Families And Carers Together  
in Buckinghamshire

[Home](#) [About Us](#) [Events](#) [Information](#) [Getting Involved](#) [News & Newsletters](#) [Links](#) [Contact Us](#) [🔍](#)

We help children and young people with additional needs  
and disabilities in Buckinghamshire.

LEARN MORE

# FACT Bucks contact details

[admin@factbucks.org.uk](mailto:admin@factbucks.org.uk)

Facebook:

<https://www.facebook.com/groups/359055530897700/>