

Information for parents and carers

See the last page for details of how to get support from SENDIASS



Education Health and Care (EHC) needs assessments

- **What is an EHC needs assessment?**

An EHC needs assessment (EHCNA) is done by the Local Authority to assess whether a child has special educational needs which mean that they need extra help above that ordinarily provided in mainstream schools. The assessment is done according to a set legal process, and it looks at health and social care as well as educational needs. An EHCNA is the first step towards a child getting an **Education Health and Care Plan (EHC Plan)** – see below.

- **What is an EHC Plan, and how can it help my child?**

An EHC Plan is drawn up when the Local Authority decides, following an assessment, that a child needs more help than schools can ordinarily provide. The EHCP is a legal document that specifies what support a named child *must* receive. The Local Authority is legally obliged to ensure that the special educational provision in an EHCP is provided. An EHCP can bring extra resources to the school that are earmarked for the individual named child.

- **Who can ask the Local Authority for an EHC needs assessment to be carried out?**

An EHC needs assessment can be requested by the child's school or nursery, or by their parent/carer (or if the child is over 16 they may make the request themselves). For more information about how parents living in Haringey can request an EHCNA visit: <https://www.haringey.gov.uk/children-and-families/local-offer/education-health-and-care-plans-ehcps/request-ehc-needs-assessment> Before requesting an EHCNA it's a good idea to speak first with the Special Needs Co-ordinator (SENCo) at your child's nursery or school.

- **How long does it take to do an EHC needs assessment leading to an EHC Plan?**

From the date that an EHC needs assessment is requested to the point that an EHC Plan is finalised should be a **maximum of 20 weeks**. This is the statutory timescale that Local Authorities must abide by. (See below for advice on what to do if the process is delayed.) See link for full details of EHC Pan statutory timescales: <https://www.ipsea.org.uk/Handlers/Download.ashx?IDMF=25bfc071-444f-41c4-bbce-0c050441328f>

- **What are the criteria for a child to qualify for an EHC needs assessment?**

The law states that Local Authorities must carry out an EHC needs assessment where *the child has or may have special educational needs, and it may be necessary for special educational provision to be made for the child in accordance with an EHC plan*. The SEND Code of Practice says Local Authorities should consider whether there is evidence that despite the nursery or school having taken relevant and purposeful action to identify, assess and meet the special educational needs of the child, they have not made expected progress.

- **What are the criteria for a child to qualify for an EHC Plan?**

The Local Authority (LA) must decide whether or not it will issue an EHC plan for the child based on the evidence it has gathered in the EHC needs assessment. The legal test which the LA must apply states that they must issue an EHC Plan: *'where, in the light of an EHC needs assessment, it is necessary for special educational provision to be made for a child or young person in accordance with an EHC plan'*.

- **If an EHC needs assessment is carried out will my child definitely get an EHC Plan?**

In most but not all cases an EHC needs assessment leads to an EHC Plan being issued. But it is possible that the Local Authority can decide based on the evidence to refuse to issue an EHC Plan, and instead recommend that the child's needs are met by the school at the level of **SEN Support**. If this happens you will be offered a meeting to discuss it.

- **What are schools expected to provide for children who do not have an EHC Plan?**

Schools and nurseries are under legal duty to use their best endeavours to meet children's special needs. Most children with special educational needs do not have an EHC Plan, and their needs are met through **SEN support**.

Haringey has published guidance on what kind of SEN support schools and nurseries are expected to provide from their existing budgets for children who do not have EHC Plans:

- https://www.haringey.gov.uk/sites/haringeygovuk/files/send_support_guidance.pdf
- Early Years settings best practice guidance:
https://www.haringey.gov.uk/sites/haringeygovuk/files/early_years_send_best_practice_pdf_467kb.pdf

- **What happens after an EHC needs assessment is requested?**

When they receive a request for an EHC needs assessment (EHCNA) the Local Authority will ask the nursery or school for evidence of the child's progress and what extra help has been provided so far through SEN Support (see above). The Local Authority must then make a decision and inform parents within 6 weeks whether they intend to undertake an EHCNA.

- **Who contributes advice for an EHC needs assessment?**

The Local Authority must take into account the views and wishes of the child and their parent or carer. In addition they must seek advice from a range of people including:

- educational advice (usually from the head teacher)
- medical advice and information from a health care professional
- psychological advice from an educational psychologist
- advice and information in relation to social care needs

You can also request that any other professionals who know your child are consulted too.

- **How can I appeal if I disagree with a Local Authority decision?**

Parents can appeal to an independent Tribunal to challenge decisions by the Local Authority: to refuse to do an EHC needs assessment; to refuse to issue an EHC Plan after an assessment; or about the contents of an EHC Plan. You can also request a mediation meeting. For more information: <https://www.ipsea.org.uk/appealing-to-the-send-tribunal>

- **What can I do if the Local Authority is not abiding by the correct legal timescales?**

If the Local Authority does not stick to the legally required timescales for considering a request for an EHC needs assessment, undertaking the assessment or issuing an EHC Plan you can take the following action:

- First you should contact the Haringey SEN Team on 020 8489 1913 or email:
 - For children in early years and up to year 5 - SENDETeam1@haringey.gov.uk
 - For children in years 6 to 11 - SENDETeam2@haringey.gov.uk
 - For young people in year 12 onwards - SENDETeam3@haringey.gov.uk
- Make a complaint to the Local Authority. See suggested template letter: <https://www.ipsea.org.uk/complaining-if-the-la-does-not-respond>
- Seek advice from SENDIASS – see below.

How parents can get independent advice and support about EHC needs assessments and EHC Plans

Markfield provides the Special Educational Needs and Disabilities Information, Advice and Support Service (SENDIASS) for residents of Haringey. Markfield is an independent charity. SENDIASS offers a free, impartial and confidential service for parents/carers of children with SEND from age 0 to 25 years. Our service can also give direct advice to young people.

SENDIASS offers:

- **Help to navigate** and understand the system & services for children with SEND
- **Support** with engaging with the professionals working with your child
- **Help if things go wrong**, including appeals and disagreement resolution meetings

How to contact the SENDIASS team:

- **Telephone** the SENDIASS helpline: **020 8802 2611**
Helpline times: 9.30am to 5pm on weekdays, plus extended evening hours in school term-times: until 7pm on Wednesdays, and until 6pm on Thursdays
(if you cannot get through it means our staff are on a call or a meeting: please leave a short message with your number and we will call you back)
- **Email:** sendiass@markfield.org.uk
- **Drop-in advice session:** every Thursday in school termtimes 10am to 12 noon at the Markfield centre in Markfield Park, Tottenham, N15 4RB.
Just drop in, no need to book
- **Drop-in** to our monthly **Family Club** at **Markfield centre**, in Markfield Park, N15 4RB.
Times: 11.30am to 2.30pm on the second Saturday each month in school termtime for children's play activities, the chance to meet other families, and to access support from a SENDIASS Adviser.