



Education, Health and Care Needs Assessments

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What is an Education Health and Care Needs assessment?

Approximately 14% of pupils will have a special educational need.

Approximately 11% will have their needs met by at the SEN support level within their school college or other education setting. Only approx. 3% will need more than their education setting can provide.

An Education, Health and Care needs assessment (EHCNA) is a detailed look at a child's special educational needs (SEN) and the support he or she may need in order to learn.

Who carries it out?

An Education, Health and Care needs assessment (EHCNA) is a legal process carried out by the Local Authority (LA) as set out in the Children and Families Act 2014.

Your child / young person must have a special education need (SEN), and need more support than a mainstream setting can offer to be eligible for the EHCNA. From this assessment, the Local Authority will work out how much help your child or young person requires and whether they need an Education Help Care Plan.

How do we know if we need an Education, Health and Care Needs Assessment?

A child or young person between the ages of 0-25 years old may apply for an EHCNA as long as they need more help in an educational setting (excluding University) than their peers. The Local Authority is legally required to carry out an EHCNA if they are satisfied that

- The child / young person **has or may have** SEN
- It **may** be necessary for special education provisions to be made for the child / young person

It is a legal requirement for the LA to help your family, including your child, to take part in the process and they must provide you with any information, advice and support you need to do so.

The SEND Code of Practice states –

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)

Who gives information for and Education, Health and Care needs Assessment?

The needs assessment brings together information about:

- what your child can and cannot do
- the special help they need.

and includes information from:

- you
- your child
- the early years' setting or school
- other professionals who work with or support your child

Who can ask for an Education, Health and Care Needs Assessment to be carried out?

- A parent on behalf of a child 16 years and under, by writing to the LA
- A young person over 17 years (but under 25) or over may apply themselves by writing to the LA
- the school or education provision (but only after speaking with you first)
- Health and social care professionals (such as your GP or health visitor) can recommend that a needs assessment should be carried out but they cannot start the process.

Your Local Authority will have full details on their website on how to apply for an EHC needs assessment in your area.

Your school and your local IASS team will also be able to help you (Details of your local IASS team can be found on your Local Authority website).

What happens when the Local Authority get a request for an ECHNA?

As soon as your LA receive a request for an Education, Health and Care Needs Assessment, they must tell you about it.

The **SEND Code of Practice** states

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. (9.12)

The local authority will have a maximum of 6 weeks from the date of the request to tell you whether they intend to assess your child / young person's needs. During this time they may ask you, the school or other professionals. The Local Authority will look at all the information and must then tell you whether it has decided:

- to start the EHC needs assessment immediately
OR
- that an EHC needs assessment is not necessary

What happens if the local authority won't carry out an EHC needs assessment?

If the LA decide not to carry out a needs assessment, it does not mean that they do not think that your child / young person to have a disability or SEN. It just means that they consider that the SEN needs of your child / young person can be met by the school / college.

The local authority must tell you why it thinks that an EHC needs assessment is not needed. It must also tell you about:

- your right of appeal
- independent disagreement resolution and mediation
- timescales
- how to get further information, advice or support

What happens if the LA decide they will carry out the EHC needs assessment?

The local authority will write to you for information.

The **SEND Code of Practice** states:

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. The needs of the individual child and young person should sit at the heart of the assessment and planning process. (9.12)

The Local Authority will also seek advice from different places such as

- The nursery, school or college your child attends.
- An educational psychologist.
- Specialist teachers, if your child has a vision or hearing impairment.
- Health care services.
- Social care services.
- Others whose views may be important.
- For a child in Year 9 (age 14) or above, advice about preparing for adulthood and independent living

The advice sought must address the **Needs** of the child / young person, **Provisions** that should be put in place to meet those needs, **and Outcomes** expected as a result of putting those provisions into place, as these will all form the basis of the EHCP.

You can find out more about this in the **SEND Code of Practice** sections 9.45 - 9.52.

Sometimes this advice and information is already available because other professionals have been working with your child / young person.

The **SEND Code of Practice** states:

The local authority must not seek further advice if such advice has already been provided (for any purpose) and the person providing the advice, the local authority and the child's parent or the young person are all satisfied that it is sufficient for the assessment process. In making this decision, the local authority and the person providing the advice should ensure the advice remains current. (9.47)

What information should I give?

You are an expert. It is important to give clear information about your child / young person's needs. Think about things like:

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.

- What 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 they need?

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?

Your aspirations for your child

Consider using your child / young person's One page profile, e.g photo, what is important to them, what good support looks like to them; and a short supporting piece from parents with brief history and current information.

The aim of the assessment and subsequently the EHCP itself should be to help in the realisation of the hopes dreams and aspirations of your child / young person and help them to reach their potential.

It should reflect what is possible rather than just what is available.

How long does this process take?

The LA will tell you whether they intend to draw up a draft EHC Plan , within a maximum of 16 weeks from the date that the request to assess was made. If the LA decide that they will issue an EHC Plan, you will receive a draft plan to review and comment upon. If the LA decide not to issue an EHC Plan, they will tell you within 16 weeks and will provide details of how to appeal against their decision.

A request for EHC Needs Assessment made	This is the start date for the whole process
LA decide whether EHCNA is needed and tell parents / young person	Within 6wks of start date
EHC Needs Assessment takes place	As soon as the decision to assess is made
LA tells parents / young person they will NOT issue an ECHP Or	Within 16 weeks of start date
LA sends out draft EHCP	Within 16 weeks of start date
Parent / young person responds to the draft EHCP and state preference for a school	Within 15 days of receiving the draft EHCP
LA consults with the school	Within 15 days of parent / young person's response to draft EHCP
LA issue the final EHCP	Within 20 weeks of the start date
Annual Review	Within 12 months of the start of the EHCP.

Where can I go for further help or advice?

Dealing with EHC needs assessments / EHC Plans can often seem confusing, however, there is lots of information available on your Local Authority's website. Schools can often help you navigate your way through legislation, and there are also lots of independent support and advice services who specialise in SEND.

Look at the information on the EHCP planning process on your Local Authority website.

Your local SENDIASS service.

END Code of Practice <https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>

The Noddy Guide 2020: <https://www.matrixlaw.co.uk/practice-areas/education-law/noddy-guide-2020/>

Helpful Websites:

www.ipsea.org.uk

www.councilfordisabledchildren.org.uk

www.contact.org.uk

www.sossen.org.uk