

**SENDIASS  
EHCP  
Assessments**

## What is an EHC needs assessment?

An EHC needs assessment is a detailed look at a child's or young person's special educational needs (SEN), health care and social care support required in order to learn

Local authorities are responsible for carrying out EHC needs assessments under the **Children and Families Act 2014**.

- The needs assessment brings together information about:
- What your child can and cannot do
- The support they may need

It includes information from:

- Parents and carers
- The child or young person
- The educational setting
- Professionals and services who work with or support your child or young person, for example educational psychologists and healthcare professionals

The assessment is to see if an **Education, Health and Care plan (EHC plan) is needed and if not, the support that is required to meet the needs of the child or young person**

## When is an EHC needs assessment necessary?

The educational setting should provide support for any individual who requires support above that of their peers, this is called SEN support. This means that the school makes additional or different provision to meet their needs. Sometimes other professionals will give advice or support to help your child learn.

Some children need more intensive and specialist help. If your child does not make progress despite the SEN support an EHC needs assessment might be the next step.

The [SEND Code of Practice](#) 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)**

The local authority will look at:

- The child's or young person's attainment and progress
- Their special educational needs
- What has already been done? Including support from the educational setting
- The difference that support has made
- The child's or young person's physical, emotional and social development and health needs

The [SEND Code of Practice](#) says:

**A local authority must conduct an assessment of education, health and care needs when it considers that it may be necessary for special educational provision to be made for the child or young person in accordance with an EHC plan. (9.3)**

You can find out more about the criteria that local authorities should follow in the SEND Code of Practice sections 9.3 and 9.14 to 9.16.

## **Who can ask for an EHC needs assessment?**

- Parents or Carers– by writing to the local authority
- A young person over the age of 16 but under the age of 25
- The educational setting, but only after talking with you first
  
- Doctors, health visitors, family members and friends

It is always a good idea to talk to the educational setting or early years setting before requesting an EHC needs assessment

SENDIASS (Information, Advice and Support Service) can help you make your request

Stockport – 0161 2406168 [stockportsendiass@togethertrust.org.uk](mailto:stockportsendiass@togethertrust.org.uk)

Tameside – 0161 3598005 [tamesidesendiass@togethertrust.org.uk](mailto:tamesidesendiass@togethertrust.org.uk)

## What happens when the local authority gets a request for an EHC needs assessment?

As soon as the local authority gets a request for an EHC needs assessment they must tell you about it.

The [SEND Code of Practice](#) says:

**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 has up to six weeks to decide whether to conduct a needs assessment. During this time, they may ask you, the school and other professionals for information

The local authority will look at all the information and must then tell you whether they have decided:

- To start the EHC needs assessment immediately
- OR
- That an EHC needs assessment is not necessary

## What happens if the local authority decides that an EHC needs assessment is not necessary?

The local authority **must** tell you why they feel an EHC needs assessment is not needed. They **must** also tell you about:

- Your right of appeal
- Independent **disagreement resolution** and **mediation options**

If you disagree with the decision, SENDIASS can explain your options to you and support you in the next steps

## What happens if the EHC needs assessment goes ahead?

The [SEND Code of Practice](#) says:

**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. (9.21)**

The local authority will write to you to tell you what will happen and ask for your views. Your views and your child's views are important. SENDIASS can give you information, advice and support to help you with this. The local authority will ask several other people for information about your child. This should include information about:

- Your child's education, health and care needs
- The desired **outcomes** for your child
- The special educational, health and care provision that might be required to meet the needs of your child and support them to achieve the desired outcomes

The local authority **must** ask for advice and information from:

- Parents, carers (and / or the young person)
- Your child's early years setting, school and educational setting
- Health professionals who work with your child. This might include a paediatrician, speech and language therapist, physiotherapist or occupational therapist.
- Social care staff
  
- An Educational psychologist
  
- Anyone else you ask them to contact who may be able to give relevant advice

If your child has a vision or hearing impairment the local authority must also seek information and advice from a suitably qualified teacher.

The local authority should also try to find out your child's views. You, the school and other professionals may be able to help with this. If you think your child needs someone to help them give their views you can ask SENDIASS for more information about this.

You will have the chance to discuss your child with everyone involved in the needs assessment and you will receive a copy of all the reports when the needs assessment is finished.

You can find out more about advice and information for EHC needs assessments in the SEND Code of Practice sections 9.45 – 9.52.

## **What if some of this advice is already available?**

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

The [SEND Code of Practice](#) says:

**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)**

## **When does the EHC needs assessment end?**

Once the local authority has all the information and advice it must decide whether your child needs an **Education, Health and Care plan**.

An EHC plan is a legal document written by the local authority. It describes the special educational needs that a child or young person has and the help that they will be given to meet these needs. It also includes the health and care provision that is needed.

Sometimes the local authority will decide that your child has special educational needs that can be met through SEN support. If this is the case, the local authority must tell you of its decision within 16 weeks of receiving a request for an EHC needs assessment. The local authority must also tell you about your right of appeal.

If the local authority decides an EHC plan is necessary, it must first write a draft plan. They will send you the draft EHC plan and copies of the reports so that you can read it all. You should check that everything you think is important has been included and that you agree with the outcomes and the proposed provision. The local authority will also ask you which school you would prefer your child to go to.

You have 15 days to make comments and amendments, to ask for a meeting or to accept the draft plan.

**Note:** if you do not reply within 15 days the local authority may assume that you agree with the draft plan.

The last stage is for the local authority to send you the final EHC plan. If you are still unhappy with the plan or cannot agree with the local authority regarding a named provision, you have a right to go to mediation and/or to appeal (see below).

If you need help at any stage, you can contact SENDIASS

## How long does all this take?

The local authority receives a request for an EHC needs assessment. The authority must tell parents about this request	This is the start date
The local authority decides whether an EHC needs assessment is needed. The authority must tell parents about its decision	Within six weeks of the start date
The EHC needs assessment takes place	This starts as soon as the decision is made
<i>EITHER</i>	
The local authority tells the parents of the decision not to issue an EHC plan	Within 16 weeks of the start date
<i>OR</i>	
The local authority sends a draft EHC plan to parents	
Parents must respond to the draft EHC plan. They can: <ul style="list-style-type: none"> <li>• agree that the draft is accurate</li> <li>• ask for changes</li> <li>• ask for a meeting.</li> </ul> Parents also state a preference for a school or early years setting	Within 15 days of receiving the draft EHC plan
The local authority consults with the school or early years setting	Within 15 days of parents' response to the draft EHC plan



The local authority issues the final EHC plan	Within 20 weeks of the start date
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Sometimes this timescale can be different. See SEND Code of Practice section 9.42.

## What if I do not agree with the local authority about the EHC needs assessment or the EHC plan?

At any stage, you can ask to talk to a member of the local authority's staff. This will usually be the person named in the letter the local authority sends to you when it receives a request for an EHC needs assessment.

SENDIASS can give you impartial information and advice about the options open to you and can support you through the process.

You also have a right to request independent **disagreement resolution** and, in some circumstances, **mediation**. You can find out more about disagreement resolution and mediation from SENDIASS and in the SEND Code of Practice Chapter 9.

## Where can I get more information, advice or support?

You can read about Education, Health and Care needs assessments in the SEND Code of Practice Chapter 9.

The Local Offer includes more information on the local arrangements for EHC needs assessments.

SENDIASS can give you:

- Information about EHC needs assessments
- Advice and support during the process of assessment

- Details of other organisations, support groups and services that may be of help
- Information, advice and support about your rights to make a complaint, seek independent **disagreement resolution** or **mediation**.

## Get in touch with us today

Our expert team at the Together Trust will do everything they can to support you and your family. Contact details can be found below, or you can get in touch by filling in our online contact form:

### For Stockport:

**Telephone:** 0161 240 6168

**Email:** [stockportsendiass@togethertrust.org.uk](mailto:stockportsendiass@togethertrust.org.uk)

### For Tameside:

**Telephone:** 0161 359 8005

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