



Education, Health & Care (EHC) Needs Assessment

Criteria and Referral Process

(SEN03)

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1. Introduction

1.1 The document sets out Warwickshire County Council's approach to conducting Education, Health and Care (EHC) Needs Assessments under the Children and Families Act 2014.

Who do these Guidelines apply to?

1.2 These guidelines have been written in accordance with paragraph 9:16 of the Special Educational Needs Code of Practice 2015 which provide:

“Local authorities may develop criteria as guidelines to help them decide when it is necessary to carry out an EHC needs assessment (and following assessment, to decide whether it is necessary to issue an EHC plan). However, local authorities must be prepared to depart from those criteria where there is a compelling reason to do so in any particular case and demonstrate their willingness to do so where individual circumstances warrant such a departure. Local authorities must not apply a ‘blanket’ policy to particular groups of children or certain types of need, as this would prevent the consideration of a child’s or young person’s needs individually and on their merits”.

1.3 This document is a guide for:

- Parents
- Young people
- Professionals working in educational settings
- Educational settings

1.4 The Guidelines need to be read alongside the Warwickshire SEND Provision Matrix (SEN01), which lays out the support that Warwickshire settings provide to pupils with Special Educational Needs and Disabilities, and which is available at www.warwickshire.gov.uk/sendocs.

1.5 No single document can ever cover all the strengths of, and challenges faced by, pupils, schools and families. Warwickshire will always consider the individual circumstances of a learner and whether criteria and thresholds should be waived in exceptional cases. Similarly, a local set of criteria cannot override the national SEND Code of Practice 2015¹.

2. Role of Educational Settings

- 2.1 The SEND Code of Practice 2015¹, sets out the duties which must be observed by early years settings (Section 5), schools (Section 6) and further education providers (Section 7) in identifying children and young people with Special Educational Needs and Disabilities (SEND) and providing support for them.
- 2.1 Treating people equally means treating them differently according to their needs. All learners are unique, and all are entitled to an education that enables them to make progress so that they achieve their best, become confident individuals living fulfilling lives, and make a successful transition into adulthood.
- 2.2 A very small number of learners (2.8% of learners in England in 2013) require an assessment of their needs, which may lead to the issuing of an EHC plan. The EHC plan describes the extra provision that a learner needs to meet their special educational needs which is provided by Warwickshire County Council and other statutory agencies as appropriate.
- 2.3 Mainstream early years settings, schools and colleges will support most learners with SEND by making reasonable adjustments to remove or reduce barriers to learning. They will use specific parts of their budget (called “notional SEN funding” and, for some pupils, “Pupil Premium funding”) to create provision that is additional to or different from that made generally for other learners of the same age in the school.
- 2.4 Settings are required to use their best endeavours in not only identifying children and young people with SEND but also in providing support for them. The support that is ordinarily available must be set out and published by the educational setting and placed on its website.
- 2.5 The Warwickshire SEND Provision Matrix (SEN01) describes the types of support and resources which Warwickshire County Council would expect settings to be deploying before seeking to apply for an EHC Needs Assessment.

School admissions authorities must not refuse to admit a child who has SEN but does not have an EHC Plan because they do not feel able to cater for those needs and must not refuse to admit a child on the grounds that they do not have an EHC plan (Code of Practice 2015¹, 1.27).

3. Requesting an EHC Needs Assessment

- 3.1 A request for an EHC Needs Assessment for a child or young person aged 0-25 years and with special educational needs and/or disabilities can be made by:
- The child's parent.
 - A young person aged 16-25 years.
 - A person acting on behalf of a school or post 16 institution.
 - Children and young people under 19 in youth custodial establishments have the right to request assessment for an EHC Plan.
- 3.2 Following a request for an EHC Needs Assessment or the child having otherwise been brought to its attention, the Local Authority must determine whether an EHC needs assessment is necessary.
- 3.3 The Local Authority must make this decision and communicate the decision to the child's parent within six weeks of receiving the request. Decisions in respect of EHC Needs Assessment will be made by Warwickshire County Council's Assessment Panel. This is chaired by a senior officer from the Special Educational Needs Service and they are responsible for the decision taken.

Considering a Request for an EHC Needs Assessment – The Legal Context

- 3.4 The Children and Families Act defines whether a child/young person has special educational needs and requires an EHC Needs Assessment.
- 3.5 A child or young person has SEN if they have a learning difficulty or disability which calls for special educational provision to be made for him or her.
- 3.6 A child or young person has a learning difficulty if he or she:
- Has a significantly greater difficulty in learning than the majority of others of the same age or
 - Has a disability which prevents or hinders him or her from making use of facilities of a kind generally provided for others of the same age in mainstream schools or mainstream post 16 provision
- 3.7 A child of under compulsory school age has special educational needs if he or she is likely to fall within the definition above when he/she reaches compulsory school age or would do if special educational provision was not made for him/her.

- 3.8 In some exceptional circumstances, it may be possible for a combination of less severe special educational needs to have a cumulative effect on a child's educational progress. An EHC Assessment will be considered if the cumulative effect may call for special provision which cannot reasonably be provided within the resources normally available to mainstream settings
- 3.9 The four broad categories of needs as set out in the SEND Code of Practice¹ 2014 form the basis for decision-making:
- Speech, language and communication.
 - Cognition and learning.
 - Social, emotional mental health.
 - Physical, sensory medical.
- 3.10 Although part of this document is divided into the four categories of Special Educational Needs that are described in the Code of Practice¹ (communication and interaction; social, emotional and mental health; cognition and learning; sensory and/or physical), we recognise that learners often have needs in several or all areas, and that their needs may change over time. For example speech, language and communication needs can also be an aspect of other areas of SEND, and learners with social communication difficulties may have particular sensory requirements. The local authority panel will take into account how complex the learner's needs are when considering whether or not an EHC Needs Assessment is required.

Exceptional Circumstances

- 3.11 We also recognise that there may often be exceptional circumstances which will require the local authority to initiate an EHC Needs Assessment without the criteria set out below applying in order to ensure that decisions are made in the best interests of the learner. These may include the following:
- An exceptional learner with profound and multiple learning difficulties, which are obvious at birth or soon afterwards, requires long term help and support from more than one agency;
 - A learner has moved in from another Authority and their former school has provided evidence that a EHC Needs Assessment had been agreed or was in progress;

- There is clear evidence that the learner has severe, complex and enduring difficulties but they have attended several different schools, or are not attending school, and so it has not been possible to make a graduated response;
- A learner is detained in custody or under the Mental Health Act (1983);
- A learner's functioning has been suddenly, significantly and enduringly changed by major illness or injury.

4. Criteria for an EHC Needs Assessment

- a. The Council will consider whether an EHC Needs Assessment of a learner's difficulties is appropriate against the following criteria:

Criteria 1

The learner's needs are significantly greater than other learners the same age, and are likely to be long term. They require significant, continuing additional support to promote their emotional wellbeing, social inclusion and/or develop their life and independence skills. The learner has either one area of severe difficulty, or moderate to severe difficulties in a number of areas which have a significant, combined impact upon their ability to access, and make progress within, the curriculum.

Criteria 2

A graduated response to the learner's special educational needs (an assess-plan-do-review cycle) has been followed, involving the educational setting, the learner, and the learner's parents/carers. The learner has received the appropriate support from Elements 1 and 2 of the Warwickshire SEND Provision Matrix (SEN01) over at least two terms, and some support at Element 3 level. Specific records of the learner's progress through the review cycle have been kept, which suggest that they have a need for continuing support at Element 3 level, and that this need is likely to be long term.

Criteria 3

Suitably qualified external specialists³ have contributed over time to the review and refinement of evidence based interventions carried out by the setting, and can comment on their implementation. This will include the involvement of an Educational Psychologist.

Criteria 4

The educational setting has fully and appropriately used its delegated funds, as demonstrated by a fully costed individual provision map (form SEN02), including records of targeted intervention and review.

- b. More detailed information about meeting these criteria is given in Section 5.
- c. At all times, the Council will consider the individual circumstances of the application for assessment, the relevant sections of the SEND Code of Practice¹(2015) and Section 36 of the Children and Families Act 2014.

5. Evidence Required to Support the Request for an EHC Needs Assessment

For Learners with Special Educational Needs Relating to Spoken Language Difficulties

“6.28 Children and young people with speech, language and communication needs (SLCN) have difficulty in communicating with others. This may be because they have difficulty saying what they want to, understanding what is being said to them or they do not understand or use social rules of communication. The profile for every child with SLCN is different and their needs may change over time. They may have difficulty with one, some or all of the different aspects of speech, language or social communication at different times of their lives.”

- 5.1 Reports by suitably-qualified specialists³ (for example, a speech and language therapist) giving evidence that the learner has spoken language difficulties which have had a significant impact over time upon their ability to access the curriculum and participate in school life, as demonstrated by severe difficulties in one or more of the following
- Understanding spoken language.
 - Expressing needs and thoughts using spoken language and clear speech.
 - Using and understanding language for learning and social interaction.
- 5.2 Evidence will need to be provided to demonstrate that the child/young person’s difficulties have not responded to interventions and will require more support than is ordinarily available to the setting.
- 5.3 Where standardised assessment has been used and interpreted by a suitably-qualified specialist to inform and review interventions, this is likely to demonstrate that the learner has performed over time at or below the 2nd centile on scores over a range of language areas, or at or below the 1st centile on subtests tapping into a single area on one of the following standardised tests: Clinical Evaluation of Language Fundamentals 4 (CELF 4); Pre-School CELF; Assessment of Comprehension and Expression.
- 5.4 Identifying and assessing SEN for children or young people whose first language is not English requires particular care. Schools should look carefully at all aspects of a child or young person’s performance in different areas of learning and development or subjects to establish whether lack of progress is due to limitations in their command of English or if it arises from SEN or a disability. Difficulties related solely to limitations in English as an additional language are not SEN.

5.5 In Warwickshire, specialist support and assessment for learners who have English as an additional language is available through the Ethnic Minority and Traveller Achievement Service (EMTAS).

For Learners with Special Educational Needs Relating to Social Communication Difficulties

“6.29 Children and young people with ASD, including Asperger’s Syndrome and Autism, are likely to have particular difficulties with social interaction. They may also experience difficulties with language, communication and imagination, which can impact on how they relate to others.”

5.6 Professionals with specialist knowledge and skills in supporting learners with social communication and interaction difficulties (for example, a speech and language therapist or specialist teacher for Autism) have assessed the learner’s strengths and difficulties. Specialist reports demonstrate that the learner’s difficulties have persisted at a moderate (if other difficulties are present) or severe level over at least two terms, despite appropriate evidence-based support, environmental adaptation, and/or work with parents/carers.

5.7 Moderate problems would be indicated when:

- The learner’s ability to function is significantly impaired in at least one educational context (for example during lessons, or during lunch and break times), but may be variable with difficulties in most, but not all, situations.
- The learner requires significant additional, personalised input to promote their social inclusion and/or develop their life and independence skills as a result of their social communication difficulties.

5.8 Severe problems would be indicated when:

- The learner is completely unable to participate age-appropriately in daily activities in at least one educational context, and may be unable to function in all contexts;
- Substantial modifications are required in the learning environment to enable the learner to have full access to the curriculum and facilities of the education setting (for example, prioritised or exclusive use of a personalised Quiet Room or Low Arousal Area);
- The learner’s difficulties give rise to serious safety issues, for which risk assessments have been conducted showing that close adult supervision is required for a significant proportion of the school day;

- The learner's difficulties (externally or internally) would be extreme and constant on a daily basis without support.

5.9 Pupil progress may be monitored using the Warwickshire SEND Progress Indicators for Independent Learning (refer to Appendix 3). The evidence used over time to plan and review interventions is likely to include targeted observations of social interactions and/or detailed records of observations and progress across a range of contexts.

5.10 Evidence will need to be provided to demonstrate that the child/young person's difficulties have not responded to interventions and will require more support than is ordinarily available to the setting.

For Learners with Special Educational Needs Relating to Social, Emotional and Mental Health Difficulties

“6.32 Children and young people may experience a wide range of social and emotional difficulties which manifest themselves in many ways. These may include becoming withdrawn or isolated, as well as displaying challenging, disruptive or disturbing behaviour. These behaviours may reflect underlying mental health difficulties such as anxiety or depression, self-harming, substance misuse, eating disorders or physical symptoms that are medically unexplained. Other children and young people may have disorders such as attention deficit disorder, attention deficit hyperactive disorder or attachment disorder.”

5.11 Reports by an Educational Psychologist demonstrate that the learner's social or emotional difficulties have persisted at a moderate (if criteria are met for moderate/severe difficulties in at least one other area) or severe level over time, despite appropriate support, evidence-based intervention, environmental adaptation, and/or work with parents/carers.

5.12 Moderate problems would be indicated when:

- The learner's ability to function is significantly impaired in at least one educational context (for example during lessons, or during lunch and break times), but may be variable with difficulties in most, but not all, situations.
- Difficulties occur on most days in a week.
- The learner's difficulties would be apparent to those who encounter them at a relevant time or setting, but possibly not to those who encounter them in other settings.

5.13 Severe problems would be indicated when:

- The learner is completely unable to participate age-appropriately in daily activities in at least one educational context, and may be unable to function in all contexts (e.g. stays at home or in bed all day without taking part in social activities, needs constant supervision due to level of difficulties).
- The learner's difficulties (externally or internally) would be extreme and constant on a daily basis without support.

5.14 Pupil progress may be monitored using the Warwickshire SEND Progress Indicators for Independent Learning (refer to Appendix 3).

5.15 Scores on one of the following questionnaires, completed by an adult who knows the young person well and interpreted with a suitably-qualified specialist, may have been used to inform and review interventions:

- Boxall profile;
- Leuven Scales of Wellbeing (for young children);
- The Revised Children's Anxiety and Depression Scale (for 8–17 year-olds, Chorpita, 2003);
- Resiliency Scales (for 9–18 year-olds, Prince-Embury, 2006);
- Beck Youth inventories (for 7–18 year-olds, Beck, Beck, Jolly & Steer, 2005);
- Behaviour Rating Inventory of Executive Function (for 5–18 year-olds, Gioia et al., 2013).

5.16 Schools and colleges should have clear processes to support children and young people, including how they will manage the effect of any disruptive behaviour so it does not adversely affect other pupils. The Department for Education publishes guidance on managing pupils' mental health and behaviour difficulties in schools.

5.17 Sections 6.36 to 6.78 of the Code, and the Warwickshire SEND Provision Matrix SEN01, lay out how schools should respond to these difficulties at Universal and Targeted support level.

5.18 Evidence will need to be provided to demonstrate that the child/young person's difficulties have not responded to interventions and will require more support than is ordinarily available to the setting.

For Learners with Special Educational Needs Relating to Cognition and Learning Difficulties

“6.30 Support for learning difficulties may be required when children and young people learn at a slower pace than their peers, even with appropriate differentiation. Learning difficulties cover a wide range of needs, including moderate learning difficulties (MLD), severe learning difficulties (SLD), where children are likely to need support in all areas of the curriculum and associated difficulties with mobility and communication, through to profound and multiple learning difficulties (PMLD), where children are likely to have severe and complex learning difficulties as well as a physical disability or sensory impairment.

“6.31 Specific learning difficulties (SpLD), affect one or more specific aspects of learning. This encompasses a range of conditions such as dyslexia, dyscalculia and dyspraxia.”

5.19 Evidence that the learner’s difficulties are significantly greater than the majority of their peers, as demonstrated by all three of:

- Attainment levels across the core curriculum which over time have remained more than 3 years below those of most other learners of the same age (or, for pre-school children, at lower than half their chronological age), and
- Progress across the core curriculum which continues over time to be significantly less than that of other learners, despite receiving relevant and purposeful, evidence-based intervention, and
- Reports by suitably-qualified professionals, describing the learner’s difficulties as severe as defined in the Code of Practice.

5.20 The pupil’s progress is likely to be monitored using the P Scales (2014 edition available at www.gov.uk/government/publications/p-scales-attainment-targets-for-pupils-with-sen).

5.21 Where standardised assessment has been used and interpreted by a suitably-qualified specialist to inform intervention, this is likely to demonstrate that the learner has performed at or below the 2nd centile on an overall score, or at or below the 1st centile on a cluster score, on one of the following standardised tests: the British Ability Scales (3rd UK Edition), the Wechsler Intelligence Scale for Children (WISC IV UK), or the Cognitive Abilities Profile (Deutsch & Mohammed, 2010).

5.22 Evidence will need to be provided to demonstrate that the child/young person's difficulties have not responded to interventions and will require more support than is ordinarily available to the setting.

For Learners with Special Educational Needs Relating to Sensory and/or Physical Difficulties

“6.35 Some children and young people require special educational provision because they have a disability which prevents or hinders them from making use of the educational facilities generally provided. These difficulties can be age related and may fluctuate over time. Many children and young people with visual impairment (VI), hearing impairment (HI) or a multisensory impairment (MSI) will require specialist support and/or equipment to access their learning, or habilitation support.”

5.23 Reports by suitably-qualified professionals (for example, from an occupational therapist, physiotherapist or specialist teacher) giving evidence that the learner has one or more physical or sensory disabilities (such as hearing impairment, visual impairment, multi-sensory impairment, sensory processing impairment), which has a significant impact upon their ability to access the curriculum, as demonstrated by at least one of the following:

- The learner is unable to take part fully in particular aspects of the curriculum without significant 1:1 adult supervision as evidenced by support already provided at the setting-based level;
- To enable access to learning, substantial curriculum and environmental adjustments are needed to accommodate the learner's physical and sensory needs compared to other learners the same age (for example, the learner requires access to communication aids, British Sign Language, or sign supported speech);
- Substantial specialist equipment or modifications are required in the learning environment to enable the learner to have full access to the curriculum and facilities of the education setting;
- The learner has significant self-help difficulties, for example dressing, toileting, feeding or repositioning themselves (transfers) in relation to others of his/her age group;
- The learner's condition gives rise to serious safety issues, for which risk assessments have been conducted showing that close adult supervision is required for a significant proportion of the school day;

- The learner's difficulty taking part in school/college life places them under significant emotional or physical stress and/or fatigue;
- The learner requires significant additional input to promote their social inclusion and/or develop their life and independence skills as a result of their sensory/physical difficulties;
- The learner has a sensory or physical condition of a degenerative nature, which will follow a predictable course, for whom pre-emptive intervention is required.

5.24 As part of the evidence which accompanies the SEND Provision Map (SEN02), the setting should provide:

- An up-to-date statutory accessibility plan for the setting;
- Annotated copies of the learner's timetable to show how timetabling and curriculum access have been adapted to suit the learner's needs;
- Copies of job descriptions and/or training certificates demonstrating that manual handling training, personal care support, administering of medication, aptitude for learning Braille or British Sign Language (as appropriate) have been considered in job descriptions, training, and recruitment.

5.25 Evidence will need to be provided to demonstrate that the child/young person's difficulties have not responded to interventions and will require more support than is ordinarily available to the setting.

6. Making the Application for an EHC Needs Assessment

- 6.1 Section 9 of the SEND Code of Practice¹ (2015) sets out the stages which are followed where a local authority is considering whether or not to initiate an EHC Needs Assessment.
- 6.2 Once an education setting, parents/carers, key workers and external professionals have agreed that it would be appropriate to refer a child for an EHC Needs Assessment, you need to allow plenty of time to prepare the relevant information and evidence. Referral forms and supporting evidence will be needed. All the forms and additional guidance you need for this process are available at www.warwickshire.gov.uk/sendocs.
- 6.3 At this point, settings **must** provide parents, carers and young people with information about **Independent Support**, so that they can decide whether they would like an Independent Supporter to help and advise them during the assessment process. In Warwickshire, this service is provided by:
- SENDIAS (SEND Information Advice and Support), tel: 024 7636 6054, email: warwickshire@kids.org.uk website: [Warwickshire SENDIAS | KIDS](http://WarwickshireSENDIAS|KIDS)

When you have gathered the appropriate information, please send it to SENDAR electronically in the form of attached Word documents and scanned pages where signatures are required. The email address to send it to is sen@warwickshire.gov.uk

- 6.4 A summary of what happens once the referral is received by SENDAR is explained in Appendix 2.

Requests by Parents, Carers or Young People (16-25 years) for an EHC Needs Assessment

- 6.5 Parents/carers are able to apply directly to the Local Authority for an EHC Needs Assessment of their child's needs, as well as the young person (16-25 years). When SENDAR receive a request from a parent, carer or young person, the educational setting will be notified immediately by email. The school or college will then have **two weeks** in which to complete and return the four documents and additional information/evidence. As a referral needs significant planning and preparation, it is always in the learner's best interests if parents/carers work together with school to plan a co-ordinated approach to meet the learner's special educational needs and enable a successful referral.

REFERRAL DOCUMENTS:

School Referral Form for an EHC Needs Assessment (SEN04)

- 6.6 The School Referral Form for an EHC Needs Assessment (SEN04) collects together the learner's school history, attendance and attainment, as well as your description of the learner's strengths and needs. Once it has been completed, the parent/carer needs to sign this form to say that they have understood it and to give permission for the information in it to be shared with the Local Authority. Please fill it in fully and clearly so that a Plan Coordinator who does not know the learner has enough information to be able to make a robust decision. Please complete electronically.
- 6.7 On the front of this form is a checklist of the information that needs to accompany a referral. It is recommended that referrals are submitted in a timely manner: referrals received in the second half of the summer term will likely incur delays because of the summer holidays. Similarly, children with SEN in a Nursery setting need to be referred before Easter so that if a draft plan is issued, parents/carers have time to explore reception settings before the end of the school year.

SEND Individual Provision Map (SEN02)

- 6.8 This new document shows how you have taken a graduated response to meeting the learner's needs as set out in the SEND Code of Practice 2015¹. It will help settings, external professionals and Plan Coordinators build a clear picture of the effectiveness and impact of element 1, 2 and/or 3 interventions over the last 12 months. You will need to refer to the Warwickshire SEND Provision Matrix (SEN01) booklet to complete this. When completing this form, it may be easiest first to make a list of the additional support that you have provided for the learner, and then to add in the relevant box numbers from SEN01, rather than to work the other way round.
- 6.9 When a stakeholder such as a parent/carer, rather than a setting, is making a referral for EHC Needs Assessment, it would be helpful if the parent/carer and the setting have already met to discuss a completed Individual Provision Map together, because SENDAR will request a completed Provision Map from the setting within 2 weeks of receiving a referral from a parent/carer. If the parental referral is received during a school holiday period, the setting will be expected to submit the Provision Map within 2 weeks of the start of term.
- 6.10 It will be necessary to attach professional reports to SEN02 demonstrating that the setting has sought advice from appropriate, external specialists and that any advice has been acted upon. These reports will need to be submitted electronically, so you will need to request an e-copy from the professionals concerned. If reports are more than 6 months old, then you should normally commission an updated report to accompany the referral.

6.11 You will also need to attach to SEN02 summary records of meetings, or person-centred plans, over at least two terms, which show that there have been ongoing discussions between the education setting, parents/carers and the learner, characterised by mutual respect and joint decision-making.

Family Conversation Record (SEN05)

6.12 This questionnaire should be completed by a key worker in conversation with the family, and usually takes 1-2 hours to complete. It is important that the key worker is someone the family are comfortable with. It could be the family's independent supporter, but families could choose someone else such as a social worker or school SENCo to collect this information from them. Once the conversation has been typed up, the parent/carer will need to sign it to say that the information is accurate.

6.13 Usually, the school referral form (SEN04) will also be shared with parents/carers at this meeting; if this is not done, the setting will need to arrange another time to talk this through with the parents/carers. Parents/carers should be given the opportunity to have support from their independent supporter at all meetings, so it is important that meetings are arranged sufficiently far in advance for this to be possible.

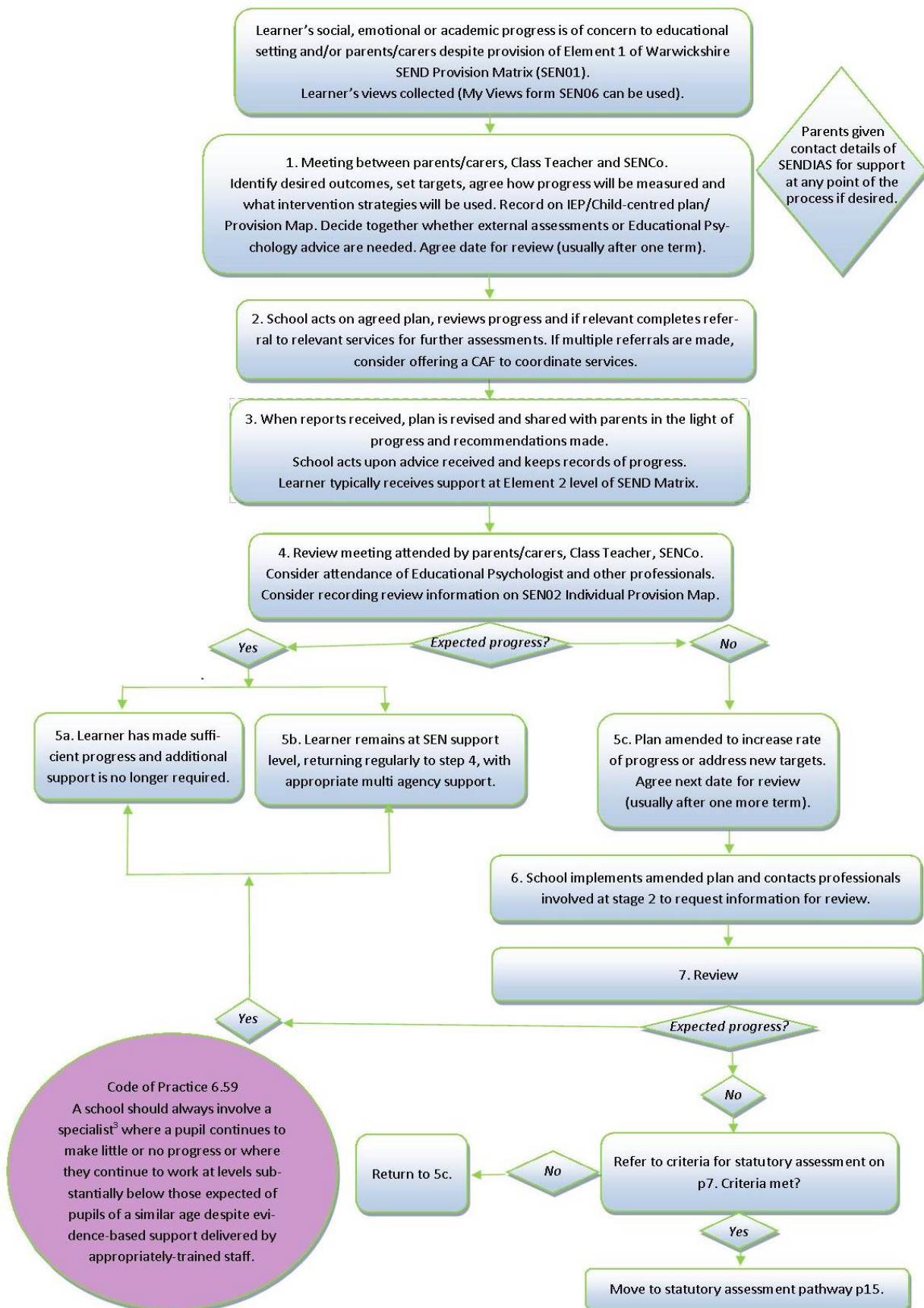
6.14 In some circumstances, if a CAF is currently or has recently been in place, it may be possible for the Family Conversation Record to be included with the CAF assessment form so that there is no unnecessary repetition of information, provided (a) that parents are in agreement with this and (b) that it includes the information required by the Family Conversation. Please discuss this possibility with your Plan Coordinator if it is relevant.

My Views (SEN06)

6.15 This form asks for the learner's views about themselves, school and their future. It could be completed with the learner by their parents or carers, by someone else who is familiar to them such as a school Teaching Assistant, Class Teacher or SENCo, or the family's independent supporter or Social Worker. It is important that the learner has a say in who this person will be. The questions can be personalised to suit the age or needs of the learner, and it may take considerable time and additional support to gather the views of 'hard to reach' learners meaningfully. Existing information (for example a 'Communication Passport') can be used in place of the standard form, if it is up to date and includes the child / young person's aspirations as appropriate. There is also a version using widget symbols available on the sendocs page.

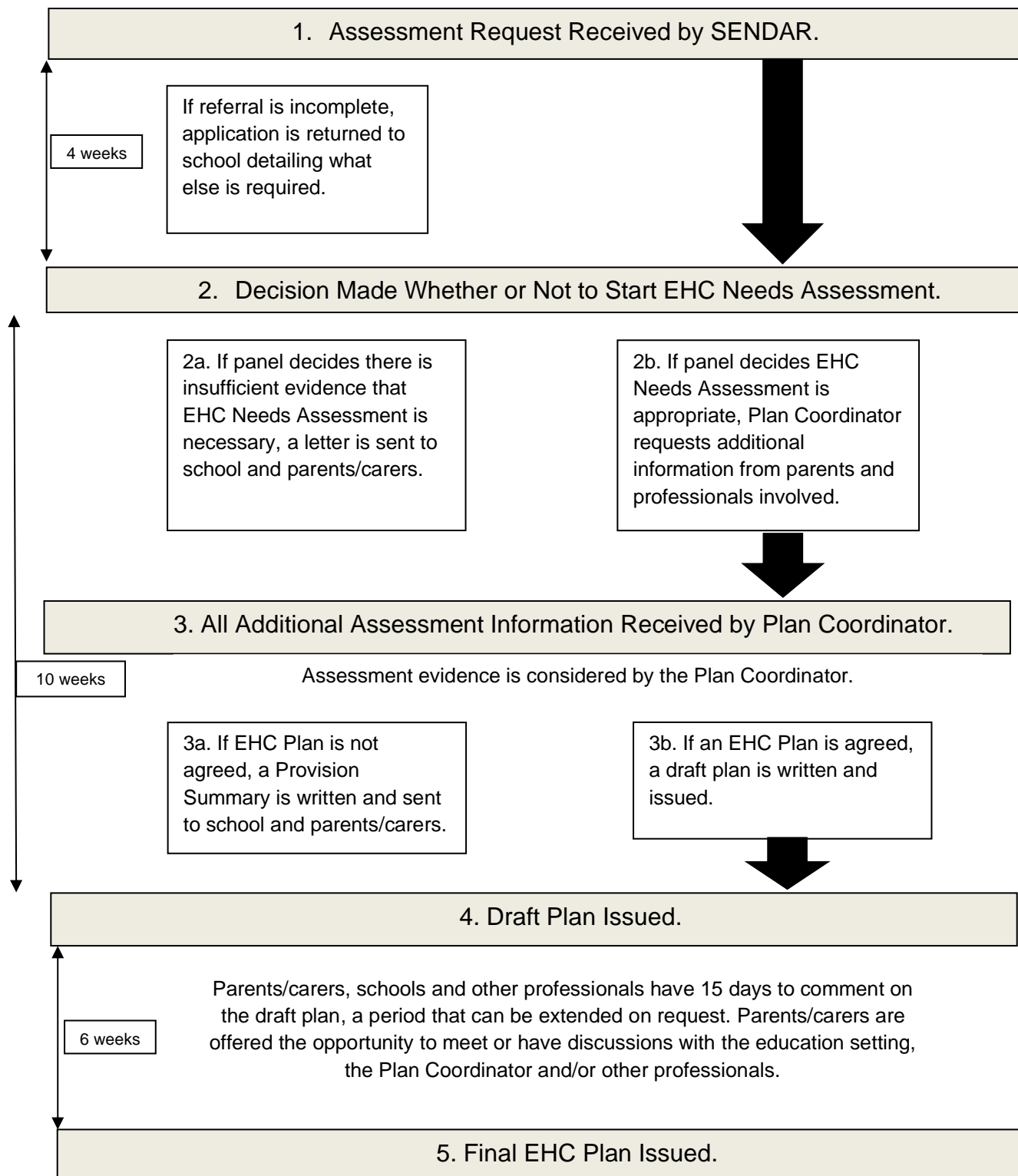
APPENDICES

Appendix 1 - SEND Support Process Prior to Referral for EHC Needs Assessment



Appendix 2 - EHC Assessment Process and Timescales

School submits to SENDAR: School referral for EHC Needs Assessment SEN04, SEND Individual Provision Map SEN02 with accompanying reports, My Views SEN06, Family Conversation Record SEN05 (completed with the family by the family's choice of keyworker). At this point, the family must be offered access to an independent supporter (see p15).



Parents/carers have a right to appeal to the SEND Tribunal at stages 2a, 3a and 5.

Notes and References

1. Code of Practice: The Special Educational Needs and Disability Code of Practice¹ 0 – 25 years is the legal framework for organisations that work with and support children and young people who have Special Educational Needs and Disabilities. It is available at <https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>
2. Marsh, A., (2014). Statements of special educational needs and tribunal appeals in England and Wales 2003-2013 – in numbers, Educational Psychology in Practice, 30.4, 393-408
3. 'A suitably-qualified specialist' will be a professional who has qualifications or training relevant to the learner's special educational needs, maintains current professional registration where appropriate, and who confines themselves to advice that falls within the scope of their professional boundaries. It will usually be a professional who is external to the school.

For example, a Specialist Teacher would be a qualified and experienced teacher with further postgraduate qualifications or training in the area on which they are providing advice. Speech and Language Therapists, Occupational Therapists, Physiotherapists, Educational Psychologists and Clinical Psychologists should be registered with the Health and Care Professions Council.

It is expected that an Educational Psychologist will have been involved with learners for whom EHC Needs Assessment is likely to be appropriate. This involvement could vary from a consultation with a SENCo about strategies already in place, progress already achieved and other professionals already involved, to a full assess-plan-do-review cycle of involvement.

4. SENDAR is the Special Educational Needs and Disability Assessment and Review Service, which is the Warwickshire County Council team dealing with EHC needs assessments and plans. SENDAR contact details are given on the last page of this document.

These criteria were produced during the 2014/15 academic year by a working party consisting of:

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With further contributions from:
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We welcome suggestions about how this document could be improved. Please email your suggestions to senfeedback@warwickshire.gov.uk and they will be taken into account when it is reviewed.

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