

Requesting an Education, Health and Care Needs Assessment



Contents

	Preface	3
SECTION 1	Introduction and background	4
SECTION 2	Evidence of a Graduated Approach	8
SECTION 3	Evidence about the child / young person's learning difficulty /disability	10
	a Communication and Interaction	12
	b Cognition and Learning	13
	c Social and Mental Health	14
	d Physical and/or Sensory Needs	15
SECTION 4	Requesting an EHC Needs Assessment	16
SECTION 5	Frequently Asked Questions	18
SECTION 6	Glossary	20

Preface

The purpose of this document is to set out the guidance developed by Cambridgeshire County Council to help the Local Authority decide when it is necessary to carry out an Education Health and Care Needs (EHCN) assessment. The guidance links to the Children and Families Act 2014 and the SEND Code of Practice 2015.

It is intended that outcomes for children and their families will be improved through earlier high quality assessments, improved parent / child participation, and more timely decision making. The intention was not to make it more difficult for children and young people to access an assessment or to set 'targets' for the number of assessments undertaken or to apply a 'blanket' policy to particular groups of children or certain types of need. The Local Authority is prepared to depart from the guidance and is aware of its duties under the Children and Families Act 2014.

The guidance in this document has been written in response to:

- a need to review the guidance previously used in Cambridgeshire for responding to requests for Education, Health and Care Needs Assessments.
- feedback from parents, education, social care and health professionals indicating that the process for EHCNA requests had, over time, become overly bureaucratic, outdated and lacking in clarity and transparency.
- the recommendations of the Joint local area SEND inspection in Cambridgeshire (June 2017), which highlighted the need for the Local Authority to hold schools accountable for their work at SEN Support of the Code of Practice 2015 (6.44), and in doing so, to consider how schools are meeting the needs of children and young people with SEND using the notional funding at 'SEN Support'

- the need to ensure public money is being spent appropriately /that the High Needs Block funding (the funding system that supports the provision for pupils and students with special educational needs and disabilities from early years to 25) is accessed appropriately
- recent changes in Standard Assessment Test requirements in schools have added a further need to review and update the guidance.

Cambridgeshire Local Authority has worked closely with Pinpoint, SENDIASS, SENCos and NHS representatives to coproduce these guidelines. It is committed to monitoring, in partnership with these stakeholders, how well the aims have been achieved. Therefore this guidance will be reviewed with stakeholders in 2021, and thereafter every two years, to ensure that it is achieving transparency, fairness and consistency in identifying children and young people who may require an Education, Health and Care Needs Assessment.

To help schools identify pupils with SEND, meet their needs and use their funding effectively, Cambridgeshire Local Authority has developed a range of resources which can be found on [**The Cambridgeshire Local Offer**](#). This includes free specialist advice and support when appropriate and recommended assessments tools for schools.

Introduction and Background

The framework outlined in the Children and Families Act 2014 for meeting the needs of children and young people up to the age of 25, placed children and families at the centre of a radical programme of change. Early years providers (maintained, private and voluntary), schools, post 16 settings and Local Authorities (LAs) must ensure that parents and carers have access to information about the support available to them through a published Local Offer, making the process of requesting an EHC assessment more transparent and accessible. There is a strong focus on the participation of children, their parents and young people in decision making at all levels. It focuses on identifying outcomes and co-ordinating support to meet those outcomes; and on supporting young people through the transition to adulthood. Young people over the age of 16 have new rights to make decisions for themselves with the support of parents and carers (see the Local Offer). Local health, education and social care services share the responsibility to meet the requirements of the 2014 Children and Families Act and Special Educational Needs and Disability Regulations, and the 2015 Code of Practice. The legislation and statutory guidance set out the duties of LAs and school governing bodies in the context of inclusion and school improvement for all. In addition, the Schools Funding Reform has changed funding arrangements for meeting the needs of children and young people (C/YP) with special educational needs and disabilities.

Meeting the Needs of all children with Special Educational Needs in Mainstream settings

All education settings, including early years settings, post 16 FE colleges, academies and those maintained by the local authority, have a legal responsibility for making appropriate support arrangements for welcoming all children and young people into their settings.

The following legal frameworks underpin the responsibilities and duties of including children and young people with SEND:

- The Children and Families Act 2014
- The SEND Code of Practice (2015)
- Equality Act 2010

This guidance applies equally to early years settings, academies and Cambridgeshire maintained schools. The Children and Families Act 2014 reinforces the right for all children and young people to be educated in mainstream settings. The SEND Code of Practice states that “Where a child or young person does not have an Education Health Care Plan (EHCP) they must be educated in a mainstream setting except in specific circumstances.” (SEND Code of Practice section 1.27).

*“All schools have duties under the Equality Act 2010 towards individual disabled children and young people. They **must** make reasonable adjustments, including the provision of auxiliary aids and services for disabled children, to prevent them being put at a substantial disadvantage.” Equality Act 2010*

SEND Code of Practice section 6.9

High quality teaching, differentiated for individual children and young people (C/YP), must be the first step in responding to the needs of all C/YP including those who have or may have special educational needs.

Some children and young people need educational or training provision that is additional to or different from this. This is the special educational provision under Section 21 of the Children and Families Act 2014. Mainstream schools, maintained nursery schools, 16-19 academies; alternative provision academies; institutions within the further education sector; pupil referral units (section 66 CFA 2014) must use their best endeavours to ensure that such provision is made for those who need it.

“Early years providers, schools and colleges should know precisely where children and young people with SEN are in their learning and development. They should:

- ensure decisions are informed by the insights of parents and those of children and young people themselves*
- have high ambitions and set stretching targets for them*
- track their progress towards these goals*
- keep under review the additional or different provision that is made for them*
- promote positive outcomes in the wider areas of personal and social development, and*
- ensure that the approaches used are based on the best possible evidence and are having the required impact on progress”*

SEND Code of Practice – 2015 1.25

The provision that schools, maintained schools, academies and maintained nursery schools, make to meet the needs of children and young people with a disability and/or special educational needs, as well as those whose health is a barrier to learning, must be set out and published in each school’s SEND Information Report and should be linked to the Cambridgeshire Local Offer. Both the school’s SEND Information Report and the Local Authority SEND Local Offer must be kept up-to-date and should be reviewed annually.

Guidance on identifying and meeting the needs of children and young people with disability and/or special educational needs in schools at SEN Support is set out in detail in the [Cambridgeshire SEN Support Expectations](#). Additional information around support can be found at [sendgateway](#). Similar guidance is available in the Early Years SEN Toolkit, on Early Years SENCo Knowledge Hub.

Education, Health and Care Needs Assessment

A small proportion of C/YP with SEN may require an Education Health Care Needs Assessment in order to determine whether it may be necessary to make provision in accordance with an Education Health Care Plan (ref. ‘Special Educational Needs Code of Practice’ Chapter 9).

Section 36(8) of the Children and Families Act (2014) states that:

“The local authority must secure an EHC Needs Assessment for the child or young person if, after having regard to any views expressed and evidence submitted under subsection (7), the authority is of the opinion that:

- (a) the child or young person has or may have special educational needs, and*
- (b) it may be necessary for special educational provision to be made for the child or young person in accordance with an EHC plan.”*

In order to make a judgment as to whether or not a C/YP has, or may have, special educational needs and may require special educational provision to be made in accordance with an EHCP, a Local Authority is required by the SEND Code of Practice (Section 9.14) to take account of evidence relating to:

- The C/YP’s academic attainment (or developmental milestones in younger children) and rate of progress
- The nature, extent and context of the C/YP’s SEN

- The action already taken by the education setting to identify, assess and meet SEN
- Whether the progress made by the C/YP has only been made as the result of much additional intervention / support over and above that which is normally provided.
- The C/YP's physical, emotional and social development and health needs and what has been done by clinicians and other health professionals to address these needs.
- What additional time is required for students over the age of 18 to complete education or training in comparison to the majority of others of the same age who do not have SEN.

Cambridgeshire's Response

This places a responsibility on the local authority to undertake a rigorous process in each case when considering a request for a statutory EHC needs assessment (EHCNA).

In order to help Local Authorities discharge their duty to consider requests for EHC Needs Assessment, the Code of Practice states:

“Local Authorities may develop criteria as guidelines to help them decide when it is necessary to carry out an EHC Needs Assessment. 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.”

This guidance has been drawn up with full regard to the Children and Families Act 2014, Special Educational Needs and Disability Regulations 2014 and SEND Code of Practice 2015 with the aim of providing transparency, fairness and consistency in decision making. In using these guidelines Cambridgeshire Local Authority will always take account of the individual child or young person's circumstances and will be prepared to deviate from the guidelines where there is compelling reason to do so. The LA does not apply blanket policies when considering a child or young person's needs.

Unless there are exceptional circumstances, Cambridgeshire will undertake an EHCNA when:

- A) There is evidence to indicate that a C/YP has or may have special educational needs – i.e. a learning difficulty so that they have a significantly greater difficulty in learning than the majority of others of the same age or 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 and settings or mainstream post-16 institutions.
- and
- B) There is evidence to indicate that special educational provision is or may be required to address the C/YP's needs in accordance with an EHCP. There should be evidence to show the progress made by the C/YP in response to a graduated response (as described in the SEND Code of Practice, 2015) and that the resources needed to address the child or young person's needs are additional to or different from those that can be normally provided by the setting/school using its own budget and support available from Local Authority services.

Exceptional circumstances:

In some exceptional circumstances, it may not be possible to consider evidence in relation to a graduated response and an EHC Needs Assessment may be required in order to determine what special educational provision is necessary. For example:

- A young person returning to education with an acquired learning difficulty or disability as a result of an accident, and has special needs requiring EHC Needs Assessment but there has been no opportunity for an education setting to provide a graduated response, or
- The C/YP has been admitted to a Tier 4 Health provision and is likely to require significant additional support on return to school/setting or
- The C/YP has recently arrived into the country and there is some evidence to suggest s/he may have a significant special educational need.

In these situations, it may not be possible to provide all the evidence set out in this document, but the Local Authority should nevertheless consider carrying out an EHC Needs Assessment to clarify the severity and complexity of need and ensure that services are coordinated.

Assessment Placement

In very rare circumstances where the above applies, an 'assessment' place in a specialist setting may be requested. This assessment placement would only be considered for the purpose and period of the EHC Needs Assessment. Where such placement is considered it must satisfy the following points:

- a) The C/YP's medical and physical needs are so severe at the time of assessment that the mainstream setting where the C/YP would be placed lacks the expertise and resources to contribute to the statutory assessment process.
- b) The C/YP and family have given informed consent.
- c) The specialist education setting has given consent.
- d) It is understood by all parties that the placement is for assessment purposes only. It may or may not result in an EHCP that names that specialist provision.

Medical Needs

Children and young people with a medical condition will not necessarily require an EHC Needs Assessment unless they have or may have special educational needs and may require provision in accordance with an EHC Plan. The DfE/DH circular '[Supporting Pupils at School with Medical Conditions](#)' 2015 (updated 2017) is statutory guidance that sets out the legal framework for the health and safety of pupils and staff. Schools should draw up an individual health care plan to address the needs of a pupil with a medical condition.

Social Care Needs

Similarly, children and young people with social care needs will not require an EHC Needs Assessment unless they have or may have special educational needs and may require provision in accordance with an EHC Plan.

Evidence of a Graduated Approach to SEND

Where a child or young person is identified as having disability and/or SEN education settings should take action to remove barriers to learning and put effective special education provision in place. With the agreement of parent/carers the child is provided with 'SEN Support', through the graduated approach process of assess, plan, do review

Schools and colleges must use their **best endeavours**¹ (doing everything they can to meet the C/YPs SEN) to ensure that such provision is made for those who need it.

"The majority of children and young people with special needs or disabilities will have their needs met within local mainstream early years settings, schools or colleges. (SEND Code of Practice section 9.1). The EHC needs assessment should not normally be the first step in the process, rather it should follow on from planning already undertaken with parents and young people in conjunction with an early years provider, school, post-16 institution or other provider."

ref. Code of Practice section 9.3

"Schools and academies should have sufficient funding in their delegated budget to enable them to support pupil's SEND where required up to the mandatory cost threshold of £6000 per pupil per annum."

**High Needs Funding 2019-2020 –
Operational Guide: ESFA June 2019**

Graduated Approach Cycle

SEN Support in education settings takes the form of a four-part cycle of **ASSESS – PLAN – DO – REVIEW** (APDR) through which earlier decisions and actions are revisited, refined and revised with a growing understanding of the child or young person's needs and what supports them making good progress and securing good outcomes (The SEND Code of Practice 6.44-6.56). This is known as a graduated approach. Children, young people and their parents or carers will be central to this cycle, the length and regularity of the cycle depends on the needs of the child and family or young person.

The **ASSESS – PLAN – DO – REVIEW** (APDR) cycle can be described as follows:

Assess: The child or young person's difficulties must be assessed so that the right support is provided at the right time. This should include, asking parents, the young person and professionals such as the class or subject teacher who work closely with the child or young person what they think.

Plan: The education setting and parents need to agree the outcomes that the SEN support is intended to achieve: in other words, how the child or young person will benefit from any support they get. All those involved will need to have a say in deciding what kind of support will be provided, and decide a date by which they will review this.

¹ This is the special educational provision under Section 21 of the Children and Families Act 2014.

Do: The education setting will put the planned support into place. Parent and carers may also have support and strategies that they can use at home. The teacher remains responsible for working with the child on a daily basis, but the SENCO and any support staff or specialist teaching staff involved in providing support should work closely to track the child's progress and check that the support is being effective.

Review: The support the child or young person receives should be reviewed at the time agreed in the plan. Together, schools/ setting and parent/ young person can decide if the support is having a positive impact, whether the outcomes have been, or are being, achieved and if or how any changes should be made.

Evidence about the child / young person's learning difficulty /disability

The guidance is set out under the four broad areas of SEN that are identified in the SEND Code of Practice:

- a) Communication and Interaction (includes speech and language and autistic spectrum conditions)
- b) Cognition and Learning (includes general and specific learning difficulties)
- c) Social, emotional and mental health which may lead to behaviours that impact on access to the curriculum
- d) Sensory and/or Physical needs (includes visual, hearing and physical impairment and multi-sensory impairments).

Guidance relating to the four broad areas can be found in Cambridgeshire's Local Offer.

“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 the expected progress.”

SEN Code of Practice, Section 9.14

Cumulative Impact of Needs

Although these four broad categories of need form a basis for decision-making, the local authority recognises that there is a wide spectrum of special educational needs which are frequently interrelated. The Authority will therefore take account of the cumulative impact on a child's education where more than one category of need has been identified or where a child has additional needs that could be evident in any of the above four broad categories. In some circumstances for example, it may be possible for a combination of moderate difficulties to have a cumulative effect on a child's educational progress and lead to a significant difficulty overall. Similarly a child's sensitivity to certain types of sensory input such as light, noise or certain textures may also impact significantly on his/her ability to access the curriculum.

Helpful information for Requesting an Education, Health and Care Needs Assessment

The sort of information that could be helpful when requesting an EHC Needs Assessment should include information about what actions the education setting has taken to meet the child or young person's special educational needs, including the reasonable adjustments made under the terms of the Equality Act 2010.

Examples of information might include:

1. ASSESS-PLAN-DO-REVIEW (APDR) as described in the Code of Practice 2015. The number and timings of APDR cycles may depend on individual circumstances. Suggested APDR proforma for schools can be found the Local Offer.
2. That the C/YP has not made the educational progress expected of them in basic academic attainments (reading, writing, maths or developmental milestones in younger children and Early Years Foundation Stage (EYFS) prime areas) despite the support provided via the graduated approach at SEN Support.
3. That C/YP have not made the progress expected of them in terms of their health needs (mental health and wellbeing) or social needs despite the support provided via the graduated approach at SEN Support.

4. Where progress has been made, there is evidence to show that progress has only been the result of much additional intervention and support over and above that which is normally provided to meet the SEND needs of a child/ young person.
5. That there is active involvement of the child/ young person and his/her parent/carer in the Assess Plan Do Review cycle.
6. That the education setting has made effective use of its own internal staff expertise and support and, where appropriate and available, specialist professional advice external to the setting, for example, health or Cambridgeshire SEND Services (0-25).
7. That the education setting has taken into account the support needs of a child whose first language is not English.

For young people 16-25 'education' includes

- Achieving functional skills in reading, writing and maths to manage daily living (equivalent to the skills usually achieved at the end of year 4).
- Achieving identified skills relating specifically to the young person to prepare him / her for adulthood.

Communication and Interaction

(including speech and language difficulties and autism)

This area of special educational need refers to children and young people with speech, language and communication difficulties and/or difficulties understanding the rules and meaning of social communication and interaction, including autism.

Helpful information to provide may include the following

The child/young person's speech, language, communication and Interaction difficulties have been investigated by a speech and language therapist or relevant professional

Speech and Language Difficulties

- The child/young person's speech and language difficulties have been investigated and there is evidence to show a long term and severe speech and language difficulties.

Or

Communication and Interaction Difficulties

- The child/young person's Communication and Interaction difficulties have been investigated and there is evidence to show a long term and substantial condition

Cognition and Learning

Support for learning difficulties may be required when children and young people learn at a significantly slower pace than their peers, even with appropriate differentiation of the curriculum. Cognition and learning difficulties cover a wide range of needs, including:

- moderate learning difficulties (MLD) where children have attainments significantly below expected levels in most areas of the curriculum, despite appropriate interventions.
- severe learning difficulties (SLD), where children are likely to need support in all areas of the curriculum and associated difficulties with mobility and communication
- 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
- specific learning difficulties (SpLD), when a child/ young person has difficulty with a particular area of learning. For example, they may have particular difficulties with reading, writing and spelling or with maths or with organisation, motor planning and coordination. Children and young people with specific learning difficulties are found across the whole ability range and the severity of their difficulty varies widely.

Helpful information to provide with your request

The education setting has provided an appropriate graduated response, using APDR, from within the resources available to it. This should include age appropriate developmental checklists in the early years/ standardised assessments to gain a detailed understanding of the child/young person's needs that can then inform evidence based interventions.

- Attainment levels are significantly below age-related expectations in core subjects
- Significantly greater difficulties in most developmental and curricular areas.
- Significantly greater difficulties in most developmental and curricular areas.
- Significant difficulty with: rate of progress, retaining skills and information, generalising skills, staying on task/attention, confidence, organisation

The Local Authority will also take account of evidence about the rate of progress being made by the C/YP and the level of support that has been provided to that C/YP.

Social, Emotional and Mental Health

Persistent disruptive or withdrawn behaviour does not necessarily mean that a child or young person has SEN however, the behaviour may be symptomatic of underlying learning difficulties, communication difficulties or social, emotional or mental health issues.

The fact that a learner may have a detrimental effect on the education or welfare of another learner(s) does not in itself define a special educational need.

As with any intervention, If Alternative Provision is used within the graduated response, it needs to be clear that the provision meets the identified SEN and that school are able to evidence this in their submission for an EHC needs assessment.

Exclusion from school is not an intervention and does not itself indicate that a learner requires an EHC Needs Assessment.

Helpful information to provide may including the following

- The education setting has provided an appropriate graduated response, using APDR, from within the resources available to it. This should include age appropriate developmental checklists in the early years/ standardised assessments to gain a detailed understanding of the child/young person's needs that can then inform evidence based interventions.
- The education setting has undertaken a rigorous analysis of the C/YP's behaviour and has provided records of:
 - the C/YP and their family's view on their behaviour
 - the situations in which the behaviour tends to occur;
 - the frequency, intensity and duration of the behaviour
 - the response of others to the behaviour
 - the strategies / approaches used when the behaviour occurs and the impact of these
- The C/YP's social and emotional difficulties are evident across a variety of different contexts throughout the school day and represent a barrier to their access to the curriculum.
- The C/YP's capacity to manage their emotions or social interactions is significantly delayed in comparison to same age peers.
- There is information regarding the C/YP's behaviour in other settings, including the home.
- The C/YP has significant difficulty regulating his or her behaviour in response to stressful, challenging or frustrating situations in an education setting
- Evidence, if available, from specialists in mental health, showing the child/young person to have a severe, long term and substantial social, emotional and mental health disability.
- A young person's admission as an in-patient to a specialist mental health unit will be taken as evidence of significant mental health needs.

Sensory and / or Physical Needs

(including hearing loss or visual impairment and physical disability)

Whilst the following guidelines apply to children/young people with a significant disability, the Local Authority will also take account of the impact on educational progress where there is evidence of more than one less significant sensory or physical disability.

Most children with a hearing loss or visual impairment will be identified at the pre-school stage and will be known to professionals. However, some severe deteriorating conditions may be identified later in life and require intervention.

Helpful information to provide may include the following

Physical Disability

The education setting has provided an appropriate graduated response, using APDR, from within the resources available to it. This should include age appropriate developmental checklists in the early years/ standardised assessments to gain a detailed understanding of the child/young person's needs that can then inform evidence based interventions.

- Has a physical 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 institutions.
- The physical disability is, or likely to be, ongoing and/or permanent and has long term significant implications for access and learning.
- The C/YP's physical disability has impacted or is likely to impact significantly on their educational progress.

Where a C/YP has a less severe physical disability combined with another type of special educational need there will be evidence of significant impact on educational progress.

Hearing Loss

In all cases it is expected that there will be evidence that the family/setting has consulted a Qualified Teacher of the Deaf following the identification of need and has acted upon advice given by that professional.

A child/young person will be considered for EHC Needs Assessment where there is evidence that his or her hearing loss has impacted significantly, or is likely to impact significantly, on their educational progress or that there are safety issues requiring additional support.

Visual Impairment

In all cases it is expected that there will be evidence that the family/setting has consulted a Qualified Teacher of the Visually Impaired following the identification of the C/YP's needs and has acted on the advice given by that professional.

A child/young person will be considered for EHC Needs Assessment where there is evidence that his or her visual impairment has impacted significantly, or is likely to impact significantly, on their educational progress or that there are safety issues requiring additional support.

MSI (Multi-Sensory Impairment, or Dual Sensory Impairment)

As for visual impairment and hearing loss

A child/young person will be considered for EHC Needs Assessment where there is evidence that his or her MSI has impacted significantly, or is likely to impact significantly, on their educational progress or that there are safety issues requiring additional support.

Requesting an Education, Health and Care Needs Assessment

This section is intended to provide a brief summary of the process of applying for an Education, Health and Care Assessment. Full details can be found on the Cambridgeshire Council website: www.cambridgeshire.gov.uk

Summary Time Line of Education, Health and Care Assessment Process

Week 1	<p>Request for an assessment is received by the Statutory Assessment Team</p> <p>The following people will be informed that the Local Authority is considering whether to undertake the assessment:</p> <ul style="list-style-type: none"> • Parent(s) or carer(s) • Young person over the age of 16 • Manager of EY setting • The Headteacher (or equivalent) of the education setting or principal of the FE college/ institution • SEND Service (0-25) • The Health Service • Social Care Team responsible for services for C/YP with Disabilities
By week 6	<p>A panel meets weekly to consider, the application form and supporting evidence</p> <p>Assessment Agreed: The Statutory Assessment Team will notify the parents or young person and other involved professionals, and request advice and further information.</p> <p>Assessment Not Agreed: The Statutory Assessment Team will notify the parents or young person, giving them the reason for the Panel's decision. If you disagree with the decision you have the right to appeal via tribunal here or contact SENDIASS within 2 months from the date of the LA's decision or one month from receiving a mediation certificate, which ever is the later date. You must contact the mediator adviser within 2 months of the LA decision.</p>
By week 12	Advice due to be received by the caseworker from involved professionals
Weeks 13 to 16	Post Assessment Meeting led by the caseworker and usually held at school/setting with advice givers and parents
By week 16	Local Authority makes a decision whether or not to issue an EHCP and has notified parent. If an EHCP is agreed by the Local Authority, a Proposed Plan is issued to parents and school/setting.

➤ Within 15 calendar days of proposed plan	Parents / school/ setting send amendments or queries to casework officer. Parents/YP express preference for educational institution and seek agreement of a personal budget. The LA will consult with the school/ setting and should receive a response within 15 calendar days.
By week 20	The draft plan is amended where needed and issued. (LA notifies parent/young person of rights to appeal)

*(In exceptional circumstances, longer time frames may be applied – **Code of Practice section 9.42**)*

An EHC Needs Assessment will not always lead to an EHC Plan. In some cases, the evidence collected during the process will lead to the judgement that the C/YP does not require an EHC Plan and that his/her needs can be met from the resources that are available and set out in the school's and Local Authority's Local Offer, and they do not require provision to be made in accordance with an EHC Plan. The information gathered during the assessment should be used to indicate ways in which the school, college or other provider can meet the child or young person's needs without an EHC plan.

Who can Request an Education, Health and Care Needs Assessment?

An application for an Education, Health and Care Needs Assessment can be made by:

- A child's parent(s) or Carer(s) if the young person is aged 16 or younger
- A young person over the age of 16 but under the age of 25
- A person acting on behalf of an education setting ideally with the informed consent of the parent or young person over the age of 16 years.
- A person acting on behalf of a young person over the age of 16 when a mental capacity assessment has been undertaken and demonstrated that the young

person was unable to make a decision about the application. Unless the mental capacity assessment indicates otherwise, then it is assumed that the young person has the mental capacity to make the application themselves, albeit with support. (Mental Capacity Act, 2005; Mental Capacity Act Code of Practice 2016)

A parent or young person making an application can request support from:

SEND Information, Advice and Support Service (SENDIASS)

Cambridgeshire County Council, SH1212, Shire Hall, Cambridge CB3 0AP

Email: SENDIASS@cambridgeshire.gov.uk

Tel: 01223 699 214 (Confidential helpline open during term times)

Where to send the request

Ideally the application should be made on a standard application form available on the website. The application form should be sent to:

Statutory Assessment Team

Box SCO2209, Scott House, 5 George Street, Huntingdon PE29 3AD

Tel: 01480 372600

Email: Statutory.Assessment&ResourcesTeam@cambridgeshire.gov.uk

FAQs about requests for EHC Needs Assessment

Q How can parents/carers be involved and informed about the EHC Needs Assessment processes?

A Schools have a statutory responsibility to keep parents informed of their child's progress and the steps that are being taken to meet their special educational needs. The review of the child/young person's progress as part of the Assess-Plan-Do-Review cycle provides a good opportunity for the child/young person and parent(s) to be fully involved and fully informed of the EHC Needs Assessment process. Schools/settings are advised to hold at least three meetings each year to review progress of the C/YP with SEN with parents. If a school is considering applying for an EHC Needs Assessment, then where possible they should have full agreement of parents. Parents should also be encouraged and supported to express their own views as part of any request. Cambridgeshire's Special Educational Needs and Disability Information, Advice and Support Service (SENDIASS) can support parents in this.

When a request is made, the LA will consult the child's parent/ YP.

Q Who can apply for an Education Health and Care Needs Assessment?

A The C/YP school, parents / carers or a young person over 16 years can make applications for an EHC Needs Assessment. Professionals from Health and Social Services have a responsibility to bring to the attention of the LA if they believe that a child may have significant SEN.

Q If a pupil from a neighbouring LA attends a Cambridgeshire school/setting, can her / his school or parents/carers request an EHC Needs Assessment?

A Pupils who are not resident in Cambridgeshire but who attend schools/settings in Cambridgeshire are the responsibility of their 'home' Local Authority (LA), where the pupil lives. The request should be made to the LA where the C/YP lives.

Q What about children who are residents in Cambridgeshire but attend a school/setting in a neighbouring LA?

A At the point where the school/setting and/or the parents feel that the C/YP requires an EHC Needs Assessment, then a formal request should be made to Cambridgeshire Statutory Assessment Team.

Q Does a diagnosis mean that a request for an EHC Needs Assessment should be made and agreed?

A No. A diagnosis does not automatically mean that a request for EHC Needs Assessment should be made or, that if it is made, that an EHC plan will be agreed. Children/ young people with a diagnosis may not have special educational needs of sufficient complexity or severity to require provision to be made in accordance with an EHC plan.

Every C/YP is an individual and Cambridgeshire believes their needs should be considered on this basis. No blanket assumptions should be made simply because a child/ young person has a diagnosis.

Q Is an Educational Psychologist assessment always required as evidence to support a request for an EHC Needs Assessment?

A No. The involvement of an Educational Psychologist is not always necessary in order for the LA to decide whether or not to undertake an EHC Needs Assessment. However, if external professionals have been involved, the school / setting should have acted upon the advice provided. An Educational Psychologist is only one of a range of specialist professionals (e.g. specialist teachers, speech therapists, etc.) who can provide support for meeting SEN.

Q Are there any time limits on Cambridgeshire for considering your request for an Education, Health Care Needs Assessment?

A Yes, Cambridgeshire must respond to your request within a maximum of 6 weeks.

Q I have been told that I have to wait 6 months to re-request an EHC Needs Assessment if I am initially turned down. Is this correct?

A No, you can resubmit a request for an EHC Needs Assessment at any time. The LA does not have to consider whether an EHC needs assessment is necessary where it has already undertaken an EHC needs assessment for the child or young person during the previous six months.

Q Is there a way of appealing if a submission for an EHC Needs Assessment is not agreed?

A Yes. If you receive a letter from the Statutory Assessment Team Casework Officer informing you that your request for EHC Needs Assessment has not been successful, then you may appeal that decision to the First-tier Tribunal (Special Educational Needs and Disability). The letter will contain details of the process to appeal. SENDIASS can give independent advice and support with regards to appeal and / or support in discussions with schools. SENDIASS cannot represent parents/carers at an SEND Tribunal but they can advise and support parents and young people through the process. You may also be offered a 'Next Steps Meeting' which will provide you with an opportunity to meet with a member of the SEN Support Services to plan how your child's needs can be addressed and monitored using resources already available to the school.

Special Educational Needs and Disability Information, Advice and Support Service (SENDIASS) can be contacted at:

Email: sendiass@cambridgeshire.gov.uk

Tel: 01223 699 214

Q Can I submit a private report as part of my request for an EHC needs assessment?

A If an assessment has been undertaken by an appropriately qualified professional their advice should be used to inform APDR at SEN Support.

Glossary

Term	Definition
APDR (Assess-Plan-Do-Review)	<p>This is the process schools/settings should follow when they have identified a child or young person as having special educational needs. The process involves the school</p> <ul style="list-style-type: none"> • identifying the barriers facing the child or young person in accessing the curriculum • planning what provision the school/setting needs to put in place • putting the plan into action • carrying out a review to see what the result of the support has been and to see how the plan needs to be changed.
Academy	An academy is a school/setting which receives funding directly from the Government and is independent from direct control by the local authority.
Annual Review	The review of an Education, Health and Care Plan. This must be completed within 12 months of making the Plan and then in each subsequent 12 months from when the Plan was reviewed.
CAMHS	Child and Adolescent Mental Health Service
Cognitive Ability	Thinking and reasoning ability. A term often used by psychologists instead of intelligence.
Comprehension	Understanding of spoken, written material or practical situations.
CoP /SEND CoP (Special Educational Needs and Disability Code of Practice.)	The Government guide to schools/setting and local education authorities about the help to be given to children with special educational needs. The Children and Families Act (2014) made it a legal requirement that all Local Authorities must have regard to the Special Educational Needs and Disability Code of Practice. (Children and Families Act 2014, Section 77).
C/YP	Child / Young Person
Developmental Delay	Developmental delay is a broad term used when a young child does not progress as expected. For example, they may be late in talking or slow to learn to walk.

Term	Definition
Differentiated Curriculum	C/YP make progress at different rates and have different ways in which they learn best. Teachers take account of this when planning their lessons, organising the classroom and choosing books and materials. They are then able to choose from the range of available approaches and resources to make a selection which best fits the learning styles of a particular child or group of children.
DfE	Department for Education. This is a government department responsible for children's services and education, including: <ul style="list-style-type: none"> • Teaching and learning in early years and primary schools • Teaching and learning in secondary schools and further education • Higher and further education policy, apprenticeships and wider skills in England.
EHENA	Education, Health and Care Needs Assessment. This is a statutory assessment to find out whether or not a C/YP requires an Education, Health and Care Plan to be drawn up. The EHENA should be carried out in a 'timely' manner and it should not take longer than 20 weeks to issue an EHC Plan if it is determined one is necessary.
EHCP	Education, Health and Care Plan. The EHCP is a legal document describing a child/ young person's needs and the provision to meet those needs in relation to special education, health and social care and the name and type of the school, maintained nursery school, post-16 institution or other institution to be attended by the child or young person and the type of that institution. The Plan must be person centred, focusing on the needs and aspirations of the child. If necessary an EHCP can continue into further education and training for some young people up to the age of 25. If a child/young person has a health or social care need only, they will not get an Education, Health and Care Plan.
EP	Educational Psychologist
Expressive Language	How a child or young person expresses ideas, thoughts and feelings through speech.
Global Delay	A general delay in acquiring expected developmental milestones.

Term	Definition
Graduated Approach/ Response	Where a C/YP is identified as having SEN, schools/settings should take action to remove barriers to learning and put effective special educational provision in place. This SEN support should take the form of a four-part cycle through which earlier decisions and actions are revisited, refined and revised with a growing understanding of the C/YP's needs and of what supports the C/YP in making good progress and securing good outcomes. This is known as the graduated approach. It draws on more detailed approaches, more frequent review and more specialist expertise in successive cycles in order to match interventions to the SEN of children and young people. A full description can be found in the SEND Code of Practice, Section 6.44 to 6.56 (5.39-5.44 for Early Years)
Learning Difficulties	The child or young person has a significantly greater difficulty in learning than the majority of others of the same age (CFA 2014)
LA (Local Authority)	The Local Authority (Cambridgeshire) is responsible for providing education and for making education, health and care needs assessments and maintaining Education, Health and Care Plans.
Children in Care	A child who is in the care of the Local Authority
Local Offer	Local authorities are required to publish a 'local offer'. A local offer is intended to provide information about provision and training it expects to be available to children and young people with SEN and disabilities in their area as well as outside the area.
Long term	Means the difficulties have been in existence for at least 12 months
Mediation	Mediation is a way of sorting out a disagreement in a safe and less formal environment. Mediation uses a neutral person (the mediator) who is experienced at helping people who disagree to come to an agreement. The mediation service is completely neutral and independent of schools and the local authority.
OT	Occupational Therapist

Term	Definition
Outcome	An outcome can be defined as the difference made to an individual as a result of support provided. It should be specific, measurable, achievable, realistic and set within a clear time frame (SMART).
PT	Physiotherapist
Reasonable Adjustments	These are changes schools and other settings are reasonably required to make to improve accessibility for children and young people with disabilities. They could include providing extra support and aids (such as specialist teachers or equipment) Schools are not subject to a reasonable adjustment duty to make alterations to physical features.
SaLT or SLT	Speech and Language Therapist
SEN Information Report	Maintained schools, nursery schools and academies must publish on their websites information about their policy and arrangements for supporting children with SEN. This must be kept up to date. The information that has to be included can be found in Section 6.79 of the SEND Code of Practice.
SENCO / SENDCO (Special Educational Needs Coordinator / Special Educational Needs and Disability Coordinator)	A SENCO is a qualified teacher who has responsibility for co-ordinating SEN provision in a school or maintained nursery school.
SENDIASS	Special Educational Needs and Disability Information Advice Support Service
Setting	Refers to early years settings/Further Education colleges/sixth form colleges
Severe	Means that the difficulties are significantly greater than those experienced by same aged peers and have required specialist professional involvement and or provision greater than that normally available in the education setting.

Term	Definition
Significant	This is used to indicate a level of complexity and severity of need, seriously impacting on a child or young person's ability to function independently including at home, school, training and employment.
ST	Specialist Teacher
Substantial	Means that the difficulties have had, or are likely to have, a significant impact on the educational attainment and progress of the child/ young person.
Tier 4 CAMHS	Tier 4 CAMHS is the top tier of four tiers of care provided for children and young people with mental health difficulties. They are specialised services that provide assessment and treatment for children and young people with significant and complex emotional, behavioural or mental health difficulties.

Quality Assurance Team

Statutory.Assessment&ResourcesTeam@cambridgeshire.gov.uk