



The Rotherham Parent Partnership Service

Rotherham
Metropolitan
Borough Council
Where Everyone Matters



Statutory Assessment Of Education, Health and Social Care Needs

The government is transforming the system for children and young people with special educational needs (SEN), including those who are disabled, so that services consistently support the best outcomes for them.

The changes will start to be implemented from September 2014 and will extend the SEN system from birth to 25, giving children, young people and their parents greater control and choice in decisions and ensuring needs are properly met. It takes forward the reform programme set out in 'Support and aspiration: a new approach to special education needs and disability - progress and next steps' by:

- replacing statements with a new birth- to-25 education, health and care plan
- offering families personal budgets
- improving cooperation between all the services that support children and their families, particularly requiring local authorities and health authorities to work together

The majority of children and young people have their needs met through a graduated approach within a local mainstream setting. However a Local Authority (LA) **must** conduct an assessment of education, health and care needs and prepare an Education, Health and Care Plan (EHC) plan when it considers that it may be necessary for special educational provision to be made for the child or young person which would not reasonably be provided from within a settings resources.

Requesting an Assessment

The following people have a specific right to request that the LA conduct an education, health and care needs assessment for a child (0- 25):

- You as the child's parent
- Your young person over the age of 16 but under the age of 25
- A person acting on behalf of a school or post 16 institution (this should be with the knowledge and agreement of you as a parent or your young person where possible)

In addition to the above people, anyone can bring your child or young person to the attention of the LA, for example; foster carers, health and social care representatives,

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early years practitioners, youth offending or probationary services, or a family friend. However, this should be done with your knowledge and agreement or of your young person where possible.

Once the LA have been asked to assess the Education, Health and Care needs of your child or young person, they **must** determine if an assessment is necessary.

The Local Authority will be very interested in your views, wishes and feelings as well as your child's/young person's views and feelings. They will also want to know how your child has made progress, the nature, extent and possible cause of your child's needs, information on what support has already been put in place and evidence of progress as a result. They will also be interested in evidence of physical, emotional and social development as well as health and care needs.

Once the Decision is Made

You will be told if the LA will proceed with the assessment or not, within six weeks. You will be told of the reasons for the decision. If they decide to proceed with the assessment, the LA will discuss and plan the assessment process with you.

If they decide not to proceed with the assessment at this point, you will be told how you can appeal this decision. You will also be told how to access mediation as part of this process or gain additional impartial information, advice and support.

Co-ordinated Assessment and Planning

You, your child or young person are key partners in the process and your views **must** be taken into account. You should feel listened to throughout the assessment and beyond. The assessment process should be coordinated by the LA so as to minimise disruption for you and your family. Appointments should be coordinated where ever possible to support this. The LA **must** provide you with impartial information, advice and support about SEND including the assessment process, EHC plan and personal budgets. They should also tell you about key working and as appropriate, the role of an independent supporter.

The LA will work with you throughout the assessment and planning process and consider a range of options available such as additional support, different types of educational settings and your right to request a personal budget.

If, following the assessment process, the LA feel an EHC plan is not needed, the LA will let you know the outcome of the Assessment within 16 weeks of the request. The LA will inform you of your rights for Mediation and Appeal.

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You may now find it useful to also read our factsheet about the Education Health and Care Plan.

So What's Happening in Rotherham?

Rotherham Education, Health and Care Services have been working together with Rotherham Parents, Carers, Young People, Schools and Settings to design the format of EHC plans and look at the process. Parents, carers and young people have contributed their views on what they wanted to be included in our EHC Plans and these are being built upon and mapped against the statutory requirements. The development of this work and Rotherham EHC plans is being led by John Coleman who is the service lead for the Special Educational Needs Assessment Service, alongside a Health Representative.

NOTE - This factsheet is based on information taken from the Draft Code of Practice. As a result of this, it may be subject to change once the final Code is published.

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