

EDUCATION, HEALTH AND CARE PLAN PATHWAY

A four stage guide for assessment and producing the EHCP



I. INITIAL ASSESSMENT (WEEKS 0 TO 4)

The school, post 16 institution or Lead Professional within the 'Team Around Me' completes an online request form on the Plymouth City Council SEN Webpage - www.plymouth.gov.uk/ehc. Alternatively, a request for an Education Health and Care (EHC) assessment can be made by the parent(s) or young person themselves.

The request is reviewed by the 0-25 SEND Statutory Assessment Team and where necessary additional information is requested from the school or institution. The parents, and where appropriate the young person, will be contacted as soon as practicable following a request for an EHC assessment so they have the opportunity and sufficient time to provide their views. The parents or young person will also be given information about the Independent Support Service that is available to support them through the EHC assessment process (See Annex I for more details).

The request will then be discussed at the Single Multi-Agency Panel (SMAP) who will consider the evidence provided and make a decision whether an EHC assessment should be undertaken.

If the decision is made not to proceed to an EHC assessment, the parent or young person will be informed by letter and a member of the 0-25 Statutory Assessment Team will offer to meet with the parent / young person and the 'Team Around Me' to discuss what alternative support can be arranged and how this will be implemented.

In considering whether an EHC assessment is necessary, the panel will consider whether there is evidence that despite the early years provider, school or post-16 institution having taken relevant and purposeful action to identify, assess and meet the special educational needs of the child or young person, the child or young person has not made expected progress.

To inform their decision the panel will take into account a wide range of evidence, and will pay particular attention to:

- evidence of the child or young person's academic attainment (or developmental milestones in younger children) and rate of progress
- information about the nature, extent and context of the child or young person's SEN
- evidence of the action already being taken by the early years provider, school or post-16 institution to meet the child or young person's SEN
- evidence that where progress has been made, it has only been as the result of much additional intervention and support over and above that which is usually provided
- evidence of the child or young person's physical, emotional and social development and health needs, drawing on relevant evidence from clinicians and other health professionals and what has been done to meet these by other agencies, and
- where a young person is aged over 18, the local authority must consider whether the young person requires additional time, in comparison to the majority of others of the same age who do not have special educational needs, to complete their education or training. Remaining in formal education or training should help young people to achieve education and training outcomes, building on what they have learned before and preparing them for adult life.

(0-25 SEND Code of Practice 9.14)

If SMAP agrees to start an EHC assessment, an Assessment Coordinator will be allocated to the case. The 0-25 SEND Statutory Assessment Team will inform the parents and where appropriate the young person of the decision.

If SMAP decide not to conduct an EHC assessment, the 0-25 Statutory Assessment Team will inform the parents or the young person, providing detailed feedback collected during the process of considering whether an EHC assessment is necessary, including evidence from professionals, which the parent, young person, early years provider, school or post-16 institution may find useful

The parents or young person will also be provided with information regarding their right to appeal the decision and the time limit for doing so, of the requirement for them to consider mediation should they wish to appeal, and the availability of information, advice and support and disagreement resolution services. (See ANNEX I for more details)

2. PLANNING (WEEKS 5 TO 12)

Once an EHC assessment is agreed the Assessment Coordinator will contact the family and inform them of their right to express written or oral views and to submit evidence to be taken into account in the assessment process. The Assessment Co-ordinator will also notify the following individuals so that they can be part of the process and where appropriate contribute to the assessment:-

- the health service (the relevant Clinical Commissioning Group (CCG) or NHS England where it has responsibility for a child or young person)
- local authority officers responsible for social care for children or young people with SEN
- where a child attends an early years setting, the manager of that setting
- where a child or young person is registered at a school, the head teacher (or equivalent)
- where the young person attends a post-16 institution, the principal (or equivalent)

The Assessment Coordinator will discuss with the family whether they are happy to share their journey so far with agencies contributing to the assessment, so the family tell their story just once.

The 0-25 SEND Statutory Assessment Team will send out relevant paperwork to agencies to request any further reports to be considered as the draft EHC Plan is prepared. The Assessment Coordinator is responsible for writing the draft EHC Plan based upon the information provided by, and discussed with, the family / young person and professionals involved.

The Assessment Coordinator will organise a meeting to agree the draft EHC Plan with the family or young person and relevant professionals. The meeting will be promoting a person-centred approach and will focus on the outcomes that have been agreed as priorities for the child or young person and confirm what will need to be done to achieve these outcomes.

For young people in Year 9 onwards, advice and information related to provision that will assist in their preparation for adulthood and independent living will form part of the assessment.

3. DRAFT PLAN STAGE (WEEKS 11 TO 16)

The draft EHC Plan is sent to the 0-25 SEND Statutory Assessment Team for quality assurance checks which will ensure a transparent and consistent approach and that the plan meets legal requirements.

The draft EHC Plan is submitted to SMAP who make a decision on whether or not to issue the EHC Plan and allocate funding where required. If SMAP agree to issue an EHC Plan, the draft EHC plan will be sent to the parents / young person who have at least 15 days to give their views and make representations on the content. During this 15 day period the parents or young person can request that a particular school or other institution, or type of school or other institution, is named in the plan. The Assessment Coordinator will arrange to meet with the family to discuss the EHC Plan and

support them in making their decision around the school / college placement. At the meeting the Assessment Co-ordinator will inform the parents or young person of their right to request a Personal Budget (See ANNEX I for more details)

If the decision is made not to issue an EHC Plan the panel will notify the child's parent or the young person, the early years provider, school or post-16 institution currently attended, and the health service and give the reasons for its decision. The Assessment Co-ordinator, or the 0-25 SEND Statutory Assessment Team, will inform the child's parent or the young person of their right to appeal that decision and the time limit for doing so, of the requirement for them to consider mediation should they wish to appeal, and the availability of information, advice and support and disagreement resolution services

4. FINALISING THE EHC PLAN (WEEKS 16 TO 20)

The final stage of confirming the EHC Plan is the parents' / young person's agreement to the plan. The family / young person have at least 15 calendar days from the Draft EHC Plan being sent to them to return their 'A2 Form' with their agreement to the plan or to propose any amendments they would like made. If the requested amendments are significant the plan may be taken back to panel for agreement

The EHC Plan will be reviewed annually by the Assessment Coordinator and multi-agency Team Around Me with the initial review within 12 months of the date when the EHC Plan was finalised. However, individual sections of the plan can be reviewed as necessary should there be any significant changes to the child's identified needs.

The final EHC Plan will be sent to all the professionals involved who have contributed, to provide clarity on what their service has agreed to deliver. A copy of the EHC Plan will also be sent to Social Care and the NHS Clinical Commissioning Group (CCG), if relevant.

Plymouth City Council will provide the top-up funding for the education support identified in the EHC Plan. The first £10,000 will be provided through delegated SEND resources and the Dedicated Schools Grant (DSG).

Social Care provision must comply with the Children's Act 1989 or for young people over 18, the Care Act 2014. The CCG must ensure that the specified health provision is made.

ANNEX I

Independent Support (IS) Service

The SEND Information and Advice Support Service (SENDIASS) provides the information, advice and support service, relating to Special Educational Needs and Disabilities (SEND), for young people, parents and carers within the Plymouth Local Authority area.

SENDIASS (formerly Plymouth Parent partnership Service) and Careers South West (CSW) are under contract from the Department for Education (DFE) to provide independent support to help young people and parents/carers to understand the SEND process and are completely independent of the Local Authority.

Information provided is impartial and confidential.

You can contact the Independent Support service by following this link to their web page

<http://www.plymouthparentpartnership.org.uk/>

Or by telephone 01752 258933

Mediation Service

You can appeal to the special educational needs and disability tribunal if you disagree with the council's decisions about your child's special educational needs. For example, the council may not agree that your child needs extra support in the classroom to help them with learning difficulties. You can also appeal to the tribunal if the school or council has discriminated against your disabled child.

You can appeal for a number of reasons, e.g. if the council refuses to:

- assess your child's special educational needs
- make a statement of their needs
- reassess their needs
- You may want to get [legal advice](#) before you appeal.
- You could be entitled to [legal aid](#) to pay for a meeting with a solicitor.
- You can also get help and advice from your local Parent Partnership Service.

Before you appeal, see if you can discuss the problem with your school or the council. A free mediation service in your area can help you do this. The service will bring you, the school and the council together to see if you can work out a solution. You don't have to try this, but if you do it won't affect your right to appeal. The following link will take you to the government webpages which will provide more information on how to appeal.

<https://www.gov.uk/special-educational-needs-disability-tribunal/before-you-appeal>

The mediation service available for parents and young people living in Plymouth is Global Mediation and they can be contacted by telephone on 0800 064 4488 or by email sen@globalmediation.co.uk

[Global Mediation website](#) or by going to the Plymouth Online Directory.

Personal Budget

The SEND Code of Practice defines a personal budget as an amount of money identified to deliver parts of the provision set out in an Education Health and Care plan (EHC). Families will be able to request a personal budget as part of the planning process when the EHC plan is being drawn up or at the annual review. The personal budget may be made up of funds from one or multiple sources, in order to meet the outcomes that have been identified in the joint assessment.

One of the options might be to access, through Direct Payments, some or the entire personal budget as an alternative to services traditionally purchased by the Local Authority or Health on behalf of the child/young person and their family.

If this is something that you as a parent or carer wish to explore, more information will be provided to you. This is a new area of work and we are working with families to understand and improve how a personal budget could support a family to meet their child's needs.

Not all aspects of your child's plan can be delivered through a personal budget at this time but examples of what can be included might be Short Breaks, transport to and from school and some health care needs.

Detailed information about Personal Budgets can be found by going to the [Plymouth Online Directory](#).

GLOSSARY OF TERMS

0-25 SEND Statutory Assessment Team -The 0 to 25 SEND Statutory Assessment Team coordinate the statutory support for children and young people with special educational needs (SEN).

A2 Form – is the agreement by parents or the young person to the EHC plan

Assessment Coordinator – is the person who will manage the EHC process drawing together the relevant reports and information. Organising the meetings and ensuring that parents, children and young people have the opportunity to express their views and be a central part of the assessment process.

Clinical Commissioning Group (CCG) - Clinical Commissioning Groups (CCGs) commission most of the hospital and community NHS services in the local areas for which they are responsible. Commissioning involves deciding what services are needed, and ensuring that they are provided. CCGs are overseen by NHS England, which retains responsibility for commissioning primary care services such as GP and dental services, as well as some specialised hospital services. All GP practices now belong to a CCG, but groups also include other health professionals, such as nurses.

Dedicated Schools Grant (DSG) - The Dedicated Schools Grant was introduced in 2006-07, and is the principal source of funding for schools and related activities in England. The grant was introduced in place of funding previously allocated via the Formula Grant and a number of smaller specific grants.

Education, Health and Care plan (EHC plan)- An EHC plan details the education, health and social care support that is to be provided to a child or young person who has SEN or a disability. It is drawn up by the local authority after an EHC needs assessment of the child or young person has determined that an EHC plan is necessary, and after consultation with relevant partner agencies.

Lead professional - The role of Lead Professional can be undertaken by any front-line professional working with children who have additional needs and require an integrated package of support from more than one practitioner.

Parent- Under section 576 of the Education Act 1996, the term 'parent' includes any person who is not a parent of the child, but has parental responsibility (see below) or who cares for him or her.

Person-centred approach – means putting the child at the centre of the planning and taking account of the child's and parents views, wishes and feelings

Post-16 institution – is any school, FE College or training provider which offers Post 16 education, learning or training.

Special Educational Needs (SEN)- 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. A child of compulsory school age or a young person has a learning difficulty or disability 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 educational facilities of a kind generally provided for others of the same age in mainstream schools or mainstream post-16 institutions.

Special Educational Needs Co-ordinator (SENCO)- A qualified teacher in a school or maintained nursery school who has responsibility for co-ordinating SEN provision. In a small school, the headteacher or deputy may take on this role. In larger schools there may be a team of SENCOs. Other early years settings in group provision arrangements are expected to identify an individual to perform the role of SENCO and childminders are encouraged to do so, possibly sharing the role between them where they are registered with an agency.

Special educational provision- Special educational provision is provision that is different from or additional to that normally available to pupils or students of the same age, which is designed to help children and young people with SEN or disabilities to access the National Curriculum at school or to study at college.

Special school- A school which is specifically organised to make special educational provision for pupils with SEN. Special schools maintained by the local authority comprise community special schools and foundation special schools, and non-maintained (independent) special schools that are approved by the Secretary of State under Section 342 of the Education Act 1996.

SEND Code of Practice - Statutory guidance for organisations who work with and support children and young people with special educational needs and disabilities

Single Multi-Agency Panel (SMAP) – is a panel of professionals from Health, Social Care and education that meets weekly to agree EHC plans and assessments

Team Around Me – is made up of all relevant professionals working with the child and their family. This can include health, education and social care professionals and any other people who may be able to provide support for the family for example workers from the voluntary and community sector, or from housing.

Young person: A person over compulsory school age (the end of the academic year in which they turn 16). From this point the right to make decisions about matters covered by the Children and Families Act 2014 applies to the young person directly, rather than to their parents.