One Minute Guide to Education, Health and Care Plan Needs Assessment

What is an Education, Health and Care (EHC) plan?

An EHC plan is a legal document written by the local authority (LA) which summarises the views, aspirations, needs, outcomes, and provision for a child or young person aged 0-25 with substantial special educational needs (SEN). The plan also includes health and care provision if that is needed. EHC plans are based on advice from a number of different people who know the child or young person, including them, their parents or carers, and practitioners supporting them.

Who can request an EHC needs assessment?

A request for an EHC assessment would usually be made by the school or early years setting with parental agreement to the local authority, but can be made by the child's parents or carers directly. It is strongly advised that parents discuss this with their school or setting first, but there is no requirement to do so. In Tower Hamlets, the Parent Advice Centre (PAC) is also available to support parents concerned about the support for their child.

Who decides whether to carry out an EHC assessment?

The LA makes this decision based on evidence of needs, support and response to support over time. The SEND Service will allocate a caseworker, who will seek any additional information (in particular from the school or setting in the case of a parental request) and communicate with parents. This information will be used the by the Pre Assessment Panel to decide whether an EHC needs assessment is necessary.

If the panel judges that the child might have special educational needs which are likely to need provision through an EHC plan then it will agree to carry out an EHC needs assessment and will contact parents to inform them. Otherwise it will contact parents to inform them that it has decided not to carry out an assessment, and will inform them of their rights to appeal the decision. In either case it must have communicated this decision within six weeks of the initial request.

How is an EHC needs assessment carried out?

The LA requests advice from those working with the child or young person and this will always include the following people:

- **parents or the young person;**
- **the school or setting;**
- **health;**
- **social care;**
- **an educational psychologist.**

Other advice might be sought depending on the particular people involved and consultation with parents or the young

person. Advice must be relevant and clear and must address the advice giver's opinion on needs, outcomes, and provision. Anybody who is asked to provide advice for the EHC needs assessment must provide this within six weeks of being requested

How does the LA decide whether to issue a draft EHC plan?

Once all advice has been received, the SEND panel consider the information available and decide whether it believes an EHC plan is necessary to meet the child's special educational needs. The SEND Panel meets weekly and includes members from the LA and health.

What happens next?

The LA must inform parents or the young person whether or not it intends to issue an EHC plan and either send a draft plan or inform them of their right to appeal within 16 weeks of the initial request.

- **If agreed: the LA consults with parents or the young person and must issue a final EHC plan within 20 weeks of the initial request**
- **If not agreed: the LA will contact parents and inform them of their rights to appeal**

Consulting with parents and issuing a final EHC plan

At the end of the EHC needs assessment process the LA will consult with parents or the young person regarding what educational provider will be named on the EHC plan. The LA is required to follow the wishes of parents or young people regarding educational placement unless it has specific reasons to disagree (for example, if it did not believe a specific placement was in the child's best interests or was an inefficient use of resources). The LA will also consult with the preferred school.

The majority of children with EHC plans in Tower Hamlets continue to attend their local mainstream school, and have additional support provided there. A large number attend local special schools or other specialist provision in the borough, with a very small number attending highly specialist provision outside the borough.

The LA will work closely with parents or the young person to try and ensure that there is agreement between them about the final plan. If this is not possible, parents can apply for external mediation, or appeal to the SEND Tribunal. In these situations the LA will continue to work with parents to seek a solution.

Annual reviews

EHC plans are reviewed every twelve months, and at least six-monthly for children under statutory school age. The review is done in partnership with the child and their parent or the young person, and must take account of their views, wishes and feelings. The LA must decide whether to keep the plan as it is, make changes, or stop maintaining it within four weeks of the review meeting.

Further information

For further information about EHC plans and the EHC needs assessment process, please see the Tower Hamlets Local Offer **http://www.localoffertowerhamlets.co.uk/pages/local-offer/education/education-health-and-care-plans**