



**Cheshire East Information
Advice and Support
(CEIAS) team**

Education Health and Care (EHC) needs assessments for children in early years settings or at school

What is an EHC needs assessment?

An EHC needs assessment is a detailed look at the special educational needs (SEN) of a child or young person and the support he or she may need in order to learn. It helps to determine if your child needs an Education, Health and Care plan (EHC plan).

Local authorities are responsible for carrying out EHC needs assessments under the Children and Families Act 2014.

The needs assessment brings together information about:

- what your child can and cannot do
- the special help they need.

It includes information from you, your child, the early years' setting or school, and other professionals who work with or support your child.

When is an EHC needs assessment necessary?

The school or early years setting can often give your child help through SEN support. This means that the school makes additional to or different provision from that of a child's peers to meet your child's needs. Sometimes other professionals will give advice or support to help your child learn.

Some children need more intensive and specialist help. If your child does not make progress, despite the SEN support, an EHC needs assessment might be the next step. You can find out more about EHC needs assessments and when they may be necessary in the SEND Code of Practice sections 9.3 and 9.14 to 9.16.

Who can ask for an EHC needs assessment?

- The early years setting or school, but only after talking with you first.
- Parents – by writing to the local authority
- A young person over the age of 16 but under the age of 25

It is always a good idea to talk to the school or early years setting before requesting an EHC needs assessment.

What happens when the Local Authority gets a request for an EHC needs assessment?

As soon as the LA gets a request for an EHC needs assessment they must tell you about it.

The SEND Code of Practice says:

In considering whether an EHC needs assessment is necessary, local authorities should pay particular attention to the views, wishes and feelings of the child and his or her parent, or the young person. (9.12)

The local authority has up to six weeks to decide whether to carry out a needs assessment. During this time it may ask you, the school and other professionals for information.

It will look at all the information and must then tell you whether it has decided to start the EHC needs assessment immediately OR that an EHC needs assessment is not necessary.

What happens if the local authority decides that an EHC needs assessment is not necessary?

The local authority must tell you why it thinks that an EHC needs assessment is not needed. It must also tell you about:

- Your right of appeal
- Independent disagreement resolution and mediation
- How to get further information, advice or support.

What happens if the EHC needs assessment goes ahead?

The SEND Code of Practice says:

Local authorities must consult the child and the child's parent or the young person throughout the process of assessment and production of an EHC plan. They should also involve the child as far as possible in this process. The needs of the individual child and young person should sit at the heart of the assessment and planning process. (9.21)

The local authority will write to you to tell you what will happen and ask for your views.

Your views and your child's views are really important. You will have the chance to discuss your child with everyone involved in the needs assessment and you will receive a copy of all the reports when the needs assessment is finished.

When does the EHC Needs Assessment process end?

Once the LA has all the information and advice it must decide whether your child needs an Education, Health and Care plan.

Sometimes the LA will decide that your child has Special Educational needs that can be met through SEN support; if this is the case they must tell you of the decision within 16 weeks of receiving a request for assessment. They must also tell you about your right of appeal.

What happens if the Local Authority decides a plan is necessary?

If the local authority decides an EHC plan is necessary it must first write a draft plan. You will be sent the draft EHC plan and copies of the reports so that you can read it all.

You should check that everything you think is important has been included and that you agree with the outcomes and the proposed provision.

The LA will also ask you which school you prefer your child to go to. You have 15 days to make comments, to ask for a meeting, or to accept the draft plan.

Note: if you do not reply within 15 days the local authority may assume that you agree with the draft plan and finalise the document as it is.

The last stage is for the local authority to send you the final EHC plan. If you are still unhappy with the plan or cannot agree with the Local Authority on a school, you have a right to go to mediation and/or to appeal.

What if I do not agree with the Local Authority about the EHC Needs Assessment or the EHC plan?

At any stage you can ask to talk to a member of the Special Educational Needs and Disability Statutory Assessment (SEND) team in Cheshire East. 01625 378042. This will usually be the person named in the letter the LA sends to you when it receives a request for an EHC needs assessment.

Further information:

Cheshire East Local Offer: <https://www.cheshireeast.gov.uk/livewell/local-offer-for-children-with-sen-and-disabilities/local-offer-for-children-with-sen-and-disabilities.aspx>

Cheshire East School Admissions: <https://www.cheshireeast.gov.uk/schools/admissions/admissions.aspx>

Contact a Family: www.cafamily.org.uk

Coram Children's Legal Centre: www.childrenslegalcentre.com

IPSEA: www.ipsea.org.uk

Council for Disabled Children www.councilfordisabledchildren.org.uk

	<p>Cheshire East Information Advice and Support (CEIAS)</p> <p>Website: www.ceias.cheshireeast.gov.uk</p> <p>Telephone: 0300 123 5166</p>
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