

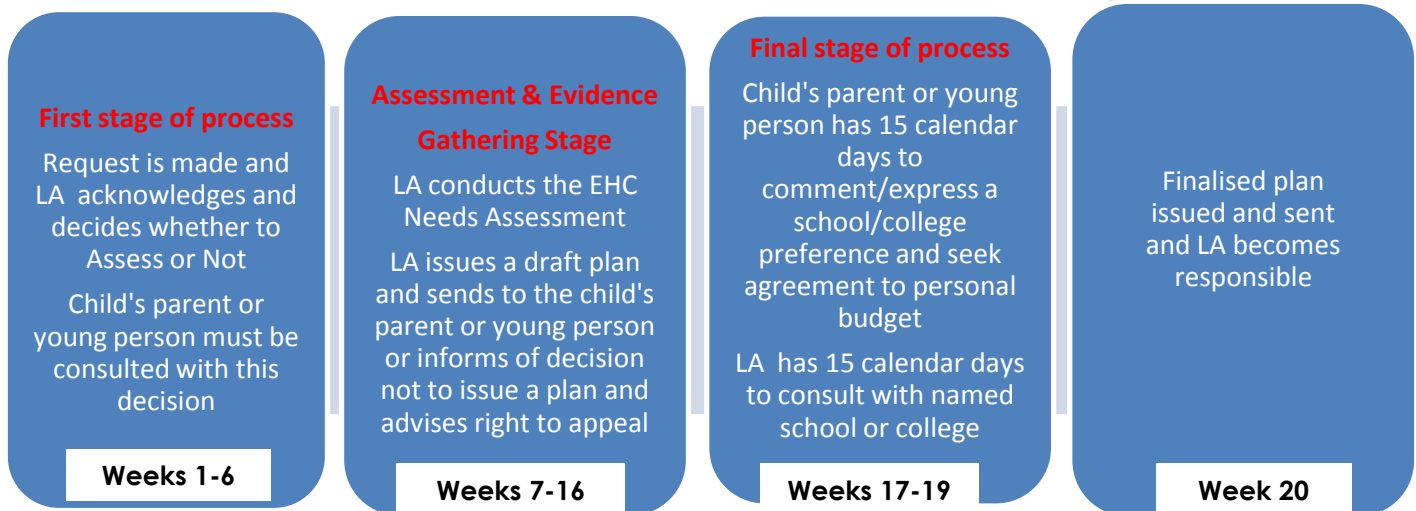
The Education, Health and Care Plan 20 Week Process

An "EHC needs assessment" is defined in section 36 (2) of the Children and Families Act as an assessment of the educational, health and social care needs of a child or young person. The **Local Authority** has the obligation to carry out this assessment. An EHC needs assessment is a required step towards obtaining an EHC plan. **An EHC plan cannot be issued unless the child or young person has been through the statutory assessment process laid out in the Act.**

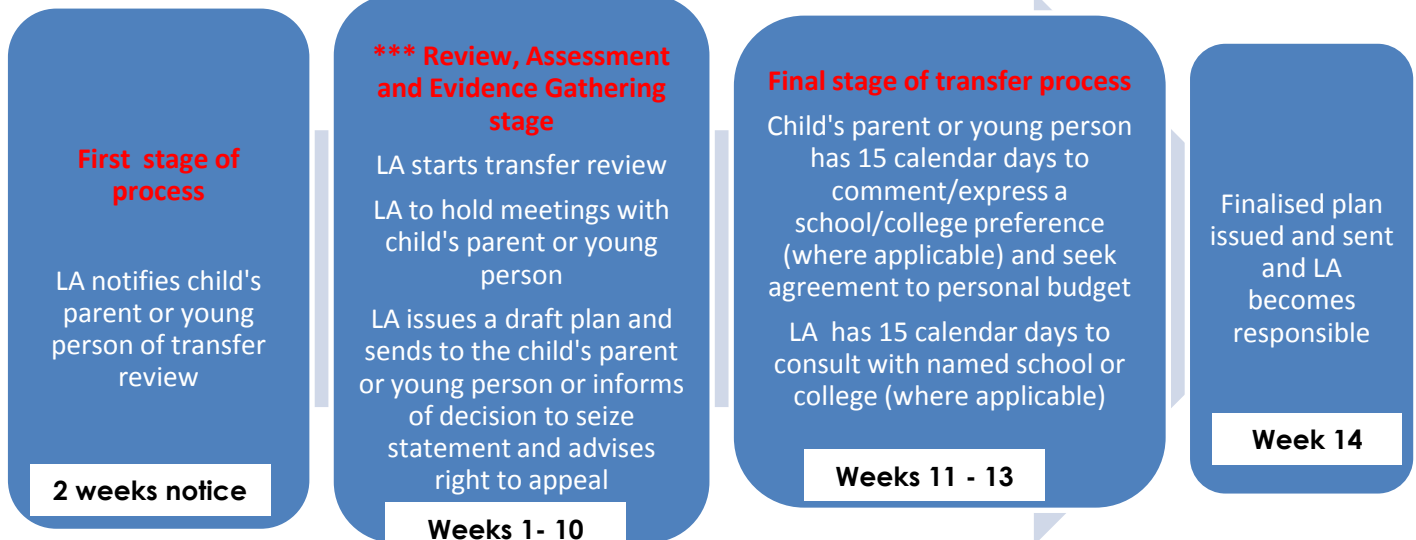
Paragraph 9:39 of the SEND Code specifies that **"the process of EHC assessment and EHC plan development must be carried out in a timely manner"**. Para. 9:40 states that the whole process "from the point when an assessment is requested (or a child or young person is brought to the local authority's attention) until the final EHC plan is issued, **must** take no more than 20 weeks (subject to a few exceptions).

The process flow below sets out the different expectations within the specified timeline for the EHC process.

Timescales for EHC needs assessment and preparation of an EHC plan for a new referral



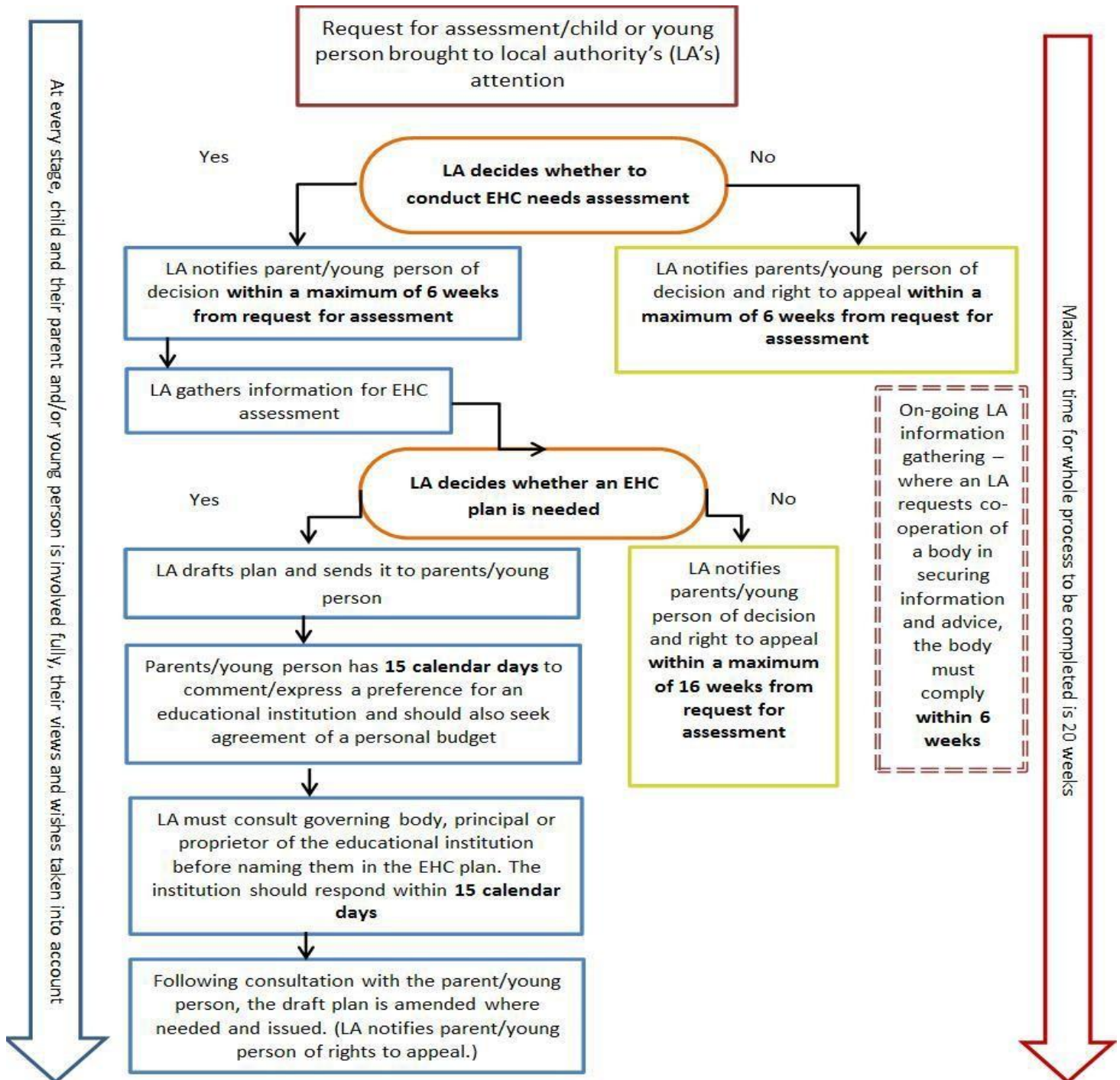
Timescales for EHC needs assessment and preparation of an EHC plan for a transfer process



***** Where existing assessment information is sufficient for an EHC plan and remains accurate then no new advice would be required**

Disclaimer: This leaflet is for information purpose only and is not legal advice. If you are concerned about a specific legal issue relating to the reforms or Independent Supporters, you should seek independent legal advice

Statutory timescales for EHC needs assessment and EHC plan development from the SEND Code



Please contact Funke Adeloye on 02084660790 or email at is@bromleymencap.org or visit <http://www.bromleyparentvoice.org.uk> for further information

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