



Bromley Parent Voice

working in partnership to give parents and carers a voice

Parent, Carer, and Young Person's Guide to Education, Health and Care (EHC) Needs Assessment

Information about the arrangements made by Bromley's SEN & Disability Service
for children and young people who are undergoing an EHC Needs Assessment



BROMLEY SEN & DISABILITY SERVICES

Issue Date: 1st September 2015

Review Date: 1st April 2016

Please note that this should be treated as a live document that will be tested through its use,
with feedback used at the review in April 2016.



THE LONDON BOROUGH
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A Guide to Education, Health and Care (EHC) Needs Assessment in Bromley

Welcome to this information and support leaflet; "Parent, Carer, and Young Person's Guide to Education, Health and Care (EHC) Needs assessment." We hope you find this guide useful in giving you information about the arrangements made by Bromley Local Authority for children and young people who are undergoing an EHC Needs Assessment.

The assessment and planning approach should be person-centred with families being at the centre of the process, supported and encouraged to be involved at every step. Planning should start with the individual and local authorities **must** have regard to the views, wishes and feelings of the child, child's parent or young person, their aspirations, the outcomes they wish to seek and the support they need to achieve them. It should enable children, young people and parents to have more control over decisions about their support including the offer of a Personal Budget for those with an EHC plan. A "Family Meeting" will be held where the EHC Keyworker or someone from the teams working with you and your child, will help your child, young person and family to get their views across. The whole principle is based on "tell us once" which means you shouldn't have to keep repeating your story.

Each Local Authority must also provide access to an independent supporter when required to help guide parents and young people through the EHC needs assessment process.

If you would like to know more please ask your child's keyworker or the SENCO at your child's school or pre-school setting, or contact:
Independent Support Service: bromleymencap.org
Telephone: 0208 466 0790
Bromley's Information and Advice Support Service (formally Parent Partnership Service). The service will also inform you about the local authority's services for resolving disagreements and for mediation.

Contact: is@bromleymencap.org
Telephone: 01689 881024

The Government has produced statutory guidance "*Special Educational Needs and Disability code of practice: 0-25years*" for organisations about SEND assessment and planning. It is available to download at

www.gov.uk/government/publications/send-code-of-practice-0-to-25.

A parent guide is also available at:

www.gov.uk/government/publications/send-guide-for-parents-and-carers

Further information is also available on the Bromley Local Offer Website <http://bromley.mylifeportal.co.uk/localoffer/> or search 'Bromley Local Offer'.

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

The Children and Families Act 2014 replaces Statements of SEN and Learning Difficulty Assessments with an Education, Health and Care Plan for children and young people with more complex needs which will co-ordinate the support for children and young people from 0-25 years in a way that focuses on desired **outcomes** including, as they get older, preparation for adulthood.

Most children and young people's special educational needs will be met by the help available through their education setting and the community, which is known as **The Local Offer**. The Local Offer sets out what services are available to children, young people and families. Every school has to produce and publish a SEN Information Report on their website which sets out the support available for pupils at that school. However for a very small number of children and young people where their needs cannot be met by the provision that is normally available, the Local Authority may decide that an EHC needs assessment is required to find out exactly what extra help is needed to meet need and achieve desired outcomes.

All schools must have a designated qualified teacher that is responsible for co-ordinating SEND provision. This teacher is called the Special Educational Needs Co-ordinator (SENCO). Pre-schools must also have a SENCO although they do not need to be a qualified teacher. It is normally best for families to discuss their concerns with the Special Educational Needs Coordinator at your child or young person's education setting or a professional / key person who is involved with them. The education setting or professional/ key person can ask the Local Authority to consider making an EHC needs assessment. Parents and young people (over 16yrs) can also request an EHC needs assessment by writing to the Local Authority's SEN & Disability Team.

When it has been agreed that it may be necessary to submit a request for an EHC needs assessment, the early years setting or key worker / the school SENCO will

organise a meeting with the child / young person and their parents to support the gathering of key information and family views that will inform the request and any potential EHC Plan.

This is an opportunity for the parent, child or young person to give their views and to think about the current position and any thoughts the family may have about the future. You and your child or young person will be asked to consider what strengths or barriers exist, what help is needed, how it could be provided, and the **aspirations** you all have for the future. This will be used to inform the EHC needs assessment process.

The Local Authority's **Additional Resource Panel** is responsible for co-ordinating the assessment and will carefully consider the request and if they feel it is necessary, will carry out the assessment. They must inform everyone involved of their decision within six weeks of receiving a request for an EHC Needs Assessment. If the Local Authority SEND Team decides that an assessment is not needed, they will write to the child's parents or young person and the education setting to explain the reasons for their decision. This should include feedback about the information gathered during the assessment to help inform how the outcomes sought for the child or young person can be achieved through the special educational provision made by the school, setting or post 16 institution. They must also give parents and young people details about their right to appeal against the decision to the Special Educational Needs and Disability Tribunal (SENDIST) and their need to consider mediation.

The Local Authority will also tell you about the informal disagreement resolution arrangements available.

What is Mental Capacity and Supported Decision Making?

From September 2014, under Part 3 of the Children and Families Act 2014, the right to make requests and decisions applies directly to disabled young people and those with SEN over compulsory schools age (the end of the academic year in which they turn 16) rather than to their parents.

The Mental Capacity Act applies to everyone aged 16 or over, so parents of a young person with a disability or condition which may affect a person's capacity (such as a learning disability), should have relevant information and understand the Mental Capacity Act's potential implications for themselves and their son or daughter.

Mental capacity is the ability to make decisions. This could be fairly small decisions like what we eat or the clothes we wear, or could be much bigger decisions, for example where we live and who we live with. Capacity is based on a single decision at a single time, so some people may have fluctuating capacity, meaning they can make a decision one day and not the next depending on their wellbeing.

The Mental Capacity Act 2005 sets out what should happen when people are unable to make one or more decisions for themselves. It clarifies the roles that different people play in decision-making, including family carers.

The parents of a young person who is unable to make a decision are likely to be involved in:

- Supporting them to make a decision
- Supporting during an assessment of their mental capacity
- Making a decision or acting on their behalf
- Being consulted when someone else makes a decision or acts on behalf of their young person
- Challenging a decision made on a relative's behalf.

What happens during an EHC Needs Assessment?

If the Local Authority decides to undertake an EHC needs assessment, parents or the young person will be allocated an EHC Keyworker or Preparing for Adulthood Co-ordinator (PFA Co-ordinator) who will act as the Lead Professional. They will be in contact with the family or young person throughout the assessment period to give information on the progress of the request / assessment and to reach agreement on the contents of the EHC Plan.

The child, young person and their family will be at the very centre of the assessment and their views will be listened to every step of the way. This is called a **person-centred approach**. The assessment will focus on **outcomes** for the child or young person. The Local Authority also have a duty to provide all parents, children and young people with impartial information, advice and support to help them to take part in the assessment and planning process. Each Local Authority must have a **Special Educational Needs and Disability Information, Advice and Support Service** (formerly called the Parent Partnership Service).

The Local Authority's EHC Case worker will start gathering information about the child or young person from a number of people. This information is called 'advice'.

Who else is involved with the EHC Needs Assessment?

If the Local Authority decides to undertake an EHC needs assessment the SEND Service will also ask other people for 'advice' to help inform the plan. These may include:

- **The Child or Young Person's education setting** – you will already have had conversations with your son or daughter's education setting and you will be knowledgeable about what concerns exist. They will send a report about what the child or young person can do and what he/she finds difficult. They will also write about what has been tried to support the child or young person.
- **Educational Psychologists** are specialists, trained to assess a child's or young person's learning and can advise on how they might be helped if there are difficulties. The Educational Psychologist will talk with the child, child's parents and young person and with others who know the child or young person well. The psychologist will write about the child or young person's needs and how he/she may be helped to learn.
- **A Health Professional** will be asked to write about whether any health factors affect the child or young person's learning.
- **Social Care** if a child or young person / their family already has contact with social care or receives Short Breaks a report will be included in the assessment.
- **Other Specialist practitioners** such as a Speech and Language Therapist, Physiotherapist, Occupational Therapist or specialist teachers might also be asked to write a report, but this will depend on the child or young person's needs.

EHC Meeting

At every stage of the assessment process, the child and their parent and/or young person is fully involved and their views and wishes taken into account. As part of the process for gathering advice the EHC Case worker or EHC Keyworker will contact everybody involved to initiate an EHC meeting. **This maybe either a specially arranged meeting or a series of on-going conversations.** This is because for some families there will not be a need for one meeting where everyone is together rather the parents and/or the young person will have a series of on-going meetings to discuss and continue a shared understanding of the child's or young person's needs, strengths; what is working well and to be clear about the next steps. Your EHC Keyworker will support you with this. The EHC planning meeting/s follow a person centred format, in

which the child or young person is at the centre. The EHC case worker may also be present at the meeting to pull information together. Everyone that is participating in the EHC needs assessment will contribute information to the EHC meeting but will not necessarily be present.

If all attendees have seen the assessment reports or a 'working draft' of the EHC Plan beforehand, then this meeting provides an opportunity to comment on them. Where there are misunderstandings or differences of opinion then these can be discussed. Reports may be amended or further reports commissioned as a result of the EHC meeting.

It is important to remember that the child and family are at the centre and everyone should feel that they can contribute. Helping the family to take part in this meeting will enable them to contribute in the future to person-centred annual review meetings.

EHC Needs Assessment: What happens next?

The Local Authority SEND Team will carefully consider all of the advice collected during the assessment and will decide whether an EHC Plan is necessary for the child or young person.

If following the completion of an EHC needs assessment the local authority decides NOT to issue an EHC Plan it **must** notify the child's parent or the young person, the current educational setting and the health service and give reasons for its decision. This notification must take place as soon as practicable and at the latest within **6 weeks** of the initial request. The local authority **must** inform the child's parent or young person of their right to appeal the decision to the Special Educational Needs and Disability Tribunal (SENDIST) and of the requirement for them to consider mediation should they wish to appeal.

If the Local Authority decides that an EHC Plan is necessary, they will send a Draft EHC Plan, together with a copy of all the advice / reports collected during the assessment to the parent or young person. The Local Authority must give the child's parents or young person at least 15 days to give their views on the content of the Draft EHC Plan, to express a preference for an educational institution and to seek the agreement of a personal budget. Parents or young people can request a meeting with the Local Authority, EHC Keyworker to discuss any issues or concerns.

The Education, Health and Care Plan

Decisions about the content of the EHC plan should be made openly and collaboratively with parents, children and young people. It should be clear how the child or young person has contributed to the plan and how their views have been included.

EHC plans should describe positively what the child or young person can do and has achieved and be forward looking. They should be clear, concise, understandable and accessible to parents, children, young people, practitioners and providers and must specify the outcomes sought for the child or young person.

The EHC Plan will be written to include the following sections: A to K.

Section A: the views, interests and *aspirations* of the child and his or her parents or the young person

The **Personal Profile (Section A)** enables the views, interests and aspirations of the child and his or her parents or the young person to be recorded. It may be completed by the child or young person's family, the young person or an individual who is supporting them. People that might complete a personal profile include:

- An EHC Keyworker in partnership with the child/young person and family
- A SENCO in a school in partnership with the child/young person and family
- An Independent Supporter in partnership with the child/young person and family

This is not an exhaustive list and will be individual to each child/young person

It is likely that there will be contributions from others to the personal profile and where this is the case, it is important that the person who completed the Personal Profile, together with all those that contributed are noted.

Section B: the child or young person's special educational needs

Section C: the child or young person's health needs which are related to their SEN

Section D: the child or young person's social care needs which are related to their SEN or to a disability.

Section E: the outcomes sought for the child or young person. This should include outcomes for adult life. The EHC

plan should also identify the arrangements for the setting of shorter term targets.

Section F: the special educational provision required by the child or young person. This must be detailed and specific and should normally be quantified.

Section G: any health provision reasonably required by the learning difficulties or disabilities which result in the child or young person having SEN. Where there is an Individual Health Care Plan in place it should be included.

Section H1: any social care provision which **must** be made for the child or young person under 18 resulting from section 2 of the Chronically Sick and Disabled Persons Act 1970

Section H2: any other social care provision reasonably required by the learning difficulties or disabilities which result in the child or young person having SEN. This will include any adult social care provision being provided to meet a young person's eligible needs under the Care Act 2014.

Section I: the name of the school, maintained nursery school, post-16 institution or any other institution to be attended by the child or young person and the type of that institution.

Section J: where there is a **Personal Budget** – details of how it will support particular outcomes.

Section K: the advice and information gathered during the EHC needs assessment must be attached (in appendices). There should be a list of this advice and information.

At the Draft EHC Plan stage, Section I will be left blank to enable the parents or young person to **state a preference** for a particular school or educational setting (including independent schools or specialist colleges which have been approved for this purpose by the Secretary of State). This may be the school or setting that the child or young person is already attending.

The Local Authority must agree with the parent or young person's preference as long as:

- the school or setting is suitable for the child or young person's age, ability and needs.
- the child or young person's presence in the school or setting will not affect the efficient education of other children already attending.
- placing the child or young person there will be an efficient use of the Local Authority resources.

If the parents or young person state a preference for a mainstream school, the Local Authority must provide a mainstream place as long as:

- The child or young person going there will not damage the education of other children or young people already at the school.
- There are no practical steps that the school or the Local Authority could take to prevent the child or young person affecting the other children's or young people's education.

The Local Authority **must** consult a school before naming it in the EHC Plan, but the Local Authority make the final decision.

The Final EHC Plan will be sent to parents and the young person and will include the name and type of school or educational setting in Section I. It will also include a date by which the Plan must be reviewed. EHC Plans have to be reviewed on an annual basis.

Personal Budget

A personal budget is the amount of money identified by the Local Authority to deliver all or some of the provision set out in the EHC Plan. This may be referred to as a **notional budget**. A personal budget is one of the ways of giving you more choice and control about the way your child is supported.

Sometimes the money being spent on services can be freed up and used in different, more creative ways to meet the outcomes. It may mean that you can organise your own services and be given the money to do that. This is called a **Direct Payment**.

The way your personal budget is spent will be agreed with you and set out in the EHC plan. Anything you use it for must meet the child or young person's assessed health, education and social care **needs** and support their **outcomes**.

Some people may use their personal budget to buy the same service; others may use it on different support or other services. If you have an EHC plan, your EHC key worker or PFA co-ordinator will discuss this with you.

Further information is also available on the Bromley **Local Offer** Website <http://bromley.mylifeportal.co.uk/localoffer/>.

SEND Transport

THE Local Authority offers travel assistance to families in accordance with its statutory duties where children or young people have significant SEN, a disability or mobility restrictions which means that travel assistance is essential to access their specialist provision. Parents wishing to apply for travel assistance from the Local Authority should complete an application form and return it to SEN Transport team once the draft EHC Plan has been issued. Travel assistance is granted, following assessment, in accordance with the SEN Transport Policy. Your EHC Keyworker or PFA Co-ordinator will discuss this with you.

Further information is also available on the Bromley **Local Offer** Website <http://bromley.mylifeportal.co.uk/localoffer/>.

Contact SEN Transport: email - sentransport@bromley.gov.uk or telephone 0208 313 4076.

Mediation / Appeal

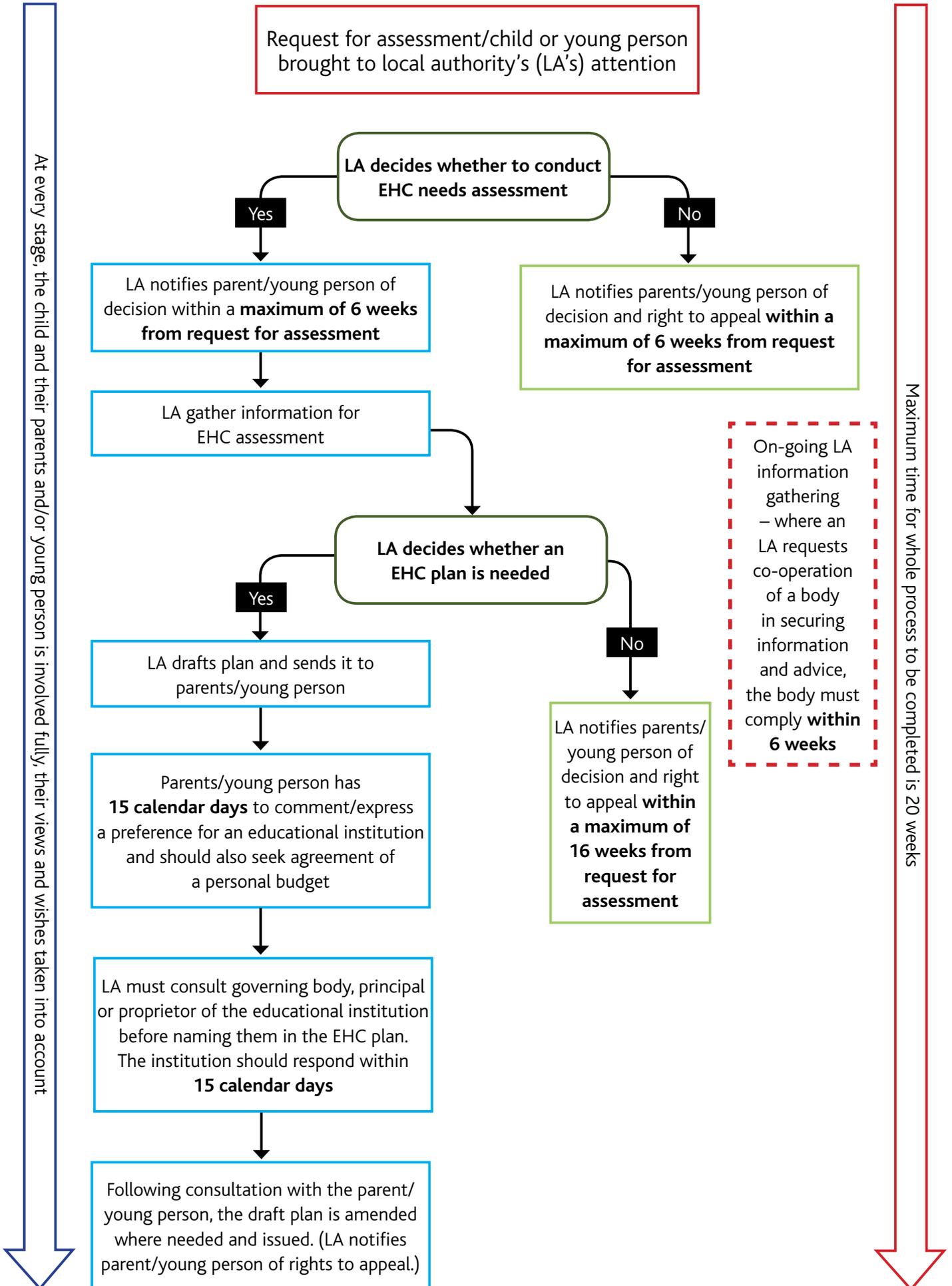
The Local Authority must inform the child's parent or young person of their right to appeal to the Special Educational Needs and Disability Tribunal (SENDIST) and of the requirement for them to consider mediation should they wish to appeal, if they disagree with the final EHC plan. Mediation is arranged by the Local Authority, unless the issues relate only to health, in which case the responsible commissioning body must arrange the mediation. The mediator must be independent of the local authority.

When a parent or young person wishes to bring an appeal about the special educational needs element of the plan, they may do so only if an independent mediation adviser has provided them with information about mediation and how it might help.

Parents and young people can then decide whether to go to mediation before they bring an appeal to the Special Educational Needs and Disability Tribunal (SENDIST). Where they decide against mediation, they will be able to go straight to appeal after receiving a certificate stating they have considered mediation.

Further information is also available on the Bromley **Local Offer** Website <http://bromley.mylifeportal.co.uk/localoffer/>.

Completing an Education Health and Care Plan Statutory Timeline



Roles and Responsibilities

There are many people that contribute to the Education, Health and Care Plan.

Role	Responsibilities
EHC Keyworker (KW)	A keyworker is the person allocated to the child's parent/s / carer's or young person to coordinate the EHC planning process. The keyworker provides the family and/or young person with a single point of contact and will support them to navigate the system and ensure they have the right information and guidance to enable them to participate in the process effectively. The keyworker will be a local authority officer .
EHC Caseworker (CW)	The Caseworker sits within the Special Educational Needs team and is responsible for overseeing the process, ensuring the local authority meets its statutory requirements in terms of timelines and content. The Caseworker is responsible for bringing together the EHC Plan following the EHC Needs Assessment, drawing all the information and advice received to bring the EHC Plan to draft stage.
Child/Young Person	The child/young person is the most important part of the process. Local authorities must ensure that the child/young person is fully included in the EHC Needs Assessment process from the start and are fully aware of their opportunities to offer their view and are consulted about the content of the EHC Plan. After compulsory school age (the end of the academic year in which they turn 16), the right to make requests and decisions under the Children and Families Act 2014 applies to them directly, rather than their parents (please see section 8.13 of the SEND Code of Practice).
Parent/s or Carer/s	Parents and Carers are crucial to the EHC Needs Assessment and planning process. Under the Children & Families Act 2014 , local authorities have a duty to pay particular attention to the views, wishes and feelings of children and their parents, and young people; the importance of them participating as fully as possible in decision-making and providing the information and support to enable them to do so.
Independent Support	The Independent Supporters can help parents, carers and young people to understand the EHC process (including the transfer review), provider information and support through the process where required. IS can provide information to help the family and young person understand personal budgets and also attend meetings to support the family and young person where requested. IS can also help the family and young person to review the draft EHC Plan is requested
Social Worker (up to 18 years)	Where the child is eligible for Short Breaks or a family receives support from the Children's Disability Team, the social worker is responsible for ensuring an assessment of need is completed and putting in place a support plan that provides support to meet the child/young person's need. The care manager is also involved in the EHC planning process, providing information that will be used to complete section D and H.
Care Manager (18 years & above)	Where the young person (18 – 25 years) is eligible for care services, the care manager is responsible for ensuring an assessment of need is completed and putting in place a support plan that provides support to meet the child/young person's need. The care manager is also involved in the EHC planning process, providing information that will be used to complete section D and H.
Health Professional/s	The child/young person may have involvement from one or more health professionals, depending on their disability and level of need.
Educational Psychologist	Educational Psychologists are specialists, trained to assess a child's or young person's learning and can advise on how they might be helped if there are difficulties. The Educational Psychologist will talk with the child, child's parents and young person and with others who know the child or young person well. The psychologist will write about the child or young person's needs and how he/she may be helped to learn.

Jargon Buster

What's an "Aspiration"?	<i>A hope or ambition of achieving something</i>	For example: to be independent, be healthy, get a job, go to college, have a friend.
Personal Profile	<i>The Personal Profile helps to find out what is important to the child, young person and their family so that all available resources can be used to help achieve their aspirations.</i>	
What's an "Outcome"?	<i>The benefit or difference made to an individual as a result of an intervention.</i> <i>Steps towards reaching the long term goal.</i>	For example: To be able to travel independently, on foot and by public transport, in and around Bromley, by the time I'm 19. John will be able to take an active part in group discussions in his class using his communication aid by the end of Key Stage 2.
Person-centred	<i>Outcomes should be personal and not expressed from a service perspective</i>	For example: I want to be able to talk to my friends.
What's a "Need"?	<i>A thing that is required. The state of requiring help....</i> (It's not just the diagnosis, but the needs that arise from this)	Self Help: Needs help with their personal hygiene i.e. toileting, washing Learning difficulties: Needs constant repetition in order to support learning
What's "Provision"?	<i>The action of providing or supplying something... a resource to meet need and achieve outcomes</i>	An education placement, support from a service or equipment. For example: participation in a social communication group with 4-5 other children supported by a trained teaching assistant for 20 minutes once per week.

Personal Profile

(Guidelines for parents)

Section A: The **Views, Interests** and **Aspirations** of the child or young person and their parents/carers

A photograph of the child or young person can be inserted (optional)

It is important that the views of the child/young person and their parents/carers are captured first as part of the Education, Health and Care Plan.

What people like and admire about (child's/young person's name)

- She has a wonderful smile
- She is determined to achieve and carries on even when she is in pain
- She has a really fun sense of humour

What is important to (child's/young person's name)

- **Important to** is what really matters to the child/young person from their perspective.
- This should include what the child/young person is saying with their words and behaviours
- It should convey the things that really matter, things that make them feel happy, safe and content, fulfilled and things they look forward to enjoying
- This can include people and things

What is important for (child's/young person's name)

- **Important for** is the help and support a person needs to stay healthy, safe and well.
- These things are clearly essential, but sometimes families and professionals may inadvertently put the main focus on important for which sometimes fails to ensure that there is an equal balance between the two
- This can include people and things

Details about the child or young person's wishes for the future:

- This is the child/young person's views and can include wishes relating to education, family life, friends, social activities, employment and health
- for a very young child, this may be a little more difficult to capture, but may rather reflect the family's view. Where this is the case, it should be written as such, for example:

'Katy is 4 years old and has not been able to give her views about the long term future, but it is clear that when Katy is happy, safe and engaged she learns best. This is when she is being supported by people who understand her needs and what motivates her. Katy's family and those supporting her who know her well have stated that they wish for Katy to be as happy and as healthy as possible, to live a fulfilled life with the right support in school to enable her to maximised her potential'

Experiences and Achievements:

- A summary of what the child/young person has achieved or experienced.
- For example, Stephanie can now instigate a conversation
- James and his family went out to dinner together and James was able to stay in his seat for the duration of the meal

How [Name] communicates:

A summary of how to communicate with the child/ young person and engage them in decision-making. Include as necessary verbal/ non-verbal communication, e.g. eye-pointing, gestures, signing and speech
Use of objects of reference, Makaton, symbols, PECS, etc

Essential information you need to know about (child's/ young person's name)

This section must include information that is vital for others to know in order to interact and support the child/ young person appropriately and effectively.

How [Name] has been involved in their plan:

This should include information about opportunities the child/young person has had to participate in the development of their plan.

Family and Friends:

This section should include information about the child/young person's friends, family and networks of support.

History (summary)

This section should include:

- A summary of the child's/young person's family, medical and educational history including a clear statement of any diagnoses or health issues and their current educational setting.
- A summary of involvement with services providing advice for the child/young person.
- There may be other pieces of information which are relevant to a child/young person's story.

Parent/Carer's views**[Name's] family's views**

This section enables the family to give their views about their child or young person. It should include the child or young person's special educational needs or disability and how these impact on child's learning and everyday skills.

It should also include wishes for the future relating to education, family life, friends, social activities, employment and health, for example:

- For Luke to develop his Independent Living Skills, including basic self-care and functional skills in order that Luke can live independently of the family home in the future.
- For James to continue to develop his communication and social skills so that he becomes less dependent on those that understand him well and is able to engage in activities with his peers.
- For Olivia to continue to explore and enjoy opportunities to be active as this is crucial to her wellbeing and mental health and reduces her anxieties.
- We would like Francesca to develop strategies to manage her routines and anxieties in order that she learns to accept changes in her life.

