

CRITERIA FOR CARRYING
OUT INTEGRATED ASSESSMENTS
OF SPECIAL EDUCATIONAL NEEDS
AND THE CO-PRODUCTION OF
EDUCATION HEALTH AND CARE PLANS



Table of Contents

Foreword

Background

The Education Health and Care (EHC) Pathway

SEN support in school

Criteria for commencing an Integrated Assessment

The Education Health and Care (EHC) plan

Annexes

- 1. Chapter 1 Principles; The Special Educational Needs & Disability Code of Practice 0-25 years.
- 2. Changes from the previous Code of Practice (2001)
- 3. The EHC Pathway
- 4. Chapter 5, Early Years, 5.36-5.48; The Special Educational Needs & Disability Code of Practice 0-25 years.
- 5. Chapter 6, Schools 6.44-6.62; The Special Educational Needs & Disability Code of Practice 0-25 years.
- 6. <u>Chapter 7, Colleges 7.13-7.27</u>; The Special Educational Needs & Disability Code of Practice 0-25 years.
- 7. The Graduated Response
- 8. An example of an 'All About Me' profile.
- 9. <u>Diagrammatic representation of the timescales; The Special Educational Needs & Disability</u> Code of Practice 0-25 years., Chapter 9 page143
- 10. <u>Chapter 9, sections 9.53 to 9.56; The Special Educational Needs & Disability Code of Practice 0-</u> 25 years.
- 11. What should be included in an Education Health and Care Plan?
- 12. The EHC plan template

Foreword

In taking decisions about how best to support children and young people with complex education, health and care needs; early years settings, schools, local colleges, Local Authorities (LA) and Health Authorities must follow statutory regulations and have regard to both national and local guidance. This document fulfils those requirements.

In particular, it sets out the criteria, which the LA will apply, consistently, openly and objectively. These criteria will be used initially to decide whether or not to carry out a formal, co-ordinated and integrated assessment of a child or young person's education, health and care needs; and then at the conclusion of any such assessment, whether or not to issue an Education Health and Care Plan.

These criteria will be followed by all those working with children and young people aged 0-25 who have complex education, health and care needs and will be made available to parents / carers and those involved in advising them.

The criteria are also set within the context of the LA's overall policy on meeting the needs of children and young people with complex education, health and care needs.

Background

In 2011 the Department for Education (DfE) published a Green Paper called 'Support and aspiration: A new approach to SEN and Disability'. The Green Paper made a wide range of proposals in response to concerns raised by parents, carers and professionals about the current statutory assessment system. It suggested changes to the way in which special educational needs are assessed, planned and provided for. In May 2012, The Department for Education (DfE) published a further paper, "Support and aspiration: A new approach to special educational needs and disability Progress and next steps", to report on progress following the 2011 Green Paper. That report provided proposals to reform provision for children and young people with special educational needs or with disabilities. The resultant Children and Families Act became law in March 2014. In September 2014, the new Special Educational Needs (SEN) legislation and SEND Code of Practice which are contained within this Act came into practice following a period of consultation, during which these proposals were trialled by a number of pathfinder authorities. This legislation demands major changes to working practices with a greater focus on learning and life outcomes for children and young people who have a disability and those with SEN. It introduces the integrated assessment process leading to an Education Health and Care (EHC) plan, which replaces the previous statutory assessment and Statement of Special Educational Needs.

In Sept 2014, Statements of Special Educational Needs and Learning Difficulty Assessments will be replaced over a 3 year period with an integrated assessment which may lead to an Education Health and Care (EHC) Plan. An EHC plan will cover children and young people from birth to 25, extending the protection and rights of young people into further education and training. It will provide the same statutory protection to children and young people as the previous statement of SEN; in addition it will focus on the individual's outcomes and include a commitment from all parties to provide their services. It will also extend the rights and protections to young people in further education and training and will offer families the option of a personal budget so that they have more control over the support they need. Further information and key principles regarding EHC plans can be found in Chapter 1 of the Special Educational Needs & Disability Code of Practice 0-25 years (Annex 1) and in Annex 2 which is taken from the Introduction to the 'Special Educational Needs & Disability Code of Practice 0-25 years (2014)' and highlights changes from the previous Code of Practice (2001). The full Special Educational Needs & Disability (2014)Practice 0-25 Code of vears can be found at https://www.gov.uk/government/publications/send-code-of-practice-0-to-25

The Education Health and Care (EHC) Pathway

We describe the journey towards an EHC plan as a pathway. There are several stages on this pathway and not every family will progress along the pathway to the final stages. A representation of the Pathway can be found at in Annex 3

For the majority of families it will not be necessary to progress past the first stage in order for the young person to access the right type of support and help which will be available through the Local Offer. The Local Offer introduces families to support and help in their local area; it could be a service that is ordinarily available such as the support offered in schools as part of the 'SEN support in school' response to pupils with Special Educational Needs, or a charity that provides advice and help, or a local support group that families can use regularly to share ideas.

The Local Offer can be accessed on the website www.lancashire.gov.uk/send

The Local Offer has been developed with parent/carers and young people and the Local will continue to engage local partners in co-producing and publishing a local offer of SEN services.

The majority of children and young people will have their needs met through the Local Offer and so an EHC plan will not be necessary.

SEN Support in Early Years settings, Schools, and Colleges

From September 2014, the SEN 'status' of School Action and School Action plus is set aside and the expectation is that all settings will have a graduated response in order to identify and meet the needs of any pupil with special needs as set out in Chapters 5, 6 and 7 (Early Years, 5.36-5.48; Schools 6.44-6.62 and Further Education 7.13-7.27) of the Special Educational Needs and Disability Code of Practice 0-25 years. (Annexes 4, 5 and 6 respectively)

The graduated response includes the expectation that;

6.44 Where a pupil is identified as having SEN, schools should take action to remove barriers to learning and put effective special educational provision in place. This SEN support should take the form of a four-part cycle through which earlier decisions and actions are revisited, refined and revised with a growing understanding of the pupil's needs and of what supports the pupil in making good progress and securing good outcomes. This is known as the graduated approach. It draws on more detailed approaches, more frequent review and more specialist expertise in successive cycles in order to match interventions to the SEN of children and young people.

(SEN Code of Practice 0-2: 6.44)

An example of the sort of approaches that a setting can provide within the graduated response is included in Annex 7 "The Graduated Response."

At this level of support educational settings, parents and young people and the professionals involved with them will be asked to work together to bring together an 'All About Me' profile which should be developed through co-production. It will be used to ensure that the most appropriate provision is offered within school. An example of an All About Me profile can be seen in Annex 8. This profile will form an important part of the information about a child or young person and is a significant document at school support and within the EHC plan should one be required at any point.

Further information for parents, young people and professionals can be found in the Local offer www.lancashire.gov.uk and appropriate appendices.

Criteria for commencing an Integrated Assessment

Lancashire's criteria need to be considered in conjunction with the Special Educational Needs and Disability Code of Practice 0-25 years https://www.gov.uk/government/publications/send-code-of-practice-0-to-25

The Code of Practice states:

Local authorities may develop criteria as guidelines to help them decide when it is necessary to carry out an EHC needs assessment (and following assessment, to decide whether it is necessary to issue an EHC plan). However, local authorities must be prepared to depart from those criteria where there is a compelling reason to do so in any particular case and demonstrate their willingness to do so where individual circumstances warrant such a departure.

(SEN Code of Practice 0-25: 9.16)

Young people who may require an EHC plan will have complex needs which require complex arrangements. Most young people with special needs will find that they do not need an EHC plan as they can access all the support they need locally from services identified within the 'Local Offer', such as SEN support in educational settings, and additional services from other contributors such as the County Council, health services, organisations, groups and charities .

An Integrated Assessment, which could result in an EHC plan, may be required for children and young people with SEND aged 0 to 25 years when, 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. For children and young people of statutory school age, there would also need to be evidence of a graduated response i.e. that appropriate interventions, support and resources, available through the Local Offer, including SEN support in educational settings, have already been put in place. (See section on 'SEN Support in Early Years settings, Schools and Colleges above)

Other Indicators may also include an acknowledgement by a number of professionals working with the child or young person that their needs indicate that they:

- have severe and/or complex long term needs that affect everyday life;
- require provision and resources that are not normally available (through the Local Offer);
- require intensive help and support from more than one agency;
- are making very limited or no progress despite high levels of support.

Every assessment will be carefully considered with due regard to individual circumstances.

To inform our decision the Local Authority will need to take into account a wide range of evidence, and should 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;
 - 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.

When considering whether or not to initiate an integrated assessment or complete an EHC plan for an individual, the Local Authority will, at all times, adhere to its EHC Pathway and the statutory guidance, including timescales, contained within the Special Educational Needs and Disability Code of Practice 0-25 years, Chapter 9. A diagrammatic representation of the timescale is included at Annex 9 and specific sections 9.53 to 9.56 can be seen in Annex 10

The Education Health and Care (EHC) Plan

The EHC plan itself will be a co-produced document developed by parents, young people and professionals working collaboratively to achieve an agreed plan that will focus on the outcomes that the child or young person wants to achieve and the support that will be needed to move towards those outcomes. The 'All About Me' document and the reports included in the initial integrated assessment will all be considered when developing the plan. The Special Educational Needs and Disability Code of Practice 0-25 years states:

9.61 The following principles and requirements apply to local authorities and those contributing to the preparation of an EHC plan:

- Decisions about the content of EHC plans 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 are reflected in it
- EHC plans should describe positively what the child or young person can do and has achieved
- EHC plans should be clear, concise, understandable and accessible to parents, children, young people, providers and practitioners. They should be written so they can be understood by professionals in any local authority
- In preparing the EHC plan the local authority must consider how best to achieve the outcomes sought for the child or young person. The local authority must take into account the evidence received as part of the EHC needs assessment
- EHC plans must specify the outcomes sought for the child or young person. Outcomes in EHC plans should be SMART (specific, measurable, achievable, realistic, time-bound). See the section on 'Outcomes' (paragraph 9.64 onwards) for detailed guidance on outcomes.
- Where a young person or parent is seeking an innovative or alternative way to receive their support services – particularly through a Personal Budget, but not exclusively so – then the planning process should include the consideration of those solutions with support and advice available to assist the parent or young person in deciding how best to receive their support
- EHC plans should show how education, health and care provision will be coordinated wherever possible to support the child or young person to achieve their outcomes. The plan should also show how the different types of provision contribute to specific outcomes
- EHC plans should be forward looking for example, anticipating, planning and commissioning for important transition points in a child or young person's life, including planning and preparing for their transition to adult life
- EHC plans should describe how informal (family and community) support as well as formal support from statutory agencies can help in achieving agreed outcomes
- EHC plans should have a review date (which should link to other regular reviews, including the child in need plan or child protection plan reviews if appropriate)

(SEN Code of Practice 0-25: 9.61)

More detail about the information that should be included in the plan can be found in Annex 11

When compiling an EHC plan for an individual, the Local Authority will, at all times, adhere to its EHC Pathway and the statutory guidance, including timescales, contained within the Special Educational Needs & Disability Code of Practice 0-25 years, Chapter 9, specifically 9.61 onwards.

An example showing the format of the Lancashire EHC plan is attached in Annex 12

Special Educational Needs and Disability Code of Practice: 0 to 25 years

Chapter 1 Principles

What this chapter covers

Section 19 of the Children and Families Act 2014 sets out the principles underpinning the legislation and the guidance in this Code of Practice. This chapter sets out those principles and how they are reflected in the chapters that follow.

Relevant legislation

Section 19 of the Children and Families Act 2014

Principles underpinning this Code of Practice

- 1.1 Section 19 of the Children and Families Act 2014 makes clear that local authorities, in carrying out their functions under the Act in relation to disabled children and young people and those with special educational needs (SEN), **must** have regard to:
 - the views, wishes and feelings of the child or young person, and the child's parents
 - the importance of the child or young person, and the child's parents, participating as fully as possible in decisions, and being provided with the information and support necessary to enable participation in those decisions
 - the need to support the child or young person, and the child's parents, in order to facilitate the development of the child or young person and to help them achieve the best possible educational and other outcomes, preparing them effectively for adulthood 1.2 These principles are designed to support:
 - the participation of children, their parents and young people in decisionmaking
 - the early identification of children and young people's needs and early intervention to support them
 - greater choice and control for young people and parents over support
 - collaboration between education, health and social care services to provide support
 - high quality provision to meet the needs of children and young people with SEN
 - a focus on inclusive practice and removing barriers to learning

successful preparation for adulthood, including independent living and employment

The principles in practice

Participating in decision making

- 1.3 Local authorities **must** ensure that children, their parents and young people are involved in discussions and decisions about their individual support and about local provision.
- 1.4 Early years providers, schools and colleges should also take steps to ensure that young people and parents are actively supported in contributing to needs assessments, developing and reviewing Education, Health and Care (EHC) plans.

Specifically, local authorities must

- ensure the child's parents or the young person are fully included in the EHC needs assessment process from the start, are fully aware of their opportunities to offer views and information, and are consulted about the content of the plan (Chapter 9)
- consult children with SEN or disabilities, and their parents and young people with SEN or disabilities when reviewing local SEN and social care provision (Chapter 4)
- consult them in developing and reviewing their Local Offer (Chapter 4)
- make arrangements for providing children with SEN or disabilities, and their parents, and young people with SEN or disabilities with advice and information about matters relating to SEN and disability (Chapter 2) 1.5 Clinical Commissioning Groups (CCGs), NHS Trusts or NHS Foundation Trusts who are of the opinion that a child under compulsory school age has or probably has SEN or a disability **must** give the child's parents the opportunity to discuss their opinion with them before informing the local authority (see paragraph 1.16).
- 1.6 Children have a right to receive and impart information, to express an opinion and to have that opinion taken into account in any matters affecting them from the early years. Their views should be given due weight according to their age, maturity and capability (Articles 12 and 13 of the United Nations Convention on the Rights of the Child).
- 1.7 Parents' views are important during the process of carrying out an EHC needs assessment and drawing up or reviewing an EHC plan in relation to a child. Local authorities, early years providers and schools should enable parents to share their knowledge about their child and give them confidence that their views and contributions are valued and will be acted upon. At times, parents, teachers and others may have differing expectations of how a child's needs are best met. Sometimes these discussions can be challenging but it is in the child's best interests

for a positive dialogue between parents, teachers and others to be maintained, to work through points of difference and establish what action is to be taken.

1.8 The Children and Families Act 2014 gives significant new rights directly to young people once they reach the end of compulsory school age (the end of the academic year in which they turn 16). When a young person reaches the end of compulsory school age, local authorities and other agencies should normally engage directly with the young person rather than their parent, ensuring that as part of the planning process they identify the relevant people who should be involved and how to involve them. Chapter 8 sets out how some decision-making rights transfer from parents to young people at this stage and how families will continue to play a critical role in supporting a young person with SEN. Most young people will continue to want, or need, their parents and other family members to remain involved in discussions and decisions about their future. Some young people, and possibly some parents, will not have the mental capacity to make certain decisions or express their views. Provision is made in the Children and Families Act (Section 80) to deal with this and Annex 1 to this Code provides further details.

Supporting children, young people and parents to participate in decisions about their support

- 1.9 Local authorities **must** ensure that children, young people and parents are provided with the information, advice and support necessary to enable them to participate in discussions and decisions about their support. This should include information on their rights and entitlements in accessible formats and time to prepare for discussions and meetings. From Year 9 onwards, particularly for those with Education, Health and Care plans, local authorities, schools, colleges and other agencies will be involved in the planning for their transition to adult life, the future and how to prepare for it, including their health, where they will live, their relationships, control of their finances, how they will participate in the community and achieve greater independence. Further details are given in Chapter 8. Local authorities should help children and their families prepare for the change in status under SEN law that occurs once the child reaches the end of compulsory school age.
- 1.10 Local authorities should consider whether some young people may require support in expressing their views, including whether they may need support from an advocate (who could be a family member or a professional). Local authorities **must not** use the views of parents as a proxy for young people's views. Young people will have their own perspective and local authorities should have arrangements in place to engage with them directly.

Involving children, young people and parents in planning, commissioning and reviewing services

1.11 Local authorities **must** consult children with SEN or disabilities, their parents, and young people with SEN or disabilities in reviewing educational and training

provision and social care provision and in preparing and reviewing the Local Offer. It is important that they participate effectively in decisions about support available to them in their local area. Chapters 3 and 4 provide guidance on these duties.

- 1.12 Effective participation should lead to a better fit between families' needs and the services provided, higher satisfaction with services, reduced costs (as long-term benefits emerge) and better value for money. Local authorities should work with children, young people and parents to establish the aims of their participation, mark progress and build trust. They should make use of existing organisations and forums which represent the views of parents and those which represent the views of children and young people directly and where these do not exist, local authorities should consider establishing them. Effective participation happens when:
 - it is recognised, valued, planned and resourced (for example, through appropriate remuneration and training)
 - it is evident at all stages in the planning, delivery and monitoring of services
 - there are clearly described roles for children, young people and parents
 - there are strong feedback mechanisms to ensure that children, young people and parents understand the impact their participation is making

Parent Carer Forums

1.13 Parent Carer Forums are representative local groups of parents and carers of children and young people with disabilities who work alongside local authorities, education, health and other service providers to ensure the services they plan, commission, deliver and monitor meet the needs of children and families. Parent Carer Forums have been established in most local areas and local authorities are actively encouraged to work with them. More information about Parent Carer Forums is available from the websites of Contact a Family and the National Network of Parent Carer Forums. Links to them can be found in the References section under Chapter 1.

Identifying children and young people's needs

- 1.14 Local authorities **must** carry out their functions with a view to identifying all the children and young people in their area who have or may have SEN or have or may have a disability (Section 22 of the Children and Families Act 2014).
- 1.15 Local authorities may gather information on children and young people with SEN or disabilities in a number of ways. Anyone can bring a child or young person who they believe has or probably has SEN or a disability to the attention of a local authority (Section 24 of the Children and Families Act 2014) and parents, early years providers, schools and colleges have an important role in doing so.

- 1.16 CCGs, NHS Trusts and NHS Foundation Trusts **must** inform the appropriate local authority if they identify a child under compulsory school age as having, or probably having, SEN or a disability (Section 23 of the Children and Families Act 2014).
- 1.17 A child's parents, young people, schools and colleges have specific rights to request a needs assessment for an EHC plan and children and their parents and young people should feel able to tell their school or college if they believe they have or may have SEN. The legal test of when a child or young person requires an EHC plan remains the same as that for a statement under the Education Act 1996. Therefore, it is expected that all those who have a statement and who would have continued to have one under the current system, will be transferred to an EHC plan no-one should lose their statement and not have it replaced with an EHC plan simply because the system is changing. Similarly, local authorities have undertaken LDAs for young people either because they had a statement at school or because, in the opinion of the local authority, they are likely to need additional support as part of their further education or training and would benefit from a LDA to identify their learning needs and the provision required to meet those needs. Therefore, the expectation is that young people who are currently receiving support as a result of a LDA and remain in further education or training during the transition period, who request and need an EHC plan, will be issued with one.
- 1.18 Chapters 5, 6 and 7 provide guidance for early years providers, schools and colleges on identifying children and young people's SEN and making provision to meet those needs as early as possible.
- 1.19 Local authorities, CCGs and other partners **must** work together in local Health and Wellbeing Boards to assess the health needs of local people, including those with SEN or who are disabled. This assessment, the Joint Strategic Needs Assessment, informs a local Health and Wellbeing Strategy which sets priorities for those who commission services. Local authorities **must** keep their educational and training provision and social care provision for children and young people with SEN or disabilities under review (Section 27 of the Children and Families Act 2014). In carrying out this duty, the local authority will gather information from early years providers, schools and post-16 institutions. In most cases, these institutions **must**, in turn, co-operate with the local authority. The local authority **must** publish and keep under review its Local Offer of provision in consultation with children, their parents and young people. Guidance on these matters is given in Chapters 3 and 4.

Greater choice and control for parents and young people over their support

1.20 A local authority's Local Offer should reflect the services that are available as a result of strategic assessments of local needs and reviews of local education and care provision (Section 27 of the Children and Families Act 2014) and of health provision (Joint Strategic Needs Assessments and Joint Commissioning arrangements (Section 26 of the Children and Families Act 2014). Linking these assessments and reviews to the Local Offer will help to identify gaps in local provision. Local authorities **must** involve children and young people with SEN or disabilities and the parents of children with SEN or disabilities in the development

and review of the Local Offer. This will help to ensure it is responsive to local families. Guidance on the Local Offer is provided in Chapter 4.

1.21 Parents of children who have an EHC plan and young people who have such a plan have a right to ask for a particular educational institution to be named in the plan and for a Personal Budget for their support. Guidance is given in Chapter 9.

Collaboration between education, health and social care services to provide support

- 1.22 If children and young people with SEN or disabilities are to achieve their ambitions and the best possible educational and other outcomes, including getting a job and living as independently as possible, local education, health and social care services should work together to ensure they get the right support.
- 1.23 When carrying out their statutory duties under the Children and Families Act 2014, local authorities **must** do so with a view to making sure that services work together where this promotes children and young people's wellbeing or improves the quality of special educational provision (Section 25 of the Children and Families Act 2014). Local authorities **must** work with one another to assess local needs. Local authorities and health bodies **must** have arrangements in place to plan and commission education, health and social care services jointly for children and young people with SEN or disabilities (Section 26). Chapter 3 gives guidance on those duties.

High quality provision to meet the needs of children and young people with SEN

- 1.24 High quality teaching that is differentiated and personalised will meet the individual needs of the majority of children and young people. Some children and young people need educational provision that is additional to or different from this. This is special educational provision under Section 21 of the Children and Families Act 2014. Schools and colleges **must** use their best endeavours to ensure that such provision is made for those who need it. Special educational provision is underpinned by high quality teaching and is compromised by anything less.
- 1.25 Early years providers, schools and colleges should know precisely where children and young people with SEN are in their learning and development. They should:
 - ensure decisions are informed by the insights of parents and those of children and young people themselves
 - have high ambitions and set stretching targets for them
 - track their progress towards these goals
 - keep under review the additional or different provision that is made for them

- promote positive outcomes in the wider areas of personal and social development, and
- ensure that the approaches used are based on the best possible evidence and are having the required impact on progress

Chapters 5, 6 and 7 give guidance on identifying and supporting children and young people with SEN or disabilities.

A focus on inclusive practice and removing barriers to learning

- 1.26 As part of its commitments under articles 7 and 24 of the United Nations Convention of the Rights of Persons with Disabilities, the UK Government is committed to inclusive education of disabled children and young people and the progressive removal of barriers to learning and participation in mainstream education. The Children and Families Act 2014 secures the general presumption in law of mainstream education in relation to decisions about where children and young people with SEN should be educated and the Equality Act 2010 provides protection from discrimination for disabled people.
- 1.27 Where a child or young person has SEN but does not have an EHC plan they **must** be educated in a mainstream setting except in specific circumstances (see below).

The School Admissions Code of Practice requires children and young people with SEN to be treated fairly. Admissions authorities:

- must consider applications from parents of children who have SEN but do not have an EHC plan on the basis of the school's published admissions criteria as part of normal admissions procedures
- must not refuse to admit a child who has SEN but does not have an EHC plan because they do not feel able to cater for those needs
- must not refuse to admit a child on the grounds that they do not have an EHC plan 1.28 The Equality Act 2010 prohibits schools from discriminating against disabled children and young people in respect of admissions for a reason related to their disability. Further education (FE) colleges manage their own admissions policies and are also prohibited from discriminating against disabled young people in respect of admissions. Students will need to meet the entry requirements for courses as set out by the college, but should not be refused access to opportunities based on whether or not they have SEN.
- 1.29 Children and young people without an EHC plan can be placed in special schools and special post-16 institutions only in the following exceptional circumstances:
 - where they are admitted to a special school or special post-16 institution to be assessed for an EHC plan with their agreement (in the case of a young person) or the agreement of their parent (in the case of a child), the local

authority, the head teacher or principal of the special school or special post-16 institution and anyone providing advice for the assessment

- where they are admitted to a special school or special post-16 institution following a change in their circumstances with their agreement (in the case of a young person) or the agreement of their parent (in the case of a child), the local authority and the head teacher or principal of the special school or special post-16 institution. Where an emergency placement of this kind is made the local authority should immediately initiate an EHC needs assessment or re-assessment
- where they are in hospital and admitted to a special school which is established in a hospital, or
- where they are admitted to a special academy (including a special free school) whose academy arrangements allow it to admit children or young people with SEN who do not have an EHC plan
- 1.30 The last of these provisions enables the Secretary of State to approve academy arrangements for individual special academies or special free schools that are innovative and increase access to specialist provision for children and young people without EHC plans. Those academies the Secretary of State authorises will make clear through their Funding Agreement that a child or young person with SEN but no EHC plan should be placed there only at the request of their parents or at their own request and with the support of professional advice such as a report from an educational psychologist. A special academy or special free school with these arrangements will be able to admit only those children who have a type of SEN for which they are designated. They will have adopted fair practices and arrangements that are in accordance with the Schools Admission Code for the admission of children without an EHC plan.
- 1.31 The leaders of early years settings, schools and colleges should establish and maintain a culture of high expectations that expects those working with children and young people with SEN or disabilities to include them in all the opportunities available to other children and young people so they can achieve well.
- 1.32 There is a significant overlap between children and young people with SEN and those with disabilities and many such children and young people are covered by both SEN and equality legislation.
- 1.33 The Equality Act 2010 and Part 3 of the Children and Families Act 2014 interact in a number of important ways. They share a common focus on removing barriers to learning. In the Children and Families Act 2014 duties for planning, commissioning and reviewing provision, the Local Offer and the duties requiring different agencies to work together apply to all children and young people with SEN or disabilities. In carrying out the duties in the Children and Families Act 2014, local authorities and others with responsibilities under that Act, are covered by the Equality Act.
- 1.34 In practical situations in everyday settings, the best early years settings, schools and colleges do what is necessary to enable children and young people to develop, learn, participate and achieve the best possible outcomes irrespective of

whether that is through reasonable adjustments for a disabled child or young person or special educational provision for a child or young person with SEN.

- 1.35 Much of the guidance in this Code of Practice focuses on the individual duties owed to children and young people with SEN. When early years settings, schools and colleges, local authorities and others plan and review special educational provision and make decisions about children and young people with SEN (chapters 5 to7 and 9) they should consider, at the same time, the reasonable adjustments and access arrangements required for the same child or young person under the Equality Act.
- 1.36 The presumption of mainstream education is supported by provisions safeguarding the interests of all children and young people and ensuring that the preferences of the child's parents or the young person for where they should be educated are met wherever possible.
- 1.37 Special schools (in the maintained, academy, non-maintained and independent sectors), special post-16 institutions and specialist colleges all have an important role in providing for children and young people with SEN and in working collaboratively with mainstream and special settings to develop and share expertise and approaches.
- 1.38 Children and young people with SEN have different needs and can be educated effectively in a range of mainstream or special settings. Alongside the general presumption of mainstream education, parents of children with an EHC plan and young people with such a plan have the right to seek a place at a special school, special post-16 institution or specialist college. Further details of the arrangements for Education, Health and Care Plans are set out in Chapter 9.

Supporting successful preparation for adulthood

- 1.39 With high aspirations, and the right support, the vast majority of children and young people can go on to achieve successful long-term outcomes in adult life. Local authorities, education providers and their partners should work together to help children and young people to realise their ambitions in relation to:
 - higher education and/or employment including exploring different employment options, such as support for becoming self-employed and help from supported employment agencies
 - independent living enabling people to have choice and control over their lives and the support they receive, their accommodation and living arrangements, including supported living
 - participating in society including having friends and supportive relationships, and participating in, and contributing to, the local community
 - being as healthy as possible in adult life 1.40 All professionals working with families should look to enable children and young people to make choices for themselves from an early age and support them in making friends and staying

safe and healthy. As children grow older, and from Year 9 in school at the latest, preparing for adult life should be an explicit element of conversations with children and their families as the young person moves into and through post-16 education. For children and young people in or beyond Year 9 with EHC plans, local authorities have a legal duty to include provision to assist in preparing for adulthood in the EHC plan review.

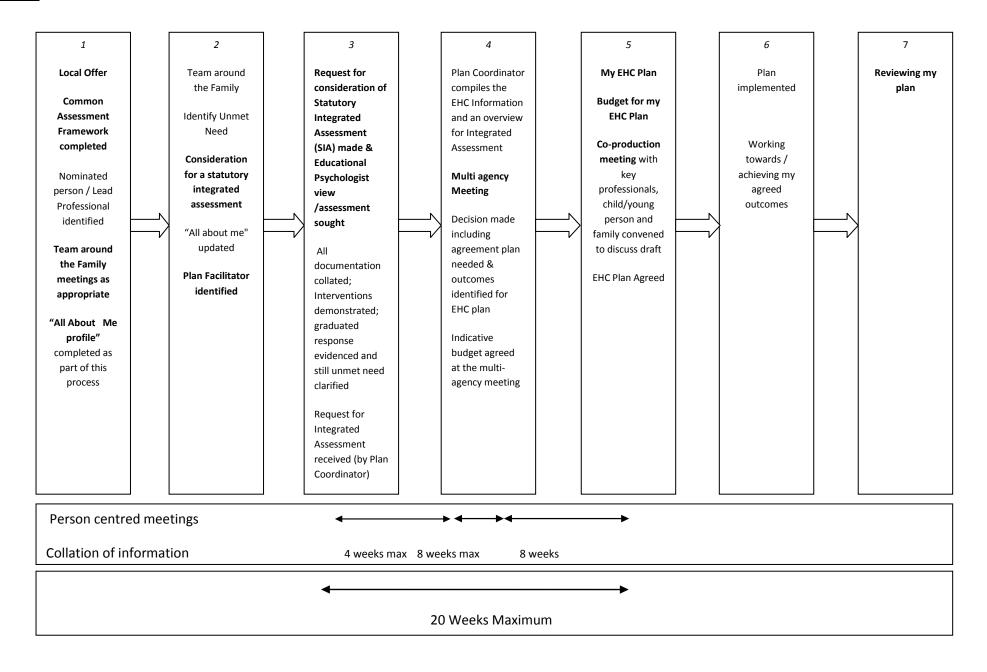
1.41 Chapter 8 provides further guidance on how to support children and young people in preparing for adult life. Provision required for preparation for adulthood should inform joint commissioning of services, the Local Offer, EHC needs assessments and plans, and education and training provision for all children and young people with SEN.

Special Educational Needs and Disability Code of Practice: 0 to 25 years Changes from the SEN Code of Practice (2001)

The main changes from the SEN Code of Practice (2001) reflect the changes introduced by the Children and Families Act 2014. These are:

The Code of Practice (2014) covers the 0-25 age range and includes guidance relating to disabled children and young people as well as those with SEN

- There is a clearer focus on the participation of children and young people and parents in decision-making at individual and strategic levels
- There is a stronger focus on high aspirations and on improving outcomes for children and young people
- It includes guidance on the joint planning and commissioning of services to ensure close co-operation between education, health and social care
- It includes guidance on publishing a Local Offer of support for children and young people with SEN or disabilities
- There is new guidance for education and training settings on taking a graduated approach to identifying and supporting pupils and students with SEN (to replace School Action and School Action Plus)
- For children and young people with more complex needs a co-ordinated assessment process and the new 0-25 Education, Health and Care plan (EHC plan) replace statements and Learning Difficulty Assessments (LDAs)
- There is a greater focus on support that enables those with SEN to succeed in their education and make a successful transition to adulthood
- Information is provided on relevant duties under the Equality Act 2010
- Information is provided on relevant provisions of the Mental Capacity Act 2005



Special Educational Needs and Disability Code of Practice: 0 to 25 years

Extract from Chapter 5; Early years

SEN support in the early years

5.36 It is particularly important in the early years that there is no delay in making any necessary special educational provision. Delay at this stage can give rise to learning difficulty and subsequently to loss of self-esteem, frustration in learning and to behaviour difficulties. Early action to address identified needs is critical to the future progress and improved outcomes that are essential in helping the child to prepare for adult life (Chapter 8, Preparing for adulthood from the earliest years).

5.37 Where a setting identifies a child as having SEN they **must** work in partnership with parents to establish the support the child needs.

5.38 Where a setting makes special educational provision for a child with SEN they should inform the parents and a maintained nursery school **must** inform the parents. All settings should adopt a graduated approach with four stages of action: assess, plan, do and review.

Assess

5.39 In identifying a child as needing SEN support, the early years practitioner, working with the setting SENCO and the child's parents, will have carried out an analysis of the child's needs. This initial assessment should be reviewed regularly to ensure that support is matched to need. Where there is little or no improvement in the child's progress, more specialist assessment may be called for from specialist teachers or from health, social services or other agencies beyond the setting. Where professionals are not already working with the setting, the SENCO should contact them, with the parents' agreement.

Plan

5.40 Where it is decided to provide SEN support, and having formally notified the parents, (see 5.38 above), the practitioner and the SENCO should agree, in consultation with the parent, the outcomes they are seeking, the interventions and support to be put in place, the expected impact on progress, development or behaviour, and a clear date for review. Plans should take into account the views of the child. The support and intervention provided should be selected to meet the outcomes identified for the child, based on reliable evidence of effectiveness, and provided by practitioners with relevant skills and knowledge. Any related staff development needs should be identified and addressed.

5.41 Parents should be involved in planning support and, where appropriate, in reinforcing the provision or contributing to progress at home.

Do

5.42 The early years practitioner, usually the child's key person, remains responsible for working with the child on a daily basis. With support from the SENCO, they should oversee the implementation of the interventions or programmes agreed as part of SEN support. The SENCO

should support the practitioner in assessing the child's response to the action taken, in problem solving and advising on the effective implementation of support.

Review

5.43 The effectiveness of the support and its impact on the child's progress should be reviewed in line with the agreed date. The impact and quality of the support should be evaluated by the practitioner and the SENCO working with the child's parents and taking into account the child's views. They should agree any changes to the outcomes and support for the child in light of the child's progress and development. Parents should have clear information about the impact of the support provided and be involved in planning next steps.

5.44 This cycle of action should be revisited in increasing detail and with increasing frequency, to identify the best way of securing good progress. At each stage parents should be engaged with the setting, contributing their insights to assessment and planning. Intended outcomes should be shared with parents and reviewed with them, along with action taken by the setting, at agreed times.

5.45 The graduated approach should be led and co-ordinated by the setting SENCO working with and supporting individual practitioners in the setting and informed by EYFS materials, the Early Years Outcomes guidance and Early Support resources (information is available at the National Children's Bureau website – see the References section under Chapter 5 for the link).

5.46 Where a child has an EHC plan, the local authority **must** review that plan as a minimum every twelve months. As part of the review, the local authority can ask settings, and require maintained nursery schools, to convene and hold the annual review meeting on its behalf. Further information about EHC plan reviews and the role of early years settings is in Chapter 9, Education, Health and Care needs assessments and plans.

Transition

5.47 SEN support should include planning and preparing for transition, before a child moves into another setting or school. This can also include a review of the SEN support being provided or the EHC plan. To support the transition, information should be shared by the current setting with the receiving setting or school. The current setting should agree with parents the information to be shared as part of this planning process

Involving specialists

5.48 Where a child continues to make less than expected progress, despite evidence-based support and interventions that are matched to the child's area of need, practitioners should consider involving appropriate specialists, for example, health visitors, speech and language therapists, Portage workers, educational psychologists or specialist teachers, who may be able to identify effective strategies, equipment, programmes or other interventions to enable the child to make progress towards the desired learning and development outcomes. The decision to involve specialists should be taken with the child's parents.

Special Educational Needs and Disability Code of Practice: 0 to 25 years

Extract from Chapter 6; Schools

SEN support in schools

6.44 Where a pupil is identified as having SEN, schools should take action to remove barriers to learning and put effective special educational provision in place. This SEN support should take the form of a four-part cycle through which earlier decisions and actions are revisited, refined and revised with a growing understanding of the pupil's needs and of what supports the pupil in making good progress and securing good outcomes. This is known as the graduated approach. It draws on more detailed approaches, more frequent review and more specialist expertise in successive cycles in order to match interventions to the SEN of children and young people.

Assess

6.45 In identifying a child as needing SEN support the class or subject teacher, working with the SENCO, should carry out a clear analysis of the pupil's needs. This should draw on the teacher's assessment and experience of the pupil, their previous progress and attainment, as well as information from the school's core approach to pupil progress, attainment, and behaviour. It should also draw on other subject teachers' assessments where relevant, the individual's development in comparison to their peers and national data, the views and experience of parents, the pupil's own views and, if relevant, advice from external support services. Schools should take seriously any concerns raised by a parent. These should be recorded and compared to the setting's own assessment and information on how the pupil is developing.

6.46 This assessment should be reviewed regularly. This will help ensure that support and intervention are matched to need, barriers to learning are identified and overcome, and that a clear picture of the interventions put in place and their effect is developed. For some types of SEN, the way in which a pupil responds to an intervention can be the most reliable method of developing a more accurate picture of need.

6.47 In some cases, outside professionals from health or social services may already be involved with the child. These professionals should liaise with the school to help inform the assessments. Where professionals are not already working with school staff the SENCO should contact them if the parents agree.

Plan

6.48 Where it is decided to provide a pupil with SEN support, the parents **must** be formally notified, although parents should have already been involved in forming the assessment of needs as outlined above. The teacher and the SENCO should agree in consultation with the parent and the pupil the adjustments, interventions and support to be put in place, as well as the expected impact on progress, development or behaviour, along with a clear date for review.

6.49 All teachers and support staff who work with the pupil should be made aware of their needs, the outcomes sought, the support provided and any teaching strategies or approaches that are required. This should also be recorded on the school's information system.

6.50 The support and intervention provided should be selected to meet the outcomes identified for the pupil, based on reliable evidence of effectiveness, and should be provided by staff with sufficient skills and knowledge.

6.51 Parents should be fully aware of the planned support and interventions and, where appropriate, plans should seek parental involvement to reinforce or contribute to progress at home. The information set out in 6.39 should be readily available to and discussed with the pupil's parents.

Do

6.52 The class or subject teacher should remain responsible for working with the child on a daily basis. Where the interventions involve group or one-to-one teaching away from the main class or subject teacher, they should still retain responsibility for the pupil. They should work closely with any teaching assistants or specialist staff involved, to plan and assess the impact of support and interventions and how they can be linked to classroom teaching. The SENCO should support the class or subject teacher in the further assessment of the child's particular strengths and weaknesses, in problem solving and advising on the effective implementation of support.

Review

- 6.53 The effectiveness of the support and interventions and their impact on the pupil's progress should be reviewed in line with the agreed date.
- 6.54 The impact and quality of the support and interventions should be evaluated, along with the views of the pupil and their parents. This should feed back into the analysis of the pupil's needs. The class or subject teacher, working with the SENCO, should revise the support in light of the pupil's progress and development, deciding on any changes to the support and outcomes in consultation with the parent and pupil.
- 6.55 Parents should have clear information about the impact of the support and interventions provided, enabling them to be involved in planning next steps.
- 6.56 Where a pupil has an EHC plan, the local authority **must** review that plan as a minimum every twelve months. Schools **must** co-operate with the local authority in the review process and, as part of the review, the local authority can require schools to convene and hold annual review meetings on its behalf. Further information about EHC plan reviews is given in Chapter 9, Education, Health and Care needs assessments and plans.

Transition

6.57 SEN support should include planning and preparation for the transitions between phases of education and preparation for adult life (see Chapter 8, Preparing for adulthood from the earliest years). To support transition, the school should share information with the school, college or other setting the child or young person is moving to. Schools should agree with parents and pupils the information to be shared as part of this planning process. Where a pupil is remaining at the school for post-16 provision, this planning and preparation should include consideration of how to provide a high quality study programme, as set out in paragraph 8.32.

Involving specialists

6.58 Where a pupil continues to make less than expected progress, despite evidence-based support and interventions that are matched to the pupil's area of need, the school should consider involving specialists, including those secured by the school itself or from outside agencies.

6.59 Schools may involve specialists at any point to advise them on early identification of SEN and effective support and interventions. A school should always involve a specialist where a pupil continues to make little or no progress or where they continue to work at levels substantially below those expected of pupils of a similar age despite evidence-based SEN support delivered by appropriately trained staff. The pupil's parents should always be involved in any decision to involve specialists.

The involvement of specialists and what was discussed or agreed should be recorded and shared with the parents and teaching staff supporting the child in the same way as other SEN support.

6.60 Where assessment indicates that support from specialist services is required, it is important that children and young people receive it as quickly as possible. Joint commissioning arrangements should seek to ensure that there are sufficient services to meet the likely need in an area. The Local Offer should set out clearly what support is available from different services and how it may be accessed.

6.61 Schools should work closely with the local authority and other providers to agree the range of local services and clear arrangements for making appropriate requests. This might include schools commissioning specialist services directly. Such specialist services include, but are not limited to:

- Educational Psychologists
- Child and Adolescent Mental Health Services (CAMHS)
- specialist teachers or support services, including specialist teachers with a mandatory qualification for children with hearing and vision impairment, including multi-sensory impairment, and for those with a physical disability. (Those teaching classes of children with sensory impairment **must** hold an appropriate qualification approved by the Secretary of State. Teachers working in an advisory role to support such pupils should also hold the appropriate qualification.)
- therapists (including speech and language therapists, occupational therapists and physiotherapists)

6.62 The SENCO and class teacher, together with the specialists, and involving the pupil's parents, should consider a range of evidence-based and effective teaching approaches, appropriate equipment, strategies and interventions in order to support the child's progress. They should agree the outcomes to be achieved through the support, including a date by which progress will be reviewed.

Special Educational Needs and Disability Code of Practice: 0 to 25 years

Extract from Chapter 7; Further Education

SEN support in college

7.13 Where a student has a learning difficulty or disability that calls for special educational provision, the college **must** use its best endeavours to put appropriate support in place. Young people should be supported to participate in discussions about their aspirations, their needs, and the support that they think will help them best. Support should be aimed at promoting student independence and enabling the young person to make good progress towards employment and/or higher education, independent living, good health and participating in the community. Chapter 8 provides guidance on preparing young people for adult life.

7.14 Support should be evidence based. This means that colleges should be aware of effective practice in the sector and elsewhere, and personalise it for the individual. They should keep the needs of students with SEN or disabilities under regular review. Colleges should take a cyclical approach to assessing need, planning and providing support, and reviewing and evaluating that support so that it can be adjusted where necessary. They should involve the student and, particularly for those aged 16 to 18, their parents, closely at all stages of the cycle, planning around the individual, and they should ensure that staff have the skills to do this effectively.

Assessing what support is needed

7.15 Where a student is identified as having SEN and needing SEN support, colleges should bring together all the relevant information from the school, from the student, from those working with the student and from any screening test or assessment the college has carried out. This information should be discussed with the student. The student should be offered support at this meeting and might be accompanied by a parent, advocate or other supporter. This discussion may identify the need for a more specialist assessment from within the college or beyond.

Planning the right support

7.16 Where the college decides a student needs SEN support, the college should discuss with the student their ambitions, the nature of the support to be put in place, the expected impact on progress and a date for reviewing the support. Plans should be developed with the student. The support and intervention provided should be selected to meet the student's aspirations, and should be based on reliable evidence of effectiveness and provided by practitioners with the relevant skills and knowledge.

7.17 Special educational support might include, for example:

- assistive technology
- personal care (or access to it)
- specialist tuition
- note-takers

- interpreters
- one-to-one and small group learning support
- habilitation/independent living training
- accessible information such as symbol based materials
- access to therapies (for example, speech and language therapy)

Putting the provision in place

7.18 Colleges should ensure that the agreed support is put in place, and that appropriately qualified staff provide the support needed. The college should, in discussion with the student, assess the impact and success of the intervention.

Keeping support under review

7.19 The effectiveness of the support and its impact on the student's progress should be reviewed regularly, which may lead to changes in the type and level of their support. This review should take into account the student's progress and any changes to the student's own ambitions and aspirations, which may lead to changes in their support. The college and the student together should plan any changes in support. Colleges should revisit this cycle of action, refining and revising their decisions about support as they gain a richer understanding of the student, and what is most effective in helping them secure good outcomes. Support for all students with SEN should be kept under review, whether or not a student has an EHC plan.

7.20 Where a student has an EHC plan, the local authority **must** review that plan as a minimum every twelve months, including a review of the student's support. The college **must** co-operate with the local authority in the review process. As part of the review, the local authority can ask the college to convene and hold the annual review meeting on its behalf. Further information about EHC plan reviews and the role of colleges is given in Chapter 9, Education, Health and Care needs assessments and plans. From the age of thirteen onwards, annual reviews focus on preparing for adulthood. Further information on pathways to employment and on support for young people in preparing for adult life is set out in Chapter 8, Preparing for adulthood from the earliest years.

7.21 Colleges should also keep under review the reasonable adjustments they make under the Equality Act 2010 to ensure they have removed all the barriers to learning that they reasonably can. Colleges should also ensure that students with SEN or disabilities know who to go to for support.

Expertise within and beyond the college

7.22 The governing bodies of colleges should ensure that all staff interact appropriately and inclusively with students who have SEN or a disability and should ensure that they have appropriate expertise within their workforce. They should also ensure that curriculum staff are able to develop their skills, are aware of effective practice and keep their knowledge up to date. Colleges should make sure they have access to specialist skills and expertise to support the learning of students with SEN. This can be through partnerships with other agencies such as adult social care or health services, or specialist organisations, and/or by employing practitioners

directly. They should ensure that there is a named person in the college with oversight of SEN provision to ensure co-ordination of support, similar to the role of the SEN Co-ordinator (SENCO) in schools. This person should contribute to the strategic and operational management of the college. Curriculum and support staff in a college should know who to go to if they need help in identifying a student's SEN, are concerned about their progress or need further advice. In reviewing and managing support for students with SEN, colleges and 16-19 academies may find the broad areas of need and support outlined in Chapter 6 helpful (paragraph 6.28 onwards).

7.23 Colleges should ensure they have access to external specialist services and expertise. These can include, for example, educational psychologists, Child and Adolescent Mental Health Services (CAMHS), specialist teachers and support services, supported employment services and therapists. They can be involved at any point for help or advice on the best way to support a student with SEN or a disability. Specialist help should be involved where the student's needs are not being met by the strong, evidence-based support provided by the college. Where, despite the college having taken relevant and purposeful action to identify, assess and meet the needs of the student, the student is still not making the expected progress, the college or young person should consider requesting an EHC needs assessment (see Chapter 9).

7.24 More guidance on the advice and support colleges should give students with SEN or disabilities to enable them to prepare for adult life, including the transition out of college, is in Chapter 8, Preparing for adulthood from the earliest years.

Record keeping

7.25 Colleges should keep a student's profile and record of support up to date to inform discussions with the student about their progress and support. This should include accurate information to evidence the SEN support that has been provided over a student's time in college and its effectiveness. They should record details of what additional or different provision they make to meet a student's SEN and their progress towards specified outcomes. This should include information about the student's SEN, interventions and the support of specialists. The information should be used as part of regular discussions with the student and, where appropriate, the family, about the student's progress, the expected outcomes and planned next steps.

7.26 As with schools, colleges will determine their own approach to record keeping but should ensure that Individualised Learner Record (ILR) data is recorded accurately and in a timely manner in line with funding rules. Where students have EHC plans, colleges should provide the local authority with regular information about the progress that student is making towards the agreed outcomes set out in their EHC plan. Where a student has support from the local authority's high needs funding but does not have an EHC plan, colleges should also provide information on the student's progress to the local authority to inform its commissioning.

7.27 Further information on support to help children and young people prepare for adulthood, including pathways to employment and the transition to adult services, is in Chapter 8. Information about seeking needs assessments and about EHC plans is in Chapter 9.

Annex 7: The Graduated Response

The table below gives an indication of the level of support that can be provided by schools within SEN Support.

Examples given are by no means considered to be a full list, but offer an example of the sort of provision that is appropriate at this level

- This level of support is available within the resources held by the school and without the need for an EHC plan.
- The School will be required to show that they have followed relevant professional advice and used their own resources to meet a pupils needs in the first instance, reviewing the success of such programmes and making appropriate adjustments when necessary
- Schools will be able to provide targeted individual support in specific areas of need.
- This support is additional to that which is normally available across the school.

COGNITION AND LEARNING

Individualised curriculum provided for the pupil for up to 75% of the day.

For example this may include:

- Identified staffing to support access to the curriculum or personal development for up to 75% of the curriculum
- Modification of up to 75% of curriculum delivery, resources and materials
- Assistance with recording for most curriculum areas
- Interventions in small groups / 1:1 situations OR smaller classes

Up to ½ Termly specialist advice for school staff on how to enable full access to the curriculum or weekly input to provide support for identified curriculum or skill areas

COMMUNICATION AND INTERACTION

Strategies to enhance the communication environment for most of the day For example this may include:

- Visual strategies
- Assistive or Alternative and Augmentative Communication (AAC) may be needed to encourage and support communication
- identified staffing support to ensure understanding of instructions and tasks and to modify language for up to 75 % of the day
- Strategies including some support to develop attention and concentration skills for most of the day.

Up to half termly SLT advice or input from staff with relevant expertise.

PHYSICAL AND SENSORY

Support to implement and/or reinforce professional programmes and health care plans on up to a fortnightly basis For example this may include:

- Guidance/strategies and some support to develop self-help and independence skills
- Some modification of resources and materials
- which may include the use of multisensory strategies
- Support to develop fine and gross motor skills

Up to ½ Termly specialist external or qualified specialist teacher advice and occasional input. Such as HI,VI, OT or Physio

SOCIAL, EMOTIONAL AND MENTAL HEALTH

Strategies including support to develop the following as applicable:

- Appropriate social skills
- Empathy and awareness of the needs of others
- Ability to maintain attention
- Emotional regulation
- Coping strategies for dealing with difficult situations
- ☐ Independence in a learning environment

For example this may include:

- Strategies including support to focus on difficulties at unstructured times which may impact on safety
- Support to develop a sense of danger and skills for personal safety.
- Individualised support programmes as advised by an appropriate specialist teacher or educational psychologist or other specialist professionals. (I.e. access to a Key Worker at times of transition or an integrated homeschool support plan.)
- Completion of Risk Assessments and implementation of associated plans, which are regularly reviewed and updated to manage behaviour safely.

Advice and input from specialist teacher and/or professional(s) with the relevant specialist expertise **up to twice a year**.

An example of an All About Me Profile

Photograph
Optional
(parental consent required)

ALL ABOUT ME PROFILE



My full name is	
I like to be known as	
I was born on	

ME: PEN PICTURE

What is important to me:

- How I communicate
- What I like to do
- How I stay healthy
- What is important to me in nursery/school/college life
- What I like to do through my social activities and involvement in my local community

 Critical things you need to know about my health, well-being and behaviour What I/you need to do to keep me safe How people communicate with me How I want to communicate with others How I want to involved in making decisions about me 					
How best to support me:					
 What support I need to make progress in my education What support I need to access community activities What support I need to stay healthy and safe How I want to be supported What support I need to make decisions 					
My life aspirations:					
 My wishes, aspirations and goals for the future (E.g. information about what I like/would like to play, my health, my schooling, my independence, my friendships, my further education and my future plans including employment where practical and relevant) 					

What is important for me:

MY FAMILY – PEN PICTURE

Explaining our child's story so far (E.g. premature birth, relevant medical history, other, etc.) Explaining our family (E.g. who are our child's parents/carers? For some children and young people - who our child lives with or where if outside the family home?) Who are the siblings in the family and the nature of their relationships with the child/young person Are there extended family members who support the family and in what way? Explaining relevant issues about parent(s)'/carer(s)' work arrangements which impact on care for our child Explaining relevant issues about friends/relationships for our child with others What is important to our family now:

- What matters to me/us now around my/our child's health
- What matters to me/us now for my/our child's education and learning (for life and work)
- What is important to me/us now about my/our child's friendships, relationships and being part of the community
- What matters to me/us now to enable appropriate support (by myself/ourselves and others) for my/our child to be as independent as possible
- What is important to keep my/our child safe now

What our family want our child to achieve in the future	e: 			
 My/our wishes, aspirations and goals for the future for my/our child What I/we wish for around my/our child's health in future What I/we wish for my/our child's education and learning (for life and work) in future What I/we wish for my/our child's friendships, relationships and being part of the community in future What I/we wish for to enable appropriate support (by myself/ourselves and others) for my/our child to be as independent as possible in future What is important to keep my/our child safe in future 				
PERSONAL INFORMATION				
Full Name				
Date of Birth				
My contact address				
My telephone number				
My e-mail address				
Parents' / Carers' Names				
Family Contact Address (if different from above)				
Family Contact numbers (if different from above)				
Family e-mail address (if different from above)				
Current or most recent setting, school college or other				

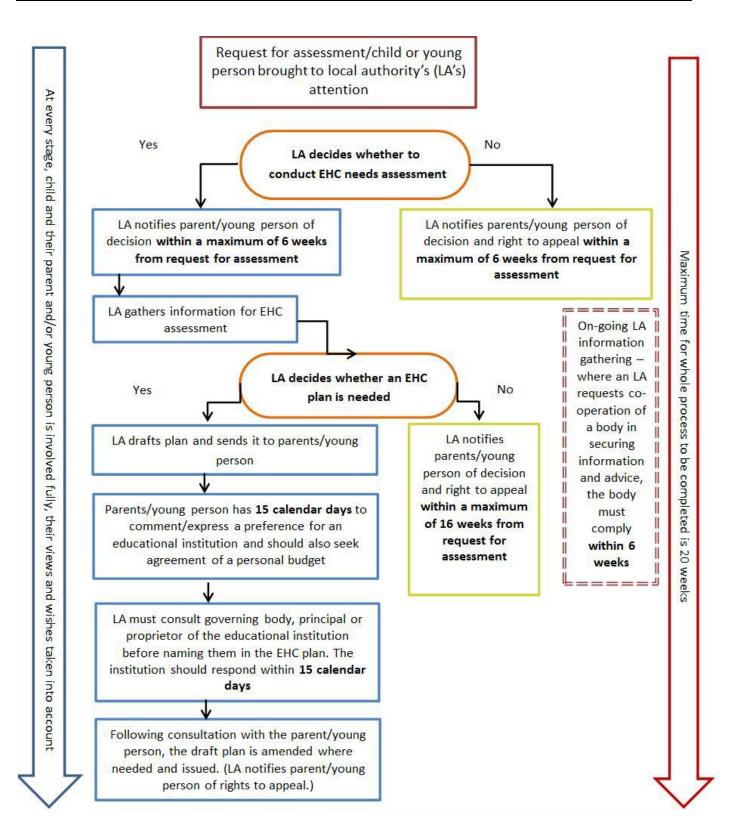
PEOPLE WHO SUPPORT ME

Name:	Role that they play (Name of organisation where appropriate):	Email:	Telephone:

CONSENT

	Signed:	Print Name:	Date:
The child/young person agrees with what has been written and give consent for the information to be shared with other professionals			
The family agree with what has been written and give consent for the information to be shared with other professionals			
The Setting/ School/ College agree with what has been written			

Statutory timescales for EHC needs assessment and EHC plan development



Annex 10

<u>Sections 9.53 to 9.56; The Special Educational Needs & Disability Code of Practice 0-25 years.</u>

Deciding whether to issue an EHC plan

Relevant legislation: Sections 36 and 37 of the Children and Families Act 2014

9.53 Where, in the light of an EHC assessment, it is necessary for special educational provision to be made in accordance with an EHC plan, the local authority must prepare a plan. Where a local authority decides it is necessary to issue an EHC plan, it must notify the child's parent or the young person and give the reasons for its decision. The local authority should ensure it allows enough time to prepare the draft plan and complete the remaining steps in the process within the 20-week overall time limit within which it must issue the finalised EHC plan.

9.54 In deciding whether to make special educational provision in accordance with an EHC plan, the local authority should consider all the information gathered during the EHC needs assessment and set it alongside that available to the local authority prior to the assessment. Local authorities should consider both the child or young person's SEN and the special educational provision made for the child or young person and whether:

- the information from the EHC needs assessment confirms the information available on the nature and extent of the child or young person's SEN prior to the EHC needs assessment, and whether
- the special educational provision made prior to the EHC needs assessment was well matched to the SEN of the child or young person

9.55 Where, despite appropriate assessment and provision, the child or young person is not progressing, or not progressing sufficiently well, the local authority should consider what further provision may be needed. The local authority should take into account:

- whether the special educational provision required to meet the child or young person's needs can reasonably be provided from within the resources normally available to mainstream early years providers, schools and post-16 institutions, or
- whether it may be necessary for the local authority to make special educational provision in accordance with an EHC plan

9.56 Where a local authority carries out an EHC needs assessment for a child or young person and

- their circumstances have changed significantly, or
- the child or young person has recently been placed in a new setting, or
- their special educational needs were identified shortly before the EHC needs assessment, and no comparable special educational provision was being made for the child or young person prior to the EHC needs assessment, then the local authority should consider what new special educational provision is needed, taking into account the points in 9.55 above.

Annex 11

What should be included in an Education Health and Care plan?

An Education Health and Care plan has to contain a number of key points.

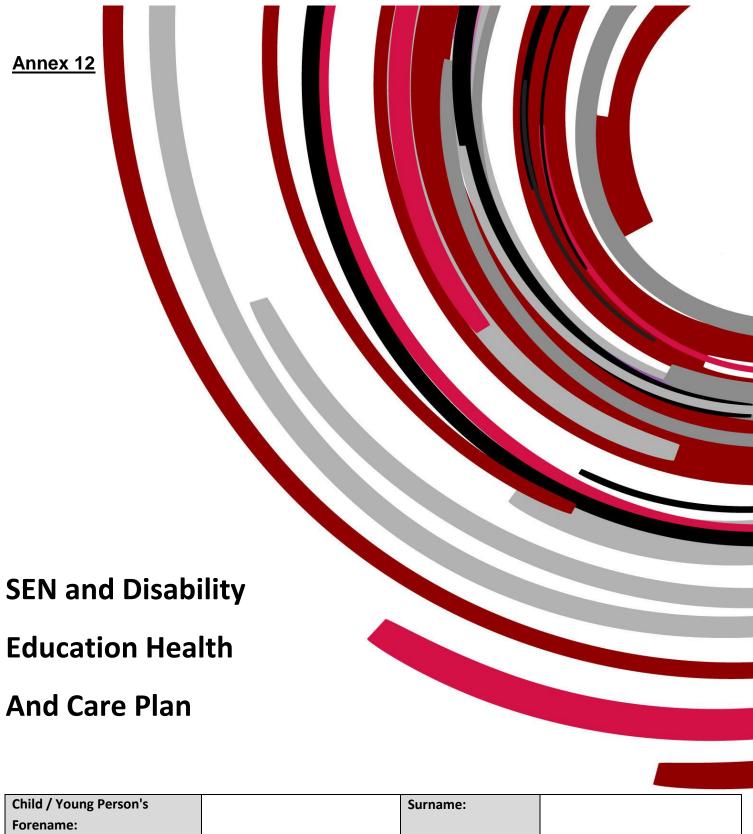
- A. The views, interests and aspirations of the child and his or her parents or the young person.
 - Details about the child or young person's aspirations and goals for the future (but not details of outcomes to be achieved – see section above on outcomes for guidance).
 When agreeing the aspirations, consideration should be given to the child or young person's aspirations for paid employment, independent living and community participation
 - Details about play, health, schooling, independence, friendships, further education and future plans including employment (where practical)
 - A summary of how to communicate with the child or young person and engage them in decision-making.
 - The child or young person's history
 - If written in the first person, the plan should make clear whether the child or young person is being quoted directly, or if the views of parents or professionals are being represented.
- B. The child or young person's special educational needs.
 - All of the child or young person's identified special educational needs must be specified.
 - SEN may include needs for health and social care provision that are treated as special educational provision because they educate or train the child or young person.
- C. The child or young person's health needs which are related to their SEN.
 - The EHC plan must specify any health needs identified through the EHC needs assessment which relate to the child or young person's SEN. Some health care needs, such as routine dental health needs, are unlikely to be related.
 - The Clinical Commissioning Group (CCG) may also choose to specify other health care needs which are not related to the child or young person's SEN (for example, a long-term condition which might need management in a special educational setting).
- D. The child or young person's social care needs which are related to their SEN or to a disability.
 - The EHC plan must specify any social care needs identified through the EHC needs assessment which relate to the child or young person's SEN or which require provision for a child or young person under 18 under section 2 of the Chronically Sick and Disabled Persons Act 1970.

- The local authority may also choose to specify other social care needs which are not linked to the child or young person's SEN or to a disability. This could include reference to any child in need or child protection plan which a child may have relating to other family issues such as neglect. Such an approach could help the child and their parents manage the different plans and bring greater co-ordination of services. Inclusion must only be with the consent of the child and their parents.
- E. The outcomes sought for the child or the young person. This should include outcomes for adult life. The EHC plan should also identify the arrangements for the setting of shorter term targets by the early years provider, school, college or other education or training provider.
 - A range of outcomes over varying timescales, covering education, health and care
 as appropriate but recognising that it is the education and training outcomes only
 that will help determine when a plan is ceased for young people aged over 18.
 Therefore, for young people aged over 17, the EHC plan should identify clearly
 which outcomes are education and training outcomes.
 - A clear distinction between outcomes and provision. The provision should help the child or young person achieve an outcome, it is not an outcome in itself.
 - Steps towards meeting the outcomes.
 - The arrangements for monitoring progress, including review and transition review arrangements and the arrangements for setting and monitoring shorter term targets by the early years provider, school, college or other education or training provider.
 - Forward plans for key changes in a child or young person's life, such as changing schools, moving from children's to adult care and/or from paediatric services to adult health, or moving on from further education to adulthood.
 - For children and young people preparing for the transition to adulthood, the outcomes that will prepare them well for adulthood and are clearly linked to the achievement of the aspirations in section A
- F. The special educational provision required by the child or the young person.
 - Provision must be detailed and specific and should normally be quantified, for example, in terms of the type, hours and frequency of support and level of expertise, including where this support is secured through a Personal Budget.
 - Provision must be specified for each and every need specified in section B. It should be clear how the provision will support achievement of the outcomes.
 - Where health or social care provision educates or trains a child or young person, it must appear in this section (see paragraph 9.73).
 - There should be clarity as to how advice and information gathered has informed the provision specified. Where the local authority has departed from that advice, they should say so and give reasons for it.
 - In some cases, flexibility will be required to meet the changing needs of the child or young person including flexibility in the use of a Personal Budget.
 - The plan should specify:

- i. any appropriate facilities and equipment, staffing arrangements and curriculum
- ii. any appropriate modifications to the application of the National Curriculum, where relevant
- iii. any appropriate exclusions from the application of the National Curriculum or the course being studied in a post-16 setting, in detail, and the provision which it is proposed to substitute for any such exclusions in order to maintain a balanced and broadly based curriculum
- iv. where residential accommodation is appropriate, that fact
- v. where there is a Personal Budget, the outcomes to which it is intended to contribute (detail of the arrangements for a Personal Budget, including any direct payment, must be included in the plan and these should be set out in section J).
- G. Any health provision reasonably required by the learning difficulties or disabilities which result in the child or young person having SEN. Where an Individual Health Care Plan is made for them, that plan should be included.
 - Provision should be detailed and specific and should normally be quantified, for example, in terms of the type of support and who will provide it.
 - It should be clear how the provision will support achievement of the outcomes, including the health needs to be met and the outcomes to be achieved through provision secured through a personal (health) budget.
 - Clarity as to how advice and information gathered has informed the provision specified.
 - Health care provision reasonably required may include specialist support and therapies, such as medical treatments and delivery of medications, occupational therapy and physiotherapy, a range of nursing support, specialist equipment, wheelchairs and continence supplies. It could include highly specialist services needed by only a small number of children which are commissioned centrally by NHS England (for example therapeutic provision for young offenders in the secure estate).
 - The local authority and CCG may also choose to specify other health care provision reasonably required by the child or young person, which is not linked to their learning difficulties or disabilities, but which should sensibly be co-ordinated with other services in the plan.
- H. <u>1. Any social care provision which **must** be made for a child or young person under 18 resulting from section 2 of the Chronically Sick and Disabled Persons Act 1970.</u>
 - Provision should be detailed and specific and should normally be quantified, for example, in terms of the type of support and who will provide it (including where this is to be secured through a social care direct payment).

- It should be clear how the provision will support achievement of the outcomes, including any provision secured through a Personal Budget. There should be clarity as to how advice and information gathered has informed the provision specified.
- Section H of the EHC plan must specify all services assessed as being needed for a disabled child or young person under 18, under section 2 of the CSDPA. These services include:
 - i. practical assistance in the home
 - ii. provision or assistance in obtaining recreational and educational facilities at home and outside the home
 - iii. assistance in traveling to facilities
 - iv. adaptations to the home
 - v. facilitating the taking of holidays
 - vi. provision of meals at home or elsewhere
 - vii. provision or assistance in obtaining a telephone and any special equipment necessary
 - viii. non-residential short breaks (included in Section H1 on the basis that the child as well as his or her parent will benefit from the short break)
- This may include services to be provided for parent carers of disabled children, including following an assessment of their needs under sections 17ZD-17ZF of the Children Act 1989.
- 2. 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 (through a statutory care and support plan) under the Care Act 2014.
 - Social care provision reasonably required may include provision identified through early help and children in need assessments and safeguarding assessments for children. Section H2 must only include services which are not provided under Section 2 of the CSDPA. For children and young people under 18 this includes residential short breaks and services provided to children arising from their SEN but unrelated to a disability. This should include any provision secured through a social care direct payment. See chapter 10 for more information on children's social care assessments.
 - Social care provision reasonably required will include any adult social care provision to meet eligible needs for young people over 18 (set out in an adult care and support plan) under the Care Act 2014. See Chapter 8 for further detail on adult care and EHC plans.
 - The local authority may also choose to specify in section H2 other social care provision reasonably required by the child or young person, which is not linked to their learning difficulties or disabilities. This will enable the local authority to include in the EHC plan social care provision such as child in need or child protection plans,

- or provision meeting eligible needs set out in an adult care plan where it is unrelated to the SEN but appropriate to include in the EHC plan.
- I. The name and type of the school, maintained nursery school, post-16 institution or other institution to be attended by the child or young person and the type of that institution (or, where the name of a school or other institution is not specified in the EHC plan, the type of school or other institution to be attended by the child or young person).
 - The name and type of the school, maintained nursery school, post-16 institution or other institution to be attended by the child or young person and the type of that institution (or, where the name of a school or other institution is not specified in the EHC plan, the type of school or other institution to be attended by the child or young person).
 - These details must be included only in the final EHC plan, not the draft EHC plan sent to the child's parent or to the young person.
- J. Where there is a Personal Budget, the details of how the personal budget will support particular outcomes, the provision it will be used for including any flexibility in its usage and the arrangements for any direct payments for education, health and social care. The special educational needs and outcomes that are to be met by any direct payment must be specified.
 - This section should provide detailed information on any Personal Budget that will be used to secure provision in the EHC plan.
 - It should set out the arrangements in relation to direct payments as required by education, health and social care regulations.
 - The special educational needs and outcomes that are to be met by any direct payment must be specified.
- 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.
 - The advice and information gathered during the EHC needs assessment must be set out in appendices to the EHC plan. There should be a list of this advice and information



Child / Young Person s		Surname:	
Forename:			
Date of Draft EHC Plan:		Date of Final EHC	
		Plan:	
Signature on behalf of Local Authority:			
My Review Date:		Plan number:	



Photograph Optional

(parental consent required)

ALL ABOUT ME PROFILE



Section A

My full name is			
I like to be known as			
I was born on			
ME: PEN PICTURE			
What is important to me:			
What is important for me			
		_	
How best to support me:			
My life aspirations:			

MY FAMILY - PEN PICTURE

Our child's story so far:
What is important to our family now:
What our family want our child to achieve in the future:

Section B

In this section all of the child/young person's special educational needs **must** be specified.

My Special Education	onal Needs
Cognition and Learning	
Social, Emotional	
Mental Health	
Difficulties	
Sensory/Physical	
Speech/Language/	
Communication	
Independence and Self Help	

Section C

This section sets out the health care needs that have been identified for the child/young person.

My Health Care Needs		

Section D

This section sets out the social care needs that have been identified for the child/young person in relation to their SEN.

My Social Care Needs		

Section E & F: Outcomes & Provision

Set out here a list of the outcomes sought for the child/young person

Primary Category of Need*	

Outcomes Sought	Timescales to achieve

^{*}For information only. Not included in section E or F.

Cognition and Learning

What support do I need to achieve my outcome?	Who is going to provide the support?	How often is the support going to be provided, when will it be reviewed and who will review it?

Social, Emotional and Mental Health Difficulties

What support do I need to achieve my outcome?	Who is going to provide the support?	How often is the support going to be provided, when will it be reviewed and who will review it?

Speech/Language/Communication

What support do I need to achieve my outcome?	Who is going to provide the support?	How often is the support going to be provided, when will it be reviewed and who will review it?

Sensory/Physical

What support do I need to achieve my outcome?	Who is going to provide the support?	How often is the support going to be provided, when will it be reviewed and who will review it?

Independence and Self Help

What support do I need to achieve my outcome?	Who is going to provide the support?	How often is the support going to be provided, when will it be reviewed and who will review it?

Section G: Health Provision

This section sets out health provision reasonably required by the learning difficulties or disabilities which would result in the child/young person having SEN.

What health support do I need to achieve my outcome?	Who is going to provide the support?	How often is it going to be provided?

Section H1 & H2: Social Care provision

This section sets out any social care provision reasonably required by the learning difficulties or disabilities which would result in the child/young person having SEN and/or any provision which **must** be made resulting from section 2 of the Chronically Sick and disabled Persons Act 1970.

What social care support do I need to achieve my outcome?	Who is going to provide the support?	How often is it going to be provided?

Section I: Education Placement

This section should be left blank on a draft plan, it should be completed when finalising the plan.

Name of School/College	
Type of School/College	

Section J: Education, Health & Care Plan Resource Sheet

Education					
6-12 month outcome needing additional resource Education Support Source Source Proposed Allocation Agreeme					
Personal Budget					
		Total	£		

Health					
6-12 month outcome needing additional resource Health Support Funding Source Allocation Agree					
Personal Budget					
		Total	£		

Social Care						
6-12 month outcome needing additional resource Care Support Funding Source Source Allocation Agreement						
Personal Budget						
		Total	£			

Section K: Advice and Information

Professionals Involved in preparing the Plan				
Name:	Type of report:	Date of Report:		

PERSONAL INFORMATION

Full Name	
Date of Birth	
My contact address	
My telephone number	
My e-mail address	
Parents' / Carers' Names	
Family Contact Address (if different from above)	
Family Contact numbers (if different from above)	
Family e-mail address (if different from above)	
Current or most recent setting, school college or other	

PEOPLE WHO SUPPORT ME

Name:	Role that they play (Name of organisation where appropriate):	Email:	Telephone:

CONSENT

	Signed:	Print Name:	Date:
The child/young person agrees with what has been written and give consent for the information to be shared with other professionals			
The family agree with what has been written and give consent for the information to be shared with other professionals			
The Setting/ School/ College agree with what has been written			