

# A guide to Education, Health and Care (EHC) Needs Assessment

*For parents, carers  
and young people*

Information about the arrangements made by  
Bromley Council for children and young people  
who are undergoing an EHC Needs Assessment

**TO APPLY FOR**

# **an Education, Health and Care (EHC) Needs Assessment**

**VISIT**

**<https://ehc-hub.bromley.gov.uk>**

> Click on '**About**'

> And then select '**Request an EHC needs assessment**'

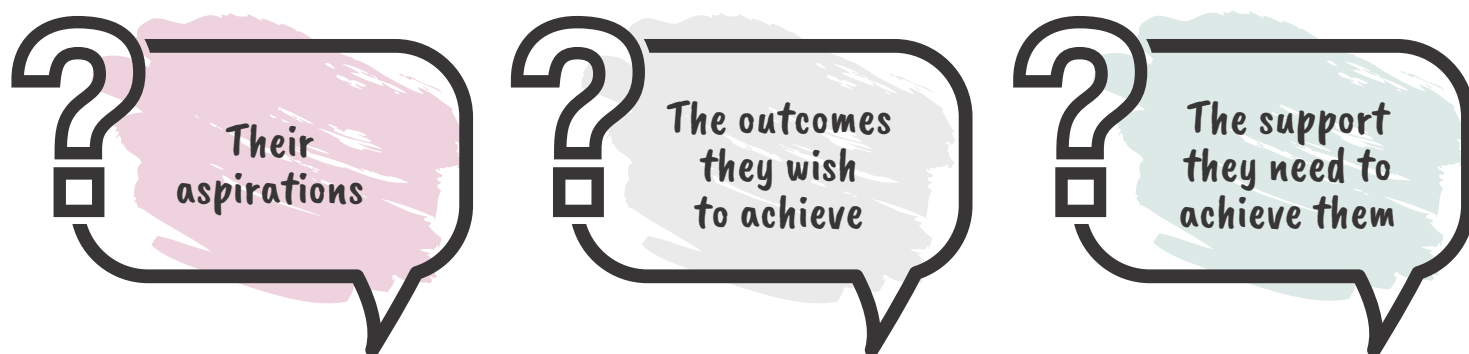
If you have any questions about the new online portal, you can email [ehcp@bromley.gov.uk](mailto:ehcp@bromley.gov.uk).

# A Guide to Education, Health and Care (EHC) Needs Assessment in Bromley

This guide provides useful information about the arrangements made by Bromley Council for children and young people who have special educational needs and/or disabilities (SEND) and who are undergoing an EHC Needs Assessment.

The assessment and planning approach should be person-centred with families being at the centre of the process, supported and encouraged to be involved at every step.

Planning should start with the individual. The Council must ask the child or young person and their parents or carers about their views, wishes and feelings of:



It should enable children and young people, and their parents and carers, to have more control over decisions about their support, including the offer of a Personal Budget for those with an EHC Plan.

# What is an EHC Needs Assessment?

The Children and Families Act 2014 introduced EHC Plans for children and young people aged from 0 to 25 years who have complex SEND needs.

EHC Plans co-ordinate the support for the child and young person in a way that focuses on desired outcomes including, as they get older, preparation for adulthood.

Most children and young people who have SEND will have their SEND needs met by the help available through their education setting and the community, which is known as '**The Bromley Local Offer**'.

**The Bromley Local Offer sets out what services are available to children, young people and their families.**

Every school has to produce and publish a **SEN Information Report** on their website which sets out the support available for pupils at that school.

All schools must have a designated qualified teacher that is responsible for co-ordinating SEND provision. This teacher is called the **Special Educational Needs Coordinator** (SENCO). Pre-schools must also have a SENCO, although they do not need to be a qualified teacher.

It is normally best for parents and carers to discuss their concerns with the SENCO at their child or young person's education setting. Alternatively, they can discuss it with a professional or key person who is involved with them.

For a very small number of children and young people where their complex needs cannot be met by the provision that is normally available, an **EHC Needs Assessment** may be required to find out exactly what extra help is needed to meet need and achieve desired outcomes.

The education setting, or the professional or key person, can ask the Council to consider making an EHC assessment.

Parents and carers, and young people aged over 16 years, can also request an EHC Needs Assessment by visiting:

[www.bromley.gov.uk/LocalOffer](http://www.bromley.gov.uk/LocalOffer)

When it has been agreed that it may be necessary to submit a request for an EHC needs assessment, a meeting should be arranged between the education setting or key worker and the child or young person, and their parents/carers. This will make sure that key information and the views of the family are gathered at the earliest stage to inform the multi-agency decision on whether to agree to carry out an EHC Needs Assessment.

This is an opportunity for the child or young person, and their parent and carer, to give their views and to think about the current position and any thoughts the family may have about the future.

They will be asked to consider:

- what strengths or barriers exist
- what help is needed
- how it could be provided
- the aspirations they have for the future
- the outcomes that they would like their child to achieve

This will be used to inform the EHC Needs Assessment process.

## Decision-making

The Council's Multi-Agency Statutory Assessment Panel is responsible for:

- carefully considering the request for the EHC Needs Assessment
- coordinating the EHC Needs Assessment
- carrying out the EHC Needs Assessment

The Panel must inform everyone involved of their decision within six (6) weeks of receiving a request for an EHC Needs Assessment.

If the Panel decides that an **EHC Needs Assessment is not needed**, they will contact the child's parent or carer, or the young person themselves, and the education setting to explain the reasons for their decision.

This should include feedback about the information gathered during the consideration for the EHC Needs Assessment to help inform how the outcomes sought for the child or young person can be achieved through the special educational provision made by the education setting.

They must also give parents and carers, or young person, details about their **right to appeal** against the decision to the Special Educational Needs and Disability Tribunal (SENDIST) and their need to consider mediation. The Council will also tell them about the informal disagreement resolution arrangements available.

# Information, advice and support

The Council also provides access to information, advice and support to help guide parents and young people through the EHC needs assessment process. Group Statutory Assessment Information sessions are held on a monthly basis for parents and young people where the Council have agreed to assess.

## Information and Advice Support Service

- or IASS for short

*(formally Parent Partnership Service)*

- Email: [iass@bromley.gov.uk](mailto:iass@bromley.gov.uk)
- Tel: 020 8461 7630
- Visit: [www.bromley.gov.uk/iass](http://www.bromley.gov.uk/iass)

Alternatively, ask your child's keyworker at your child's school or pre-school setting.



# What happens during an EHC Needs Assessment?

If the Council decides to undertake an EHC Needs Assessment, parents and carers, or the young person themselves, will be allocated an EHC Coordinator who will act as the Lead Professional.

They will be in contact with the family or young person throughout the EHC Needs Assessment period to:

- give information on the progress of the assessment
- reach agreement on the contents of the EHC Plan

The EHC Coordinator will start gathering information about the child or young person from a number of people. **This information is called 'advice'.**

The child, young person and their family will be at the very centre of the assessment and their views will be listened to every step of the way. **This is called a person-centred approach.**

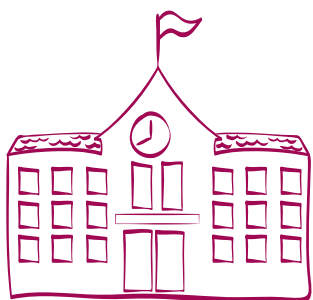
**The EHC Needs Assessment will focus on the outcomes that the child or young person, and their parents and carers, wish to achieve.**

The IASS provide all parents and carers, and children and young people, with impartial information, advice and support to help them to take part in the assessment and planning process.



# Who else is involved with the EHC Needs Assessment?

If the Council decides to undertake an EHC Needs Assessment, other people will be asked to provide 'advice' to help inform the assessment and any potential EHC Plan, including:

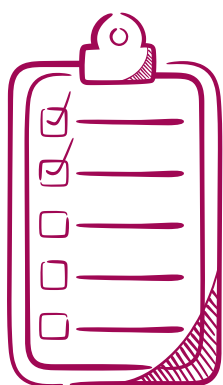


## The education setting

Parents and carer will already have had conversations with the education setting and they will be knowledgeable about what concerns exist.

They will send a report about what the child or young person can do and what they find difficult.

They will also write about what has been tried to support the child or young person.



## Educational Psychologists

They are specialists, trained to assess a child or young person's learning. They can advise on how they might be helped if there are difficulties.

The Educational Psychologist will talk with the child or young person, their parents and carers, and with others who know the child or young person well.

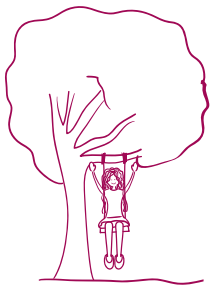
The Educational Psychologist will write about the child or young person's needs and how they may be helped to learn.





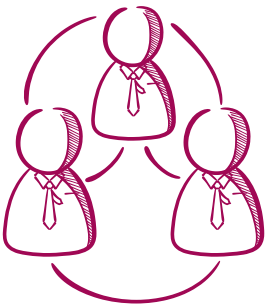
## Health professionals

A relevant health professional will be asked to write about whether any health factors affect the child or young person's learning.



## Social care

If a child or young person, or their family, already has contact with either children or adult social care, or receives Short Breaks, a report will be included.



## Other specialist practitioners

Any other relevant specialist practitioners, such as a Speech and Language Therapist, Physiotherapist, Occupational Therapist or specialist teachers, might also be asked to write a report. This will depend on the needs of the child or young person.



# EHC Needs Assessment: What happens next?

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

## Decision to issue an EHC Plan

If the Council decides that an EHC Plan is necessary, they will send a **draft EHC Plan**, together with a copy of all the advice and reports collected during the EHC Needs Assessment to the parent or carer, or the young person.

The Council **must** give the child's parent or carer, or the young person, at least **15 (fifteen) days** to:

- give their views on the content of the draft EHC Plan
- express a preference for an education setting
- seek the agreement of a personal budget

Once a decision has been made to issue a plan, parents & carers, and where appropriate the young person, will be given the opportunity to respond and contribute to the development of the EHC Plan. At this point, parents & carers, and where appropriate the young person, will be offered the opportunity to meet with their EHC Coordinator to discuss the contents of the plan, if parents would feel it would be of benefit.

## Decision not to issue an EHC Plan

If following the completion of an EHC Needs Assessment the Council decides NOT to issue an EHC Plan, it **must** notify the child's parent or carer, or the young person, the current educational setting and the health service, and give reasons for its decision.

This notification **must** take place as soon as practicable and at the latest within **16 (sixteen) weeks** of the initial request for the EHC Needs Assessment.

The Council **must** also inform the child's parent or carer, or young person, of their right to appeal the decision to the Special Educational Needs and Disability Tribunal (SENDIST) and of the requirement for them to consider mediation should they wish to appeal.

# What is Mental Capacity and Supported Decision Making?

From September 2014 the right to make requests and decisions applies directly to young people who have SEND over the compulsory schools age (the end of the academic year in which they turn 16) rather than to their parents.

**The Mental Capacity Act 2005 applies to everyone aged 16 or over.** Therefore, parents and carers of a young person with a disability or condition which may affect their capacity (such as a learning disability), should have relevant information and understand the Mental Capacity Act's potential implications for themselves and their son or daughter.

Mental capacity is the ability to make decisions. This could be fairly small decisions like what we eat or the clothes we wear, or could be much bigger decisions, for example where we live and who we live with.

Capacity is based on a single decision at a single time, so some people may have fluctuating capacity, meaning they can make a decision one day and not the next depending on their wellbeing.

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

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

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

# The EHC Plan

Decisions about the content of an EHC Plan should be made openly and collaboratively with parents and carers, and the child or young person.



It should be clear how the child or young person has contributed to the plan and how their views been included.

The EHC Plan should:

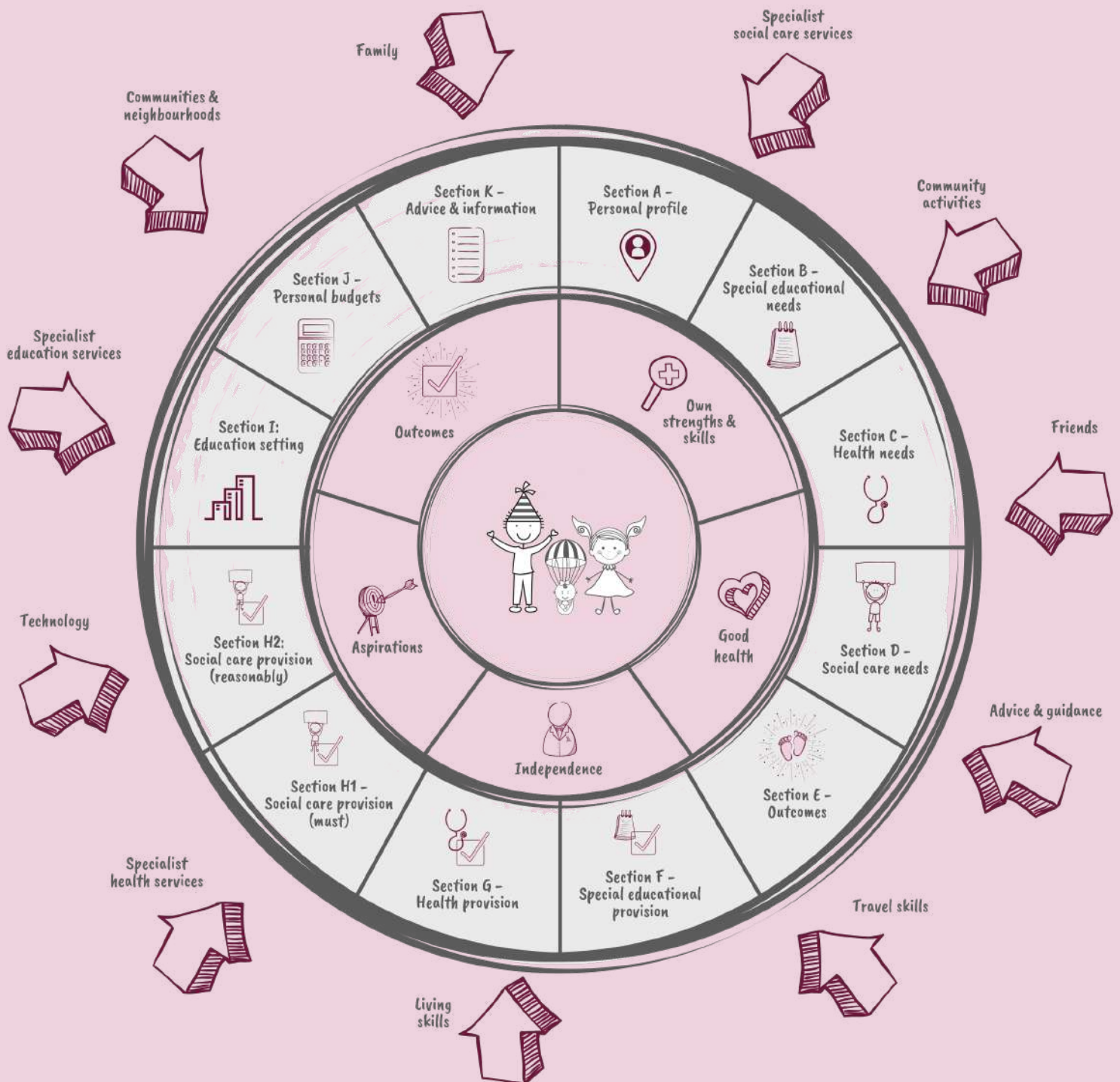
- describe positively what the child or young person can do
- describe positively what they have achieved
- be forward looking
- be clear, concise, understandable and accessible to parents and carers, the child or young person, as well as practitioners and providers
- specify the outcomes sought for the child or young person

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



# Education, Health and Care Plans

Building holistic support around the strengths, needs and community of the child or young person, and their family



## Further information

A range of further information and advice is also available on the Bromley Local Offer website. Simply visit [www.bromley.gov.uk/localoffer](http://www.bromley.gov.uk/localoffer) or search 'Bromley Local Offer'.



## Section A - Personal profile

**The views, interests and aspirations of the child or young person, and their parent or carer**

The **Personal Profile (Section A)** enables the views, interests and aspirations of the child and his or her parents or the young person to be recorded.

It may be completed by the young person themselves, the child or young person's family, or an individual who is supporting them. People that might complete a personal profile include:

- A member of staff from pre-school settings in partnership with the child or young person, and their family
- A SENCO in a school in partnership with the child or young person, and their family
- A Family Support Worker from the voluntary sector or the IASS in partnership with the child or young person, and their family

*This is not an exhaustive list and will be individual to each child or young person.*

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



## Section B - Special educational needs

Details of the child or young person's special educational needs

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## Section C - Health needs

Details of the child or young person's health needs which are related to their SEN

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## Section D - Social care needs

Details of the child or young person's social care needs which are related to their SEN or to a disability

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## Section E - Outcomes

**The outcomes sought for the child or young person.** This should include outcomes for adult life. It should also identify the arrangements for the setting of shorter term targets.

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## Section F - Special educational provision

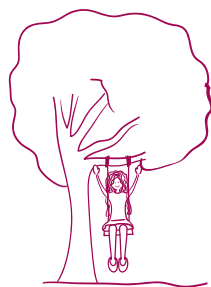
**Details of the special educational provision required by the child or young person.** This must be detailed and specific and should normally be quantified.

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## Section G - Health provision

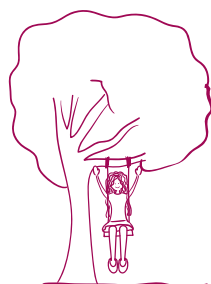
**Details of any health provision reasonably required by the learning difficulties or disabilities which result in the child or young person having SEN.** Where there is an Individual Health Care Plan in place it should be included.



## Section H1 - Social care provision (must)

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

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## Section H2 - Social care provision (reasonably)

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

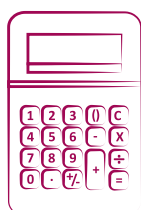
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## Section I - Education setting [see page 20]

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

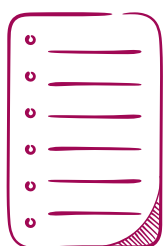
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## Section J - Personal budgets

Where there is a Personal Budget, details of how it will support particular outcomes.

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## Section K - Advice and information

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.



## Section I

### Education setting: further information

At the draft EHC Plan stage, Section I will be left blank to enable the parent and carer, or the young person themselves, to **state a preference** for a particular school or educational setting (including independent schools or specialist colleges which have been approved for this purpose by the Secretary of State  $\Omega$ ).

*This may be the school or setting that the child or young person is already attending.*

The Council must agree with the preference of the parent and carer, or the young person's themselves, as long as:

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

If the parent and carer, or the young person themselves, state a preference for a mainstream school, the Council must provide a mainstream place as long as:

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

The Council **must** consult a school before naming it in the EHC Plan, but the Council makes the final decision.

The final EHC Plan will be sent to the parent and carer, or the young person themselves, and will include the name and type of school or educational setting in Section I.

It will also include a date by which the EHC Plan must be reviewed. EHC Plans have to be reviewed on an annual basis.

$\Omega$  - Independent schools for pupils with special educational needs, including those approved under section 41 of the Children and Families Act - [www.gov.uk/government/publications/independent-special-schools-and-colleges](http://www.gov.uk/government/publications/independent-special-schools-and-colleges)

# Personal budget

A personal budget is the amount of money identified by the Council to deliver all or some of the provision set out in the EHC Plan.

*This may be referred to as a notional budget.*

A personal budget is one of the ways of giving the parent and carer, and the child and young person themselves, more choice and control about the way they are supported.

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

The way a personal budget is spent will be agreed with the parent and carer, and the child and young person themselves, and this information is set out in the EHC Plan.

Anything the parent and carer, and the child and young person themselves, use the personal budget for must meet the their assessed health, education and social care **needs** and support their **outcomes**.

Some people may use their personal budget to buy the same service, whilst others may use it on different support or other services.

The EHC Coordinator will discuss with the family as part of the creation of the EHC Plan.

Further information is also available on the Local Offer website - [www.bromley.gov.uk/localoffer](http://www.bromley.gov.uk/localoffer).



# SEND Transport

The Council offers travel assistance to families in accordance with its statutory duties where children or young people have significant SEN, a disability or mobility restrictions which means that travel assistance is essential to access their specialist provision.

Parents wishing to apply for travel assistance from the Council should complete an application form and return it to SEN Transport Team once the draft EHC Plan has been issued.

Travel assistance is granted, following assessment, in accordance with the SEN Transport Policy.

The EHC Coordinator will discuss this with the families.

Further information is also available on the Local Offer website - [www.bromley.gov.uk/localoffer](http://www.bromley.gov.uk/localoffer).

Alternatively, contact the SEN Transport Team by:

- Emailing [sentransport@bromley.gov.uk](mailto:sentransport@bromley.gov.uk)
- Calling **020 8313 4076**



# Mediation and appeal

The Council will inform the parent or carer, or the young person themselves, of their right to appeal to the Special Educational Needs and Disability Tribunal (SENDIST) and of the requirement for them to consider mediation should they wish to appeal, if they disagree with the final EHC Plan.

## Mediation

Mediation is arranged by the Council, unless the issues relate only to health, in which case the responsible commissioning body must arrange the mediation.

The mediator must be independent of the Council.

## Appeal

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

Parents and young people can then decide whether to go to mediation before they bring an appeal to the Special Educational Needs and Disability Tribunal (SENDIST).

Where they decide against mediation, they will be able to go straight to appeal after receiving a certificate stating they have considered mediation.

Further information is also available on the Local Offer website -

[www.bromley.gov.uk/localoffer](http://www.bromley.gov.uk/localoffer).

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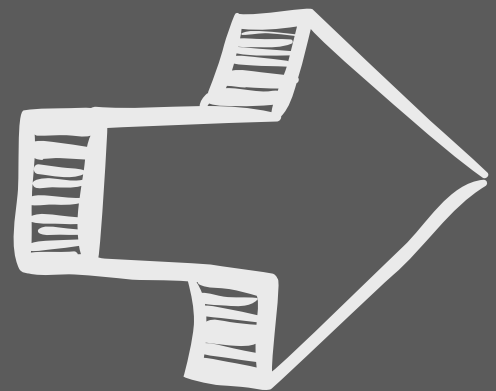
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# Completing an Education, Health and Care (EHC) Plan

**STATUTORY TIMELINE**



# EHC Plan Statutory Timeline

At every stage, the child and young person, and their parents and carers, are involved fully, their views and wishes taken into account



Request for assessment or child or young person brought to the Council's attention

Council decides whether to conduct an EHC Needs Assessment

YES

NO

The Council notifies parents/young person of decision within a maximum of 6 weeks from request for assessment

The Council notifies parents/young person of decision and right to appeal within a maximum of 6 weeks from request for assessment

The Council gathers information for the EHC Needs Assessment

The Council decides whether an EHC Plan is needed

Ongoing Council information gathering – where the Council requests cooperation from an organisation in securing information and advice, the organisation must comply within 6 weeks

YES

NO

The Council drafts the EHC Plan and sends it to parents/young person

The Council notifies parents/young person of the decision and the right to appeal within a maximum of 16 weeks from request for assessment

Parents/young person has 15 calendar days to comment/express a preference for an educational institution and should also seek agreement of a personal budget

The Council must consult governing body, principal or proprietor of the educational institution before naming them in the EHC Plan. The institution should respond within 15 calendar days.

Following consultation with the parent/young person, the draft EHC Plan is amended where needed and issued.  
(The Council notifies the parent/young person of rights to appeal.)

Maximum time for whole process to be completed is 20 weeks

# Roles and responsibilities

There are many people that contribute to the EHC Plan.

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



# Jargon buster

## WHAT'S AN "ASPIRATION"?

### A HOPE OR AMBITION OF ACHIEVING SOMETHING

For example: to be independent, be healthy, get a job, go to college, have a friend.

## Personal Profile

The Personal Profile helps to find out what is important to the child, young person and their family so that all available resources can be used to help achieve their aspirations.

## What's an "Outcome"?

The benefit or difference made to an individual as a result of an intervention. Steps towards reaching the long term goal.

For example:

- To be able to travel independently, on foot and by public transport, in and around Bromley, by the time I'm 19.
- John will be able to take an active part in group discussions in his class using his communication aid by the end of Key Stage 2.

## Person-centred

Outcomes should be personal and not expressed from a service perspective

For example:

- I want to be able to talk to my friends.

## What's a "Need"?

A thing that is required. The state of requiring help....

*(It's not just the diagnosis, but the needs that arise from this)*

Self help:

- Needs help with their personal hygiene i.e. toileting, washing
- Learning difficulties:
- Needs constant repetition in order to support learning

## What's "Provision"?

The action of providing or supplying something... a resource to meet need and achieve outcomes

An education placement, support from a service or equipment.

For example:

- Participation in a social communication group with 4-5 other children supported by a trained teaching assistant for 20 minutes once per week.

## Statutory guidance

The Government has produced statutory guidance, *Special Educational Needs and Disability Code of Practice: 0 to 25 years*, for professionals and organisations who are supporting children and young people who have SEND.

The statutory guidance sets out the requirements for undertaking SEND assessment and planning.

You can download the statutory guidance at:

**[www.gov.uk/government/publications/send-code-of-practice-0-to-25](http://www.gov.uk/government/publications/send-code-of-practice-0-to-25)**.

A parent guide is also available at:

**[www.gov.uk/government/publications/send-guide-for-parents-and-carers](http://www.gov.uk/government/publications/send-guide-for-parents-and-carers)**.



# The Bromley Local Offer

Bromley  
LOCAL  
OFFER.

Our Local Offer provides information about local services, support and activities available to families, children and young people aged 0 - 25 years with special educational needs or disabilities.

Visit

[www.bromley.gov.uk/LocalOffer](http://www.bromley.gov.uk/LocalOffer)



*Produced by:*

Children's Services  
**London Borough of Bromley**  
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