

SEND Reforms

Special Educational Needs and Disability (SEND)

Frequently Asked Questions

Introduction

Are you a parent/carer or a young person looking for more information about forthcoming changes to education law in England for children and young people with Special Educational Needs and Disabilities (SEND)? Are you wondering how these changes might impact on your child or yourself?

Oldham Council has produced this fact sheet (with the co-operation of NDCS) to try and answer some of the questions you might have. It is a broad summary of the main changes as stated in the Special Educational Needs and Disability Code of Practice: 0-25 years¹. You can find the latest version of this document at:

¹<https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>

“All children and young people are entitled to an education that enables them to make progress so that they:

- *achieve their best;*
- *become confident individuals living fulfilling lives, and*
- *make a successful transition into adulthood, whether into employment, further or higher education or training”.*

Special Educational Needs and Disability Code of Practice: 0-25 years¹

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1. Summary

1.1. What's changing?

Some of the key changes include:

- Replacing the statement of Special Educational Need (SEN) with an Education, Health and Care Plan (EHC Plans).
- Allowing young people with Special Educational Needs and Disability (SEND) up to the age of 25 to have an EHC Plan.
- Giving some parents and young people the option of a personal budget to purchase some elements of the SEND support needed.
- Requiring local authorities to set out a local offer (see section 7) of what support they expect to be available for children and young people with SEND.
- Changing the SEN Code of Practice.
- New and explicit requirements around the involvement of children, young people and parents in decisions about SEND provision.
- Requiring education, social care and health services to work together to support children with SEND through joint commissioning of services.

In this FAQ, we provide more information about these changes.

The changes start to come into force from 1st September 2014 and will be implemented gradually until 31st March 2018. Statements will be replaced by EHC Plans over the next 3½ years.

1.2. What do I need to do?

If your child currently has a statement of SEN or a Learning Difficulty Assessment (LDA) (if over 16), then we will be in touch about how this will be changed to an EHC Plan. We will be moving children and young people in stages over the next 3½ years, so changes may not happen immediately. We will also be publishing a transition plan (see section 4) explaining our general approach to moving children and young people over to EHC Plans.

2. SEND Code of Practice: 0 to 25 years

2.1. Will the definition of SEN change?

There will be no significant changes to the definition of SEN. It will continue to be largely defined as those who:

- Have a greater difficulty in learning than the majority of other children;
- Have a disability which prevents or hinders them from making use of the educational facilities generally provided in the area.

The definition applies to pre-school children also.

The main change is around terminology for young people over 16. Currently, they are described as having learning difficulties and disabilities and subject to a different framework. However, under the new proposals, they will be regarded as having special educational needs in the same way they would if they were under 16.

2.2. What will happen to the SEN Code of Practice?

The SEN Code of Practice sets out the current framework of how children with SEN will be supported. Over the past year, the Government have been consulting on a number of changes to it. A final draft of the new SEND Code of Practice: 0 to 25 years can be found at :

<https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>

In Annex A, we set out a summary of what the new SEND Code of Practice: 0 to 25 years says and where to find key information.

Any changes to the SEND Code of Practice: 0 to 25 years will take effect in September 2014. A copy of the existing SEN Code of Practice can be found online at:

<http://webarchive.nationalarchives.gov.uk/20130401151715/https://www.education.gov.uk/publications/standard/publicationDetail/Page1/DfES%200581%202001>

2.3. What will happen to the current categories of School Action and School Action Plus?

These categories will be replaced with a single category called SEN support. The new SEND Code of Practice: 0 to 25 years outlines a graduated approach for SEND support.

Under this approach, all early years and education providers must continue to use their best endeavours to meet the additional needs of children and young people with special educational needs and/or disability and ensure they have the support they need. They are expected to follow a process called assess, plan, do, review.

Schools are required to keep records of individual children's progress which explains how they are monitoring and evaluating any SEND support provided.

Regardless of these changes, education settings are still required to follow the Equality Act 2010 in meeting the needs of disabled children and young people. This includes taking steps to proactively consider their needs and making reasonable adjustments to ensure that they are not disadvantaged in their education. Education settings should not wait until a disabled child or young person is falling behind before additional support is provided.

3. Education, Health and Care Plans (EHC Plans)

3.1. What is an EHC Plan

EHC Plans will replace statements of SEN. They will also replace LDAs (which apply in some post 16 settings). Currently, beyond the age of 16, children or young people can only have a statement if they are educated in a school. Under the new proposals, children or young people up to the age of 25 can have an EHC Plan, providing they remain in education or training (including apprenticeships).

Young people who are going to university or become employed will **not** be eligible for an EHC Plan.

3.2. Who will get an EHC Plan?

Any child or young person that currently has a statement will have an EHC Plan. Any young person between the ages of 16 and 19 who currently have a LDA may also have an EHC Plan.

The trigger for the new EHC Plan will be education. This means that if a young person has a health or social care need, they will not get an EHC Plan unless these needs impact on their education.

3.3. How will the assessment work?

Section 9 of the new SEND Code of Practice: 0 to 25 years sets out how the Department thinks that assessments should be carried out. Some of the key points include:

- The views of children, young people and their families must be sought and they must be involved during the assessment process.
- Disruption to the family should be minimised. This includes avoiding multiple assessments and appointments. There should also be a tell us once approach so that families do not have to repeat the same information to different professionals.
- Families should be provided with impartial information, advice and support. In the case of young people over the age of 16, a separate service of impartial information, advice and support should be available to them. Young people may also be provided with an advocate by the local authority to make sure their views are heard and acknowledged.
- The assessment process should be carried out in a timely manner and it should not normally take longer than 20 weeks to issue a Plan.

3.4. What will an EHC Plan look like?

Section 9 of the new SEND Code of Practice: 0 to 25 years sets out how the Department expects local authorities to go about writing an EHC Plan. Some of the key points include:

- EHC Plans should be focused on the outcomes an individual child is expected to achieve. Any targets must be specific and set out what support is needed to achieve those outcomes.
- EHC Plans should be clear, concise and positive. They should also be free from jargon.
- It should reflect the views of the child or young person.

EHC Plans must include separate sections on:

- The views, interests and aspirations of the child or young person and family (section A)
- What the special educational need is (section B)
- Any health needs relating to their SEND (section C)
- Any social care needs relating to their SEND (section D)
- The outcomes sought for that individual child or young person (section E)
- What support is needed for the child or young person's SEND (section F)
- What support is needed from health or social care services (sections G and H)
- The name and type of school or other placement (section I)
- Personal budgets (section J)
- Advice and information gathered during the assessment (section K)

The new SEND Code of Practice: 0 to 25 years includes more information about what should go in each of these sections.

The EHC Plan can also include wider information about a child's social care needs. If a child or young person has received a social care assessment under what is known as the Chronically Sick and Disabled Persons Act, then any support identified as needed under this assessment must be included in an EHC Plan. Other social care assessments can also feed into the EHC Plan, providing that it relates to the child's special educational need. Steps will be taken to ensure sensitive information, including about particularly vulnerable children, is not disclosed more widely than it needs to be.

3.5. Who will prepare the EHC Plans?

Local authorities will be adopting a key working approach whereby the family has a single point of contact. A key worker's role is usually to support the family by liaising with the different professionals involved in any assessments of the child and to co-ordinate everything.

The new SEND Code of Practice: 0 to 25 years also indicates that families may, in addition, receive support from an independent supporter from the voluntary or private section. Independent workers are intended to help families through the process and would be someone who does not work for the local authority.

3.6. How will an EHC Plan be enforced?

Existing statutory rights will remain and you will be able to appeal to the SEN and Disability Tribunal in the same way that you currently can. Annual reviews will continue as they do now.

One **key change** is that parents will be required to **consider** mediation if they are considering appealing to the SEN Tribunal. Once a parent has decided whether or not to undergo mediation, they can take a case to Tribunal but this can only happen after a certificate has been issued by a mediation adviser to confirm that mediation was considered. Mediation can consider the health and social care aspects of an EHC Plan, as well as education.

The mediation or any discussions on it must be conducted with someone independent from the local authority (information will be available within our local offer (see section 7). Any disputes must still be resolved within the same timescales, even where mediation takes place.

Mediation is not necessary if the appeal to Tribunal is about disability discrimination or about a dispute over whether a child should go to a particular school or placement.

Another **key change** is that, if you move, then the EHC Plan can be transferred and the local authority in your new area will be required to provide the same support as in your previous home area. However, if your EHC Plan requires your child to be placed in a certain school, this can be reviewed, particularly if you now live some distance from the school.

3.7. Will an EHC Plan provide legal entitlements to speech and language therapy?

Currently, speech and language therapy can be treated as educational provision even though it is often provided by health services. Judges have agreed that speech and language therapy is vital for children with SEND. This is legally set out in case law and will continue to apply.

Where a health or social care service has the purpose of education or training a child or young person, it must be regarded as special educational provision, even if it is not provided by an education service. This means that local authorities must legally ensure this is provided if it is set out in an EHC Plan.

More widely, there are no new direct powers against health services under the current proposals.

However, Oldham Children's Services and the Clinical Commissioning Group will work together and jointly commission the services that children with SEND need.

3.8. What will happen to an EHC Plan when my child turns 16?

After compulsory school age (the end of the academic year in which they turn 16) the right to make requests and decisions regarding an EHC Plan applies to your child directly but we will continue to involve parents in discussions about the young person's future. Parents, or other family members, can continue to support young people in making decisions, or act on their behalf, provided that the young person is happy for them to do so, and it is likely that parents will remain closely involved in the great majority of cases. We will engage directly with your child, unless we believe that your child does not have the mental capacity to make informed decisions. We will ensure that young people receive the information, advice and support they need to participate in decisions about their EHC Plan.

4. Turning a statement into an Education, Health and Care Plan

4.1. My child has a statement. Will they get an EHC Plan?

All children who are eligible for a statement should also be eligible for an EHC Plan. The only cases where existing children and young people might not change over to an EHC Plan are:

- a. Their needs have significantly changed.
- b. Your child is no longer in education or training before the planned changeover.

No new statements can be issued after 1st September 2014 (unless your child was already being assessed for one immediately before that date). All statements will be changed over to an EHC Plan by April 2018.

4.2. My child has a statement. When will this change over to an EHC Plan?

We will publish our transitional plan on the Oldham Council website. This plan will set out how we will transfer young people who receive support as a result of a LDA and children and young people with statements to EHC Plans by 1st April 2018. Parents and young people will be contacted by us prior to this changeover.

We expect children and young people to move over at key transition points. In the table below we summarise those key transitional points:

Stage your child is at	What should happen
Child is transferring from early years setting to school, i.e. going into reception year (including staying in the same institution) from September 2015	Your child will transfer to the new arrangements (i.e. an EHC Plan) before he/she moves to the school
Child is transferring from infants to juniors from September 2015	As above
Child is transferring from primary to middle school	As above
Young person is in Year 11 from 01/09/2014 onwards and moving to a post-16 institution or apprenticeship	He/she will transfer to the new arrangements before the move into Year 12, wherever he/she will be education
Young person is in Year 11 from 01/09/2014 onwards and staying in school	Expected to transfer to the new arrangements
Child is transferring from primary to secondary school in September 2015	We will consider whether to transfer children in Year 6 but will take into account the families' wishes
Child is transferring from primary to secondary school from September 2016 onwards	Will be transferred to the new arrangements before the move to secondary
Child is transferring from middle to secondary school from September 2016 onwards	As above
Child is in Year 9 in the academic year 2014-2015	Expected to transfer to new arrangements in Year 9
Child is in Year 9 from September 2015	Will be transferred to new arrangements in Year 9

4.3. How will the changeover happen?

Oldham Council will carry out a transfer review for each child/young person being moved. This will take the place of an annual review.

This will involve an assessment of your child's needs under the new framework. We will avoid asking for information that we already have. The transfer review process may take up to 14 weeks and will conclude when you have been issued with a final EHC Plan to replace the existing statement.

4.4. My child was being assessed for a statement just before 1st September 2014. Will they now get an EHC Plan?

In cases where the assessment or re-assessment for a statement is in progress on 1st September 2014 then it will continue under the arrangements provided for by the Education Act 1996. We may contact parents to discuss whether the assessment might be treated as an EHC needs assessment. This would ensure children and young people benefit from the new system as soon as possible, and help reduce the burden on families and ourselves of needing to conduct transfer reviews for these children and young people later.

4.5. I don't want to wait. Can my child get an EHC Plan Sooner?

You can ask us to carry out a transfer review. We may agree to move your child to an EHC Plan sooner dependent on circumstances.

If your child's needs have changed, then you still have the right to request a reassessment of their needs and we will consider whether a transfer review is appropriate at this stage. If a transfer review is not carried out we can choose to carry out a reassessment with reference to the existing SEN framework around statements.

Even if we do not transfer your child's statement to an EHC Plan, we will still follow the existing SEN framework. Existing rights and protections will remain in place until your child moves to the new system.

5. Turning a Learning Difficulty Assessment into an Education, Health and Care Plan

5.1. My young person has a LDA. How will the changeover happen?

In section 4, we set out how the changeover from statements to EHC Plans will work. Much of the same also applies to the changeover from LDAs to EHC Plans. The main difference is that the changeover period is shorter. All LDAs will be transferred by 1st September 2016.

6. Personal Budgets

6.1. What is a personal budget?

A personal budget is an amount of money that has been identified to deliver SEND provision where the parents or young person is to be involved in making sure that provision is provided. There are four different ways in which a personal budget can be managed:

1. Direct payments' whereby parents and young people are given funding directly to spend.
2. 'Notional arrangements' whereby the local authority, school or college holds the funding and commissions the support needed on behalf of the parent or young person.
3. Third party arrangements whereby the funding is held by a third party who handles the funding on behalf of the parent.
4. A combination of the above.

6.2. Who can have a personal budget?

Under current proposals, only where an EHC Plan is in place will a parent or young person be able to have a personal budget. Once we have agreed to issue an EHC Plan a parent or young person can request a personal budget.

We will consider all requests for personal budgets, however, there are exceptions that mean we do not always have to provide them. For example:

- We do not have to provide personal budgets if we are concerned it will negatively impact on other people or will be poor value for money.
- We are required to judge if a young person or family is 'capable' of managing person budgets.
- Young people or families who have been required by the law to undergo treatment for drug or alcohol abuse will not be allowed to have a personal budget.
- Where a child or young person is in custody, a personal budget is not permitted.

6.3. Will I have to have a personal budget?

No, it will be entirely optional. We will provide families with information to understand what a personal budget will involve and how it can be used. This will be set out in the local offer (see section 7).

6.4. What will I be able to buy with a personal budget?

This will be set out in the EHC Plan. A personal budget can **only** be used for provision that has been set out in the EHC Plan. Personal budgets cannot be used to purchase a place at a particular school.

We will set out, through our local offer (see section 7) what services are currently available through the use of personal budgets.

6.5. How much money will I be able to get through my personal budget?

The new SEND Code of Practice: 0 to 25 years states that we must ensure that families who choose the option of direct payments actually have enough money to purchase what has been agreed. Beyond this, the amount of money that a family will get will depend on the individual case and what has been set out in the EHC Plan.

We can give **indicative** figures when a personal budget is being considered but the total amount of money will only be finalised when the EHC Plan is being agreed.

6.6. Can my child have a personal budget?

If your child is over 16, in theory, yes, he/she could have a personal budget. As set out earlier in 6.2, not everyone will be allowed to have a personal budget.

A young person will need the consent of their college if they wish to use direct payments in this context.

6.7. Will I receive any help in spending a personal budget?

We will provide information about organisations that can provide you with advice and assistance on personal budgets and this will be included in our local offer (see section 7).

Parents or young people will have to sign an agreement with us regarding the use of direct payments. It is important to be aware that we can ask the parent or young person to pay back any money that has been unspent if, for example, it feels that the direct payment has not been spent as intended or if it suspects fraud has taken place.

7. **Local Offer**

7.1. What is the local offer?

The local offer sets out in one place (via Oldham Council's website) information about provision that will be available for children and young people in the Oldham area (and outside the area) who have SEN or are disabled, including those who do not have EHC Plans.

It will provide clear, comprehensive, accessible and up-to-date information about the available provision and how to access it.

The local offer will not simply be a directory of existing services. We will engage with children, young people and parents regarding the information it contains. The process of reviewing and developing the Local Offer will help us to improve provision.

7.2. What will the local offer include?

The local offer will include information on:

- Special educational provision available within the area, including resource provisions and special schools.
- Specialist provision outside the Oldham area where this is being used by local children with SEN.
- Information about how parents and young people can request an assessment for an EHC Plan.
- Details of teaching approaches, how the curriculum will be adapted, arrangements for assessment and monitoring, how effectiveness will be measured, extra – curricular activities and so on.
- Arrangements for identifying SEN.
- Opportunities for apprenticeships and training.
- Health care provision. This includes speech and language therapy and mental health services.
- Social care provision.
- Childcare provision, including provision suitable for disabled children and those with SEN.
- Support available to children and young people to help them prepare for adulthood (including preparing for and finding employment, finding somewhere to live and participating in the community).
- Transport.
- Where families can get information and advice about SEN and disability from other sources, including forums and support groups.
- How to make a complaint.
- Any eligibility criteria for any provision set out in the local offer.

This list is not exhaustive. The local offer will also signpost to information provided by schools on their arrangements for pupils with SEND.

7.3. How can I get involved in shaping the local offer?

We have worked and will carry on working with POINT (Parents of Oldham in Touch) to ensure the local offer meets the needs of families and whether we need to take steps to improve our offer.

7.4. Where can I find the local offer for my area?

The local offer is available on the Oldham Council website.

8. Choosing a school or college

8.1. What is being proposed?

As is currently the case with statements, the application and admissions process will differ, depending on whether or not your child has an EHC Plan. Children without an EHC Plan will follow the usual applications/admissions route and information is available on the Oldham Council website.

For children who have an EHC Plan, parents will have a right to name any state funded school (including academies and free schools) or Further Education college in the new EHC Plan.

Parents will also have a right to name certain non-maintained or independent special schools or specialist colleges in the EHC Plan. The Department for Education will develop a list of independent special schools that can be named. Parents will **not** have a right to name an independent school that does not cater specifically for children with SEN.

The local authority **must** consult the governing body, principal or proprietor of the school or college concerned, sending the school or college a copy of the draft EHC Plan. If another local authority maintains the school, they too **must** be consulted.

Parents should be aware that if the agreement is for a placement that is further away than a more local school, then travel costs may have to be met by the parents.

8.2. What happens if my preference is not met?

If a child's parent or a young person makes a request for a particular nursery, school or post-16 institution in these groups the local authority **must** comply with that preference and name the school or college in the EHC Plan unless:

- it would be unsuitable for the age, ability, aptitude or SEN of the child or young person; or
- the attendance of the child or young person there would be incompatible with the efficient education of others, or the efficient use of resources.

If you disagree with the decision you will be able to make a request for the case to be considered by a SEN and Disability Tribunal.

9. If things go wrong

9.1. I have a general complaint about special education provision. What can I do?

All providers must work with you to try and resolve the disagreement. We will ensure that parents and young people have access to an independent disagreement resolution service. Details of this service and how you can make use of it will be available within our local offer. Whether or not you use a disagreement resolution service is completely optional.

9.2. My child has a statement and I'm not happy about what is in it. What can I do?

Existing rights of appeal remain as they are now.

9.3. My child has an EHC Plan (or is being assessed for one) and I'm not happy about the section on education

Your rights of appeal remain the same. However, in addition, you will be required to consider mediation before progressing your appeal to a Special Educational Needs and Disability Tribunal.

Mediation is optional. However, you will need to let a mediation advisor know that you do not wish to undergo mediation so that a certificate can be issued.

Mediation is **not** necessary if the appeal to Tribunal is about disability discrimination or about a dispute over whether a child should go to a particular school or placement.

9.4. My child has an EHC Plan (or is being assessed for one) and I'm not happy about the sections on health or social care

If the health or social care needs relate to your child's SEN, then you can still appeal against the local authority (as set out earlier in 9.3). This is because the local authority is still responsible for special educational provision.

However, if you are not happy about the social care and/or health sections of your EHC Plan then you will need to pursue the matter separately.

You can still ask for support from a disagreement resolution service or mediation with the health or social care provider to try and resolve the complaint.

9.5. My complaint is about something else. What should I do?

Section 11 of the new SEND Code of Practice: 0 to 25 years has more information about the different ways you can make a complaint, depending on what the complaint is about.

More information about SEN reform

To find out more, you can visit the Government's webpages on SEN policy at:
<http://www.gov.uk/government/policies/increasing-options-and-improving-provision-for-children-with-special-educational-needs-sen>

You can read the Children and Families Act 2014 in full at:
<http://www.legislation.gov.uk/ukpga/2014/6/contents/enacted>

Special Educational Needs and Disability Code of Practice (new draft):
<http://www.gov.uk/government/publications/send-code-of-practice-0-to-25>

Guidance to local authorities on transition to the new 0 to 25 SEND system from 1st September 2014:
<http://www.gov.uk/government/publications/implementing-the-0-to-25-special-needs-system>

Council for Disabled Children:
<http://www.councilfordisabledchildren.org.uk/what-we-do/policy/sen-and-disability-reforms>

You can also visit the IPSEA (Independent Parental Special Educational Advice) website for more detailed information about the proposed changes:
<http://www.ipsea.org.uk>

You can also visit Oldham's established Parent Forum for Parents and Carers of Children and Young People aged 0-25 with additional needs:
<http://pointoldham.co.uk>

The National Deaf Children's Society
www.ndcs.org.uk/sen

Annex A: The new Code of Practice at a glance – where to find the key paragraphs

Topic	Details	Where to find in new Code
SEN Support	<ul style="list-style-type: none"> School Action and School Action Plus are now merged. Schools should follow an “assess, plan, do, review” cycle, involving external professionals where necessary. 	5.38 6.44
Individual Education Plans (IEP)	<ul style="list-style-type: none"> No requirement to produce an IEP, but <i>“Schools should particularly record details of additional or different provision...A local authority that is considering or carrying out a statutory assessment of the pupil’s needs, will wish to review such information.”</i> 	6.73
Requesting a statutory assessment	<ul style="list-style-type: none"> An assessment can be requested by parents (or their advocate), young person aged 16+ (or their advocate), early years practitioners, schools, post-16 institutions and many others, including foster carers and health and social care professionals. Evidence will need to be gathered about the nature and extent of the child’s SEN, evidence of the action already being taken to meet the SEN, evidence that where progress has been made, it is only as a result of much additional effort and support at a sustained level over and above that which is usually provided. Local authorities must inform parents of their decision (whether or not to assess) within six weeks of the request and must give reasons for the decision. 	9.8 9.14 9.17
Education, Health and Care Plans	<ul style="list-style-type: none"> Local authorities must give parents and young person 15 days to consider draft and give views and ask for a particular school/other institution to be named. EHC Plans should be clear, concise, understandable and accessible to parents, child/young person and providers/practitioners. Must be evidence-based and focus on how best to achieve outcomes. No set format, but must include the following lettered sections in any order: <ol style="list-style-type: none"> views, interests and aspirations of the child/young person and their parents; description of SEN; child/young person’s health needs related to SEN; child/young person’s social needs related to SEN; outcomes sought for child/young person, including outcomes for adult life; special educational provision required; 	9.41 9.61 9.62 – 9.69

	<p>g) any health provision reasonably required by the learning difficulty or disability (LDD) which result in the child/young person having SEN;</p> <p>h1) any social care provision which must be made for a child/young person under 18 resulting from section 2 of the Chronically Sick and Disabled Persons Act 1970;</p> <p>h2) any other social care provision reasonably required by the LDD which result in the child/young person having SEN. Includes adult social care provision being made to meet eligible needs under Care Act 2014;</p> <p>i) name and type of school;</p> <p>j) details of personal budget if parents/young person have opted for this;</p> <p>k) advice and information gathered during assessment (appendices).</p>	
Naming an education provider	<ul style="list-style-type: none"> Children must be educated in accordance with their parents' wishes so long as this is compatible with the efficient education of others and does not entail unreasonable expenditure. 	9.78 – 9.94
Personal budgets	<ul style="list-style-type: none"> Parent or young person over 16 can request a personal budget (funding to buy services or support set out in the EHC Plan based on clear agreed outcomes) when the EHC Plan is written or at annual review. 	9.95 – 9.124
Reviewing an EHC Plan	<ul style="list-style-type: none"> First review must be within 12 months of the date of issue of the EHC Plan. For children under 5, local authorities should consider reviewing an EHC Plan at least every 3 to 6 months. This would complement the duty to review at least annually and such reviews may be streamlined, depending on the needs of the child. Parents/young person, school or other institution, local authority SEN officer, health representative and local authority social care representative must be invited and given at least 2 weeks' notice. School must seek advice and information prior to the meeting from all parties invited, and send it to all invited at least 2 weeks before the meeting. School must send report of meeting to all invited within 2 weeks of the meeting. Within 4 weeks of the review meeting, the local authority must decide whether it will keep the EHC Plan as it is, amend it or cease to maintain it and notify the parents/young person and school or other institution. From Year 9 onwards, review must consider what provision is required to assist in preparing for adulthood and independent living. 	<p>9.166</p> <p>9.178</p> <p>9.176</p> <p>9.176</p> <p>9.176</p> <p>9.176</p> <p>9.184</p>
Amending a plan	<ul style="list-style-type: none"> If local authority proposes to amend an EHC Plan, it must send the parent or young person a copy of the existing (non-amended) EHC Plan and an accompanying notice with details of the proposed amendments and copies of evidence to support them, and must give parents/young person 15 days to comment. 	9.193 – 9.198

<p>Ceasing an EHC plan</p>	<ul style="list-style-type: none"> • Local authorities may cease to maintain an EHC plan when any of the following apply: <ul style="list-style-type: none"> ❖ the local authority is no longer responsible for the child or young person (e.g. child has moved to another local authority); ❖ it decides that special educational provision is no longer needed; ❖ a young person aged 16+ starts paid employment (including employment with training but not apprenticeships); ❖ the young person goes into Higher Education; ❖ the young person aged 18+ leaves education and no longer wishes to engage in further learning; or ❖ they wish to continue in learning but the local authority believes maintaining an EHC Plan is not appropriate. • Local authorities must not simply cease to maintain EHC Plans once a young person is 18 or over. 	<p>9.194</p> <p>9.199 – 9.204</p>
<p>Transport</p>	<ul style="list-style-type: none"> • Current principles will still apply: if parents' or child/young person's preferred place is further away than nearest available place to meet needs, local authority is not obliged to provide transport to place further away. Could either name nearer school or name further one and ask parents to pay all or part of transport costs. 	<p>9.214</p>
<p>Resolving disputes</p>	<ul style="list-style-type: none"> • Local authorities must make independent disagreement resolution services available, but use of the service is voluntary. Disagreement resolution can help resolve, or prevent from escalating, non-Tribunal matters (e.g. failure to make provision as set out in an EHC Plan). • This is different from mediation which applies specifically to parents or young person who are considering appealing to the Tribunal (only some types of appeal). • Mediation services must also be independent of the local authority. • Mediation aims to enable appeals to be disposed of more quickly and amicably. Parents and young person must contact a mediation adviser before registering an appeal about education/health/care needs assessments or the SEN element of an EHC Plan. • If parents want to go to mediation, local authorities must attend. • Mediation can also be used for health and social care elements of an EHC Plan. No tribunal for these elements. 	<p>11.6</p> <p>11.5 – 11.13</p> <p>11.15</p> <p>11.5</p> <p>11.26</p> <p>11.31 – 11.37</p>