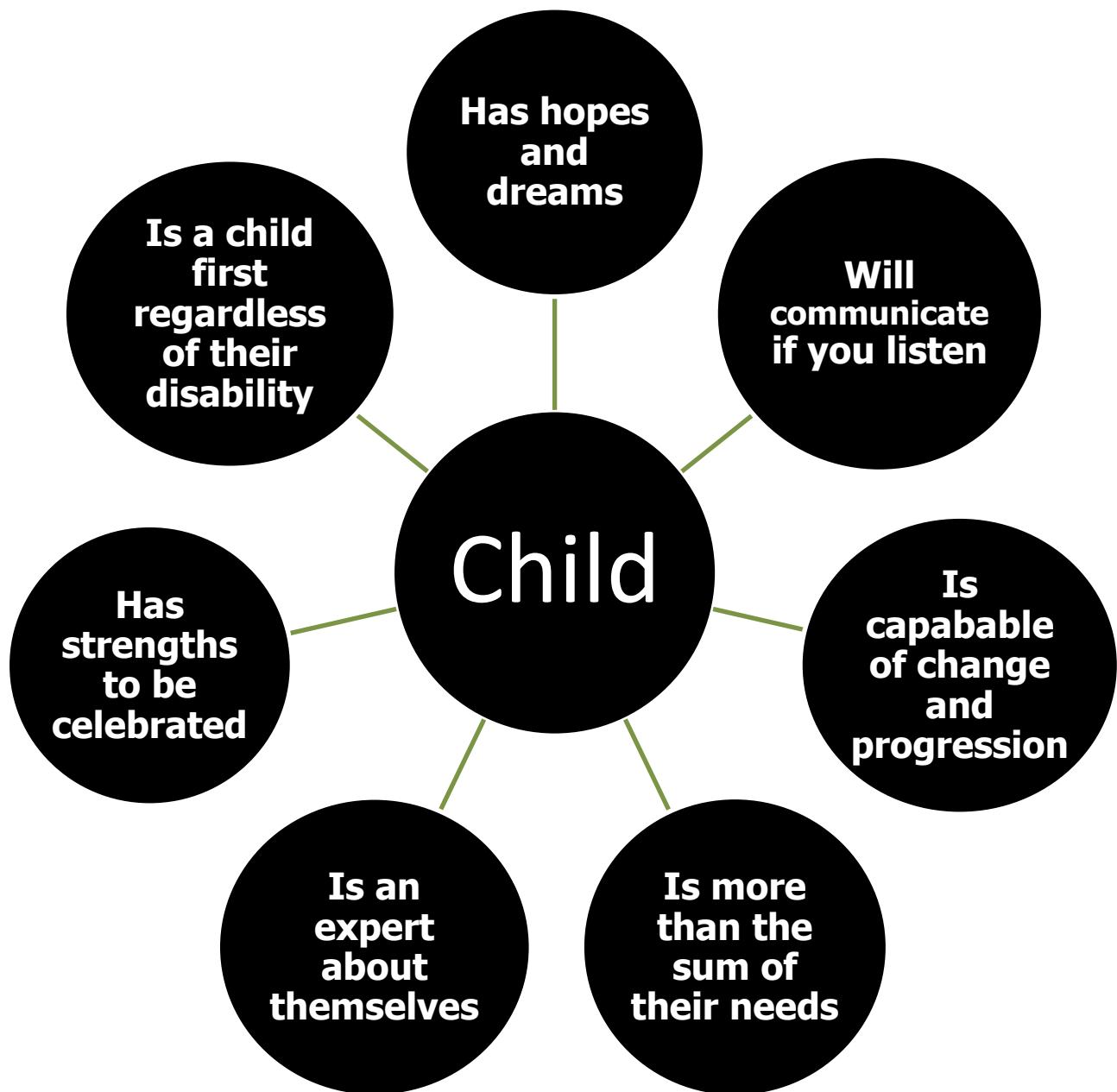


Guidance on Completion of a Request for Statutory Assessment

For use by Educational Settings when completing and submitting an EHC needs assessment

Revised September 2018



Please Note:

- Before submitting a request for an EHC Needs Assessment the setting should read the following guidance.
- The revised 2018 request for an EHC Needs Assessment has been designed to ensure that settings have implemented the cycles of SEN Support as set out in the SEND Code of Practice 2018 and that they have taken all reasonable steps to include children and young people with SEND to be a valued and included member of the school community through the implementation of cycles of support and review (APDR). The Request for Assessment form contains additional guidance notes embedded within each section to support professionals and families to complete it together.
- Please note that not every EHC Needs assessment will lead to an EHC Plan. The information gathered during the assessment may identify the needs, the provision required, and clarify whether there are sufficient resources reasonably available to meet the needs and achieve agreed outcomes for the child without the need for the provision of a statutory plan and resources. For this reason it is important to be aware of and communicate to all parties involved between the differences between an EHC needs assessment and the issuing of an EHC Plan.
- If the EHC Needs Assessment request from a professional is not submitted on the relevant template it may be rejected and have to be resubmitted.

1. Introduction

The 2015 SEND Code of Practice effected key changes in the way the needs of children and young people with SEND are met and creates an expectation that they and their families will work in partnership with all professionals and be an active participant in acknowledging their strengths and needs and work towards outcomes that support them into adulthood.

Regardless of a child's level of need or disability the core principle remains that they are a child first and foremost and have the same rights and safeguards as their non-disabled peers. However the SEND Code of Practice places an additional duty on us to support children with SEND but also to be aspirational for them. To date a child with SEND may have been viewed and supported in terms of their needs and little thought has been given to their strengths or their aspirations in life. The advent of person centred planning, the voice of the child, preparation for adulthood and outcomes led support creates a culture in which each and every child with SEND is valued as an individual who has hopes, dreams and an opportunity to contribute to or enrich the community in which they live or wider society.

2. Indicators that an EHC Needs assessment may be required

The vast majority of children, young people and adults with SEND will have their needs met by the resources already available in education and training settings (early year's settings, schools, colleges and work based training). The nature of the child's needs may require the available resources to be used differently or for the environment to be adapted to safely and successfully include the child and/or for a range of additional practitioners to provide advice, guidance and support to help to address the needs that

are impacting on the child being included, making good progress and achieving positive outcomes. But, for most, this does not mean that additional resources are required. The assessment process under the SEND Code of Practice only applies to the needs assessment carried out for the purpose of education or training. If the child has health or care needs that are likely to require specialist support and they are not related to special educational needs an EHC Needs Assessment may not be necessary. However, if a physical impairment or medical condition impacts on the child's ability to learn and therefore requires a special educational provision to be made for them, a statutory EHC Needs Assessment could be undertaken.

Whilst it would be unusual for an EHCP to be provided for children under the age of 4, there are some circumstances where a child's needs are profound and complex even at an early age. In such cases, an EHCP assessment may be appropriate. Should a setting believe that they have a child with long term profound needs, they should email us at sengeneng@gloucestershire.gov.uk (if you wish to send a Statutory Assessment request then please send the completed form to:- npr@gloucestershire.gov.uk) and someone will then get in touch to discuss how this may be best supported and whether a request for EHC Assessment may be appropriate at this time.

A needs assessment under the SEND Code of Practice is normally agreed when:

- *Child's needs are significant and long term and*
- *Despite evidenced based interventions already provided by the educational setting, the child is not making progress.*

As part of the decision whether or not to undertake an EHC Needs Assessment the EHC Service will require evidence that the school has made effective use of the funding allocated to meet the needs of all children and young people with SEND. Every statutory school age setting receives an additional amount of money, usually £6,000 per child with identified SEN to support their needs. This is called the 'notional SEN budget'.

The amount in this budget is based on a formula, which is agreed between schools and the local authority. The formula usually gives more money to schools that have more children on free school meals and more children who are not doing as well as others in English and Maths. The government has recommended that schools should use this notional SEN budget to pay for up to £6,000 worth of special educational provision to meet all children's SEN. The vast majority of children with SEN need special educational provision that comes to less than £6,000. Special educational provision is anything that is 'additional to or different from' the provision that is made for all children via Element 1 provision which is for all children and is funded from the core budget. Element 2 funding is not instead of the Element 1 funds, it is additional to.

Whilst Early Years settings do not have the same delegated SEN notional budgets they may be able to access Early Years Inclusion funding to support a child's additional/special education needs before or rather than requesting an EHCP.

All settings that are submitting a request for assessment will be expected to provide evidence of how delegated funding is being used to support the child with additional needs in line preferably through the submission of a whole school provision map. WE

will additionally require evidence of what additional specialist provision needs to be made, its relevance and purpose and what outcome it is expected to achieve.

3. Planning for Transition

In some cases a child who has low level needs may experience significant anxiety at the prospect of transitioning to a new setting. At these times a carefully structured plan of SEN Support can be put in place for a limited period to offer the child additional security and inform the receiving setting of what adjustments may have to be made to accommodate the new pupil.

This is especially pertinent for children transitioning to Primary school settings where the assumption that they 'wont cope' frequently results in a request for an EHC Needs Assessment without including evidence of how the current setting has supported the build up to transition through the Gloucestershire Graduated Pathway or APDR cycle. It is also frequently seen in the transition to secondary or FE settings where the requirement for the child or young person to have some degree of autonomy and resilience is increasingly important. Again the duty lies with the setting to make suitable provision for the child. This is through a graduated approach to mitigate against the transition being unsuccessful as far as possible through person-centred pre-planning and a timely and accurate sharing of information.

If a young child has already received some additional resources through EY Inclusion funding, it is possible that this can be continued for the first term to support the transition. This would allow the opportunity to help the child to settle in to a new learning environment, where it is likely that needs/behaviours may increase temporarily, and then to assess the longer term support needs of the child and how the existing resources can be used to support these before considering a request for EHCP.

Guidance Notes

The revised (2018) Request for Statutory Assessment form comprises 11 sections. All of these must be completed.

Appendices may be attached to the Request for Statutory Assessment form as supporting evidence, however, they should not be sent as an alternative to completing the form.

Guidance for Completing Sections 1 and 2:

Child/Young persons details	<p>Please complete all sections.</p> <p>Where the child or parent does not wish to submit details please state 'not disclosed'.</p> <p>Where parents are separated or custody is shared please ensure you indicate which parent has PR as appropriate and also whether one parent has primary custody.</p> <p>If there is a request for parents separate addresses not to be shared please indicate and highlight this.</p>
Reasons for request	<p>The summary of the reasons for request should be limited to 1200 words and may be given as bulleted points.</p> <p>Key issues can be cross referenced to the evidence in Section 5.</p>
Child or young persons views, wishes and aspirations	<p>Please see guidance notes below with regards to person centred approaches.</p> <p>Every effort should be made to engage the child or young person contributing to the request for assessment. A child being pre verbal or having learning difficulties are not reasons to engage the child in the process.</p> <p>Where the young person is 16 years old or over, please have regard to mental capacity, but ensure that the young person is supported to take part in decisions where they do have capacity to make a decision.</p>
Parental views wishes and aspirations	<p>Please see guidance notes below with regards to person centred approaches.</p> <p>Parents are encouraged to share their child's strengths as well as their difficulties. Parents may rightly have different perceptions of what is important to and for their child to that of the school or the child themselves.</p> <p>Each contributor's perspective is valid and should be recorded whether all parties are in agreement or not.</p> <p>Parents should be encouraged to share their thoughts on how their child can be encouraged to develop independence skills from the earliest age and the setting should support this.</p>

Evidence to support the request for assessment	Please see guidance notes below
Attainment and progress data	Attainment and progress data should demonstrate Quality First teaching and uphold the principle that every teacher is a teacher of SEND. The data should evidence that the pupil for whom a request for assessment is being made has had access to all available universal and targeted intervention.
Attendance data	Please ensure that any part time attendance is recorded here including rationale and purpose of this including time bound plans to ensure full time access to statutory education.
Health or Medical Needs	Where applicable please include any medical information that is relevant to the child or young person's SEND. Please be aware that young people over the age of 16 may indicate that they do not wish sensitive personal information to be shared which is their right.
Setting declaration	The request form must be signed by all participants in co-producing this request, including the child or young person where they have capacity
Checklist	This is to help with the submission process

Guidance for Completing Sections 3 and 4

Person centred approaches and co-production

A positive and effective request for an EHC needs assessment ensures that:

- The child **MUST** be at the heart of the process and a person centred approach promoted by all involved at all times.
- Where the voice of the child is recorded on the submission it must be written in the first person. If others are reporting the child's wishes and thoughts then that must be written in the third person and the author referenced.
- Children and their parents should be fully engaged in the process and actively encouraged to participate in the decision to submit a request and the outcomes that it is hoped this will achieve
- The process should be well coordinated and planned out in advance with the child and their family.
- The setting **must** have regard to views, feelings and wishes of the child and where the young person is under 18 the child's parent, throughout the whole process. Where there is disagreement between a young person of 16 or over, deemed to have capacity and their family, the young person's wishes should have precedence.

- The SENCO should make sure that the request for assessment is properly informed by relevant information obtained from professionals, children and parents.
- Where possible a 'tell us once' approach should be used and promoted.
- The setting should ensure that demands on the family are minimised.
- All those involved in the process must ensure that the information they provide is easy to understand and accessible
- All those involved will maintain a strong focus on high aspirations and improving outcomes for the child.
- All those involved should work together with the child and family to effectively share information.

Guidance for completing Section 5

Duties on schools and settings:

The 2015 SEN Code of Practice places new duties on all educational settings, where setting refers to all educational establishments, to identify and support a child with SEND. This is referred to in the Code of Practice as SEN Support or the graduated approach and is broadly comparable to the former categories of School Action and School Action +. In this context a child does not have to have the level of need that necessitates an EHC Needs Assessment or Plan and the setting should use its notional SEN budget to meet their needs regardless in the first instance.

Settings must first identify any additional needs a child presents with and in collaboration with the child and their family, follow the Gloucestershire Guidance Booklet for Practitioners Working with Children and Young People with Additional Needs including SEND (2016) to address that need while constantly reviewing and evaluating it.

The new duties on settings are that they **must**:

- Use their best endeavours to make sure that a child with SEN gets the support they need. This does not mean they should immediately seek additional funding
- Ensure that children and young people with SEN engage in the activities of the school alongside peers who do not have SEN.
- Designate a teacher to be responsible for co-ordinating SEN provision – the SENCO. This is new to Early Years and Further Education settings
- Inform parents when they are making special educational provision for a child.
- Ensure they publish a document which details their arrangements for the admission of disabled children, the steps being taken to prevent disabled children being treated less favourably than others, the facilities provided to enable access to the school for disabled children and their accessibility plan showing how they plan to improve access progressively over time. This should be made available on the Gloucestershire Local Offer.

- Appoint or designate a member of the Board of Governors with specific oversight for SEND

SEN Support (The Graduated Approach)

SEN Support should be implemented and evidenced through a graduated response or cycle commonly referred to as A-P-D-R

- **ASSESS** – carry out a clear analysis of the pupil's needs and remain responsive to how the pupil responds. The Gloucestershire Graduated Pathway supports the Team Around the Child (TAC) approach so that assessment takes a holistic view of the child and their needs across their home, community and education environment, paying particular consideration to needs that impact on their access to engagement in education. For many children/young people difficulties at home have a significant impact on their education and should not be responded to merely by providing additional education support but by seeking to address the underlying cause of the difficulties with a multi agency plan.
- **PLAN** – involve the child and parents. All school staff should be aware of their needs, the outcomes sought, the support provided and any teaching strategies or approaches that are required for the individual. Practitioners from health and social care services should be involved at this stage to ensure that the holistic needs of the child are planned for
- **DO** – the class teacher or subject teacher should remain responsible for working with the child on a daily basis. 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 the effective implementation of support. There may be actions, support and/or interventions agreed outside of school to address the holistic needs of the child, especially those needs that impact on their access and engagement in Education. It is important to ensure that practitioners are engaged and interventions are being implemented across all environments to address all needs that impact on the child
- **REVIEW** – progress should be reviewed regularly, involving the parents and where appropriate the child. Progress should be assessed on the basis of what is working well, not working well and what actions can be undertaken to address the deficit. This should include consideration as to whether additional interventions are needed outside of the school environment, to address any family/social issues that are impacting on the young person's presentation in school.

It is for each setting to determine the methodology they use to manage the graduated approach but for the purposes of involving the EHC Service they will be required to evidence each aspect of the cycle and share the findings. The quantity and quality of SEN Support cannot be appealed in law unless the setting does not meet a statutory duty through neglect or discrimination but that should not prevent them from evidencing the strategies and monitoring they have put in place. A good SEN Support plan will offer an excellent base on which to commence an EHC Needs assessment should one be requested in the future as it will clearly demonstrate where additional resources are required over and above that which can be reasonably expected.

The sections below set out what may be reasonably expected to be undertaken, or submitted as evidence of the graduated response.

Identifying SEND in a setting (Assess)

If a setting considers that a child presents with additional needs they should first set out the evidence for this using the schools own information, progression data and expected levels of progress. Consideration of whether special educational provision is required should start with the desired outcomes, including the expected progress and attainment required as well as the views and wishes of the pupil and their parent. This should help determine the support that is needed and whether adapting the school's core offer can provide it or if something different or additional is required, they should consider whether there are any family/social factors that may be impacting on the child/young persons educational attainment or other difficulties presented in school; and engage the relevant agencies/practitioners

The identified needs should be evidenced against the four areas of need in the Code of Practice:

1. Communication and Interaction
2. Cognition and Learning
3. Social, Emotional and Mental Health Difficulties, and
4. Sensory and/or Physical needs

Some children can progress at slower rates than their peers at certain times and the school should follow best practice through the use of a graduated range of interventions (Wave 1-3). The core expectation is that all children will access good quality teaching and that every teacher is a teacher of SEN.



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Implementing SEN Support (Plan)

Where the setting, the child and their family are in agreement that SEND has been identified and some additional personalised interventions are necessary the setting should implement the four part cycle that is the core principle of SEN Support. This 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. It draws on more detailed approaches, more frequent review and more specialist expertise in successive cycles in order to match interventions to the child's SEND.

As with an EHC Plan the graduated approach should set and agree outcomes and where possible the child will also be responsible for participating in meeting these along with the family. The child should be encouraged to identify which outcomes are priorities for them and assist in determining what success would look like from their perspective.

The outcomes in this case may however be much smaller and may have shorter timescales than those in an EHC Plan but they should still be SMART. The outcomes should be expressed from a pupil perspective not the schools.

An example of a pupil being set an outcome of achieving 5 A-C grades at GCSE is not a person centred outcome unless it can be evidenced the child wishes to be accepted into an FE course that this is the entry requirement for. Otherwise the outcome is one, which could be seen as maintaining the settings performance statistics. This example does not preclude being aspirational for the child but if the only way they could achieve that outcome is with constant one to one support and withdrawal for multiple interventions the question must be asked whether the outcomes is appropriate as the accreditation will be achieved on the basis of unsustainable provision in the longer term.

Putting SEN Support into action (Do)

Where a pupil has been identified as requiring SEN Support and all are in agreement, the school should consider how they will share this information with all relevant staff and undertake actions and monitor progress. Settings must include parents and, where appropriate, the young person in drawing up the SEN Support plan and particularly for Key Stage 3 & 4 pupils should discuss with them how they would like the support to be managed so as to not exclude them from their peer groups.

The core principles of SEN Support share those of an EHC plan and in some cases a school may choose to structure their support plan in line with an EHC Plan so that the needs, outcomes and provisions are clearly shown.

At a minimum, SEN Support should be reported on in writing via the settings annual report, which must be written for all pupils regardless of need. Recorded conversations should be had with parents at least three times each year including where the child is accessing SEN Support.

Monitoring the effectiveness of SEN Support (Review)

Where the pupil makes progress the cycle can be repeated making adjustments to each aspect of the SEN Support Plan and setting new targets until the attainment gap is narrowed or strategies have been identified that meet the child's needs effectively.

Where a pupil continues to make less than expected progress despite evidence-based support and interventions, the setting should consider involving specialists including those commissioned from outside agencies such as Educational Psychology, specialist education services or other organisations. Schools may involve specialists at any point to advise them on early interventions and should always do so where the young person has a specific sensory impairment. A setting should always involve a specialist where the pupil continues to make little or no progress or where the pupil's behaviour is escalating and difficult to manage despite appropriate pastoral support.

Settings should not assume a 'one size fits all' approach to SEN Support will be sufficient to meet needs. The interventions should be informed by their knowledge of the child's specific needs, environmental factors and family circumstances. There is a responsibility on the setting to make all reasonable adjustments to meet the needs of all children and to take positive steps to include a child with SEND in the whole school day.

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