

## **London Borough of Harrow**

### **Guidance for the Co-ordinated Assessment of Children and Young People with Educational, Health and Care Needs**

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## 1. INTRODUCTION

From 1 September 2014 a new special educational needs and disability Code of Practice (CoP) 0 to 25 will be in force, subject to any transitional arrangements. The CoP provides statutory guidance on duties, policies and procedures relating to Part 3 of the Children and Families Act 2014.

This document sets out Harrow local authority's (LA) expectations for a graduated response to provision for children and young people (CYP) with special educational needs and includes guidance for considering whether a child/young person's needs should be met through special educational needs (SEN) support in early years settings, schools (including academies and free schools) and further education institutions or whether the LA should conduct a statutory assessment of education, health and care (EHC) needs in accordance with Section 36 of the Children & Families Act 2014.

Harrow LA must conduct an EHC needs assessment when it considers that it may be necessary for special educational provision to be made for the CYP in accordance with an EHC plan. This is likely to be where the special education provision required to meet the CYP's needs cannot reasonably be provided within the resources normally available to mainstream early years providers, schools and post-16 institutions. An EHC needs assessment should not normally be the first step in the process, rather it should follow on from planning already undertaken with parents/carers and young people in conjunction with the educational setting. This places a responsibility on the LA to undertake a thorough process in each case when considering a request for assessment. In determining whether an assessment is necessary the LA needs to consider a combination of factors: the severity and complexity of the individual CYP's needs, the relevant and purposeful action taken to address the needs, the resources already deployed to support the CYP, and the progress made by the CYP.

An EHC needs assessment itself will not always lead to an EHC plan. The information gathered during an assessment may indicate ways in which the school, college or other provider can meet the CYP's needs without the need for any special educational provision to be specified within an EHC plan.

EHC plans will apply only to the very small percentage of CYP (generally considered to comprise 2% of the population) whose needs are severe, complex and long-term and/or for CYP for whom intensive intervention through the graduated approach may not be sufficient to enable the CYP to make adequate progress.

As part of the assessment parents/carers and young people will need to provide permission to share information in the following circumstances

1. **When a request for an Education Health and Care (EHC) needs assessment is received:** the Local Authority (LA) requires your permission to share all relevant documents with professionals to help it make a decision about whether an EHC needs assessment should be agreed.

2. **When an EHC needs assessment is undertaken**, your permission is required to obtain information from professionals who may need to meet with your child, in order to provide their contribution to the EHC needs assessment. This might include observations and assessments as deemed appropriate. Your views and that of your child will be sought throughout the assessment process.

**Data Protection:** The personal information collected by Harrow Council will only be used for the purposes of providing education support, will be held securely and retained only for as long as is necessary.

Sharing information can be in verbal or written form. Any professional involved in the process can share information with us in the form of the copies of information together with recent and past assessments. If relevant, we share computerised records. These can only be access by authorised staff.

The information shared usually includes your child's or young person's date of birth, address, and contact information such as phone numbers. We also share details, such as home and family circumstances, family history, social and educational background, and the names of any services that are currently being provided. By not sharing information with relevant professionals, including your own views, it will be difficult to carry out an assessment for an Education, Health and Care plan.

**Consent can be given by the following**

- The parent or carer with parental responsibility for a child under the age of 16.
- The parent or carer with parental responsibility for a child/young person aged 16/17 who does not have capacity to consent.
- Child/young person aged 16/17 if they are deemed to have the capacity to consent.
- Young person aged 18 or over if they are deemed to have the capacity to consent. If they do not have capacity to consent, the Local Authority will consider who may be appropriate to consent on their behalf in the individual circumstances in the absence of any Deputyship/Court Order.
- Anyone given authority to make decisions on the child/young person's behalf through a Deputyship or Court Order.

**Validity and terms of your consent**

- The consent will be valid for information sharing for the duration of the EHC needs assessment and, if an EHC plan is issued, for the duration of the plan.
- If you do not wish professionals to share a particular piece of information, then you need to let them know as soon as possible.

## 2. SEN SUPPORT: THE GRADUATED APPROACH

Most CYP succeed within an inclusive curriculum. They respond to the wide range of differentiated strategies that teachers and other staff use to address a range of individual needs. Where a CYP is identified as having SEN, educational settings should take action to remove barriers to learning and put effective special educational provision in place. This SEN support should take the form of a four-part cycle: **assess, plan, do, review** through which earlier decisions and actions are revisited, refined and revised with a growing understanding of the CYP's needs and of what support he or she requires in making good progress and securing good outcomes. This is known as the graduated approach.

Educational providers should keep under review the reasonable adjustments required under the Equality Act (2010) to ensure that they have removed all the barriers to learning that they reasonably can.

([http://www.legislation.gov.uk/ukpga/2010/15/pdfs/ukpga\\_20100015\\_en.pdf](http://www.legislation.gov.uk/ukpga/2010/15/pdfs/ukpga_20100015_en.pdf))

Educational settings will be expected to have clear systems for identification, assessment, monitoring and securing appropriate support for CYP with special educational needs. The CoP also requires educational settings to involve parents/carers and young people in a structured and systematic way to shape the support a CYP receives and to be transparent about what the educational setting can provide. In particular the CoP places an emphasis on working with parents/carers and young people to agree and review the outcomes the support is intended to achieve.

If a CYP is not making appropriate progress, they may require interventions which are additional to and different from the majority of their peers. Within the graduated approach educational staff should plan to meet a CYP's educational needs from resources available within the setting.

Educational settings should record the provision made for CYP with SEN accurately and keep it up to date.

### 2.1 Assess

In identifying a CYP as needing SEN support teaching staff, working with the SENCo<sup>1</sup>, should carry out a clear analysis of the CYP's needs. This should draw on

- the teacher's assessment and experience of the CYP
- the CYP's progress and attainments
- the CYP's development in comparison to their peers and national data
- the CYP's own views
- the views and experience of parents/carers
- assessment and advice from external support services as appropriate, e.g. educational psychologist, children's sensory team, portage.

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<sup>1</sup> SENCo – Special Educational Needs Coordinator. The equivalent in colleges is a named person

with oversight of SEN provision.

In some cases, outside professionals from health or social care may already be involved with the CYP. These professionals should liaise with the educational setting to help inform the assessments.

The assessment process should be reviewed regularly. This will help ensure that support and intervention are matched to need, barriers to learning are identified and overcome, a clear picture of the interventions is put in place and their effect is monitored.

While informally gathering evidence (including the views of the CYP and their parents/carers ) educational settings should not delay putting in place extra teaching or other rigorous interventions designed to secure better progress. The CYP's response to such support can help identify their particular needs.

## **2.2 Plan**

Where it is decided to provide a CYP with SEN support, the parents/carers must be formally notified. Different forms of action are available to educational settings on a continuum of intervention. These should not be seen as a hierarchy of interventions and appropriate actions should be identified for each individual.

Relevant teaching staff and the SENCo should agree in consultation with the parent and the CYP

- the adjustments, interventions and support to be put in place to secure good outcomes
- the expected impact on progress, development or behaviour
- a clear date for review

## **2.3 Do**

Where the interventions involve group or one-to-one teaching away from the main class or subject teacher

- the main class or subject teacher should still retain responsibility for the CYP
- they should work closely with any support staff or specialist staff involved, to plan and assess the impact of support and interventions and how they can be linked to classroom teaching
- the SENCo should support staff in further assessment of the CYP's particular strengths and weaknesses, in problem solving and advising on the effective implementation of support.

## **2.4 Review**

The effectiveness of the support and interventions and their impact on the CYP's progress should be reviewed in line with the agreed date. Teaching staff, working with the SENCo, should

- review the impact and quality of the support and interventions

- review the views of the CYP



- review the views of their parents/carers
- revise the support in light of the CYP's progress and development, deciding on any changes to the support and outcomes in consultation with the parent and CYP.

Where a CYP continues to make less than expected progress, despite evidence-based support and interventions that are matched to his or her need, the educational setting should consider involving specialists if not already involved.

Where, despite the educational setting having taken relevant and purposeful action to identify, assess and meet the SEN of the CYP, the CYP person has not made expected progress, the educational setting or parents/carers or YP should consider requesting an EHC needs assessment. To inform its decision the LA will expect to see evidence of the action taken by the educational setting in accordance with the graduated approach.

A request for an EHC needs assessment needs to be made to the LA where the CYP lives.

### **3. AREAS OF SPECIAL EDUCATIONAL NEED**

This guidance uses the four broad areas of special educational need that are described in the CoP:

- 3.1 Communication and interaction needs;
- 3.2 Cognition and learning needs;
- 3.3 Social, emotional and mental health difficulties;
- 3.4 Sensory and/or physical needs.

An EHC needs assessment may be considered when a high level of difficulties is present. An indication of what may be considered a high level of difficulties is given for each area of need.

In common with the CoP, this guidance does not assume that there are hard and fast categories of special educational need. The LA recognises that a CYP may have needs that fall into more than one area and, in considering whether an EHC needs assessment is appropriate, it takes into account the impact of the combination of needs on the CYP's ability to function, learn and succeed. The LA recognises that a CYP with a high level of difficulty is more likely to require an EHC assessment of his or her; however an accumulation of relatively low-level difficulties may also make it necessary for the LA to carry out an assessment.

#### **3.1 Communication and interaction**

##### **a. Speech, language and communication difficulties**

A speech and language difficulty will be evident if a CYP has a marked difficulty in one or more of the following communication skills:

- Phonology (sound processing element of speech and language) can be associated with a child's speech development affecting the articulation of speech and thus the intelligibility
- Expressive language skills
- Comprehension of language
- Capacity to use language for effective communication, social interaction and learning

Requests for an ECH assessment of CYP with speech and language difficulties should be accompanied by clear evidence indicating the impact of the CYP's speech or language difficulties on curriculum access, learning and developmental progress. The advice of a speech and language therapist (SLT) must indicate the degree of difficulty a CYP is experiencing and/or indicate the CYP's developmental language and speech progress in relation to peers.

In order to consider an EHC needs assessment under this category, there will be evidence of significantly disordered language development or a severe /specific delay in one or more areas of language as evidenced by comprehensive assessment of verbal and non-verbal abilities.

With CYP for whom English is not their first language, identifying and assessing SEN requires particular care. Educational settings should look carefully at all aspects of a CYP's performance in different areas of learning and development or subjects to establish whether lack of progress is due to limitations in their command of English or if it arises from SEN or a disability. Difficulties related solely to limitations in English as an additional language are not SEN. Information about language proficiency in the CYP's first language should be provided.

A high level of speech, language and communication difficulties may be indicated by:

- measurable speech and language behaviours which are significantly below those of the majority of peers and what might be expected from CYP's performance in other areas of learning/development and in measures of cognitive skills;
- difficulties with speech production which severely limit participation in classroom activities;
- considerable difficulties in meeting the language demands of ordinary learning activities, such as following instructions, understanding and expressing themselves in verbal or written forms, or using abstract concepts;
- difficulties in communicating with others which lead to social isolation and barriers to learning;
- frustration on the part of the CYP at their inability to participate in classroom activities or interact with peers;
- low rates of progress in many areas of the curriculum.

## **b. Autism Spectrum Disorders**

Many CYP with social communication difficulties or autism spectrum disorder (ASD) will have accompanying moderate to severe learning difficulties but, whatever their general level of ability, they share a common difficulty in making sense of the world in the way others do. Autism spectrum disorders are characterised by impairments in social communication and interaction, restricted and repetitive patterns of behaviour, interests or activities. Stress

and anxiety are likely to increase difficulties in communication and may lead to challenging behaviours.

A high level of difficulty may be indicated by:

- difficulties in following instructions and familiar routines and in maintaining attention on a task which make it difficult for the CYP to participate in most ordinary learning activities without a high level of adult support and structure;
- highly atypical behaviour, such as obsessive, challenging and/or withdrawn behaviours, an inappropriate use of language, difficulties in motor imitation and control, abnormal responses to sensory experiences and signs of distress or emotional disturbance without obvious cause;
- difficulties in social communication and social interaction leading to isolation from peers;
- little or no progress within the curriculum, except, perhaps, in very specific areas of strength.

CYP meeting guidance criteria for an EHC needs assessment will display a range of behaviours. The degree and complexity of the CYP's presenting behaviours will be assessed against:

- the extent and severity of the behaviour (particularly with regard to the age of the CYP and the context in which the behaviour occurs)
- the frequency of behaviour
- its duration
- its persistence over time

CYP may have an uneven profile in curriculum attainment levels, and may have a high level skill/knowledge in an isolated area.

## **3.2 Cognition and Learning**

### **a. General learning difficulties**

A high level of difficulty may be indicated by:

- performance in measures of attainment and skills which place the CYP in the lowest-attaining of the national population;
- limited attainments in underlying skills and development which significantly interfere with the CYP's ability to learn effectively.

## **b. Specific learning difficulties**

Educational settings are generally expected to address specific learning difficulties through a range of provision available to them without recourse to an ECH plan. This would include interventions supported with further advice from specialist services. These interventions must be structured and evidence-based. Records of intervention should reference both the CYP's personalised programme of support, including targets reviewed over time, and evidence of curriculum differentiation as appropriate to the CYP's particular needs.

Some learning difficulties affect only certain aspects of a CYP's learning. A high level of specific learning difficulties may be indicated by:

- weaknesses in underlying skills which make it difficult for the CYP to make progress in core areas of learning, for instance, literacy skills which make it very difficult for the CYP to use written materials or perform writing tasks in any area of learning;
- considerable difficulty in overcoming weaknesses to any significant degree, despite carefully-targeted interventions;
- requiring additional support to develop skills and approaches to ensure progress across the curriculum, for instance, oral or graphic recording and presenting of information which is slower than peers and requires curriculum modification;
- evidence of frustration and damage to self-esteem caused by these difficulties, sometimes leading to disengagement from learning, non-attendance and/or behavioural difficulties.

## **3.3 Social, emotional and mental health difficulties**

A high level of social, emotional and mental health difficulties may be indicated by:

- distractibility in the educational setting which inhibits progress even with significant adult support and an increasingly individualised curriculum;
- unpredictability and intensity of the pattern of behaviours which significantly disrupt a CYP's learning and that of others;
- behaviour which is bizarre and/or self-injurious and/or endangers others and which leads to a significant level of avoidance by peers, increasing the social isolation of the pupil;
- non-engagement with others;

- in school or college, evidence of significant unhappiness, stress and/or disaffection over a sustained period often accompanied by prolonged periods of absence and often associated with an increasing awareness on the part of the CYP of their situation.

The degree and complexity of these behaviours for any CYP will need to be assessed against:

- the inappropriateness of the behaviour (particularly with regard to the age of the CYP and to the context in which the behaviour occurs)
- the frequency of the behaviour
- its intensity
- its duration
- its persistence over time

The evidence submitted to the LA will need to demonstrate the degree to which a CYP's social, emotional and mental health needs have an effect on:

- self-confidence, self-esteem, variable mood and lack of motivation
- access to the curriculum and learning behaviour of the CYP
- the safety or welfare of the CYP
- teaching staff attention and time

Since context can play a significant part in determining the extent of a CYP's behavioural presentation, a CYP who has recently moved from another setting should be given the opportunity to settle in before an EHC needs assessment request is initiated.

Evidence from the previous setting, if this can be obtained, will be relevant. The CYP's social, behavioural difficulties will be commonly experienced by those who have contact with him/her as non-compliance, confrontational or potentially threatening. The CYP's targeted intervention programme will have been in place for a reasonable period of time and reviewed in consultation with all staff working with the CYP as well as with his/her parents/carers.

Education plans, provision maps and/or pastoral support plans with specific measurable targets which show evidence of reviewing strategies and/or interventions relevant to the CYP's social, emotional and behavioural difficulties over time must be provided. Evidence of therapeutic input from relevant professionals such as the Child and Adolescent Mental Health Service (CAMHS) will be required. A list of incidents alone will not be sufficient evidence.

### **3.4 Sensory and/or physical**

Most children with significant sensory and/or physical needs will be identified through developmental assessment at pre-school. CYP with severe sensory and/or physical disabilities are likely to require on-going adaptations to ensure curriculum and/or physical access.

These may take the form of:

- specialist equipment
- curriculum material modification
- teaching of specialist skills
- teaching strategies
- specialist support (e.g. communicator/ brailist /intervener)
- mobility training
- adaptation of environment

The key indicator will be that the CYP's sensory or physical needs have long term and significant implications for access and learning.

Where a CYP has a sensory or physical disability, the educational setting should consider whether it has made appropriate adaptations under the Equality Act (2010) before making a request for an EHC needs assessment. There must be clear recorded evidence of multi-professional concern that the CYP's sensory and physical impairment may, if appropriate action is not taken, have a marked impact on overall progress. The level of support required by the CYP should be identified as being beyond what can be expected to be managed by the class/subject teachers alone or by interventions from the SENCo and other specialists.

#### **a. Hearing impairment**

Hearing impairments range from mild to profound. Some children are diagnosed at birth with a hearing impairment. Most hearing impairments are stable; however some CYP may experience deterioration in their hearing which can be temporary or permanent; this may be due to the type of hearing impairment, medical issues or injury.

A high level of difficulty may be indicated by:

- attainment levels in areas of learning most affected by the CYP's hearing impairment falling well below what might be expected from their performance in other areas of learning and in measures of cognitive skills (e.g. performance in non-verbal and/or National Curriculum assessments being significantly outside the expected range);

- considerable amplification of sound and increased use of visual means of communication;
- significant speech and language difficulties restricting communication with peers and teachers and inhibiting language;
- difficulties in making and sustaining peer relationships leading to concerns about social isolation, the risk of bullying and growing frustration;
- social, emotional and/or mental health problems, perhaps including periods of withdrawal, disaffection and reluctance to attend school/college;
- difficulties in maintaining and sustaining concentration in the classroom leading to problems in completing work and a need for adapted materials and a level of support beyond what can be managed by the class teacher alone or by limited interventions from the SENCo and other specialists.

### **b. Visual impairment**

Visual impairments range from mild to profound. Some children are diagnosed at birth with a visual impairment. Most visual impairments are stable; however some CYP may experience deterioration in their vision. This can be temporary or permanent, depending on the type of visual impairment, medical issues or injury.

A high level of difficulty may be indicated by:

- attainment levels in areas of learning most affected by the CYP's visual impairment falling well below what might be expected from their performance in other areas of learning and in measures of cognitive skills (e.g. NC assessments being significantly outside the expected range);
- use of specialist materials and equipment;
- mobility problems impacting significantly on participation in school/college and classroom activities/school life;
- emotional and/or social problems, perhaps including periods of withdrawal, disaffection and reluctance to attend school/college.

### **c. Physical and medical difficulties**

Some CYP who experience physical or medical difficulties have no problems in accessing the curriculum and learning effectively. Simply having a medical condition does not mean that a CYP has a special educational need. Some have acquired conditions, e.g. through brain injury, accidents, illness which impact on learning.

The impact of physical or medical difficulties on a CYP's education ranges from mild to severe and may be temporary or permanent. A high level of difficulty may be indicated by:



- difficulties in areas of special educational need described elsewhere in this guidance;
- difficulties relating to the pupil's confidence, self-esteem, emotional stability or relationships with peers;
- difficulties relating to the CYP's classroom performance (e.g. through drowsiness, lack of concentration, lack of motivation or lack of co-ordination) which result in them taking longer than others to complete basic tasks;
- difficulties relating to the CYP's participation in curriculum activities.
- attainment levels in most curriculum areas significantly depressed by irregular attendance, because of the physical or medical difficulty and/or the need for regular therapy;
- extensive use of specialist materials, aids, equipment, furniture, adaptations to the physical environment of the educational setting and/or adult support;
- emotional and social or mental health problems, perhaps including periods of withdrawal, disaffection and reluctance to attend school/college.

### **3.5 Attainment guidance**

Whilst evidence of attainment will always be important when the LA is considering a request for EHC needs assessment, as the CoP indicates, it is not in itself sufficient to determine whether an assessment is necessary. Attainment levels will be only part of the body of evidence that will be considered in coming to a decision about the requirement for an EHC needs assessment.

CYP with special educational needs may be working below the expected levels and require an alternative approach to assessment. Assessments need to provide a summary of a CYP's achievements at a particular point in time so that their progress can be tracked.

For Early Years children attainment can be evaluated in relation to typically developmental age bands as described in DfE document Early Years Outcomes ([www.gov.uk/government/publications/early-years-outcomes](http://www.gov.uk/government/publications/early-years-outcomes)). This document supports on-going assessment of pupils in the EYFS. It includes age-band descriptors (Development Matters) for 0-11 months, 8-20 months, 16-26 months, 22-36 months, 30-50 months and 40-60+ months.

The following table shows the average attainment levels within the National Curriculum (NC) for pupils in NC years 1 to 9.

Range of levels within which the great majority of pupils are expected to work:	
key stage 1	Level 1 - 3
Key stage 2	Level 2 - 5
Key stage 3	Level 3 - 7

Guidelines for EHC needs assessment of CYP with learning difficulties working outside expected attainment levels.

CYP's age	Year group	Thresholds for learning difficulties
5 years	R	Working within Development Matters in the Early Year Foundation Stage 24 months or more below chronological age and/ or standardised assessment evidences progress towards developmental milestones within 2 <sup>nd</sup> centile.
6 years	Y1	Working towards level 1 in all NC core subjects – P level 5 or below
7 years	Y2	Working towards level 1 in all NC core subjects – P level 6 or below
8 years	Y3	Working towards level 1 in all NC core subjects – P level 8 or below
9 years	Y4	Mixture of working towards level 1 and working at level 1c in all NC core subjects
10 years	Y5	Mixture of working towards level 1 in all NC core subjects
11 years	Y6	Working at level 1b in all NC core subjects

For young people post-16 and below the age of 25 but no longer in education or following the National Curriculum, previous academic attainment should be reported alongside other relevant vocational and academic achievement.

## **4. EHC NEEDS ASSESSMENT**

### **4.1 How to make an EHC needs assessment request**

A request for an EHC needs assessment can be made by:

- The child's parents or carers
- A young person over the age of 16
- The educational setting which the CYP attends
- Or anyone with the parents/carers or young person's agreement who may be aware that a CYP has or may have SEN.

An educational setting wishing to request an EHC needs assessment of a CYP's special educational needs must do so by completing the Harrow's Request Form for and EHC needs assessment.

### **4.2 Evidence required by the LA when considering an EHC needs assessment**

An educational setting must demonstrate that its actions have been purposeful, relevant and sustained within the graduated approach. A CYP eligible for an EHC needs assessment will have been supported with resources available within the setting/local offer for some time. Actions taken by the educational setting to differentiate the curriculum and provide quality teaching and additional targeted intervention to meet the CYP's needs will be evident in a record of SEN support or for FE settings in an Individualised Learner Record (ILR).

The following evidence will be taken into account when a request for an EHC is considered:

- Evidence of a baseline assessment – from which progress can be measured
- Relevant and purposeful intervention within the graduated approach, including the drawing up and implementation of at least two programmes of intervention
- Review dates - with recorded evidence of formal regular reviews, outcomes and subsequent adaptations to targets and strategies
- Strategies used with details of arrangements which are beyond differentiation and are additional to and different from those normally available
- Parent/carer and CYP involvement in discussions regarding identified special needs, supporting CYP's achievement of targets, home/school agreements
- Advice and involvement from relevant specialist services working in consultation with teachers, including educational psychology, health services such as speech and language therapy, CAMHS, occupational therapy, physiotherapy and social care as appropriate.

- Evidence of a cycle of advice, implementation and review of progress with the outside agency
- For young people aged over 18, the LA should consider whether remaining in education or training would help them to progress, building on what they have learned before and helping them to make a successful transition to adult life. The involvement of a careers adviser will also be necessary.

This evidence is required so that the LA has the full range of information necessary to make an informed decision. The LA needs to have clear evidence of the impact of interventions in enabling the CYP to make progress and the effect the review process had on subsequent interventions/strategies. Intervention programmes are expected to run for a minimum of half a term.

The LA has to be satisfied that the CYP's difficulties are severe, complex and long-standing and have not been resolved despite a range of well-planned interventions. Where such evidence is missing, the request is likely to be considered invalid and cannot proceed.

The educational setting and the CYP and parents/carers will be informed in writing of the LA's decision. If the request is not agreed, the reasons for the decision will be explained and a meeting offered.

If the LA decides to carry out an EHC needs assessment, the request form and any accompanying documents will be used as the contribution to the assessment.

#### **4.3 Exceptional arrangements for CYP who need a 'fast track' to an EHC needs assessment**

In very exceptional circumstances, CYP who meet the threshold guidance may need to progress to the EHC needs assessment process more quickly. It is important to remember that 'fast track' refers to waiving the full range of actions which the educational setting will have been taking within the graduated approach. The actual assessment process will still take the same time in accordance with the statutory timescales.

Exceptional arrangements may be considered for:

- CYP for whom there is clear evidence of severe and complex needs and who have recently arrived in Harrow
- CYP who have significant, long-lasting and urgent needs arising from a sudden deterioration or onset of a medical condition or accident
- very young children with profound, multiple and complex needs

The reasons for any such requests for exceptional 'fast track' arrangements should be provided in the request form in section E.

#### **4.4 Guidance for deciding whether to issue an EHC plan**

Once all the advice for the EHC needs assessment has been received, the LA must decide whether to draw up an EHC plan. The authority will consider the level of the CYP's special educational needs and the special educational provision required.

If the CYP's difficulties require frequent and regular direct specialist teaching, daily individual support from a teaching assistant, significant pieces of equipment and regular involvement of non-educational agencies, the LA may consider that this level of provision is above that which can reasonably be provided within school based SEN support and needs to be specified in an EHC plan.

An EHC plan will also be considered appropriate where a CYP may require a specialist school placement.

If it is considered that the CYP's needs can be met with a level of advice, support and equipment that is available through SEN support/the local offer an EHC plan will not be necessary. Information gathered during the EHC needs assessment will be shared with parents/carers, CYP, early years provider, school or post-16 institution and used to inform how the outcomes for the CYP can be achieved through the educational setting's own provision or within the local offer.

#### **4.5 EHC plan reference**

The EHC assessment process from the time the assessment is requested until the final education, health and care (EHC) plan is issued lasts up to 20 weeks. Further information about the whole process can be found in the Harrow document 'At a Glance Guide to the Education Health and Care Plan' ([www.harrow.gov.uk/senassessmentreview](http://www.harrow.gov.uk/senassessmentreview)).

#### **4.6 Ceasing to maintain an EHC plan**

If an assessment is agreed and results in an EHC plan being issued, it should not necessarily be regarded as being in place for the rest of the CYP's time in education. In many cases, intervention using the resources and programmes provided through the plan will be successful in enabling the CYP to progress to a level at which he or she can access curriculum and learning experiences using the school's or college's existing resources and arrangements.

The progress of CYP with EHC plans is monitored through the statutory annual review process. At each annual review the CYP's needs and progress will be reviewed against the outcomes set. The LA can cease to maintain an EHC plan where:

- the education and training outcomes in the EHC plan have been achieved
- the LA is no longer responsible for the CYP, e.g. if they have moved to another country

- it decides that special educational provision is no longer needed
- a young person aged 16 or over takes up paid employment (including employment with training but excluding apprenticeships)
- the young person enters higher education
- a young person aged 18 or over leaves education and no longer wishes to engage in further learning.

Where the LA is considering ceasing to maintain a CYP's EHC plan it must:

- inform the child's parent/carer and the young person in writing that it is considering this
- consult the child's parent/carer or the young person
- consult the school or other institution that is named in the EHC plan

Where there are parental concerns about the intention to cease a plan, the LA will consider some of the following:

- obtaining updated advice from appropriate professionals
- gradual withdrawal of support within an agreed timeframe
- maintaining a plan for monitoring purposes for a further year with a view to it ceasing the following year if progress is maintained

#### **4.7 Panel - Terms of Reference**

All requests are carefully evaluated by the Assessment and Review Panel. The LA will aim to respond within the statutory time limits as set out in the CoP.

The purpose of the panel is to consider all requests received from parents/carers /carers, young people, schools and early years settings and further education settings for an EHC needs assessment.

The panel comprises of a quorum including:

- the SEN service manager (chair); a senior SEN professional, the casework officer
- a representative from a Harrow LA mainstream primary or secondary school (usually a school's headteacher or SENCO)
- a Harrow LA educational psychologist
- an advisory teacher

Additional members of panel may include:

- college representative

- health representative/joint commissioner
- social care representative (adult social care and Children with Disabilities Service)
- careers adviser

Additional members may be co-opted to the panel as appropriate.

The panel meets weekly during term time.

Requests are considered and discussed during the meeting by the panel members. Papers are sent out to panel members in advance. The proceedings of the panel are confidential and members are requested not to discuss individual cases outside the panel. Evidence provided on each individual case is considered by the panel and a collective decision is made about whether or not the case should proceed to an EHC needs assessment. The decision is based upon the evidence provided to the panel at the time of consideration.

A formal record of the decision is made by the casework officer and the decisions of the LA will be sent to the parents/carers, young person and educational setting school/college in a letter which will be sent within a week of the panel meeting. Where the decision is not to proceed to an EHC needs assessment detailed reasons for the decision will be provided in the letter. In all cases where an EHC needs assessment is not agreed a meeting will be offered to the parents/carers and young person to explain the reasons for the LA's decision in detail and to discuss how the CYP's needs will continue to be met and monitored by the school, early years setting or post-16 provider appropriately.

## **5. Funding**

Early years settings, mainstream schools and academies, sixth form colleges, further education colleges and 16-19 academies are provided with resources to support CYP with additional needs, including CYP with SEN and disabilities. This section outlines the funding arrangements in respect of Harrow's arrangements for CYP with a high level of need.

Early years, schools and colleges are funded through the Dedicated Schools Grant (DSG) which is not ring fenced and is split into 3 blocks;

1. Schools Block
2. Early Years Block
3. High Needs Block

From April 2013 the DfE school and college funding arrangements put in place:

- A new 0 – 25 system, placing the responsibility and funding for CYP with high cost needs with the LA
- High incidence, low cost needs to be met by schools and colleges from delegated budgets

Under the DfE's new funding arrangements mainstream schools and academies are required to meet the cost of the basic per pupil entitlement (the age-weighted pupil unit - AWPU) and up to £6,000 of additional support for pupils with high needs from their individual school budget.

### **5.1 SEN notional budget**

Authorities are required to set a notional SEN budget as part of the funding formula. It is from the notional budget that mainstream schools and academies are expected to:

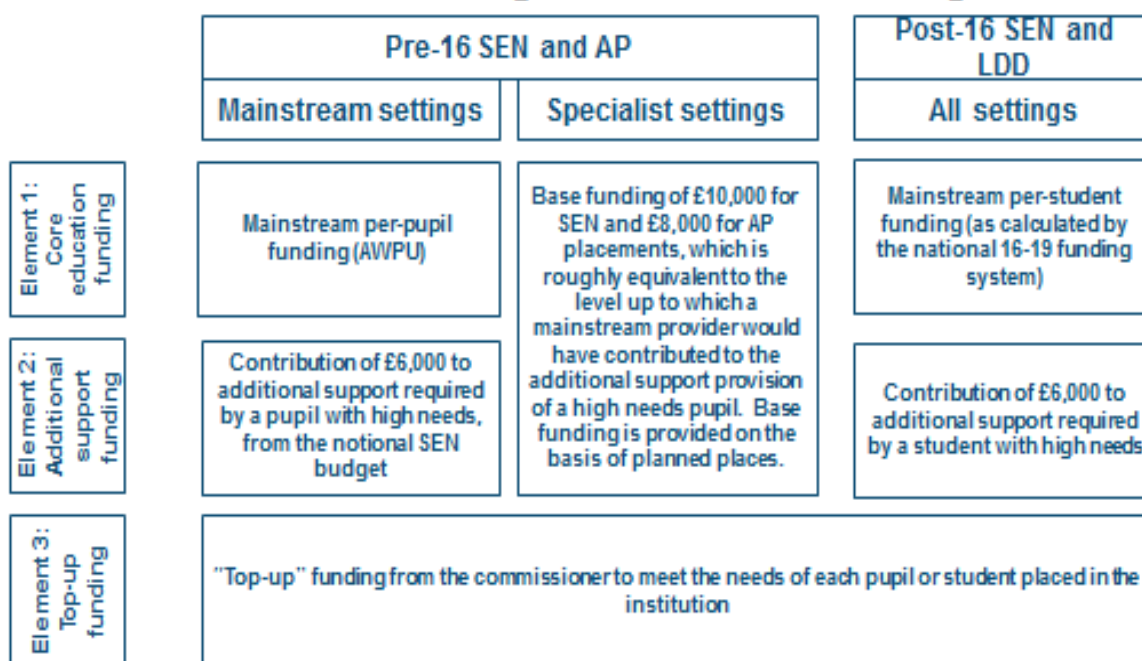
- Meet the needs of pupils with low cost, high incidence SEN;
- Contribute up to £6000 towards the costs of provision for pupils with high needs

The notional SEN budget is referred to as elements 1 and 2 in the following diagram for high needs funding.

The element 3 top up funding is for actual pupils in the school between April and March of a financial year. The element 3 funding is pupil led and adjusted in year according to where the pupil is on roll.



# Model for high needs funding



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This diagram appeared as Figure 1 (p.43) of School funding reform: Next steps towards a fairer system.

## 5.2 Definition of a high needs pupil

The definition of a high needs pupil is set at a financial level of £10,000 (for Alternative Provision this is £8,000).

For pupils/learners that are identified as having high needs through an EHC plan the LA where the CYP is resident is responsible for funding the top up funding element 3.

## 5.3 Early years settings

All 3 and 4 year olds are entitled to 15 hours nursery provision per week which is funded from the Early Years Block DSG.

The funding formula used for early years settings is different to schools and post-16 model of funding. All funding agreed through an EHC plan is deemed as element 3 and provided by the LA from the High Needs Block.

## 6. Local Offer

As part of their local offer Harrow Council will set out the services which are available in the local area for children and young people under the age of 25 with special educational needs and disabilities (SEND), in relation to education, health and social care. Harrow's local offer will be accessible on [www.harrow.gov.uk/sendlocaloffer](http://www.harrow.gov.uk/sendlocaloffer).

The local offer will provide information to help identify suitable support and to increase knowledge about the resources needed to enable CYP with SEND to be able to participate in the community, and to enjoy and achieve their goals.

The local offer will include clear and transparent information on how to access services, eligibility guidance, how decisions are made and who makes them.

It will include information on:

- what is available to support CYP with SEND, without the need for an assessment
- arrangements for including and integrating CYP into non-specialist settings
- special arrangements and additional provision for each age group
- information about parent partnership services and dispute resolution services
- information, advice and support for families
- information about the complaint and appeal processes
- information about support and help available for YP with SEN or disabilities moving into adulthood
- information about preparing for and finding employment
- information about Personal Budgets

## 7. Glossary

AWPU	Age-weighted pupil unit
CAMHS	Child and Adolescent Mental Health Service
CYP	Children and young people – children are 0 to 16 years of age; young people are 16 to 25 years of age
NC	National Curriculum
DfE	Department for Education
EHC needs assessment	Education health and care needs assessment
EHC plan	Education Health and Care plan
FE	Further education
ILR	Individualised Learner Record
LA	Local Authority
SEN	Special Educational Needs
SENCo	Special educational needs co-ordinator; in colleges a named person with oversight of SEN provision
SEND	Special Educational Needs and Disabilities
TAC	Team Around the Child

The following link provides further glossary of terms

[www.barnardos.org.uk/definitions\\_of\\_s.e.n\\_terms.pdf](http://www.barnardos.org.uk/definitions_of_s.e.n_terms.pdf)