Toolkit for the Education Health & Care Pathway
**Contents**

Introduction ........................................................................................................................................5

The Children and Families Act .........................................................................................................5

Definition of Special Educational Needs .........................................................................................5

Definition of disability .....................................................................................................................6

Principles ...........................................................................................................................................7

Key changes ......................................................................................................................................8

Principles underpinning coordinated assessment and planning ......................................................9

Person Centred Planning ...................................................................................................................9

The assessment and planning process should: ................................................................................10

Information sharing ..........................................................................................................................11

Local Offer ........................................................................................................................................12

Key message .....................................................................................................................................13

Overview of the Education, Health & Care Pathway ......................................................................12

Pathway Principles .............................................................................................................................13

Pathway Roles & Responsibilities .....................................................................................................14

EHC Pathway for New Assessments ..................................................................................................16

Step 1 ................................................................................................................................................16

Advice and Support through the Local Offer ..................................................................................16

Keyworking, involvement of the right professionals and decisions about whether to request EHC assessment .........................................................................................................................17

Involving children, young people and parents in decision making ................................................18

Involving the right professionals and agencies ................................................................................19

Who can request an EHC Assessment? ..........................................................................................21

How to make a Request for EHC assessment ..................................................................................22

---

*This toolkit will continue to be updated based on learning from implementation and development of the personalisation agenda.*
This toolkit will continue to be updated based on learning from implementation and development of the personalisation agenda.
This toolkit will continue to be updated based on learning from implementation and development of the personalisation agenda.
This toolkit will continue to be updated based on learning from implementation and development of the personalisation agenda.
A child under compulsory school age has special educational needs if he or she is likely to fall within the definition above when they reach compulsory school age.

Definition of disability

Many children and young people who have SEN may have a disability under the Equality Act 2010 – that is ‘...a physical or mental impairment which has a long-term and substantial adverse effect on their ability to carry out normal day-to-day activities’. This definition provides a relatively low threshold and includes more children than many realise: ‘long-term’ is defined as ‘a year or more’ and ‘substantial’ is defined as ‘more than minor or trivial’. This definition includes sensory impairments such as those affecting sight or hearing, and long-term health conditions such as asthma, diabetes, epilepsy, and cancer. Children and young people with such conditions do not necessarily have SEN, but there is a significant overlap between disabled children and young people and those with SEN. Where a disabled child or young person requires special educational provision they will also be covered by the SEN definition.

Children & Young People in Specific Circumstances

Children or young people in the following groups may require additional consideration by those who work with and support special educational needs:

<table>
<thead>
<tr>
<th>Looked after children</th>
<th>Children/ young people educated out of the area</th>
<th>Children/young people who have SEN and are in hospital</th>
</tr>
</thead>
<tbody>
<tr>
<td>Care leavers</td>
<td>Children/ young people with SEN who are educated at home</td>
<td>Children/young people in youth custody</td>
</tr>
<tr>
<td>Children/ young people with SEN and social care needs, including children in need</td>
<td>Children/ young people in alternative provision</td>
<td>Children of service personnel</td>
</tr>
<tr>
<td>Young carers</td>
<td>Children/young people with SEN who are newly arrived to the country</td>
<td>Children/young people with a family member in prison</td>
</tr>
</tbody>
</table>
Principles
The Act outlines the following key principles which have been set in order to improve the experiences of children, young people and their families.

1. Participation: There will be a wider emphasis on the active involvement of children, young people, parents and carers in making decisions which affect their lives.

   Individuals have the right to have their views, wishes and opinions taken into account throughout the EHC assessment process / developing and reviewing EHC Plan. They are the same principles that underpin the Local Offer and the processes for SEN Support. All children and Young people who have the capacity to do so should be directly consulted as part of the process of developing and reviewing EHC plans.

   At a local and strategic level individuals have the right to accessible advice and information. They will also be involved in developing and reviewing the local offer, reviewing educational and social care provision and in the design and commissioning of services providing information and support.

2. Stronger focus on high aspirations and on improving outcomes

   Education, health and social care services will be working in a way that improves progress and supports the outcomes that are wanted and needed in the lives of children, young people and their families. The aim is to establish and maintain a culture of high expectations and include children with SEND in all opportunities. Enabling children and young people to develop, learn, participate and achieve the best possible outcomes. The vision is for families to have high aspirations and the right support to achieve successful long term outcomes in adult life: -
   - Higher education / employment
   - Independent living
   - Participating in Society
   - Being as healthy as possible

This toolkit will continue to be updated based on learning from implementation and development of the personalisation agenda.
3. **Joint planning and commissioning of services to ensure closer co-operation between Education, Health and Social Care**

Education, health and social care services will be required to commission services together and work together more closely. Establishing effective partnerships and functioning on joint identification of and planning for the present and future needs of the local community. This includes joint delivery and reviews to improve services offered.

4. **Graduated approach to identification and support**

All practitioners should know how to identify SEN and support children with different needs effectively through differentiation. EYA, EYA+, SA & SA+ will be replaced by a single category called ‘SEN support’. This SEN support should take the form of a four-part cycle through which earlier decisions and actions are revisited, refined and revised with a growing understanding of the pupil’s needs and of what supports the pupil in making good progress and securing good outcomes. This is known as the graduated approach. It draws on more detailed approaches, more frequent review and more specialist expertise in successive cycles in order to match interventions to the SEN of children and young people. The four part cycle consists of ASSESS-PLAN-DO-REVIEW. *(Special Educational Needs and Disability Code of Practice: 0 to 25 years- Section 6.44)*.

**Key changes**

The current system of statements of Special Educational Needs (SEN) will be replaced by Education, Health & Care Plans (EHC Plans). The EHC Plans will extend the rights and protections of young people in further education and training as they will cover children and young people from birth to the age of 25. The EHC Plans will provide the same statutory protection as the current statements of SEN.
If a child or young person has complex needs which require specialist arrangements in addition to provision via the Local Offer they may need an EHC Plan. The journey towards achieving this is called the EHC Pathway. The pathway includes seven steps. The first step is a reminder of the importance of the use of the Local Offer before proceeding and should be available to the child and young person to make special provision for identified needs as long as they need it. The following 5 steps (2-6) if required have a maximum timescale of 20 weeks for completion. Step 7 is the process of implementation and ongoing review of the EHC Plan and provision.

Over the next few years the majority of children with existing statements of SEN will also have their statement transferred into Education, Health and Care Plans primarily through the annual review process.

**Principles underpinning coordinated assessment and planning**

Children, young people and families are at the centre of this process. They should experience well-co-ordinated assessment and planning leading to timely, well-informed decisions. The following general principles underpin effective assessment and planning processes:

- Involving children, young people and parents in decision making
- Support for children, young people and parents
- Coordination
- Sharing information
- Timely provision of services across agency working

**Person Centred Planning**

As part of personalisation, person centred planning is utilised throughout the EHC pathway process. Approaches are built on practices established and developed through SEN Support. This way of working involves educational institutions engaging with parents and young people in planning and reviewing progress. Discussions around setting clear outcomes and reviewing progress towards them, activities and support that will help to achieve them and

This toolkit will continue to be updated based on learning from implementation and development of the personalisation agenda.
identification of responsibilities of the parent, the young people and the school/educational provider take place.

By increasing parental engagement, and involving the young person, in the approaches and teaching strategies the impact of support is strengthened. As a result all professionals involved in providing support will be working towards achieving the goals which are important to the child or young person and his/her family.

A person-centred approach to planning support focuses on the many different ways a child or young person may be supported to participate, achieve and enjoy life at school or college, which may include the use of personalised funding.

The assessment and planning process should:

• focus on the child or young person as an individual
• enable children and young people and their parents to express their views, wishes and feelings
• enable children and young people and their parents to be part of the decision-making process
• be easy for children, young people and their parents or carers to understand, and use clear ordinary language and images rather than professional jargon
• highlight the child or young person’s strengths and capabilities
• enable the child or young person, and those that know them best to say what they have done, what they are interested in and what outcomes they are seeking in the future
• tailor support to the needs of the individual
• organise assessments to minimise demands on families
• bring together relevant professionals to discuss and agree together the overall approach, and
• deliver an outcomes-focused and co-ordinated plan for the child or young person and their parents

This toolkit will continue to be updated based on learning from implementation and development of the personalisation agenda.
**Information sharing**

As with SEN Support, professionals from all agencies involved in the EHC processes will maintain appropriate confidentiality and ensure information sharing is in accordance with data protection requirements and the principles outlined in HM Government information sharing guidance for practitioners and managers (2008).

Information sharing will be:

- Necessary - for the purpose for which it is shared
- Proportionate - accurate and up-to-date
- Relevant
- Accurate
- Timely
- Secure
Local Offer

If a child, young person or family requires additional support for special educational needs or a disability they will be able to find information about what is available on the Local Offer website. The Local Offer website includes services that are typically available as well as specialist targeted support services around the local area.

There are four key features of the Local Offer:

- **It is collaborative:** the local offer has been developed in collaboration with parents and young people.
- **It is easily accessible:** the local offer is structured in a way that is easily understandable for parents, carers and young people. It is factual and jargon free which enables it to relate to the needs of your child easily.
- **It is comprehensive:** the local offer displays what support is expected to be available across education, health and social care from age 0 to 25 and how to access it. It includes where relevant the eligibility criteria for services. As well as providing clear information on where you can go to access more information, advice and support.
- **It is transparent:** the local offer describes clearly how decisions about your child are made and who is accountable and responsible for them.

The local offer is web based with all the information in one place to help families to access the support they need (www.mycareinbirmingham.org.uk).

The SEND Local Offer is not simply a directory of services. It will include information about:

- Services across education, health and social care from birth to 25
- How to access specialist support
- How decisions are made including eligibility criteria for accessing services where appropriate
- How to complain or appeal
Key message

Most children with additional and special needs should have their needs met within their local community. The local offer should help families and settings access all the available support and services in order to meet the child’s needs effectively.

For people working directly with parents/carers and young people, the Local Offer can be used to signpost parents/carers and young people to information. Workers such as SENCo’s, health visitors, youth workers, family support workers and early support staff should show parents and young people the webpages to explain the EHC assessment process, as well as search for services that are available without needing a Statutory Assessment.
Overview of the Education, Health & Care Pathway

**Step 1**
My Story – Listen and Understand
- Ongoing assessment, advice and support through the Local Offer that informs the decision to refer for EHC Assessment
- Initial discussions and preparation with parents/carers
- TAC/Family Meeting led by key worker to prepare the request for Education Health and Care assessment
- Request for EHC Assessment sent to SENAR

**Step 2**
Request for EHC Assessment
- SENAR receives the request for EHC assessment
- SENAR Principal Officer presents request to EHC Panel Meeting (1)

**Step 3 and Step 4**
My Needs and My Plan: EHC Plan drafted
- Information gathering and further assessment work completed by SENAR Plan Coordinator
- SENAR Plan Coordinator drafts the EHC Plan
- EHC Panel either recommend ongoing support through the Local Offer or agree EHC assessment
- SENAR Principal Officer becomes the Plan Coordinator

**Step 5**
My Resources: Draft EHC Plan is shared
- SENAR Plan Coordinator shares the Draft EHC Plan with the family. The family have 15 calendar days to respond. The family express their preferences for an educational placement
- Education, Health and Care Plan Meeting (12 weeks) is led by the SENAR Plan Coordinator with family and professionals to develop the plan

**Step 6**
My Life: EHC Plan is finalised
- The EHC Plan, including the personal budget, is finalised
- SENAR Principal Officer presents the EHC Plan to the EHC Panel Meeting (2)
- EHC Panel agrees and signs off the EHC Plan

**Step 7**
My Review: Implementation & Review
- Implementation
  - The school or setting identify the short term targets, support & monitoring to meet the outcomes in the EHC Plan.
- Review
  - The EHC Plan will be reviewed at least annually
Pathway Principles

Underpinning the Education, Health & Care Pathway are the 10 key principles of Early Support. For more information: www.councilfordisabledchildren.org.uk/earlysupport.

Valued uniqueness
The uniqueness of children, young people and families is valued and provided for.

Planning Partnerships
An integrated assessment, planning and review process in partnership with children, young people and families.

Key Working
Service delivery is holistic, co-ordinated, seamless and supported by key working.

Birth to Adulthood
Continuity of care is maintained through different stages of a child’s life and through preparation for adulthood.

Learning and Development
Children and young people’s learning and development is monitored and promoted.

Informed Choices
Children, young people and families are able to make informed choices.

Ordinary Lives
Wherever possible children, young people and their families can live ‘ordinary lives’.

Working Together
Multi-agency working practices and systems are integrated.

Participation
Children, young people and families are involved in shaping, developing and evaluating the services they use.

Workforce Development
Children, young people and families can be confident the people working with them have appropriate training, skills, knowledge and experience.
Pathway Roles & Responsibilities

There are 5 key roles within the EHC plan pathway as described below:

| Child/young person and their parents | • Work with relevant professionals and to gain a clear understanding of the needs of the child or young person, and the level of support they require to access learning and achieve success  
  • Support, or make, the request for EHC assessment  
  • Complete the ‘All about Me’ profile, with support as required, to ensure the voice of the child or young person is clearly represented. Where the young person is able to, they can contribute directly to this.  
  • Participate or contribute appropriately to any meetings as required as part of the EHC assessment process  
  • Work with the SENAR Principal Officer, in their role as EHC Plan coordinator re decisions about educational placement and options (if any) for personal budget |
| Commissioners | • The process for EHC assessment is underpinned by the active involvement of senior commissioners representing Education, Health and Social Care.  
  • The commissioners lead the EHC Panel where EHC assessments are agreed and where EHC Plans are finalised. |
| SENAR EHC Plan coordinator | • SENAR Principal Officers act as the EHC Plan Coordinators and receive the requests for new assessments.  
  • If the request for EHC assessment is agreed, they act as the EHC Plan Coordinators, advise and support the child’s parents or young person accordingly and facilitate the smooth running of the statutory process.  
  • If EHC assessment is not agreed, the SENAR Principal Officer informs parents and/or post 16 young person and the relevant professionals of the EHC Panel’s decision, the reasons for the decision. |

This toolkit will continue to be updated based on learning from implementation and development of the personalisation agenda.
### Key Working

- Children and young people who require additional SEN support are usually supported by a range of professionals.
- To ensure that the child’s parent or the young person feels well supported it is important that one person in the’ team around the child or young person’ takes responsibility to be the main point of contact and take a lead in supporting the child or young person.
- For young children before they enter school, a professional from one of the specialised education support services may be in the best position to act in the key working role e.g. Educational Psychologist or teacher from the Sensory Support team or Early Support Service.
- For children and young people in school, it is often the SENCO who is best placed to do this. For young people post-16, it will vary according to where they are accessing their educational provision, but most likely be the person responsible for co-ordinating their additional support.

### Professional Support Officer

- Professional Support Officers support the SENAR team and EHC Panel providing administrative support to all aspects of the EHC processes as required, collating data and maintaining records etc.

This toolkit will continue to be updated based on learning from implementation and development of the personalisation agenda.
EHC Pathway for New Assessments

Step 1
Local Offer

My story - Listen and Understand

What happens in Step 1?

- Advice and Support through the Local Offer
- Keyworking, involvement of the right professionals and decisions about whether to request EHC assessment
- Making a Request for EHC Assessment

Advice and Support through the Local Offer

The EHC needs assessment should not normally be the first step in the process, rather it should follow on from planning already undertaken with parents and young people in conjunction with an early years provider, school, post-16 institution or other provider (Special Educational Needs and Disability Code of Practice 0-25- Section 9.3).

Most children and young people with special educational needs or disabilities will have their support needs met by their local agencies, schools and services (i.e. through the local offer of services) without the need for EHC assessment.

All educational providers are required to have arrangements in place to identify and support children and young children with SEN or disabilities, and use a graduated approach with four stages of action: Assess – Plan- Do- Review. The SEN support should have appropriate

This toolkit will continue to be updated based on learning from implementation and development of the personalisation agenda.
differentiated strategies, evidence based intervention, clear ‘stretched’ expectations and outcomes with progress tracked at least termly (three times a year).

When there is evidence, that despite the early years provider, school or post-16 institution having taken relevant and purposeful action to identify, assess and meet the special educational needs of the child or young person, and the child or young person has not made expected progress, then it might be necessary to consider whether EHC needs assessment is necessary. It is good practice that the advice and support will be coordinated through keyworking processes.

**Keyworking, involvement of the right professionals and decisions about whether to request EHC assessment**

Local authorities should adopt a keyworking approach which provides children, young people and parents with a single point of contact to help ensure the holistic provision and coordination of services and support. (Special Educational Needs and Disability Code of Practice 0-25-Section 2.21)

Keyworking is a way of working, based on person-centred approaches, that aims to support the emotional well-being and resilience of children, young people and families. Crucially, in the context of EHC assessment and EHC Plans, key working brings together practitioners from the education, health and/or social care agencies most important to ensuring the child/young person and family get the support they need to ensure they can fulfil their potential. This is sometimes known as the ‘Team around the Child’ or ‘Team around the Young Person’. [www.councilfordisabledchildren.org.uk/earlysupport](http://www.councilfordisabledchildren.org.uk/earlysupport).

There is acknowledgement that approaches will vary locally, but the main functions of keyworking support should include some or all of the following:

- Providing emotional and practical support as a part of a trusting relationship;
- enabling and empowering decision making and use of personal budgets
- coordinating practitioners and services around the child, young person and family;

This toolkit will continue to be updated based on learning from implementation and development of the personalisation agenda.
• being a single point of regular and consistent contact;
• facilitating multi-agency meetings;
• Supporting and facilitating a single planning and joint assessment process
• Identifying strengths and needs of family members
• Providing information and signposting
• Advocating on behalf of the child/young person and/or their family
• Facilitating the seamless integration of clinical and social care services with specialist and universal services.

Families do not need all of these functions all of the time and are unlikely to require the same intensity of support throughout. Provided a family has a key point of contact and coordination, others in the team working with the family would be able to provide some of the functions. In some cases, the family may opt for joint keyworking with a professional.

**Key messages**

• Professionals have a shared responsibility to fulfil the functions of key working
• Key working functions can be undertaken jointly
• The professional taking on the key working role may change as the child/young person develops and their needs change
• All practitioners including the key worker should ensure that person centred approaches are used. Parents, and young person who is 16 or older, should be offered support and advice as to who can support them through the process.

**Involving children, young people and parents in decision making**

Children and young people should be given information about the EHC process. This should be appropriate to their developmental understanding and emotional maturity and should be available in a range of media. This should be undertaken by the keyworking professional in conjunction with the parent/carer in whatever way that it is thought is best for the child or young person.

This toolkit will continue to be updated based on learning from implementation and development of the personalisation agenda.
As part of this information, a range of ways through which the child or young person can participate should be considered and decided on. This could include:

- The child or young person does not attend meetings but provides a written or audio/audio-visual presentation of their views
- The child or young person attends part of a meeting to present their prepared views
- The child or young person attends part of a meeting with a person who will present their prepared views on their behalf
- The child or young person attends all of a meeting with a commitment from the person facilitating the meeting that it will be run in such a way so as to support their understanding and participation.
- Whether there are any other things that could be done to make the child or young person feel more confident about attending and taking part (for example, are there any issues about the venue or timing).

**Involving the right professionals and agencies**

Part of the culture change associated with SEN Support, EHC assessment and EHC Plans is to ensure a holistic approach is taken to the needs of a child or young person.

As well as ensuring the right education professionals are involved at the right time e.g. Specialist Teachers, Educational Psychologist, or relevant health care professionals and therapists, it also includes consideration of wider family needs that may arise due to the child or young person’s special educational needs or disability. This may be family support services provided through Early Help, or for children and young people under 18 with significant and complex needs, parents may also consider referral to Disabled Children’s Social Care (DCSC).

The purpose of a Social Work assessment is to analyse the child’s or young person’s needs in the context of their family life and assess their eligibility for short break provision. There are

This toolkit will continue to be updated based on learning from implementation and development of the personalisation agenda.
options for personal budget associated with this. Parents/Carers are also entitled to a **Carer’s assessment** if they care for someone regularly ([www.mycareinbirmingham.org.uk](http://www.mycareinbirmingham.org.uk)).

Social work assessment takes up to 45 days to complete. To aid integrated assessment for a child or young person in the context of the 20 week statutory timeframe for EHC assessment, referral to DCSC, wherever possible, should be made in advance of the request for EHC assessment.

If referral is made to DCSC for Social Work assessment to inform EHC assessment, it is important to state this clearly at the time of referral. Information on making referrals to DCSC can be found on [www.mycareinbirmingham.org.uk](http://www.mycareinbirmingham.org.uk).

Similarly, there may be a need to refer to the LA Occupational Therapy Service (a team within DCSC) for assessment of the child’s or young person’s needs in the context of the family environment.

In order to make a decision about whether to carry out an EHC assessment, the local authority will need to take into account a wide range of evidence, and should pay particular attention to:

- Evidence of the child or young person’s academic attainment (or developmental milestones in younger children) and their rate of progress
- Information about the nature, extent and context of the child or young person’s’ special educational needs and the required provision, hence the need to include a CRISP assessment (Criteria for Special Provision).
- Evidence of the action and its evaluation already undertaken by the early years provider, school or post-16 institution
- Evidence that where progress has been made, it has only been as a result of much additional intervention and support over and above that which is usually provided
- Evidence of the child or young person’s health needs and physical, emotional and social development and what has been done to meet these by other agencies

*This toolkit will continue to be updated based on learning from implementation and development of the personalisation agenda.*
• Where a young person is over 18, the local authority must consider whether the young person needs additional time to complete their education or training in comparison to the majority of others of the same age who do not have special educational needs.

Who can request an EHC Assessment?
An EHC assessment can be requested by:
• A child’s parent
• A young person over the age of 16 but under the age of 25
• A person acting on behalf of a school or post 16 institution*
• Any other person who may be aware that a child or young person who has (or may have) SEN*

*The request should be made with the consent of the parent/carers and the young person if over the age of 16.

A child’s parent or a young person (over 16 but under 25) may request an EHC needs assessment. This can be done by contacting the Special Educational Needs Assessment and Review team (SENAR) directly (see Appendix 2).

The child’s parent, or the young person, will be asked to provide information about the needs and which services, early years provider, school or post 16 provider are already involved. They will be given the option of completing an ‘All about Me’ profile. This is information about a child or young person that can be used in Section A of an EHC Plan (the child or young person’s views and aspirations. If necessary, a parent of young person can ask for support from a professional who already knows them e.g. the person who is their main point of contact/ in the keyworking role

This toolkit will continue to be updated based on learning from implementation and development of the personalisation agenda.
SENAR will also contact the other education, health and social care services to inform them of the request and for their views about the child or young person’s needs, outcomes and provision.

A request for EHC assessment can also be made by a school or post-16 institution, or anyone else where they think an EHC needs assessment may be necessary.

This should lead on from the coordinated multi-agency support that is already in place. The decision to request statutory assessment and an EHC Plan is made by the family and the advising professionals together based on their observations and assessments over time of a child’s/young person’s special educational needs, any associated health and social care needs, future aspirations and how best to support these.

Through this ongoing support to the family and young person, it should emerge who would be in the best position to take on the keyworking role described below

**How to make a Request for EHC assessment**

The person in the keyworking role for the child or young person’s special educational needs usually acts as the referrer and takes responsibility to coordinate the request. This is most often, but not exclusively, an education professional. The ‘Team around the Child/young Person’ model means that the family and advising professionals meet periodically to review progress and will agree when the purpose of the meeting needs to focus on making the request for EHC assessment. The referrer needs to complete the Request for EHC Assessment form ([www.mycareinbirmingham.org.uk](http://www.mycareinbirmingham.org.uk)).

This document brings together the information about:

- the child or young person’s views and aspirations
- their special educational, health and social care needs

*This toolkit will continue to be updated based on learning from implementation and development of the personalisation agenda.*
• the long term and short term outcomes they are aiming for to access learning and achieve success

Making a request for EHC assessment is a simple 3 stage process based on good preparation and information gathering:

Preparing for and arranging the meeting

• Agree a date and venue – somewhere where the child’s parents or young person feel comfortable, and at a convenient time for the family.

• Send a letter of invitation to professionals requesting information and/or reports about the child or young person’s education, health and care needs. For each range of needs professionals should describe the outcomes sought for this child or young person based on the goals and aspirations agreed with the family. See guidance on making a request for EHC assessment on www.mycareinbirmingham.org.uk this is particularly important if a professional is unable to attend.

• Work with the child/parents, or young person, beforehand to complete the first section ‘All about Me’ ready for the meeting.

• Keyworkers will need to build into their practice sufficient time for pre-meetings and to use information received to pre-populate information into the Request for EHC assessment document. If possible, circulate this beforehand so that professionals and parents have opportunity to read through beforehand

• Agree who will act as the chair and note taker for the meeting. Arrange an interpreter if necessary and brief them on the process.

• Arrange support and access for child or young person, or parent/carers e.g. visual/communication aids

During the meeting

• Introductions and welcome

• Purpose of the meeting and how it will be conducted

• Set realistic time frame for the meeting

This toolkit will continue to be updated based on learning from implementation and development of the personalisation agenda.
This toolkit will continue to be updated based on learning from implementation and development of the personalisation agenda.
PVI settings, maintained nursery. It might be a school SENCO, Educational Psychologist, specialist teacher e.g. from Sensory Support or Early Support Service. Area SENCOs have an advisory role to support setting based SENCOs around the EHC processes.

- Team around the child/young person meetings are not a new phenomenon in the context of integrated working with families and can be called for other purposes. Therefore it is important to ensure that invited participants are aware of the EHC request focus for the Team around the child/young person meeting called. Participants should also be aware that proceeding with request is an option. Team around the child/young person meetings in some circumstances could lead to the decision to continue and plan another cycle of SEN support accessing more provision from the Local Offer.

- The required information should be available at the time of the meeting and therefore the meeting should be held at the right time. This also includes the timely involvement of specialists in the graduated response at the SEN Support Stage. The request should contain quality data on the child’s or young person’s needs, intervention and progress. As part existing graduated response, sufficient time should have been given for appropriate stages and levels of assessment, planning intervention and review to be in place to secure that information. It is recommended that there should be a least two cycles of assess, plan, do and review before a request for an EHC can be made. Professionals should prepare an information sheet stating needs and desired outcomes for the child or young person in preparation for the meeting.

- As characterised by SEN Support, discussions and meetings with parents and child and young people should involve person centred approaches. Families and young people should be given information and support to understand and be involved in the meetings. Schools and settings should be aware of available frameworks and tools that help you gather information about what is important to the child and young person and what is best to support them.

This toolkit will continue to be updated based on learning from implementation and development of the personalisation agenda.
• The request for EHC assessment form indicates the nature of the information that is needed to make a request. This should inform what aspects of the form will be prioritised for the meeting and what aspects can be secured before or after the meeting.
• It is important how children and young people views will be distinguished in the request for EHC assessment form. Consider appropriate use of the first and third person narratives.
• The ‘All about me’ section of the form can be prepopulated in collaboration with the child/young person and their parents in advance of the meeting.
• The Team around the child/young person meeting is also likely to distinguish the start of the next cycle of the graduated response. The planned review meeting can also be vehicle for the EHC plan meeting if the local authority proceeds. Please share this date on the request for EHC assessment form. Set the review date 12 weeks after the request is likely to be sent to SENAR rather than the date of the Team around the child/young person meeting.
This toolkit will continue to be updated based on learning from implementation and development of the personalisation agenda.
<table>
<thead>
<tr>
<th>During the meeting</th>
<th>After the meeting</th>
</tr>
</thead>
<tbody>
<tr>
<td>Considered roles of chair and note taker for the meeting</td>
<td>Utilised information from all professionals involved to complete the final request document</td>
</tr>
<tr>
<td>Sought advice regarding social care involvement</td>
<td>Sent the request document along with all relevant reports and attached a CRISP profile</td>
</tr>
<tr>
<td>Utilised person centred approaches for the duration of the meeting</td>
<td>Explained the next steps of the process to families</td>
</tr>
<tr>
<td>Review prepopulated document and agreed outcomes</td>
<td></td>
</tr>
<tr>
<td>Ensured information on developmental milestones, EYFS/national curriculum levels (or equivalent), attendance levels, progress over time and reports are included with the request as evidence</td>
<td></td>
</tr>
<tr>
<td>Considered transport assistance</td>
<td></td>
</tr>
<tr>
<td>Provided advice and support to the family—signposting to other services as appropriate</td>
<td></td>
</tr>
<tr>
<td>Set provisional date for the EHC Plan Meeting if it was to proceed to an Assessment</td>
<td></td>
</tr>
<tr>
<td>Obtained consent from young person (if over the age of 16) and/or their parents</td>
<td></td>
</tr>
</tbody>
</table>

This toolkit will continue to be updated based on learning from implementation and development of the personalisation agenda.
Transport & Travel Assistance

Families are able to request an assessment for transport assistance which is reflected in the request for EHC assessment document.

Transport assistance is provided by Birmingham City Council’s Education Transport Services. Some families may be entitled to transport assistance to ensure children and young people are transported safely and securely. Families may be eligible if the children or young person has special educational needs, a disability and/or mobility problem and is unable to walk to school. For more information: https://childrens.mycareinbirmingham.org.uk/local-offer-main-page/schools-and-education/education-and-learning/getting-to-school.aspx.
Step 2
Request for EHC Assessment & the EHC Panel

What happens in Step 2?

• The EHC assessment request is received by SENAR
• The request for EHC assessment with supporting evidence and indicative budget is presented at the EHC panel by the allocated SENAR Principal Officer
• The EHC Panel decide whether EHC needs assessment is required or whether the child or young person’s needs can be met by continuing and coordinating the support available through the local offer
• If an assessment is agreed the SENAR Principal Officer becomes the Plan Co-ordinator

Request received by SENAR

The case is allocated to a SENAR Principal Officer who acknowledges the referral, ensures all the necessary information has been received. An indicative budget is calculated at this stage primarily using CRISP. The indicative budget provides useful information about what additional funding may be required above what the setting can or should provide through their resources. The SENAR Principal Officer prepares to present the case to EHC Panel with their recommendation about whether a case should proceed to statutory EHC needs assessment. If there has been a Social Work assessment relating to short breaks provision, the Social Worker may also attend to advise on the social care package of support.

This toolkit will continue to be updated based on learning from implementation and development of the personalisation agenda.
The decision about whether to proceed to EHC needs assessment should be made within 4 weeks of the local authority receiving the request. After the EHC Panel decision, the SENAR Principal Officer informs the parent or young person and the referrer of the outcome. If EHC assessment is agreed, the SENAR Principal Officer becomes the EHC Plan Coordinator.

**The EHC Panel**

The purpose of the EHC Panel is to provide a clear and equitable framework and process for EHC needs assessment. The core function of the EHC Panel is to support the EHC Pathway at two key stages:

**Stage 1:** Receive the requests for EHC assessment and decide whether EHC needs assessment is required

**Stage 2:** Ratify the EHC Plan and any arrangements for personal budget

The EHC Panel meets weekly and is led by senior managers with commissioning roles from education, health and social care:

- **Health:** CCG Senior Commissioning Manager
- **Disabled Children Social Care:** Head of Service
- **SENAR Head of Service (0-25)**

Commissioners from Education, Health and Social Care (or a rep) will always need to be in attendance as they have essential decision-making functions. The Assistant Director for Complex Needs attends periodically.

Other members of the panel are drawn from education, health and social care agencies across the age range 0-25 and use their specialist knowledge to provide advice and challenge for robust and equitable decision-making.

*This toolkit will continue to be updated based on learning from implementation and development of the personalisation agenda.*
Making decisions – evidence of need

For the EHC Panel to decide whether an EHC needs assessment is required, the EHC Panel needs evidence that appropriate interventions, support and resources have already been put in place through the local offer.

Section 9.14 of the Special Educational Needs and Disability Code of Practice 0-25 describes the range of evidence to which the local authority needs to pay particular attention. This includes:

- evidence of the child or young person’s academic attainment (or developmental milestones in younger children) and their rate of progress
- information about the nature, extent and context of the child or young person’s’ special educational needs
- evidence of the action already undertaken by the early years provider, school or post-16 institution
- evidence that where progress has been made, it has only been as a result of much additional intervention and support over and above that which is usually provided
- evidence of the child or young person’s health needs and physical, emotional and social development and what has been done to meet these by other agencies
- where a young person is aged over 18, the local authority must consider whether the young person requires additional time, in comparison to the majority of others of the same age who do not have special educational needs, to complete their education or training.

Process for requests that do not lead to an EHC assessment

If the EHC Panel decides that EHC needs assessment is not required, the EHC Panel will recommend continued support for the child or young person coordinated by the relevant services through their local offer of support.

The SENAR Principal Officer will notify the family and the referrer stating the reasons for this decision. At this stage the family will also be given information on their rights to appeal the

This toolkit will continue to be updated based on learning from implementation and development of the personalisation agenda.
decision, the requirement of considering mediation and availability of advice & support and disagreement resolution services.

This toolkit will continue to be updated based on learning from implementation and development of the personalisation agenda.
Step 3
My Needs

What happens in Step 3?

• A ‘Tell Us Once’ approach is used
• The SENAR Principal Officer/ Plan Co-ordinator builds on the information provided by the EHC assessment request form
• If necessary additional reports/advice may be requested from advising professionals
• Information is collected about resources which are currently in place to meet the child/young person’s needs
• The SENAR Plan Coordinator prepares the draft EHC Plan ready for the Education, Health and Care Plan Meeting with the family and involved professionals

Information gathering and preparing first draft EHC Plan

Providing information for EHC Assessment

To carry out EHC assessment, the local authority must gather advice from relevant professionals about the child or young person’s:

• educational, health and care needs
• desired outcomes
• special educational, health and care provision that may be required to meet identified needs and achieve desired outcomes

The local authority must take into account:

• The views, wishes and feelings of the child’s parent or the young person
• advice and information from a range of education, health and social care professionals as detailed in the Code of Practice Section 9.49

This toolkit will continue to be updated based on learning from implementation and development of the personalisation agenda.
The underpinning principle is a ‘tell us once’ approach for families. To support this principle, it is best practice if professionals provide their reports about the child or young person’s needs, their desired outcomes and how these outcomes might be achieved at the earliest possible opportunity.

The ‘Team around the Child or Young Person’ meeting provides a key opportunity. It is specifically organised by the professional who is taking the lead in advising and supporting the family and young person and coordinating the request for EHC Assessment.

This is a very important point in the process of EHC assessment. It gathers together the information and understanding of the child or young person’s areas of strength and difficulty and gives opportunity for a child, young person, teachers, parents and others to come together and agree outcomes and next steps.

If professionals are unable to provide information for this meeting, the local authority will write and request professional advice about the child or young person’s needs, their desired outcomes and how these outcomes might be achieved.

This information must be provided within 6 weeks of the request, and should be provided more quickly wherever possible to enable a timely process (Section 9.52).

Professionals should limit their advice to areas in which they have expertise. The information and evidence should be clear, accessible and specific and provide advice about outcomes and strategies for their achievement.

All supporting evidence for the purposes of EHC assessment should relate to the following four areas of need:

- Communication and interaction
- Cognition and learning
- Social, emotional and mental health difficulties

This toolkit will continue to be updated based on learning from implementation and development of the personalisation agenda.
- Sensory and/or physical needs

EHC Plans must specify the outcomes sought for the child or young person. EHC Plans should be focused on education and training outcomes, and health and social care outcomes, that will enable children and young people to progress in their learning, and as they get older, to be well prepared for adulthood. EHC Plans can also include wider outcomes such as positive social relationships and emotional resilience and stability.

An outcome can be defined as the benefit or difference made to an individual as a result of an intervention. It should be personal and not expressed from a service perspective. It should be something that those involved have control and influence over. Outcomes should be specific, measurable, achievable, realistic and time bound (SMART). Outcomes are not a description of the service being provided. Outcomes should always enable children/young people to move towards their aspirations in relation to higher education and/or employment; independent living; participating in society and being as healthy as possible.

When agreeing outcomes, it is important to consider both what is important to the child/young person- what they themselves want to be able to achieve- and what is important for them as judged by others with the child or young person’s best interests at heart.

In the case of speech and language needs, what is important to the child may be that they want to be able to talk to their friends and join in their games at playtime. What is important for them is that their behaviour improves because they no longer get frustrated at not being understood.

Outcomes underpin and inform the detail of EHC Plan’s. Long term outcomes will usually set out what needs to be achieved by the end of a phase or stage of education in order to enable a child or young person to progress successfully to the next phase or stage. Short
term outcomes are those that the child or young person could realistically be expected to achieve within 12 months.

From year 9 onwards, the nature of the outcomes will reflect the need to ensure that young people are preparing for adulthood- involvement in education and employment; independent living; participating in society and being as healthy as possible.

The templates and guidance for providing professional advice can be found on [www.mycareinbirmingham.org.uk](http://www.mycareinbirmingham.org.uk).

Information provided is used in the following way in an Education Health and Care Plan:

<table>
<thead>
<tr>
<th>Sections in an EHC Plan</th>
<th>Information on</th>
</tr>
</thead>
<tbody>
<tr>
<td>Section A</td>
<td>Child/parent or young person’s views, wishes and feelings</td>
</tr>
<tr>
<td>Section B</td>
<td>Special Educational Needs</td>
</tr>
<tr>
<td>Section C</td>
<td>Health Needs</td>
</tr>
<tr>
<td>Section D</td>
<td>Social Care Needs</td>
</tr>
<tr>
<td>Section E</td>
<td>Outcomes</td>
</tr>
<tr>
<td>Section F</td>
<td>Special Educational provision</td>
</tr>
<tr>
<td>Section G</td>
<td>Health provision</td>
</tr>
<tr>
<td>Section H</td>
<td>Social Care provision</td>
</tr>
<tr>
<td>Section I</td>
<td>Named educational setting</td>
</tr>
<tr>
<td>Section J</td>
<td>Resources and Personal Budget</td>
</tr>
</tbody>
</table>
Step 4

My Plan

What happens in Step 4?

- A multi-agency meeting takes place with the family and young person where the draft EHC Plan is discussed and developed.
- This meeting is led by the SENAR Plan Coordinator it will focus on the draft plan which will specify outcomes required to meet the identified needs as well as the resources available to meet the needs.
- Options for personal budget are explained including transport (where appropriate), and the support available if families wish to take up this opportunity.
- The options for educational provision are discussed so that the family can consider the full range of options, express their preference and also consider alternatives if necessary.

EHC Plans

The format of an EHC plan will be agreed locally. However, as a statutory minimum, EHC plans must include the following sections, which must be separately labelled from each other using the letters below. The sections do not have to be in the order below and local authorities may use an action plan in tabular format to include different sections and demonstrate how provision will be integrated, as long as the sections are separately labelled.

This toolkit will continue to be updated based on learning from implementation and development of the personalisation agenda.
Contents of the EHC Plan

Section A: The views, interests and aspirations of the child and their parents or young person.

- **My Story**: This includes any relevant background information that the child/parent or young person wishes to share about what has led up to the EHC assessment including any diagnoses and the impact of this on their learning and/or development.

- **What people like about me and what I can do well**: The child or young person’s interests, achievements and strengths.

- **What is important to the child or young person now and in the future**: Their short term and long term hopes and aspirations - this may include details about play, health, schooling, independence, friendships, further education and future plans for example employment or at their next transition point.

Section B, C, D: Describes the child/young persons:

- Special Educational Needs
- Health Needs
- Social Care Needs

Section E: Outcomes sought for the child/young person:

- Outcomes for adult life
- Short term outcomes

Section F, G, H1, H2: Describes the provision required to support the child/young persons special educational needs.

Section I: Name and type of the educational provision

Section J: Details of the personal budget (if requested) and how this will support particular outcomes.

Section K: Advice & information gathered is attached in the appendices.

This toolkit will continue to be updated based on learning from implementation and development of the personalisation agenda.
• **How best to support and communicate with the child or young person:** Any strategies or approaches that work well for the child or young person.

**Section B:** The child or young person’s special educational needs. Summary of the child/young person’s attainment in relation to the EYFS developmental milestones, P scales, National Curriculum or relevant study programme. Detail of their strengths and needs in relation to the following: communication and interaction; cognition and learning; social, emotional and mental health difficulties and sensory and/or physical.

**Section C:** The child or young person’s health needs which are related to their special educational needs, including information on the impact of diagnoses or continuing health needs on the child/young person’s learning and development.

**Section D:** The child or young person’s social care needs which relate to their special educational needs and require provision for a child under 18 under Section 2 of the Chronically Sick and Disabled Person’s Act 1970. This section may also include reference to provision identified through early help, child in need assessments, safeguarding assessments for children or adult social care assessments.

**Section E:** The long term and short term outcomes sought for the child/young person which enable them to move towards their aspirations in relation to higher education and/or employment, independent living, participating in society and being as healthy as possible.

**Section F:** The special educational provision that is required to meet the identified special educational needs. Special educational provision is additional to, or different from, that which is normally available in relation to modifications in curriculum; environment, facilities, equipment and resources; staffing arrangements and support from other agencies.

*This toolkit will continue to be updated based on learning from implementation and development of the personalisation agenda.*
Section G: Any health provision reasonably required as a result of the child or young person having special educational needs. This includes specialist support and therapies, such as medical treatments and delivery of medications, occupational therapy and physiotherapy, nursing support, specialist equipment, wheelchairs and continence supplies.

Section H1: Any social care provision which must be made for a child or young person under 18 resulting from section 2 of the Chronically Sick and Disabled Persons Act 1970.

Section H2: Any social care provision reasonably required as a result of the child or young person having special educational needs, including any adult social care provision being provided to meet a young person's eligible needs (through a statutory care and support plan) under the Care Act 2014. Social care provision reasonably required may include provision identified through early help and child in need and safeguarding assessments.

Section I: The name and type of the school, maintained nursery school, post-16 institution or other institution, or the type of school or other institution to be attended by the child or young person and the type of that institution (or, where the name of a school or other institution is not specified in the EHC Plan, the type of school or other institution to be attended by the child or young person).

Section J: Where there is a personal budget, the details of how the personal budget will support particular outcomes, the provision it will be used for including any flexibility in its usage and the details of any agreement for a direct payment for education, health and social care. The special educational needs and outcomes that are to be met by any direct payment must be specified.

Section K: The advice and information gathered during the EHC needs assessment must be attached (in appendices). There should be a list of this advice and information.

This toolkit will continue to be updated based on learning from implementation and development of the personalisation agenda.
In addition where the child or young person is in or beyond year 9, the EHC Plan must include (in sections F, G, H1 or H2 as appropriate) the provision required by the child or young person to assist in preparation for adulthood and independent living, for example, support for finding employment, housing or for participation in society.

(See Annex B: Implementing a new 0 to 25 special needs system: LAs and partners, July 2014)

**EHC Plan Meeting**

**Purpose & Procedures**

The EHC Plan meeting is where the draft EHC Plan is co-produced by the family or young person, professionals and the local authority. At the meeting the long term and short term outcomes are agreed.

The meeting is an opportunity to discuss support and provision required to support the identified needs of the child/young person and for parents to express their school preference. Options for personal budgets are discussed including transport assistance where appropriate.

The meeting should be in line with the following principles:

- Where possible the parents and if appropriate the child/young person should be present at the meeting
- The child/young person’s needs and rights must come first
- The parents’ or carers’ rights must be considered
- Meetings should normally follow a consistent format using a standard agenda and should be guided by the pre-populated EHC plan
- The child/young person’s welfare, well-being and agreed outcomes are everyone’s responsibility
- Only those professionals/practitioners who are already or are likely to be a part of the personalised package of support should be present

42 | Page

*This toolkit will continue to be updated based on learning from implementation and development of the personalisation agenda.*
• The meeting should be conducted in an inclusive but professional manner using language that is respectful and accessible to all in attendance

• Under normal circumstances the meeting should last no longer than two hours

• Where possible any potential disagreements between professionals should have been resolved prior to the meeting

Organising the EHC Plan Meeting
The meeting is usually organised by the SENAR Plan Co-ordinator with reference to the family or young person’s preferences regarding venue, timings and professionals’ attendance where possible and is attended by:

- The parents/carers
- Child or young person
- SENAR Plan Co-ordinator
- Keyworking Professional
- Professionals who are already or are likely to be part of the personalised package of support.

Prior to the EHC Plan Meeting, the SENAR Plan Co-ordinator:

- Writes the first draft EHC Plan using information from the child or young person’s personal profile and any other information or advice already received and circulates it to the family and relevant professionals
- Agrees beforehand who will chair and who act as note taker for the meeting

The EHC Plan Meeting
The meeting is facilitated by the person agreed with the family or young person and follows a person centred meeting process. The facilitator should aim to conclude the meeting after about 1 ½ hours. Where possible, the room should set out so as to support a collaborative group process.

This toolkit will continue to be updated based on learning from implementation and development of the personalisation agenda.
After introductions and a statement of the meeting purpose and ground rules, each section of the draft EHC Plan is considered in turn and the meeting is invited to provide additional information and/or to discuss and agree the wording. The child or young person’s contribution to the draft plan (i.e., as recorded in their personal profile or through their views presented at the meeting) should be indicated by phrasing this in the 1st person.

If the parents/carers, child or young person are not at the meeting, the keyworking professional and the SENAR Plan Co-ordinator should represent their views and the child or young person’s ‘All about me’ profile and advice including that provided by the parents.

The meeting agenda should include:

- Welcome, apologies and introductions - their role in the child or young person’s life and contact details
- Outline, purpose and format of the meeting
- Child/young person’s views, interests, hopes and aspirations (this can be where the child or young person may wish to present their own views)

Invite input from child/young person, parents and professionals about:

- The child or young person’s special educational needs in relation to the four areas of need
- The child or young person’s health needs
- The child or young person’s social care needs
- Discuss and agree long term and short term outcomes that are important for the child/young person
- The special educational provision that the child/young person requires in order to achieve their outcomes
- Health and social care provision that is required for the child/young person
- Discuss resources and preferences for educational placement and personal budget
- Remaining questions or concerns for the child/young person
- Summarise the agreed actions and recommendations.
- Describes the next actions to finalise and agree the EHC plan

This toolkit will continue to be updated based on learning from implementation and development of the personalisation agenda.
Step 5

My Resources

What happens in Step 5?

- SENAR Plan Coordinator writes the Draft EHC Plan which includes any options for personal budget the family may have requested.
- SENAR Plan Coordinator shares the Draft EHC Plan (including the appendices) with the family and notifies them that during this period they can request a particular school, college or post-16 institution to be named in their EHC Plan. Families have 15 calendar days to respond. They are able to access support if needed to help them with this.
- A SENAR officer must be available for a meeting with the child’s parents or young person on request if they wish to discuss the content of the Draft EHC Plan.
- The SENAR Plan Coordinator then consults with governing body, principal or proprietor of the appropriate educational provider(s). Educational providers must respond within 15 calendar days.

Resources

Personal budgets are one element of a personalised approach to supporting children and young people with special educational needs or disabilities. Personal budgets should not be seen in isolation but as an integral part of the coordinated assessment and EHC planning process where there is a clear focus on improving outcomes for children/young people with special educational needs and disabilities.

This toolkit will continue to be updated based on learning from implementation and development of the personalisation agenda.
Coproduction is at the centre of the new approach of supporting children, young people and families. Personal Budgets create opportunities to:-

- Meet presenting needs in a timely manner
- Give choice and control to parents & young people
- Direct services to providing support
- Meet stated outcomes in EHC plan
- Use resources effectively
- Create collaborations between sectors & services
- Ensure support interventions are not ‘tagged on’ in isolation of the curriculum & the learning environment
- Allow for greater choice in the market and support market development.

Genuine commitment to partnership and collaboration is important to support positive dialogue to explore all opportunities for personalisation of provision. Decision making about Personal Budgets should be based on:

- **Transparency** – everyone understands how decisions are taken about setting the allocation of a notional budget.
- **Participation** – everyone who needs to take part is supported to

**What is a personal budget?**

For the purposes of EHC Plans, a personal budget is defined as an amount of money identified by the local authority to deliver provision set out in an EHC Plan where the parent or young person is involved in securing that provision.

(Special Educational Needs and Disability Code of Practice 0-25- Section 9.95)

Personal budgets should reflect the holistic nature of an EHC Plan and can include funding for special educational, health and social care provision. This should be focused to secure
the outcomes and provision agreed in the EHC Plan. There are four ways in which a child’s parent or young person can be involved in securing provision:

- Direct payments – where the child’s parents or young person receive the funding to contract, purchase and manage the service themselves
- An arrangement – whereby the local authority, school or college holds the funds and commissions the support specified in the plan. These are sometimes called notional budgets
- Third party arrangements – where funds (direct payments) are paid to and managed by an individual or organisation on behalf of the child’s parent or the young person
- A combination of the above

For the personal budgets policy please go to:

**Consulting on the Draft EHC Plan**

The local authority **must** send the Draft EHC plan (including the appendices containing the advice and information gathered during the EHC needs assessment) to the child’s parent or to the young person and give them at least 15 days to give views and make representations on the content. During this period, the local authority **must** make its officers available for a meeting with the child’s parent or young person on request if they wish to discuss the content of the draft EHC plan. When the local authority sends the draft EHC plan to the child’s parent or the young person the following apply:

- The local authority **must** notify the child’s parent or the young person that during this period they can request that a particular school or other institution, or type of school or other institution, be named in the plan. The draft plan **must not** contain the name of the school, maintained nursery school, post-16 institution or other institution or the type of school or other institution to be attended by the child or young person.

*This toolkit will continue to be updated based on learning from implementation and development of the personalisation agenda.*
• The local authority **must** advise the child’s parent or the young person where they can find information about the schools and colleges that are available for the child or young person to attend, for example through the Local Offer.

• The local authority should also seek agreement of any Personal Budget specified in the draft plan

**Requests for a particular school, college or other educational institution**

The child’s parent or the young person has the right to request a particular school, college or other institution of the following type to be named in their EHC plan:

- maintained nursery school
- maintained school and any form of academy or free school (mainstream or special)
- non-maintained special school
- further education or sixth form college
- independent school or independent specialist colleges (where they have been approved for this purpose by the Secretary of State and published in a list available to all parents and young people)

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

Efficient education means providing for each child or young person a suitable, appropriate education in terms of their age, ability, aptitude and any special educational needs they may have. Where a local authority is considering the appropriateness of an individual institution, ‘others’ is intended to mean the children and young people with whom the child or young person with an EHC plan will directly come into contact on a regular day-to-day basis.
The local authority must consult the governing body, principal or proprietor of the school or college concerned and consider their comments very carefully before deciding whether to name it in the child or young person’s EHC plan, sending the school or college a copy of the draft plan. If another local authority maintains the school, they too must be consulted.

The local authority must also seek the agreement of the nursery, school or post-16 institution where the draft plan sets out any provision to be delivered on their premises which is secured through a direct payment. Where this includes a direct payment for SEN provision, it must include formal written notice of the proposal specifying:

• the name of the child or young person in respect of whom direct payments are to be made
• the qualifying goods and services which are to be secured by direct payments
• the proposed amount of direct payments
• any conditions on how the direct payments may be spent
• the dates for payments into a bank account approved by the local authority, and
• any conditions of receipt that recipients must agree to before any direct payment can be made

The nursery, school or college and, where relevant, the other local authority, should respond within 15 days.
Step 6

My Life

What happens in Step 6?

• The EHC Plan and the elements (if any) the family and/or young person wish to take up as personal budget is finalised.
• In preparation for EHC Panel, the SENAR Plan Coordinator may need a further conversation with the family and/or involved agencies about the final recommendations to go forward to panel.
• The EHC Panel signs off the EHC Plan as specified provision set out to meet identified needs and deliver agreed outcomes.
• They will also finalise the personal budget if agreed and liaise with the young person and their family to confirm the support and services available.
• Formal arrangements will be set up with the family if they opt for direct payments.

Finalising the EHC Plan

When changes are suggested to the draft EHC plan by the child’s parent or the young person and agreed by the local authority, the draft plan should be amended and issued as the final EHC plan as quickly as possible.

The final EHC plan can differ from the draft EHC plan only as a result of any representations made by the child’s parent or the young person (including a request for a Personal Budget) and decisions made about the school or other institution (or type of school or other institution) to be named in the EHC plan.

The local authority must not make any other changes – if the local authority wishes to make other changes it must re-issue the draft EHC plan to the child’s parent or the young person.

This toolkit will continue to be updated based on learning from implementation and development of the personalisation agenda.
Once the EHC Plan is ready to be finalised the SENAR Plan Coordinator presents the Plan to the EHC Panel for their agreement. The EHC Panel also ensure that the personal budget:

- is safe
- meets the requirements of local authority and clinical governance
- is evidence based and linked to outcomes
- is within the financial limits set by the resource allocation systems.

The final EHC plan should be signed and dated by the local authority officer responsible. As well as the child’s parent or the young person, the final EHC plan must be issued to the governing body, proprietor or principal of any school, college or other institution named in the EHC plan, and to the relevant CCG (or where relevant, NHS England).

**Resolving Disagreements**

Where changes suggested by the child’s parent or the young person are not agreed, the local authority may still proceed to issue the final EHC plan. In either case the local authority must notify the child’s parent or the young person of their right to appeal to the Tribunal and the time limit for doing so, of the requirement for them to consider mediation should they wish to appeal, and the availability of information, advice and support and disagreement resolution services. The local authority should also notify the child’s parent or the young person how they can appeal the health and social care provision in the EHC plan.

The child’s parent or the young person may appeal to the Tribunal against the description of SEN in the EHC plan, the special educational provision, and the school or other provider named, or the fact that no school or other provider is named. Please see the following link for more information: [https://childrens.mycareinbirmingham.org.uk/local-offer-main-page/assessment-of-needs/assessment-and-education-health-care-plan/appeals-process.aspx](https://childrens.mycareinbirmingham.org.uk/local-offer-main-page/assessment-of-needs/assessment-and-education-health-care-plan/appeals-process.aspx)

This toolkit will continue to be updated based on learning from implementation and development of the personalisation agenda.
Step 7

My Review

What happens in Step 7?

Implementation & Review

- The Plan Coordinator asks the relevant school or setting to arrange an EHC Plan implementation meeting to plan the short term targets, support and monitoring in order to assure the outcomes identified in the child or young person’s EHC plan.
- The EHC Plan will be reviewed at least annually to maintain its relevance to the child or young person’s individual situation. In certain cases it may be reviewed more frequently, this is agreed by the family, child/young person and those providing the support. Personal budgets & resources will also be reviewed during this process.

Implementation

EHC Plans should be used to actively monitor children and young people’s progress towards their outcomes and longer term aspirations. It is good practice to hold an implementation meeting within 4 - 6 weeks of the date that the EHC plan was issued or where the child or young person is starting at a new school, within 4 - 6 weeks of the date that they started.

The responsibility for organising and running the meeting should be undertaken by the school or setting which the child or young person attends.

The purpose of the meeting is to:

- Plan how the short term outcomes identified in the EHC Plan will be achieved.
- Plan the support required to enable the child or young person to achieve their outcomes (i.e., facilities, equipment, staffing/curriculum arrangements, support from outside agencies and from family/community as specified in the EHC plan)

This toolkit will continue to be updated based on learning from implementation and development of the personalisation agenda.
• Establish a process for monitoring and reviewing the child or young person’s progress over the 12 month time period
• Address any other actions agreed at the EHC Plan Meeting

Review

EHC Plans must be reviewed by the local authority as a minimum every 12 months. Reviews must focus on the child/young person’s progress towards achieving the outcomes specified in the EHC Plan. The review must also consider whether these outcomes and supporting targets remain appropriate.

Reviews must be undertaken in partnership with the child and their parent or the young person, and must take account of their views, wishes and feelings, including their right to request a Personal Budget.

The review of an EHC Plan should include the review of any existing personal budget arrangements including the statutory requirement to review any arrangements for direct payments.

For Looked After Children the annual review should, if possible and appropriate, coincide with one of their reviews in their care plan and in particular the Personal Education Plan (PEP) element of the care plan.

Reviews should also:
• gather and assess information so that it can be used by early years settings, schools or colleges to support the child or young person’s progress and their access to teaching and learning
• review the special educational provision made for the child or young person to ensure it is being effective in ensuring access to teaching and learning and good progress
• review the health and social care provision made for the child or young person and its effectiveness in ensuring good progress towards outcomes

This toolkit will continue to be updated based on learning from implementation and development of the personalisation agenda.
• consider the continuing appropriateness of the EHC plan in the light of the child or young person’s progress during the previous year or changed circumstances and whether changes are required including any changes to outcomes, enhanced provision, change of educational establishment or whether the EHC plan should be discontinued
• set new interim targets for the coming year and where appropriate, agree new outcomes
• review any interim targets set by the early years provider, school or college or other education provider

If a child/young person’s needs change significantly a review must be held as soon as possible to ensure that the provision specified in the EHC Plan is appropriate.

Review meetings must comply the following requirements:

• The parents and/or young person must be invited and given at least two weeks’ notice of the date of the meeting. The meeting must be person centred and take into account the child/young person’s views, wishes and feelings. Children/young people should be supported to engage in the review.

• Relevant representatives from education, health and social care must be invited. These representatives should also be given two weeks’ notice of the date of the meeting.

• The meeting must focus on the child/young person’s progress towards achieving the outcomes specified in the EHC plan, and on what changes might need to be made.

Within four weeks of the review meeting the local authority must decide whether it proposes to keep the EHC Plan as it is, amend the plan, or cease to maintain the plan, and notify the child’s parent or the young person and the school or other institution attended.

If the plan needs to be amended, the local authority should start the process of amendment without delay.

This toolkit will continue to be updated based on learning from implementation and development of the personalisation agenda.
If the local authority decides not to amend the plan they must notify the child’s parent or the young person of their right to appeal that decision and the time limits for doing so, of the requirements for them to consider mediation should they wish to appeal, and the availability of information, advice and support and disagreement resolution services.
**Impartial information, advice and support**

Information advice and support should be provided through a dedicated and easily identifiable service. Local authorities have established Parent Partnership Services to provide information, advice and support to parents in relation to special educational needs. In addition, many local authorities provide or commission information, advice and support services for young people (www.mycareinbirmingham.org.uk).

**Impartial SEND Information, Advice and Support Services**

There is a SEND Information, Advice and Support Services (IASS) in every local authority. This service will be able to provide information, advice and support for parents of children and young people with SEN or disabilities, young people and children with SEN or disabilities about education, health and social care.

These services provide legally based, impartial, confidential and accessible information, advice and support and will be able to offer face to face, telephone and electronic information and advice as well as case work and representation when needed. IASS’s will often work with parents and children/ young people together but must also ensure that they are able to provide services directly and separately to children and young people.

**Additional Support**

Families and young people over the age of 16 may receive help from an independent supporter provided by private, voluntary and community sector organisations, who is independent of the local authority. Independent supporters will be recruited locally and receive accredited training, including legal training, to help any family going through an EHC needs assessment and the process of developing an EHC Plan.

Local authorities should work with organisations by providing independent supporters to ensure there are arrangements agreed locally to offer help from an independent supporter to as many families as possible who require it.

*This toolkit will continue to be updated based on learning from implementation and development of the personalisation agenda.*
Frequently Asked Question’s

**What is the Children and Families Bill?**

The Children and Families Bill was introduced to Parliament on Monday 4th February. The Bill includes clauses on special education needs (SEN) which aim to reform the SEN system. The clauses include:

- A new duty for joint commissioning which will require local authorities and health bodies to work in partnership when arranging provision for children and young people with SEN.
- A requirement on local authorities to publish a local offer" of services they expect to be available for children and young people with SEN.
- A duty on the duty on local authorities to draw up Education, Health and Care plans.
- A requirement on all local authorities to prepare a personal budget for children or young people with an EHC Plan if asked to do so by the child’s parent or the young person.

**What is an Education, Health and Care (EHC) plan?**

An EHC Plan will replace current Statements of SEN and Learning Difficulty Assessments. The plan will be a legal document describing a young person’s needs, the provision to meet those needs and the suitable educational placement. Government has stated that the Plan must be person centred, focusing on the needs and aspirations of the child. EHC Plans will continue into further education and training, and for some young people up to the age of 25.

**Who will have an Education Health and Care Plan?**

The Department for Education has stated that a child or young person who currently has a Statement of SEN will have an EHC Plan. Guidance says that EHC Plans should be issued when the local authority considers the special educational needs of the child cannot be reasonably provided for with resources normally available to mainstream early year’s provision, school and post 16 institutions.

As the Bill and Code of Practice currently stands children and young people with primarily health or care needs will not be issued with a plan, unless these needs impact their education.

**Will there be help for children without an EHC Plan?**

Under the current system there is additional help and support for children at school without a Statement of SEN, through School Action or School Action Plus.

Under the Children and Families Bill and the Code of Practice, School Action and School...
This toolkit will continue to be updated based on learning from implementation and development of the personalisation agenda.
This toolkit will continue to be updated based on learning from implementation and development of the personalisation agenda.
Websites for further information

Achievement for All: www.afa3as.org.uk

Autism Education Trust: www.autismeducationtrust.org.uk

Birmingham City Council’s Local Offer Website: www.mycareinbirmingham.org.uk

Contact a Family: www.cafamily.org.uk/parentcarerparticipation

Council for Disabled Children: www.councilfordisabledchildren.org.uk

Early Language Development Programme: http://eldp.talkingpoint.org.uk

Early Support: www.councilfordisabledchildren.org.uk/earlysupport

National Network of Parent Carer Forums: www.nnpcf.org.uk

Parent Partnership Service: www.parentpartnership.org.uk

Pathfinder Support Team: www.sendpathfinder.co.uk

Preparing for adulthood: www.preparingforadulthood.org.uk

The Communication Trust: www.thecommunicationtrust.org.uk

Transport: www.birmingham.gov.uk/transport-travel

This toolkit will continue to be updated based on learning from implementation and development of the personalisation agenda.