

SEND Panel -making decision on whether to carry out a statutory assessment or not.

Reference to Children and Family Act 2014 and Code of Practice 2015

Requests for EHC Needs Assessments

Section 36.8 CFA. The Local Authority must secure an EHC needs assessment for the child or young person if, after having regard to any views expressed and evidence submitted under subsection (7), the authority is of the opinion that –

- a. The child or young person has or may have special educational needs, **and**
- b. It may be necessary for special educational provision to be made for the child or young person in accordance with an EHC plan.

CoP 9.14: The LA should consider whether there is **evidence** that despite the setting having taken **relevant and purposeful action to identify, assess and meet** the SEN of the c/YP, the c/YP has not made **expected** progress. To inform the decision the LA 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 **rate of progress**
- information about the nature, extent and **context** of the c/YP's SEN
- evidence of the **action already being taken** by the setting to meet the child or young person's SEN
- **evidence** that where progress has been made, it has only been as the result of much additional **intervention and support over and above that which is usually provided**
- evidence of the child or young person's physical, emotional and social development and health needs, drawing on relevant evidence from clinicians and other health professionals and what has been done to meet these by other agencies, and
- 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. Remaining in formal education or training should help young people to achieve education and training outcomes, building on what they have learned before and preparing them for adult life