

EHC needs assessment

Education, health and care (EHC) plans are for children or young people aged up to 25 with special educational needs (SEN), who need more support than can be given through SEN support in their mainstream nursery, school or college.

Before the local authority's special education 0-25 team (0-25 team) can make an EHC plan for your child or young person, they'll need to find out whether they need one. To do this they will do an **EHC needs assessment**.

Having an EHC needs assessment doesn't always lead to getting an EHC plan.

Asking for an EHC needs assessment

If your child needs a lot of adult support or lots of help from specialist services, or if they may need to go to a special school, these would be the kind of reasons why an assessment might be needed.

You or your child's nursery, school or college can ask for an assessment for your child. If your young person is over 16 and under 25 they can ask for one themselves. You can find out how to do that in our ['How to Guide to asking for an EHC needs assessment'](#).

When you ask for an assessment, you must ask in writing – by filling in a form or by sending an email or letter. If you call the 0-25 team to ask for an assessment, they will ask you to send them an email or letter instead.

The assessment

If a local authority think that your child may need an EHC plan to help them achieve their best, they must do an EHC needs assessment.

When an assessment is asked for the Special Education 0-25 team at Devon County Council will gather some information about your child, their needs and their support. This information comes from you, your child and the professionals involved, including school or college.

Based on this information, a panel of people including someone from education, health and care decides whether your child should have a needs assessment.

If the panel decides your child should have a needs assessment, one will go ahead. If the panel decides your child doesn't need an assessment, the local authority must tell you why. You have a right to appeal the decision.

When the assessment starts, you and your child and the professionals involved will be asked to give information about your child's needs and recommended support. While an assessment is being done, the support your child gets at school or college stays in place.

Sometimes a service may carry out a new assessment for your child, such as a speech and language assessment or an assessment by an educational psychologist. This might happen during the EHC needs assessment itself or after it.

When the reports from the assessment are put together they should give a full picture of your child's needs and the kind of support they should have. A draft EHC plan is made from the information and then a decision is made about whether an EHC plan should be issued.

If the local authority decides your child needs an EHC plan, they'll send you a draft plan to check. You can find out more in our 'How to Guide to checking a draft EHC plan'.

If the local authority does a needs assessment and then decides that your child does not need an EHC plan, they must tell you why. You have a right to appeal the decision.

Appealing a decision

If the local authority refuses to do an assessment or issue a plan, you have two choices; you can accept the decision, or you can disagree with it.

Some parents choose to accept the decision because their child's nursery, school or college makes changes which mean an assessment isn't needed any more. Or if your child has had a needs assessment, it helps to make their needs clearer and that changes their support, so a plan isn't needed.

Some parents choose to challenge the decision. If you disagree with what's been decided about an assessment or plan talk to your contact at the 0-25 team about it first. Many disagreements can be sorted out this way. If you can't come to an agreement, you can ask for disagreement resolution or mediation. These are ways of discussing things with local authority staff which are led and supported by someone independent.

If these options don't work, you can appeal a decision. This means going to a SEND tribunal which is part of the court system. At an appeal tribunal, an independent panel including a judge will listen to both sides of the argument before deciding.

Timescales for an EHC needs assessment

Based on the initial information they have the 0-25 team must decide whether your child should have a needs assessment **within six weeks** of the date the request is put in.

Doing the needs assessment and deciding whether to issue an EHC plan must no more than **16 weeks** from the date when an assessment was asked for.

The whole process from the point when an assessment is requested until the final EHC plan is issued, must take no more than **20 weeks**.

More information

You can find out more about EHC needs assessment on our website or at [Devon's SEND Local Offer](#). You can also ask DIAS for information advice and support about any part of the EHC needs assessment process.