 

**Criteria for Education Health & Care (EHC) Needs Assessment or Plan**

An Education Health & Care Plan (EHCP) is a legal document which describes a child or young person’s special educational needs, the support they need and the outcomes they would like to achieve.

The majority of children and young people with special educational needs (SEN) or disabilities will have their educational needs met by local mainstream early year’s providers, schools or colleges. For some children and young people, however, an EHC needs assessment may be necessary to identify whether they need support that is additional and different to that ordinarily available and which may need to be provided in accordance with an Education Health and Care Plan. (SEND Code of Practice 2015)

The requirement for an EHC needs assessment is likely to be triggered when it becomes clear that the special educational provision required to meet a child or young person’s needs can no-longer be reasonably met within the resources or support normally available to early years providers, schools, post 16 providers and colleges.

**2. The EHC decision making process in Hull City Council**

The EHC Moderation Panel is the group that considers requests for any of the following:

* Progressing with an EHC Needs Assessment (EHCNA)
* Whether to issue an EHC Plan
* The level of funding linked to any EHC plan that is agreed
* Agreeing the primary area of special educational need

The EHC Moderation Panel takes place weekly on a Wednesday and has representation from the following:

* the SEND Assessment & Review Team
* the Hull Educational Psychology (EP) Service
* Local Authority SEND Standards & Effectiveness Officer
* the IPaSS Service
* Social Care
* local mainstream schools
* Early years team
* Health

The EHC Moderation Panel is chaired by the SEND Assessment & Review Team Manager and every panel must have someone from the Educational Psychology Team and the SEN leadership team attend.

Other professionals attending the panel must do so regularly to ensure that a consistent approach to decision making is applied and include representation from health and social care.

**3. What happens at the EHC Moderation Panel?**

Information is shared with the panel members several days before the weekly panel meeting. This is so that the panel members can read through all the paperwork and information and make sure that they are prepared for the meeting.

Information considered by the Moderation panel will vary depending on the request, but can and should include:

* information from the parent or carer
* the views of the child or young person themselves
* Information from the school – including a copies of individual education plans or similar; attainment and progress information; barriers to learning;
* Evidence of a graduated approach to support special educational needs at SEN Support level
* professional advice and/or report’s

The EHC Moderation Panel considers every request on an individual basis, and makes its decisions based on the following eligibility criteria that aligns with the statutory test set out in the [SEND Code of Practice, 2015](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/398815/SEND_Code_of_Practice_January_2015.pdf)

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| **Eligibility Criteria for decisions about whether to agree an EHC Needs Assessment**  |
| 1 | Is there evidence that the Child/Young person has a special educational need (SEN)? |
| 2 | Is there evidence that actions have already been taken by the school to offer support, and over what period of time, to address the child/young person’s SEN? |
| 3 | Is there evidence that the child/young person is not making expected progress broadly in line with age related expectations? |
| 4 | Have the Child/Young Persons views been included in the request for assessment document? |
| 5 | Have the parents/carers views been included in the request for assessment document? |
| **Eligibility Criteria for decisions about whether to issue a statutory EHC plan** |
| 1 | Has the EHC Needs Assessment (EHCNA) confirmed the special educational needs (SEN)? |
| 2 | Has the EHCNA confirmed that the current special educational provision in place is appropriate and sufficient? |
| 3 | Has the EHCNA identified any additional areas of need previously not known about? |
| 4 | Can the provision identified from the EHCNA be reasonably provided from within the resources normally available within the setting? |

**4. How do you find out about the EHC Moderation Panels decision?**

Once a decision has been reached your local authority SEND caseworker will contact you by phone (or email if you are unavailable) within 48 hours of the panel date. This will then be followed up by a formal decision letter.