

EHCP Assessment: SNJ's "Get started" Checklist



If you think your child's evident (to you) needs will ensure that they will get the help they need, think again. There is a lot of information available, but it can be confusing and sometimes, misleading (even by your local authority).

If you believe your child or young person requires a full Education, Health, and Care needs assessment, with a view to obtaining an EHCP, you will find the steps needed on your local authority's [Local Offer website](#).

However, be aware that their policies must be in line with the law, so it's a great idea to check out the [IPSEA website](#) as this has invaluable information about EHCPs and assessments.

What do I need to do?

For your part, you will need to assemble any reports or letters from any assessments they have had. Your child's school should also compile any reports to show all reasonable steps to help your child have been taken within their usual resources and still, they have not made the progress expected.

This would usually be in the form of SEN Support using an assess, plan, do, review process. However, it is a myth that there is a set number of APDR "cycles" to be gone through -- not even one-- if your child's needs are clearly in need of significant support.

Additionally, they do not need to be so many years "behind". It is individual - indeed, many children on the autistic spectrum are very bright and can achieve well in comparison to

other children, but their social and communication difficulties mean they are not reaching their individual potential.

Don't accept being told "*we have 'worse' children than yours and they don't have EHCPs*" or a version thereof -- that's nothing to do with your child and is completely beside the point. Don't accept either being told, '*we don't do EHCPs*', '*we've reached our quota for Ed Psych/ASD/SaLT/EHC assessments*', '*we don't do EHCPs for Dyslexia/dyspraxia/autism/ADHD etc*'. The diagnosis is immaterial, the need is what matters.

If you want to see the flow of the new system, take a look at our [SNJ SEND Flow Charts](#) that we co-produced with the Department for Education. These are free to use, download, print, laminate, anything – non commercially. Why not let us know how you're using them?

Parent co-production is vital

The SEND Code of Practice (2014) emphasises that parents are central to the process of helping the child thrive and succeed at school. In other words, the parents/carers and the teachers are all on the same side and are creating a circle of support around the child. So, in theory, you should be in close contact about what is working and what could be tried.

In reality, this may be far from the truth. Contact may be sporadic, you may not feel welcome, you may feel judged or may even feel that the school is failing your child.

So, whatever your situation, here are some quick and dirty tips that will get you off to a good start:

1. Find out how the school thinks your child is doing

- Speak to your child's head teacher or the Special Educational Needs Coordinator, (SENCo) about your concerns.
- Find out if they are already on **SEN Support** and they haven't told you (which by law they should have) and for how long they have been on the SEN register.
- Ask to be provided with a record of the educational and/or behavioural interventions used and comments have about how they have worked or not.
- **If they are already on some level of support, ask to see evidence of improvements.** Find out who delivered the intervention if you don't already know, over what period, how it has been monitored for progress and whether your child has achieved their target. Get **concrete evidence** for whatever is said has been achieved and that the improvements have been achieved consistently.

2. Gather together and review any reports or tests your child has ever had done

- This means all their school reports and exam results, any referrals they have had to Paediatricians, Occupational Therapy, Speech and Language Therapists,

Educational Psychologists, etc. Make a file up if you haven't already and put them in chronological order. You are building up a paper profile of your child because you will need to prove that they need the help you say they do. Remember your child's school should be submitting their own reports, but they may not emphasise the parts that you feel are important.

- Review them for correlations – are they all saying the same thing, for e.g., your child is inattentive, finds finishing work difficult, wanders, finds sitting still hard etc. Note this down including which document you saw the information.
- If you have the facilities, scan as PDFs or photograph all your letters in to your computer so that you never lose them and you can print the ones you want off, when you need them – **NEVER send originals**. You can then organise them into named folders on your computer/cloud so they documents are easy to find. Name each file with something that is easy to identify and searchable.

3. Find out what your child should be achieving

- The LA will argue that just because a child is achieving below average does not mean that they have special educational needs or that they need SEN Support or an Education, Health and Care Plan (EHCP). Children in each class will have a broad spectrum of achievement according to their individual potential. Harsh as it seems, some children will never be top of the class but that doesn't mean that they have SEN. Even if your child is top of the class, it doesn't mean they do not have SEND. So, how can you show that your child has a greater potential than their current achievements point to?
- Again, look at the evidence/reports you have for signs that the teacher thinks they are not "trying hard enough" "daydreaming" "not concentrating" "not achieving as highly as they could" Also look for comments about low attainment when you know they are more capable than that – remember you know your child best.

4. Ask for an Educational Psychology assessment.

- Depending on your child, you may also need a speech and language assessment, an autism outreach assessment and/or an occupational therapy assessment.
- Each LA has its own Ed Psychologists, although there is a shortage nationally. The SEND Code of Practice 2015 says when an SEN is suspected, external experts should be called in at an early stage. If you have a good SENCO, they may already have commissioned one or more reports. However, your child's school may be resistant to this for funding reasons or because they don't believe you.
- If you can afford it, you might want to consider commissioning your own private Ed Psych assessment. These are often far better quality than an LA report but can be costly and there is sometimes a long wait.

- Try to build up and maintain a positive relationship with your school's SENCo and class teacher if possible. You are supposed to be a vital part of the team, according to the SEND CoP.

4. If applicable, get a medical diagnosis for your child.

- Your school should not wait for a diagnosis of a learning difficulty before they put support into place. They should be able to see from your child what support is needed. If your child has a mental health need, the use of nurture techniques or groups should be a consideration, or support from a school-provided counsellor.
- Some parents don't like "labelling" their child, which is fine, until you want to get the state to provide them with the help they need. If little Johnny is dyslexic, ASD, ADHD, dyscalculic or any other hidden disability, you need to be able to prove that this is not just your opinion, even if you are a doctor yourself.
- Take your child to your GP and ask for a referral to a paediatrician or to the Child and Adolescent Mental Health Service (CAMHS). A firm medical diagnosis is harder to ignore. If you can afford it, you can also see a paediatrician or child psychiatrist privately for a diagnosis, which may be much quicker. You can then opt back into the NHS for continued treatment or shared care under your GP.
- If your child has an Undiagnosed rare condition, focus on the symptoms that they have. You may also be able to draw parallels with known conditions for some of their symptoms that already have useful information, for example, posture, visual difficulties, medication needs, attention difficulties, sensory issues, accessibility requirements and so on.

5. Do Your Research.

- Knowledge is power and in such a David v. Goliath match as the local authority vs the parent (despite SEND legislation stressing co-production or working together), this is even more important. By all means, find out what your LA's SEND policies are (they should be on their Local Offer website) but remember a local authority's own policy DOES NOT TRUMP THE LAW. If the policy is over and above what is legally required, then great. If it's less, then the law is applicable.
- When you read the LA's information, bear in mind that it may not be legally compliant. Always check against the IPSEA website or the legislation itself.
- [Read the SEND Code of Practice which you can download in pdf format](#) There are easy read versions available and a Parents' Guide that SNJ had some input into but if you want the unedited facts (and you will if you want to quote from parts of the CoP) nothing beats the Code itself. This is the [main page from where you can find the government publications](#) on the 'latest' tab
- If you want to understand it more easily, visit [IPSEA's website](#) which is packed with legally-backed information. Make this a vital port of call whatever age or SEND stage your child is at.

5. Work out a strategy

- Once you have the information you need, you need to know what to do with it. If your LA has a document outlining its policies, read and analyse it. Make it work for you. Use its own policies and the law to show that your child isn't getting what they should be. After all, if you can't prove this, your case will be considerably weaker.
- If you decide to apply for an Education, Health and Care needs assessment, try to get the support of your SENCO, but make sure you put in the request yourself.
- You will be expected to contribute your own submission about your child. If you need support to do this, check the IPSEA website and there are a number of articles on SNJ about writing a parental statement.
- When you send in your submission, don't use the LA's own form if you don't want to. Write as much as you can that is **relevant** to your case and refer to reports you have to back them up. Approach it like you are writing a report at work or at college. This may take many redrafts and a lot of time. You may want to ask a partner, family member or friend to help. You can also ask someone from the local SEND IAS Service or a local parent support group. IPSEA, SOS!SEN and other charities may also be able to help you.

6. Stay strong

- There is no doubt that this process is stressful and often depressing. Many parents give up along the way, which is what the LA is hoping for. Often an LA will refuse an initial application because they know that a large proportion of parents will not appeal. However, of those who do, many do not have to go to Tribunal as the LA will change its mind and conduct an assessment once you have appealed – or even if you tell them you are going to appeal. Of those parents who do go to the SEND tribunal, 95% are successful so it is worth persisting.
- If your child has severe and visible needs, you would think that you would be less likely to be reading this as those cases are self-evident and easier to prove. However, this is not always true. Many times the provision offered is inadequate or the placement is inappropriate.
- Nevertheless, it is where a child has a hidden disability that things get trickier. It is completely true that only the most determined will get what they want. You must look after your own physical and mental health in order to help your child. That means eating healthily, sleeping enough (not easy if your child is up a lot in the night), Finding talking therapy via your GP if needed, trying mindfulness or meditation, or just doing whatever works for you to keep you going.
- If you have a set-back, take some time to process it, but try not to give up. Your child is depending on you to help them thrive and **you** are your child's greatest asset and best advocate.

7. Get help or support

- Not everyone is great at reading and analysing great tracts of text and complex documents. This is sometimes because the parents themselves have an ASD or are dyslexic; these conditions do, after all, have a genetic component. If this sounds like you, then, as above, ask a friend or family member for support, or approach some of the excellent charities as above, that can help.
- Facebook has many groups of parents who are in a similar position to you. They can be great sources of strength but do not take legal advice from anyone unless they are suitably qualified.
- Unfortunately, SNJ does not have the capacity to offer personal support and we are not legally qualified. However, we do offer an "Ask IPSEA" service for **non-urgent** questions.
- If you feel that you cannot do the application and you can afford it, there are a number of SEND specialist qualified lawyers who can help. There are also SEND Advocates but please be careful as, while some are excellent, they are often not legally qualified. Ask for their success rates and for testimonials from previous clients but be aware that an advocate is not regulated by any official body as solicitors are.

And although the law has changed, you may still find the tips for gathering your case together in our SNJ Statementing Guide Book handy, [you can find details here](#)