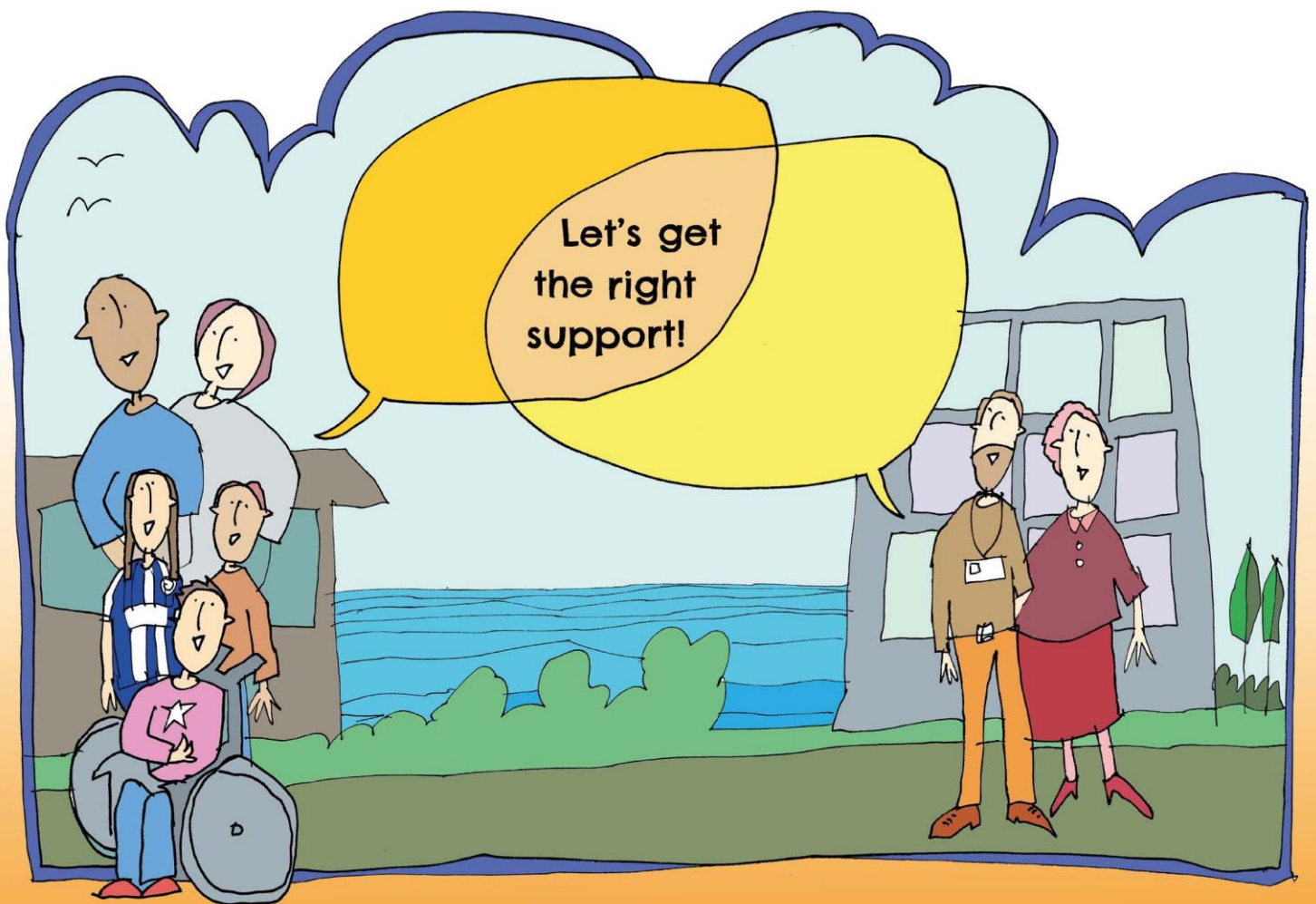


# A Guide for Families



## Special Educational Needs:

Support for children and young people and the  
Education, Health and Care (EHC)

Needs Assessment Process



Brighton and Hove  
Clinical Commissioning Group



Brighton & Hove  
City Council



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## 1. Introduction

Welcome to this Brighton & Hove City Council SEN guide for families.

This guide explains the assessment and support available for children and young people with special educational needs (SEN). It also includes advice and information for families about Education, Health and Care (EHC) Needs Assessments and Education, Health and Care (EHC) plans.

The council and schools must follow laws and legal advice when supporting children and young people with SEN. This includes the [Children and Families Act 2014](#) and the [SEND Code of Practice](#).

Most children and young people with SEND can get the support they need in a mainstream education setting (early years settings, schools and post-16 colleges). This can include reasonable adjustments, different teaching methods, together with advice and support from a range of specialist support teams including the [Brighton and Hove Inclusion Support Service \(BHISS\)](#). This is known as 'SEN Support'. The help given will be planned to meet the individual needs of each child. Examples of this support include:

- a special learning programme for your child
- extra help from a teacher or an assistant
- changing learning materials, or equipment used
- giving extra support in class or at break times
- making sure your child understands things by encouraging them to ask questions and try something they find difficult
- supporting your child with physical or personal care, such as eating, dressing, going to the toilet and getting around the school safely

Staff at your child/young person's education setting will be able to give you more information about the extra help that is available for them. You can also find more information on the wide range of support that is available in the [Brighton and Hove SEND Guide for Professionals](#).

A small number of children and young people may need more intensive help or specialist support than a mainstream setting can normally give through its standard support arrangements. For these children and young people, the Local Authority (LA) will look to see if a child needs an Education, Health and Care (EHC) plan. Across England, a small number of children and young people will have a special educational need at some point in their time at school. Most will be able to get the help they need through SEN Support with about 4% needing an EHC plan to support them. Even if they need an EHC plan, many children and young people can continue to go to a mainstream education setting. Some will need their support to be given in a more specialised setting (including specialist provisions within mainstream schools and special schools).

An EHC Needs Assessment will mean that specialist staff across education, health and social care meet with a child or young person to assess (find out) the full range of needs they have and look to see if they need a higher level of help and support that can come with an EHC plan. Some assessments will include questions or exercises that the child/young person will be asked to complete.

If you still have questions after reading this guide, please get in contact with either the SENCO or SEN worker at your child/young person's education setting or contact the SEN Team.

You may also wish to approach [Amaze](#), a local charity that gives information, advice and support to families of children and young people with special educational needs and disabilities. It also provides the independent Special Educational Needs and Disabilities Information, Advice and Support Service ('SENDIASS') for Brighton and Hove.

## 2. The SEND Local Offer website

Details of the full range of support available for all children or young people in Brighton and Hove can be found on our SEND Local Offer website. This can be found at [www.brighton-hove.gov.uk/localoffer](http://www.brighton-hove.gov.uk/localoffer).

The SEND Local Offer website provides clear and accessible information about the support and extra help available in Brighton & Hove across education, social care and health for children and young people aged 0 to 25 years who have special educational needs and/or disabilities. It also gives information about support, advice and groups that can help families of children and young people with SEND. It can help with what education settings there are, what support is available, who can apply for the support (sometimes explained as who is eligible for the different services) and how to contact those services.

We welcome your views on the SEND local offer which you can give through the website itself or by email to [SEN.Team@brighton-hove.gov.uk](mailto:SEN.Team@brighton-hove.gov.uk)

## 3. Who can ask for an EHC Needs Assessment?

Usually the nursery, school or post-16 education provider that the child or young person attends makes a request. As well as education settings, you can ask the local authority for an EHC Needs Assessment for your child. If aged between 16 and 25, the young person themselves can also ask the local authority for an EHC Needs Assessment. Anyone else who works with your child or young person can tell the Local Authority if they think they have special educational needs and might need an assessment.

Children and young people under the age of 19 in Youth Custodial establishments also have the right to request an assessment for an EHC plan.

[Amaze](#), our local SENDIASS Service can give support about asking for an EHC Needs Assessment if you wish, including a model letter to make the request

It is very helpful if the request includes the following information:

- the full name of the child or young person
- their date of birth
- their address
- the education setting, they go to (nursery, school or college)
- brief reason/s for the request and any information that supports the request including previous assessments or reports
- names of any professionals who have already been, or are currently, involved
- information about progress, attainment and attendance

Requests for an EHC needs assessment should be sent in writing to our email address: [SEN.Team@brighton-hove.gov.uk](mailto:SEN.Team@brighton-hove.gov.uk) . We will acknowledge the request in writing.



#### 4. How long does the EHC Needs Assessment take?

The EHC Needs Assessment evidence gathering from professionals normally takes about 16 weeks in total. If a child/young person needs an EHC plan, the whole process from getting the request for an EHC Needs Assessment to finalising an EHC plan should normally take 20 weeks.

There are some situations where it may not be possible to meet this timeframe. These include where:

- appointments are missed by the child or young person which delays advice being written
- a child or young person is away from the area for a period of at least 4 weeks
- exceptional personal circumstances affect the child or his/her parent, or the young person, and
- the educational institution the child or young person goes to is closed for at least 4 weeks.

The Local Authority will tell you if the timescale for your request will be delayed.

#### 5. Step 1 - a Request to Assess (up to 6 weeks)

All requests for an EHC Needs Assessment are recorded in a database when we receive them. We will write to you to tell you that we have received the request.

For all requests, we automatically contact:

- the child or young person's educational setting (the early years provider, school or college)
- the Designated Medical Officer for paediatric (children's) health services
- the council's specialist educational support teams, the Brighton and Hove Inclusion Support Service (BHISS)
- Front Door for Families (Early Help and Social Care Services)
- any other professionals that have recently worked with, or are currently working with the child or young person, where we have been told about them. These may include Speech and Language Therapists (SLT), Child and Adolescent Mental Health Service (CAMHS), Occupational Therapists (OT) or Physiotherapists (PT).

If there is someone you would like us to get information from, please tell us.

You will also be asked if you would like to give us any more details or information about your child or young person. As we are interested in building up a picture of the current needs of your child or young person, reports and information from the previous 18 months are usually the most relevant for us although older documentation such as about a particular diagnosis or medical condition will also be useful.

At this stage we will ask the professionals to give us any information and reports they already have about the child/young person. All the information we get from these professionals will be gathered together as evidence of the needs and current situation of the child/young person.

Your request for an EHC Needs Assessment and all the information available about your child/young person will be looked at in detail by a group of people including staff from Local Authority services, school Special Educational Needs Co-ordinators (SENCOs) are invited from from across the city, the health services and also parent representatives. This group is called 'SEN Multi-agency Panel'. SEN Panel makes a recommendation.

SEN Panel will look at the evidence and views provided to consider two linked questions that come under the Children and Families Act 2014. These are if the child/young person:

- has or may have special educational needs, and
- may need the support for their special educational needs to be made through an EHC plan.

The Panel must be able to say 'yes' to both of these to recommend that the Local Authority agrees to an EHC Needs Assessment. To help it reach a recommendation on the second question, the panel will usually look at the support the child is getting from their educational setting and what impact that support is having.

The Local Authority is responsible for making the actual decision regarding the request for an EHC Needs Assessment, taking into account the view of SEN Panel. It has a maximum of 6 weeks from when the request was made to decide whether to agree to an EHC Needs assessment or not. We will, however, try to make a decision more quickly if the information is available. We will write to you with our decision.

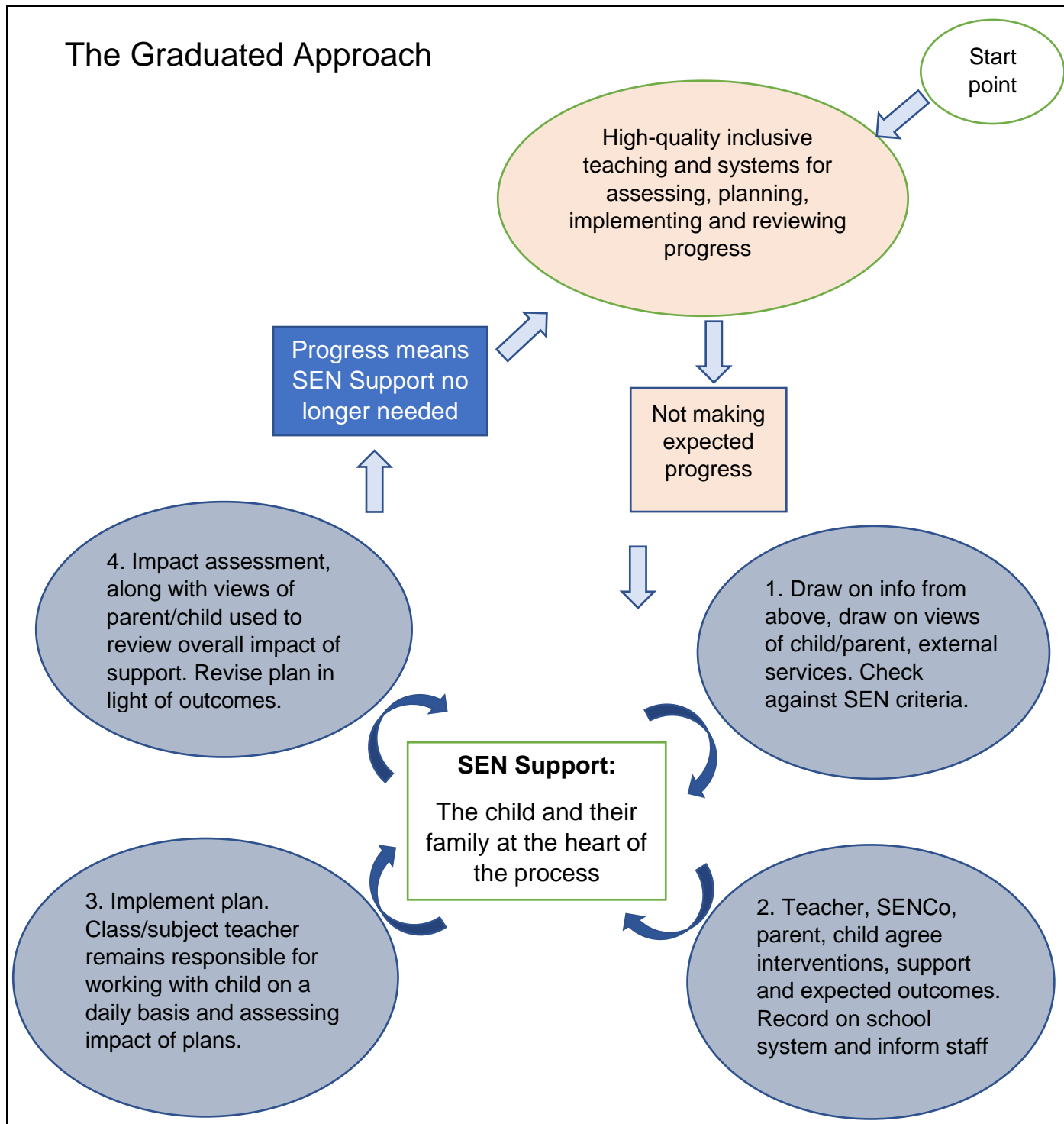
**If the Local Authority agrees to an EHC Needs Assessment:** we will write to the relevant professionals to ask them to arrange an appointment with your child or young person so they can carry out a full assessment of their needs and set outcomes the child or young person should be working towards, and the support they may need to achieve them.

**If the Local Authority does not agree to an EHC Needs Assessment:** we will contact you by phone and write to you to explain why and share the information that the panel used to make its decision. We will also offer to meet with you or speak with you to explain and discuss the reasons behind the decision.

Even if the Local Authority does not agree to an EHC Needs Assessment, your child/young person will continue to get support and monitoring for their needs from their education provider (early years setting, school or post-16 college) and support from outside agencies. This level of help between the teaching available to all children/young people and the more specialised or intensive support needed by children/young people with an EHC plan is called 'SEN support'. Schools and FE colleges receive [funding to support children and young people with SEN through SEN support](#). Your child or young person's education provider will talk to you about the planning of this support and give you updates on their progress through reviewing their support plan with you.

This process of identifying needs, planning and delivering a programme of support and then monitoring the changes and progress they have made is called the 'graduated approach' to meeting children and young people's special educational needs. The diagram below shows how this works in practice.

# The Graduated Approach



This graduated approach recognises that all children and young people learn in different ways, at different times and speeds and can have different types and levels of special educational needs that require different types of help and support. It also means that different or extra support and advice can be given at different times to help a child/young person.

Although it is usually expected that a child will have had a range of different types of support using the graduated approach before a request for an EHC needs assessment is made, or an EHC Needs Assessment agreed, SEN law does not require this to happen first. If there is information which shows that a child or young person may need to be supported through having an EHC plan, an EHC Needs Assessment can be agreed even if there is more support that could be given through the graduated response approach.



## 6. Step 2 Carrying out an EHC Needs Assessment (Weeks 6 – 12)

If the LA decides to carry out an EHC Needs Assessment, your experiences, understanding and knowledge of your child/young person will be an important part of the assessment process. We will allocate a SEN Casework Officer from the local authority to your case who will organise the work of your child/young person's assessment.

We will write to you and ask you to give us in writing your views on your child or young person's strengths and needs. This is so we can begin to understand what is important to them as well as your hopes and aspirations for their future. We will also ask for your child/young person's own views if they are able to give them.

During the assessment stage, your Casework Officer will be able to answer any questions or concerns you have about the process. Their contact details will be on the letters we send you. You can also get help and advice with this process from the independent charity [Amaze](#), who provide the independent SENDIASS service in Brighton and Hove or from the Educational Psychologist when they are assessing your child or young person. A national charity called '[Contact](#)' also has a helpline you can call.

We will ask the education setting your child or young person goes to (their early years provider, school or post-16 setting) for the most up-to-date information they have on their needs and educational achievements and the support they are getting. We will also ask the following professionals to contact you to arrange assessments (where necessary) for your child or young person. These assessments will help them provide advice on your child's needs and any extra support they may need:

- the Educational Psychology Service
- other teams within BHISS if your child/young person is known to them
- if your child has a hearing or visual impairment, a Specialist Sensory Needs Teacher (SNT)
- the Designated Medical Officer or Designated Clinical Officer for young people from the local health service
- any other health care professionals involved with your child or young person that we know of
- Front Door for Families – early help and social care
- any other people who have worked with your child (including from year nine school year onwards those professionals involved in their preparation for transition to adulthood)
- any other relevant person you or the young person themselves if they are aged over 16 asks us to contact. Examples may include a family's GP or an independent tutor.

These advice reports must be provided within 6 weeks of the local authority asking for them.

## 7. Step 3 Decision on whether to issue an EHC plan (Week 12 – 16)

Once we have received all the reports and advice. The Casework Officer will write a draft document that brings together all the evidence, information and advice received from the professionals. This document is called a 'collation document'.

This will go to the SEN Panel to consider. SEN Panel will make a recommendation to the Local Authority whether the amount of support they need should continue to be given through SEN Support or to issue an EHC plan for your child or young person.

This decision is based on your child or young person's level of need and the support they should have as set out in all the assessment reports. If they need help through SEN Support you will be given a copy of the reports and collation document for the education setting to put in place different support to meet your child or young person's needs. We will explain the reasons for the SEN panel decision.

We will also send you details of a mediation service, in case you disagree with the council's decision, together with information on how you can appeal the decision if we cannot come to an understanding through mediation.

If the SEN panel decides that your child or young person should have an EHC plan your Casework Officer will contact you and send you the draft plan and reports.

We will write to tell you the Local Authority's decision and offer you a meeting to discuss the contents of the draft plan. This is normally around 16 weeks after a request to make an EHC assessment was made.

We will also send you

- a form for your views on this draft plan
- a form for you to fill in to tell us which education setting (nursery, school or post-16 institution) you would like them to go to.
- information about other support which may be useful to the whole family. You can ask Amaze SENDIASS for their support and [advice](#) on EHC plans.

## 8. Step 4 Draft to Finalising the EHC plan (Weeks 16 - 20)

If your child/young person gets an EHC plan, the draft should reflect your hopes and aspirations for them.

The draft plan will include:

- the views, interests and aspirations of the child or young person
- your views and the views of your child or young person if given
- an explanation of the SEN, health and social needs identified
- the agreed developmental outcomes for the child or young person
- the support that will be provided to help them achieve these outcomes

You will have 15 days to send us any comments you have on the draft EHC plan. We will take account of your comments in the final plan. Any changes to either the outcomes or support for your child/young person (this is called provision), will need to be agreed by one of the professionals who assessed your child or young person at the assessment stage of the EHC process. We will then send you a copy of the final plan.

We have 20 weeks from someone asking for an EHC needs assessment to issuing a final EHC plan. If you do not agree with the final plan, you have a right to ask for a meeting with us, to talk about any changes you may want us to make. You also have a right to mediation and appeal to the SEND Tribunal.

## 9. Personal Budgets

In a small number of cases, it may be possible to have some of the support your child or young person needs to help their education to be given via a personal budget. A personal budget is an amount of money that can be used to buy part of the support included in an EHC plan. They can help to provide additional education, health or social care support which is needed but not normally provided by these services. Where this is the case, a personal budget can be calculated so the support can be bought in from different providers. You have a right to request a Personal Budget when the LA has completed an EHC needs assessment and confirmed that it will prepare an EHC plan. For more information see [How personal education budgets work \(brighton-hove.gov.uk\)](https://www.brighton-hove.gov.uk)

Please speak with your Casework Officer if you need further information.

## 10. Education Setting Options

The majority of children and young people with EHC plans can receive the education and extra support they need in mainstream educational settings. However some children and young people need more specialist settings.

Children and young people can be educated in:

- maintained nursery school
- maintained school including 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, school, FE or sixth form college approved by the Secretary of State for Education under the Children and Families Act. A list of these places – called the section 41 list - is available on our SEND Local Offer or [section 41 page of the Department for Education's](#) website

You can find more information about Brighton & Hove council [Children's centre nurseries](#), [mainstream schools](#) (including those with [specialist units](#)), [maintained special schools](#) and FE/sixth form colleges in Brighton and Hove on our SEND Local Offer at [www.brighton-hove.gov.uk/localoffer](http://www.brighton-hove.gov.uk/localoffer).

If you ask for a type of school called an independent special school or non-maintained special school not on the Section 41 list approved by the Secretary of State for Education you will need to obtain an offer of a place directly from the school and present this to your Casework Officer. The

Local Authority will make a decision based on parent preference and whether a local school can meet needs.

A link to local schools is on our [SEND Local Offer](#) special schools page or for Section 41 schools on this [website page from the Department for Education](#).

## 11. Mainstream early years, schools and post-16 education

### Childcare and Early Learning providers

There is a range of [childcare and early learning providers](#) in the city, including nurseries, pre-schools and childminders. Some two-year olds are entitled to free childcare and all three and four year olds are entitled to [free early learning](#) from the term after their third birthday.

Many childcare and early learning providers are able to support children with additional needs and the [Family Information Service](#) website (<https://www.brighton-hove.gov.uk/content/children-and-education/childcare-and-family-support/family-information-service-fis>) shows which ones are in Brighton and Hove.

### Schools for children aged 5-16

There are a range of infant schools for children aged 4 to 7, junior schools for children aged 7 to 11, primary schools for children aged 4 to 11 and secondary schools for children aged 11 to 16 in Brighton and Hove. Each school has its own website including how they support children with SEND. [Links to the schools and how to apply for a place for your child at a school](#) is on the main council website as well as through the council's SEND Local Offer.

All schools have experience of helping and supporting children with SEND and as mentioned earlier in this guide, many children and young people with SEND go to mainstream schools.

### Post 16 educational opportunities

Young people have a range of choices for post-16 education in Brighton and Hove and the local area across a variety of settings.

#### Sixth Forms attached to mainstream schools

Sixth forms in Brighton and Hove are attached to [Cardinal Newman RC Secondary school](#), [Brighton Aldridge Community Academy](#).

Information about sixth forms attached to schools in East or West Sussex can be found on their Local Offer pages, at [www.eastsussex.gov.uk/localoffer](http://www.eastsussex.gov.uk/localoffer) or [www.westsussex.local-offer.org](http://www.westsussex.local-offer.org).

#### Sixth Form College

There are two sixth form colleges in the city, [BHASVIC](#) (Brighton, Hove and Sussex Sixth form College) and [Varndean College](#).

#### Further Education (FE) Colleges

There are a number of FE colleges in or close to Brighton & Hove. These include:

Chichester College Group:

- [Brighton Metropolitan College](#), which has five sites across Brighton, Shoreham and Worthing.

Updated 2024

- [Worthing College](#), situated on the edge of Worthing
- [Crawley College](#), which has sites in Crawley, Chichester, Horsham and Brinsbury (for land-based courses).

Other Colleges:

- [East Sussex College](#), with sites in Lewes, Eastbourne and Newhaven
- [Plumpton College](#), a specialist land-based college

## 12. Specialist provision in Brighton and Hove

As well as the mainstream nurseries, primary and secondary schools and post 16 options in the city, Brighton & Hove City Council has specialist SEN support in several specialist SEN units attached to mainstream schools and also in special schools. Depending on their needs, your child or young person might need to go to one of these units or a special school to get the support they need.

### Pre-School Assessment and Support

The Jeanne Saunders Centre is a specialist assessment centre for children with SEND in their final year before starting school. It is for children who need to have specialist assessment over a longer amount of time and specialist support because their needs are complex or where their core needs are not yet known. The Centre is based in Connaught Road, Hove.

### Specialist provision attached to mainstream primary and secondary Schools

There are a range of specialist resource provisions in Brighton and Hove. We have the following units attached to primary schools:

- **Carden Speech and Language Centre** - for children with severe speech and language difficulties. It provides specialist speech and language teaching and therapy and is based at Carden Primary School. More information on the facility is available at [Carden Nursery & Primary School - Speech and Language Centres](#)
- **The Perch** based at West Blatchington Academy - for children with autism to have access to a specialist teaching environment and resources. The aim is for all children to access a mainstream curriculum through both integrated lessons with the main school and small group sessions. Curriculum based learning runs alongside targeted work on children's individual communication, social and independent skills. It is based at West Blatchington Primary School. More information is available at [West Blatchington Primary & Nursery School](#)
- **The 'Launchpad' - Bevendean Facility for Deaf pupils** - for children with impaired hearing, based at Bevendean Primary School. More information is available at [Bevendean \(bevendeanprimaryschoolandnursery.co.uk\)](#)

We have the following resourced provision in secondary schools

- The **Swan Centre** - for children and young people with autism and/or speech, language and social communication difficulties, together with an average or higher learning ability. It is based at Brighton Aldridge Community Academy. More information about the Swan Centre is available [The Swan Centre \(brighton-hove.gov.uk\)](#)
- The **NAS Cullum Centre** - for children and young people with autism and/or speech, language and social communication difficulties, together with an average or higher learning

ability. It is based at Hove Park School. More information on supporting children and young people with SEN at Hove Park School is available at [SEND | Hove Park School](#)

- Longhill **Special Facility** - for children and young people with a specific learning difficulty. It is based at Longhill Secondary School. You can get more information about the facility from the school by email at [admin@longhill.org.uk](mailto:admin@longhill.org.uk) or by telephone on 01273 30408

### 13. Mainstream Post 19 education

Many learners with SEND attend local mainstream colleges as above. Some are able to go to university after studying at sixth form centres or college. Universities offer a range of support to learning with SEND and there are other higher education options available such as distance learning over the internet or by post. AN EHC plan will cease when a young person goes to university. They may still qualify for support through the [Disabled Students' Allowance \(DSA\)](#).

### 14. Maintained Special Schools

There are two maintained special schools in Brighton and Hove for children and young people with severe learning difficulties, profound and multiple learning difficulties and moderate learning difficulties. Students at these schools may also have additional needs. These are [Downs View School](#) in Woodingdean and [Hill Park School](#) in Portslade. They both take students aged 5 to 16. Hill Park also has a team of Outreach teachers who support children with high levels of additional needs in mainstream school, together with the staff who work with them, where that is needed.

A range of specialist therapies are available at both schools including physiotherapy, occupational therapy and speech and language therapy. Both schools teach a full curriculum adjusted to the needs of the pupils and they are able to support young people to study for qualifications.

You can see more information about Downs View School on the [school's website](#) ([www.downsview.brighton-hove.sch.uk](http://www.downsview.brighton-hove.sch.uk)), and the school can be contacted by emailing the school at [office@downsview.brighton-hove.sch.uk](mailto:office@downsview.brighton-hove.sch.uk), or by telephone on 01273 601680.

You can see more information about Hill Park School on [Hill Park School - School Information](#) and the school can be contacted by emailing the school at [admin@hillpark.brighton-hove.sch.uk](mailto:admin@hillpark.brighton-hove.sch.uk), or by telephone on 01273 422855.

Brighton and Hove SEMH provision:

**The Central Hub Brighton** is for pupils across the primary and secondary phases who are having difficulties in accessing education in their school. Pupils often have special needs such as social, emotional and mental health, autism and learning. Students often have had difficulties in going to school and may have had periods of suspension or have been at risk of exclusion from their school.

**Ropemakers Academy – Brighton** is for students aged 14-16 (years 10 and 11) with SEMH as their primary special educational need and an EHC plan. The new provision is for up to 20 young people. There is a full-time learning offer in a safe and nurturing environment. The focus is to equip young people with skills for adult life.

**The Connected Hub** is for students in Year 11, the year they take their GCSEs. They will have been referred by their mainstream schools and the LA at the end of Year 10. The Connected Hub is specifically for those students who are struggling to engage in mainstream provision for a wide variety of reasons and are at risk of dropping out of education, employment or training.



## 15. Specialist College for young people aged 16-19

Downs View Link College (DVLC) is a post-16 college for young people aged 16-19, who have severe learning difficulties (SLD) or profound and multiple learning difficulties (PMLD). Some students have additional disabilities such as a diagnosis of autistic spectrum condition (ASC). Students start at the college in Year 12. The Link College is in Surrenden Road next to Varndean Sixth Form College.

You can see more information on Downs View Link College on its [website](http://www.downsview.brighton-hove.sch.uk/link-college) ([www.downsview.brighton-hove.sch.uk/link-college](http://www.downsview.brighton-hove.sch.uk/link-college)), and it can be contacted by emailing [office@downsview.brighton.hove.sch.uk](mailto:office@downsview.brighton.hove.sch.uk) or by telephone on 01273 601680.

## 16. Post 19 specialist education

Downs View Life Skills College (DVLSC) offers specialist provision for young adults, mainly with severe learning difficulties, profound and multiple learning difficulties and severe learning difficulties with autism. It focuses on helping the young people prepare for adulthood. Depending on the needs of the young person, this can include support for getting a job, living independently or semi-independently, making and maintaining positive friendships, relationships and community engagement; and maintaining good health.

You can see more information on Downs View Like Skills College on its [website](http://www.downsviewlifefskillscollege.co.uk) ([www.downsviewlifefskillscollege.co.uk](http://www.downsviewlifefskillscollege.co.uk)) and it can be contacted by emailing [admin-lifefskills@downsview.brighton-hove.sch.uk](mailto:admin-lifefskills@downsview.brighton-hove.sch.uk) or by telephone on 01273 551028.

## 17. Non-maintained and Independent Special schools and colleges

Information on independent and non-maintained special schools and colleges is available on our Local Offer. This includes information on Independent schools for pupils with special educational needs, including those approved under section 41 of the Children and Families Act by the Department for Education.

## 18. What if you are unhappy at any step of the process?

If you are not happy with what is happening at any stage of the EHC process, you should contact your Casework Officer.

If you do not agree with the outcome of any part of your child or young person's EHC process, or if you do not agree with any element of an EHC plan, please contact us to discuss this as these disagreements can often be resolved quite easily. If you want to talk things through with an impartial service, you can contact Amaze SENDIASS.

If you have been unable to come to agreement with us, you may request independent mediation. The Local Authority uses a service [Global Mediation](#). They can be contacted through their website, by email using [sen@globalmediation.co.uk](mailto:sen@globalmediation.co.uk), by telephone on 0800 064 4488 or in writing to Global Mediation Ltd (SEN), Elwood House, 42 Lytton Road, Barnet, EN5 5BY

If you are still not in agreement with a decision by the local authority after considering mediation or having had mediation with us, you have the right to appeal to an independent Tribunal, called the [SEN and Disability Tribunal](#). You can get more information about the tribunal process and the Tribunal's contact details from their website, from us or from Amaze SENDIASS.

You can appeal to the SEND Tribunal where:

- the LA decides not to carry out an EHC needs assessment of your child or young person
- the LA decides an EHC plan is not necessary to support a child or young person following an EHC Needs Assessment
- you do not agree with the parts of the plan that describe your child or young person's special educational needs
- you do not agree with the special educational provision (help and support) set out in the plan
- you do not agree with the school or other setting named in the plan
- the LA decides not to amend the plan after a review or re-assessment
- the LA decides to cease to maintain your child or young person's plan

The Tribunal cannot look at appeals relating solely to health/and or social care aspects of an EHC plan. If someone appeals about an education issue, however, you can also ask the Tribunal to look at social care or health issues of the EHC plan as well. This provides a single place where parents and young people who are unhappy with their EHC plan can bring their concerns.

The Tribunal can make decisions on education issues which the local authority must follow. It can also make recommendations about what social care or health support it thinks is needed. The local authority and health services must consider social care or health recommendations very carefully but do not have to follow these recommendations.

If you would like to make an appeal to the SEND Tribunal, your appeal must be made within 2 months of the local authority's decision you disagree with, or within one month of being issued with a mediation certificate by the mediation advisor, whichever is later.

## 19. Reviewing an Education, Health and Care plan

If your child or young person has an EHC plan, their needs and progress will be reviewed at least once every year at a person centred annual review meeting. You will be invited to this meeting, along with your child or young person.

The person centred annual review looks at:

- your child's gifts, talents and aspirations
- what really matters to them and what is important for them
- what is working and not working for them
- your child's progress towards the EHC plan outcomes
- if the plan needs updating to reflect significant changes in need or support
- if the plan is still needed
- plans for the next stage of education, training and preparation for adulthood.

Before the meeting, you, your child and the educational establishment (nursery, school or post-16 provider) will be asked to write your views down. If your child is also being seen by other services they will also send in reports on the progress your child has made and any new outcomes and support they need. Your Caseworker and other professionals outside the education setting may also go to the meeting if their input is needed.

During the meeting everyone will reflect and celebrate your child and you will be able to give your views about their progress. Your child or young person should be encouraged to be involved in the meeting.

After the meeting, the educational establishment will write a report of the meeting which will be sent to you, the Local Authority and other professionals that work with your child. The information from the annual review will show the progress that your child has made and will suggest whether the EHC plan should be kept as it is, needs to be changed or should cease.

EHC plans are *not* normally changed after every annual review, they are usually updated at the end of a key stage or for a phase transfer. They only need to be changed to include significant changes. Smaller change in the work that a child is doing in school should be written up in school support plans and not the EHC plan.

The Local Authority will look at the annual review paperwork and tell you whether we the EHC plan needs amending or whether changes should be made to your child's school support plan. If the plan is changed, we will send you a draft amended EHC plan for you to comment on before the changes are finalised.

## The 20-week EHC Needs Assessment Process

### **Week 0: LA receives request for an EHC Needs Assessment from:**

- Parent or carer
- Young person (aged between 16 and 25)
- Pre-school setting
- School
- Post 16 setting
- Child or Young Person under 19 in a youth custodial establishment
- Any other professional involved can refer a child/young person who has SEN to the LA



### **Stage 1 Week 4 – 6: The request to make an EHC assessment will be considered by the LA's SEN Panel. The SEN Panel will consider relevant information including:**

- Information from parents/carers/child/young person
- Reports from early years setting/school/post-16 setting on pupil's progress and difficulties
- Existing advice from external professionals involved, including strategies for education setting to follow (e.g., educational psychologist, advisory teacher, support services)
- Evidence of the child/young person's physical, emotional and social development
- Evidence of school/setting's own support from within its delegated budget (e.g., provision map/costed programme of support)
- Current attendance, academic attainment and rate of progress over time

**All information should be as up to date as possible (ideally within the 12-18 months prior to the assessment request being made)**

### SEN Panel Decision



#### **Yes**

##### **Stage 1 Within 6 weeks of the application:**

- LA will inform parent/carers/young person in writing of the decision to go ahead with the assessment and give an additional opportunity to provide their views.
- LA will request up-to-date advices from relevant professionals to be received by the end of week 12 of the process

#### **No**

##### **Stage 1 within 6 weeks of the application:**

CWO will inform parents/carers by phone and in writing, including information on their formal right of appeal. Meeting offered to discuss the reasons behind panel decision.



### **Stage 1 Week 12:**

CWO to generate draft collation document including the child/young person's strengths, needs, outcomes to work to and support necessary. This will also include parent/carers/child/young person's views.



**Week 14:**

CWO will provide the Collation document to SEN Panel for decisions re: whether an EHC plan or school-based SEN Support plan should be agreed.

**SEN Panel decision on whether to issue an EHC plan**



**Yes**

**Stage 2 Week 16**

- CWO will issue draft EHC plan to parents/carers/young person and offer a you a phone call/meeting.
- Parents/carers/young person given 15 days to comment on the contents of the draft EHC plan



**No**

**Stage 2 Week 16**

- CWO will issue a letter explaining the decision of the panel, and give mediation and right to appeal information.
- CWO to ask education setting to arrange and SEN support plan detailing the support for the child/young person.
- SEN support plan is reviewed termly by education setting



**Weeks 16 -18**

CWO will consider requested amendments to the draft EHC plan

CWO will consult with the Governing body of your preferred early years provider, school or post-16 institution and other options considered appropriate to see whether they are able to meet the needs of the child or young person.



**Week 20**

The final EHC plan will be issued along with information regarding your rights to mediation and appeal.

## Organisations offering support to parents and carers of children and young people with SEND

### Amaze

Amaze provides information to parents across Sussex whose children have SEND, including providing the impartial SENDIASS service for the city. Amaze is a voluntary organisation that works separately from the council, to offer independent information, support and advice on all aspects of the SEN processes as well as other kinds of support to do with social services and health, claiming benefits including disability benefits, finding out about leisure options and support groups, and lots more. You can find SEND information on their website [www.amazesussex.org.uk](http://www.amazesussex.org.uk).

You can contact Amaze via their advice line: 01273 772289 or by emailing [sendiass@amazesussex.org.uk](mailto:sendiass@amazesussex.org.uk) The advice line operates Monday to Friday. Leave a message and a member of Amaze staff will contact you.

Additional advice is available from two national charities:

- Independent Parental Special Education Advice (IPSEA). Their advice line is contactable on <http://www.ipsea.org.uk/contact/advice-and-support/advice-line> and their Tribunal Helpline on <http://www.ipsea.org.uk/contact/advice-and-support/tribunal-helpline>
- 'Contact'. Their free advice line is contactable on 0808 808 3555, or [helpline@contact.org.uk](mailto:helpline@contact.org.uk)



## **Common Abbreviations Explained**

|          |  |
|----------|--|
| AR       | Annual review                              |
| ADHD     | Attention Deficit Hyperactivity Disorder   |
| ASC      | Autistic Spectrum Condition                |
| BHCC     | Brighton and Hove City Council             |
| C&I      | Communication and Interaction              |
| C&L      | Cognition and Learning                     |
| DfE      | Department for Education                   |
| EHC plan | Education, Health and Care plan            |
| HI       | Hearing Impairment                         |
| PMLD     | Profound and Multiple Learning Difficulty  |
| S&P      | Sensory and Physical                       |
| SEMH     | Social, Emotional and Mental Health        |
| SEN      | Special Educational Needs                  |
| SEND     | Special Educational Needs and Disabilities |
| SENDIASS | SEND Information, Advice & Support Service |
| SLD      | Severe Learning Difficulty                 |
| SSV CDC  | Seaside View Child Development Centre      |
| VI       | Visual Impairment                          |

## **Professionals who will be involved during an EHC needs assessment**

|      |                                       |
|------|---------------------------------------|
| CWO  | Casework Officer                      |
| DCO  | Designated Clinical Officer           |
| DMO  | Designated Medical Officer            |
| EP   | Educational Psychologist              |
| FDFP | Front Door for Families (Social Care) |
| LA   | Local Authority                       |

## **Other Professionals who could be involved during an EHC needs assessment**

|                      |  |
|----------------------|--|
| CAMHS                | Child and Adolescent Mental Health Service |
| DfE                  | Department for Education                   |
| OT                   | Occupational Therapist                     |
| PT                   | Physiotherapist                            |
| SENCo                | Special Educational Needs Co-ordinator     |
| SLT (sometimes SALT) | Speech and Language Therapist              |
| SNT                  | Sensory Needs Teacher                      |
| TA                   | Teaching Assistant                         |

## **BHISS Brighton and Hove Inclusion Support Service**

Early Years Team  
Educational Psychology Service  
Language and Autistic Spectrum Condition (ASC) Team  
Literacy Support Team  
Sensory Needs Team  
Social, Emotional and Mental Health Team

## Accessible information

If you would like this document in an alternative format, please let us know. We can offer you large print or easy read, for example.



You can call us on **01273 293552**  
or email **[SEN.Team@brighton-hove.gov.uk](mailto:SEN.Team@brighton-hove.gov.uk)**