From September 2014, all existing Statements of Special Educational Needs (SEN) and Learning Difficulty Assessments (LDAs) will gradually be transferred to Education, Health and Care Plans (EHC Plans) over a three year period in line with Government guidance.

When will my child’s Statement of SEN/LDA be transferred to an EHC Plan?

The transfer process for Statements of SEN

We have developed our approach to moving from Statements of Special Educational Needs (SSEN) to Education, Health and Care Plans (EHC Plans) in partnership with parents, young people, schools, professionals and services. Our focus is to ensure that the child or young person is at the heart of the process and that their wishes and feelings shape their EHC Plan. It is vital that parents and carers are fully involved in co-producing an EHC Plan too.

We have used as the basis for collecting information, known as the needs assessment, the current Annual Review form for SSEN. The meeting to gather the EHC needs assessment information will be called a Transfer Review and this will replace the Annual Review of the child’s or young person’s SSEN, as set out in the timetable for transfers. The Transfer Review will in effect become the EHC Needs Assessment and will be:

- a person-centred meeting
- a process that captures the wishes, feelings and aspirations of child or young person and those of their families or carers
- supporting the development of an EHC Plan though co-production of outcomes
- providing an opportunity to gather reports and evidence without having to begin a new EHC Needs Assessment process (unless this is required or particularly requested)
- identifying the current advice from the SSEN and agreeing with parents and professionals whether this can be used in the EHC Needs Assessment if all agree
identifying and providing an opportunity for young people, parents and the Local Authority to request new advice if needed.

It is important that all of the people involved in supporting a child or young person into a setting or school and who will be contributing to the delivery of the outcomes should attend the Transfer Review so that they contribute to the EHC Needs Assessment. We have worked closely with parent forums and professionals to ensure that the importance of co-production is understood and implemented.

The Transfer Process, i.e. the needs assessment, agreeing to issue a Plan and the issuing of a Plan must take place within a 16 week period. For reviews started on or after 1 September 2015, this has been extended to 20 weeks. The clock starts ticking two weeks before the Transfer Review meeting takes place. Parents and carers will receive a letter from us two weeks prior to the Transfer Review meeting to clarify that the review will form part of the EHC Needs Assessment. Schools have agreed to forward the letter to parents on our behalf.

As with the usual Annual Review of SSEN, a Transfer Review will be arranged by the child or young person's setting or school in discussion with their parents and carers. We will ensure that settings and schools are aware of who is due to have a Transfer Annual Review (as part of the move to the EHC Plans) and will also clarify who will continue having a SSEN Annual Review until this is transferred to a Plan.

All of the information gathered for the needs assessment, through the Transfer Review, will be considered very carefully and a decision will be made as to whether the child or young person requires an EHC Plan. After the Review meeting parents and carers, and young people, will be invited to attend a meeting with the Local Authority to discuss the Needs Assessment and the proposed Plan. This is to ensure that every opportunity has been taken to co-produce the EHC Plan. Following this meeting the final Plan will be issued and will be reviewed at least annually.

Further sources of help

Core Assets who provide Independent Parent Support can be contacted on 0800 028 8455 or [email protected]

The Parent Partnership Service providing the Special Educational Needs and Disability Information Advice and Support Service (SENDIASS) can be contacted on 01223 699 214 or [email protected]

Statutory Assessment and Resources Team (START) helpline on 01223 699 362 or [email protected]