

Key dates and deadlines for Education, Health and Care Needs Assessment, Plans and Review in the London Borough of Ealing.

Guide for SENCOs in Schools and Early Years Settings

October 2022

1 Introduction

The Special Educational Needs Assessment Service (SENAS) is continuously looking at ways to improve collaborative working with schools, parents, other services and community partners. We want to continue to learn and build on progress since the launch of the Special Educational Needs and Disability (SEND) Reforms introduced in September 2014 and are committed to enabling schools and settings to move forward in partnership with the SENAS service.

The Purpose of this guide to provide you with information about key submission dates and deadlines throughout the academic year, indicating the deadlines set out in statutory guidance and SEND law. We hope that you find this information helpful as part of your planning.

Many thanks

Fabi and Jeff

Fabiola Peacock, Head of EHC Planning

☎ 0208 825 5313 ✉ PeacockF@ealing.gov.uk

Jeff Elgar, Head of EHC Planning – Annual review

☎ 0208 825 9371 ✉ ElgarJ@ealing.gov.uk

SENAS has a base at [Ealing Service for Children with Additional Needs \(ESCAN\) 21-22 Carmelita House, The Mall, Ealing, W5 2PJ](#)



Summary of key dates for SEND assessments school year 2021-22

Age phase	Purpose	Submission date	DfE deadline
Early Years to Reception	Children: <ul style="list-style-type: none"> undergoing an EHC needs assessment likely to require one with complex or emerging complex needs. 	16 December 2022	Receiving school must be named in EHCP by 15 February 2023
Infant to junior school	Children with an EHCP at age phase transfer.	16 December 2022	
Primary/first to middle school			
Primary to secondary school			
Middle to secondary school			
All years	Requests for EHC Needs Assessment (ERSA) for child likely to require a Mainstream / Additionally Resourced Provision (ARP)	No later than 10 June	DfE timescales do not apply during summer break
High School Transfers Pupils transitioning in September 2023	School hosts Year 5 annual review	No later than end of Summer Term 2022	Receiving school must be named in EHCP by 15 February 2023
	SENAS start collecting Year 5 annual reviews for scheduling at SEN High school transfer panels	May 2022	
	LA SEN High School Transfer Panels held. <i>High School reps invited.</i>	June, July, September, and October 2022	
	Deadline for parent/carers to submit their school preferences for high school	21 October 2022	
	Consultation with high schools	October - February 2023	
Year 9 – 11 Review (Preparing for Adulthood)	Amendments to EHCP to support the transition to College / Post 16 institution	Year 9 or Year 10 Annual review	
Year 11 and above - Pupils transferring to college/Post 16 institution or leaving in July 2023	Annual reviews for pupils/learners leaving	Summer term 2022/ <i>recommended by October of final year if applying for popular courses)</i>	College/ Post 16 institution named in EHCP by March 31

2 Proposed submission deadlines

2.1 EHC Needs Assessment (also known as ERSAs- Ealing Request for Statutory Assessment)

Regulation 18 (1)(b) The Special Educational Needs and Disability Regulations 2014 places a duty on Local Authorities (LAs) to issue a new Education Health and Care Plans (EHCP) by February 15th (of each year) for children and young people (CYP) undergoing a Phase Transfer.

This means that children who are in receipt of an EHCP in the following phases and require a change of placement to a special school will need to be prioritised for allocation so that their EHCPs are re-issued by the above deadline.

- Early years education to primary school
- Infant to junior school
- Primary/first to middle school
- Primary to secondary school
- Middle to secondary school

Receiving school must be named and EHCP finalised by 15 February

2.2 Children with complex needs and ‘Early Years’ children whose needs cannot be met at mainstream with adequate levels of support.

Given the statutory deadline (Regulation 18¹), to ensure that children with the most complex needs that require a special school placement are considered, including children who are:

- undergoing Education, Health and Care Needs assessment
- request has not yet been submitted to SENAS.

Recommended requests for assessment no later than December 16

Ealing has a higher offer of special provision places than other Boroughs and more children in Ealing than neighbouring or London Boroughs are placed in special schools, the demand remains high for such places. Therefore, to ensure that those Children and Young People whose needs are too significant to be appropriately met (even with high levels of funding) in a mainstream school, should be considered during place planning together with children undergoing phase transfers.

The recommended submission date to request for EHC Needs assessment no later than 17 December. While their EHCPs may not be issued by February 15th, having an indication of the extent of their needs will enable us to include them in place planning meetings.

3 Requests for EHC Needs Assessments in year

SENAS receives requests for EHC Needs Assessment throughout the year. Recent data indicates that Ealing is receiving high numbers on average than the rest of London, where requests have started to decrease. The DfE allows for an exception to the statutory deadline during the summer break². School closure means that professionals cannot carry out assessments and observations during August and therefore advice due will not keep to the 20-week statutory timescale.

¹ [The Special Educational Needs and Disability Regulations 2014 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

² [The Special Educational Needs and Disability Regulations 2014 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

To manage high demand effectively, it is strongly recommended that schools submit requests by June or in September would enable SENAS to complete assessments more efficiently and with adequate workforce in place and sufficient time for the advice to be received by SENAS prior to the school summer break.

In-year requests for EHC needs assessments

Recommended deadline for assessment no later than June 9 or wait to September

4 High school transfers

We want to make the transition to high schools a success for all involved – but especially for children and their families. We have continued to listen to feedback from SENCos, Headteachers and partners and you are invited to continue to contribute to the ongoing improvements.

To enable a positive transition to high school we have put together the following **timetable for high school transfer for children transitioning in September 2022:**

May 2022	All Year 5 annual reviews are collected. Please can the year 5 annual review be scheduled to take place by the end of the summer term to allow for planning for secondary transfer in the following September.
July - October 2022	LA SEN High School Transfer Panels held. <i>High school reps invited.</i>
21 October 2022	Deadline for parent/carers to submit their school preferences for high school.
October 2022- February 2023	EHC Co-ordinators consult with parental first preference high school and the nearest high school (where it's a different school). Individual referrals to high schools made. Negotiations take place during this time, which involves meeting and talking with school staff, parents, the young person, professionals, and other partners.
15 February 2023	<i>Statutory deadline</i> for finalising EHC Plans naming a school or type of provision in Section I of the Plan.

If you haven't already held the year 5 annual reviews - please schedule it for the summer term and include discussion about secondary transfer.

4.1 Nearest high school

Some SENCOs/Inclusion Managers will have noticed a change last year in that we also consulted you as the nearest high school. This year we will be doing the same – we want parents to be positive about their local high school – there are so many benefits to children with special and additional needs being part of their local community. We also want to ensure that there is a more balanced intake of children with EHCPs across Ealing schools – we hope that you will welcome expressions of interest at open evenings and visits from local parents.

4.2 Making decisions about provision and placement

For those SENCO/Inclusion Managers who are new to Ealing, the role of the High School Transfer Panel is to discuss children's Year 5 annual reviews and make recommendations about appropriate provision and placement of children for Year 7. As always, you are warmly invited to attend panels.

Just contact Daniel Wardle on 020 8825 9606 or email WardleD@ealing.gov.uk and he can arrange for you to attend the Panel.

4.3 Parental choice

The legislation that underpins the processes above are Sections 33³ and 39⁴ of the Children and Families 2014. This states that the LA must agree to the parental preference for a maintained mainstream school unless: The child's inclusion would be incompatible with the efficient education of other pupils or efficient use of resources and there are no reasonable steps which either the school or LA can take to prevent the incompatibility.

5 Year 9-11 preparing for adulthood

5.1 Annual reviews

From Year 9 onwards all annual reviews should focus on Preparing for Adulthood. Regulation 20(6)⁵ and Regulation 21(6)⁶ of the SEN and Disability Regulations 2014 place a duty on LAs to ensure that the annual review meetings from Year 9 onwards '*consider what provision is required to assist the child or young person in preparation for adulthood and independent living*'.

There is an additional appendix (Appendix 3) in the Ealing annual review template to help to facilitate this discussion. This information must be provided at every review from year 9 onwards. Schools should also include information from any careers advice service the child may be accessing to support this process.

It is important that the child or young person themselves (or with the help of an advocate) can give their views and cover the topics they think are important, with a specific focus on the following areas: '**Employment, Independent Living, Social and Community Inclusion, and Health and Wellbeing**'.

Transition planning must be built into the revised EHC plan and should result in clear outcomes being agreed that are ambitious and stretching and which will prepare young people for adulthood (paragraph 8.9 of the SEND Code of Practice⁷).

5.2 Amendments to education, health and care plans

By the time the child starts in year 11, aspirations, transition planning and updated outcomes should be included into an amended, updated EHC plan ready to consult with their post 16 setting.

The amendments required can be requested through the annual review process in year 9 or year 10, although this is usually best done in their penultimate year at their setting before they transition – in most cases year 10. This will enable the most up to date and relevant information to be used to draw up an EHCP ready to consult with post 16 providers.

6 Year 11 and onwards and college transfer

To prepare for young person leaving school we are requesting that all leavers annual reviews be held either in the summer term before the last year (i.e., in most cases Year 10, 12 or 13) or the autumn term of the year of leaving (i.e., year 11, 13 or 14).

³ [Children and Families Act 2014 \(legislation.gov.uk\)](http://legislation.gov.uk)

⁴ [Children and Families Act 2014 \(legislation.gov.uk\)](http://legislation.gov.uk)

⁵ [The Special Educational Needs and Disability Regulations 2014 \(legislation.gov.uk\)](http://legislation.gov.uk)

⁶ [The Special Educational Needs and Disability Regulations 2014 \(legislation.gov.uk\)](http://legislation.gov.uk)

⁷ [SEND Code of Practice January 2015.pdf \(publishing.service.gov.uk\)](http://publishing.service.gov.uk)

For those pupils:

- leaving school in July and transferring to college
- or transferring to another post 16 provision

Annual review held before December 2022 EHC Plan must finalised by statutory deadline of March 31, 2023

Therefore, for pupils leaving in July 2023, their annual review which discusses their education setting preferences and their planned transition to post 16 **must be held before December 2022**.

If the young person would like to apply to a setting that is likely to be over-subscribed, then schools should aim for it to be sent **no later than October half term** as places can fill very quickly at post-16 and the Local Authority does not have influence over place planning for most post 16 institutions.

The Young person's allocated EHCCO will also contact them directly by phone and/or letter in the Autumn term of year 11 to discuss their plans for next year.

Important - if the young person would like to attend an FE college **the young person will also need to apply to the course they would like to ensure that they secure a place.**

This is because the EHCP does not name a specific course, only the name of the institution and the SENAS team will not be able to secure a place on the child's chosen course if it is full at the time of application.

Please note that under s.1 of the Mental Capacity Act (2005) ⁸, the law assumes that **all young people over the age of 16 have the capacity to make their own decisions unless it is proven otherwise**. This includes the setting that they wish to attend and therefore at this point for most young people it is the young person, not the parent's preference that would be followed by the Local Authority. There are of course some young people where this would not be possible and, in these cases, someone may need to be appointed to decide on their behalf. More information about the MCA and the implications of it can be found here :

[Factsheet: The Mental Capacity Act and Supported Decision Making \(preparingforadulthood.org.uk\)](https://www.preparingforadulthood.org.uk/Information/Factsheets/Factsheet-The-Mental-Capacity-Act-and-Supported-Decision-Making)

Thank you for your ongoing support and help.

⁸ [Mental Capacity Act 2005 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2005/9)