Education, Health and Care Plan
Threshold Guidance

A guide for children and young people, their families, practitioners and professionals

The following guidance has been developed by the new 0-25 Integrated Services Team as part of the national SEND reforms. As a new service, formed from existing highly skilled teams – Child Health and Disability (CHAD) and Special Educational Needs (SEN) and colleagues from Portage, Early Years, and Adult Social Workers - the Local Authority hopes to promote the principles of support and aspiration for every child with SEN and Disability. The new service has worked extensively with parents and carers and other professionals to ensure that person centred planning is our guiding principle and that children and their families are supported to remain part of their own communities and feel valued and supported.

This guidance should be read in conjunction with the EHC Assessment Guidance published on the Local Offer http://www.southglos.gov.uk/health-and-social-care/local-offer/

Please note this guidance does not replace the SEND Code of Practice and other relevant statutory regulations; it provides general guidance specific to South Gloucestershire. It is strongly advised that staff regularly refer back to the primary legislation and the SEND Code of Practice 2014. This is to ensure high quality of assessments and compliance with statutory demands. https://www.gov.uk/government/publications/send-code-of-practice-0-to-25

Where the term ‘child’ is used throughout it refers to children of statutory school age and the term ‘young people’ refers to those in further education, training or apprenticeships up to 25 years old.
Introduction

The SEN Code of Practice 2014 emphasises the need for a graduated approach to meeting the needs of children with SEND through early intervention and prevention strategies at key developmental periods.

The Local Authority has delegated the majority of funding to support young people with SEN and Disabilities (SEND) directly to schools. This ensures that individual schools can offer targeted support and early interventions in a timely manner.

The benefit of this model is that the majority of young people with SEND should not require access to individual EHC Plans in order to secure additional resources or support. Schools should use the full spectrum of funding available to them when considering arrangements to support children with SEND. The Local Offer also details additional services and resources that children and their families can access which should be considered part of the holistic provision available for all children with SEND.

The vast majority of children, young people and adults with SEND will have their needs met by the resources already available in educational and training settings (early year’s settings, schools, colleges, apprenticeships, and internships).

**A Threshold is a point at which something might happen, stop happening, or change, in relation to providing services to children and families**

In order to meet the threshold for starting an EHC Needs Assessment the young person must have Special Educational Needs or a disability that significantly impacts on their ability to access education. A child who is over statutory school age and chooses not to engage in further education or training is not eligible for an EHC Plan.

The LA will consider initiating an EHC needs assessment when the following thresholds have been met:

- **Child’s needs are significant and long term**

  And

- **Despite evidenced based interventions already provided by the educational setting the child is not making progress**

The SEND Code of Practice states that ‘the legal test of when a child or young person requires an EHC Plan remains the same as that for a statement under the Education Act 1996’

**Evidence required:**
The child has not made progress in their learning despite evidenced based interventions over time, usually one academic year.

Outside agencies have provided oversight and advice; interventions have been implemented, maintained and reviewed over time usually a minimum of 6 months.

Information regarding the nature, extent and context of the child’s SEND.

Levels of attainment continue to be lower than peers and the attainment gap between the child and his/her peers is increasing.

Evidence of whole school and individual child provision maps.

Evidence of proactive person centred planning and progress towards specific and meaningful outcomes.

The child requires a significant integrated multi-agency response to address the severity and complexity of need where the child will need significant assistance in the following areas which require support from Health & Social Care:

1. Education
2. Communication
3. Social, emotional and mental health
4. Physical/Sensory Impairment
5. Complex Medical Needs
6. Personal care

Where a child is identified as having complex developmental or sensory needs at birth, an integrated multi-agency response will be needed which will, in turn, inform the EHC Assessment process. An EHC Plan will not be finalised until the child is two years old.

For children with an existing Statement of SEN

Children with a current Statement of SEN will under new legislation automatically have their Statement transferred to an EHC Plan in accordance with Department for Education implementation guidance.

The transfer process must be completed within 14 weeks from the date on which the Local Authority notifies parents of the decision to commence. The transfer of Statement to Plan will follow the EHC Needs Assessment Guidance with the exception of the 6 week information and advice gathering period.

All existing Statements must be transferred to EHC Plans by September 2018. As a matter of good practice the Local Authority intends to use the scheduled annual review of the statement as an opportunity to
Identify and agree the child’s needs
Identify and agree age or developmental appropriate short and long term outcomes
Review and agree the existing provisions of the Statement to ensure they are appropriate to meet the agreed outcomes.
Where a child is the subject of multi agency support the plan will draw together those strands of service into a single integrated plan.

Although the SEND Code of Practice comes into force on the 1st September 2014 children with a Statement of SEN issued under the Former Code of Practice will retain their statutory rights until such time as the plan is transferred to an EHC Plan.

For young people with an existing S.139a Learning Difficulties Assessment (LDA)

Under the previous Code of Practice young people of 16 or over with SEND who wished to undertake further education or training could choose to have a S.139a LDA. This detailed the educational needs and outcomes for young people as they transitioned into adulthood.

The LDA does not offer the statutory rights of a Statement and as such the Department of Education has determined that young people with an LDA are a priority cohort for transfer to an EHC Plan.

In a significant change to the previous Code of Practice the 0-25 Team will be able to name a Further Education College in the EHC Plan and this will again be subject to annual review. The annual review will place emphasis on progression towards appropriate accreditation, leading to employability or higher education, in line with their potential.

Further education, employment or training may not be appropriate for all young people over statutory school age. In such cases the individual services responsible for meeting their needs will continue to do so but without recourse to an EHC Plan.