



## Norfolk SENDIASS: Supporting families when an EHC needs assessment has been refused

### The context

Norfolk is a large rural county in the East of England covering 2074 square miles with a SEND population of approximately 21,460 CYP.

Norfolk SEND Partnership is the SENDIASS service for Norfolk. It currently has 6338 student records on its database which equates to direct contact with 29.2% of Norfolk's CYP with SEND. This number increases all the time, with a year on year increase in the number of referrals it receives.

### The issue

Families contacting SENDIASS when an EHC needs assessment request has been declined by the LA.

### The support provided by IASS

The approach taken when families contact SENDIASS with this issue is 2-fold, discussing both the legal position in relation to an EHC needs assessments and the legal duty on settings to provide SEN support.

SENDIASS will help the family to understand the legal test of section 36.8 of C&FA 2014 and the routes to challenge this via mediation and/or First Tier Tribunal. Advice and support will be given in relation to the evidence needed and how to move forward with mediation or appeal if that is what they would like to do. In some circumstances, for example when the parent/carer has additional needs of their own, support will be provided to complete paperwork and attend the mediation/tribunal if required.

Additionally, SENDIASS will spend time helping the family to fully understand exactly what SEN support means. Often families apply for an EHC needs assessment because they feel this is how to get the right support in place. The team will make sure they understand what the setting can/should provide without an EHC plan and feel confident to go back to them to discuss this. Again, in certain circumstances, the adviser will provide more support to help the family communicate with the setting and attend meetings to support them if required.

### The difference made

Having this information and understanding both parts of this helps the family to be confident in securing the right support for their CYP. Being given the full picture of both EHC needs assessment and SEN support allows them to consider what is the correct way forward at that time and often this is pursuing better SEN support with the setting rather than an EHCP. With SENDIASS support the families are empowered to speak with the setting and have the knowledge to work with them to consider what support may be appropriate for their CYP.

Equally, if they decide that an EHC needs assessment is what they would like to pursue, the knowledge around the legal test and how to evidence this in mediation/appeal gives them the confidence to use these processes to challenge the LA's decision.

Families come to SENDIASS very confused having been told a variety of conflicting information about EHCPs and SEN support from settings and the LA. Often they have been pushed backwards and forwards between

the two with the setting saying they can't do anything without an EHCP and the LA saying the setting needs to do more. Having support from SENDIASS to provide clarity and facilitate the appropriate discussions they feel they have control of the situation and are able to move forward with the situation to secure whatever level of support is needed. This results in the CYP getting the appropriate support and achieving better outcomes.

**Contact details**

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