



**SNAP PARENT CARER FORUM**  
CENTRAL BEDFORDSHIRE

## **SNAP PCF Position Statement**

### **Central Bedfordshire Council increase in refusal to carry out an Education Health Care Plan Needs Assessment (EHCNA)**

#### **SNAP PCF role**

SNAP (Special Needs Action Panel) is a pro-active, independent forum of parent carers who all have children and young people with Special Educational Needs and/or Disabilities (SEND). As members of the National Network of Parent Carer Forums, we support the development of parent carer participation, a process in which parents work together with professionals to make improvements to local services. SNAP PCF act as a conduit for a wide variety of local professionals in their work with children and young people with SEND. SNAP's purpose is to improve the services provided for young people who are aged from 0-25 years old.

#### **Position Statements**

SNAP PCF will be publishing position statements as and when the need arises for our forum to formally communicate our point of view on any issues or updates that we need to inform our members about, these can be found on our [website](#)

#### **The issue**

During the Autumn Term of 2022 SNAP PCF noticed an increase in parents contacting the forum regarding the Council's refusal to assess their child for an Education Health Care Plan (EHCP). We contacted Central Bedfordshire SENDIASS and were told they are also dealing with an increase in calls from parents about this issue. We requested a meeting in December with the Director of Children Services, Sarah-Jane Smedmor, and the Assistant Director of SEND, Helen Phelan to discuss the situation.

#### **Data provided at the meeting to SNAP PCF about the new panel process**

From 1<sup>st</sup> Sept – 6<sup>th</sup> Dec 2022:

- New Education Health Care Needs Assessment (EHCNA) requests 112.
- EHCNA requests not agreed 32 (36%).
- 22 were submitted via parental request, one was submitted by a social worker and 9 were submitted from schools.
- 17 parent carers were offered a 'Way Forward Meeting'.

- Five of those that attended a ‘Way Forward Meetings’ came back to the panel one was agreed, one was deferred for further information and three were declined.

We were informed the Council was confident with the new panel process.

### **SNAP PCF position**

During the meeting with Central Bedfordshire Council (CBC), we expressed there had been a lack of coproduction about the new panel process. We have not been informed about the recent increased data of refusal to carry out an EHCNA. SNAP PCF only discovered there was an issue through our parent carers contacting us. They helped us identify a key trend and we investigated this. SNAP PCF asked for a meeting with Central Bedfordshire Council to discuss our concerns. We had previously been asked by CBC to arrange a meeting with parent carers so they could discuss the new panel process. We declined this as we needed to understand the process and who attends this panel before opening this up to our membership.

During the meeting we raised there was no information on the Local Offer about the early intervention funding for schools, so we had nothing to signpost our parents to, the information is now on the [Local Offer website](#). We believe that further work needs to be completed with schools before CBC declines an EHC needs assessment to ensure *all* schools have robust Special Educational Needs (SEN) support and inclusive learning environments in place, we understand this varies throughout the county. If parent carers are requesting an EHCNA without the school or other professionals’ support, then there needs to be training in place to help them to understand what information they will need to submit. We would also like to see the information the school provides to the panel to understand where any issues are which result in an EHCNA refusal.

We have raised our concerns that the [Partnership Agreement](#) to coproduce policy changes and/or service redesign as equal partners has not been followed on this occasion.

### **What does the law say about thresholds to carry out an EHCNA?**

“When should a local authority carry out an EHC needs assessment?

If a local authority (“**LA**”) is requested to carry out an EHC needs assessment by a parent, young person, school or college, they must consider:

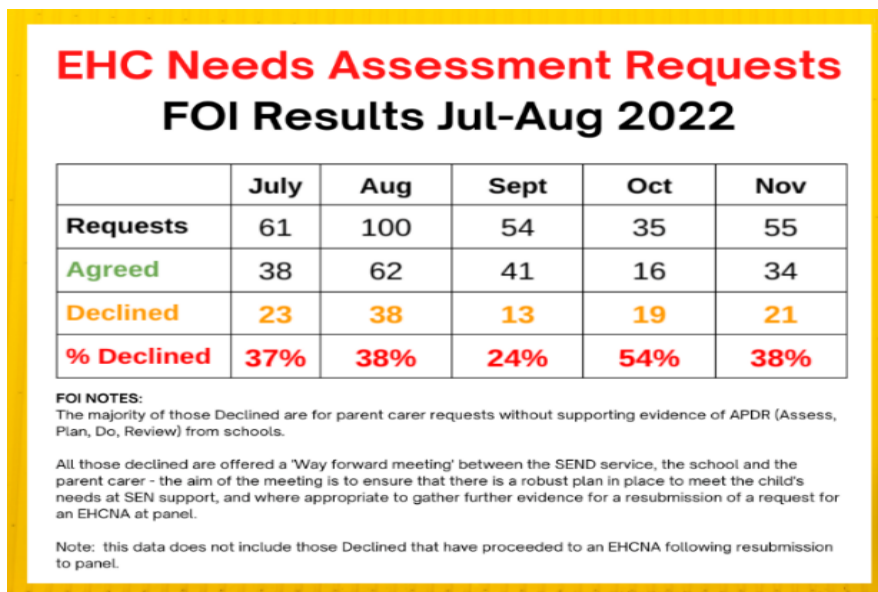
- whether the child or young person **has or may have** special educational needs (“**SEN**”); and
- whether they **may** need special educational provision to be made through an EHC plan.

If the answer to both of these questions is yes, they **must** carry out an EHC needs assessment.

This test is set out in the law (section 36(8) of the Children and Families Act 2014). This means these are the only questions the LA should be asking when considering whether or not to carry out an EHC needs assessment.” (IPSEA <https://www.ipsea.org.uk/asking-for-an-ehc-needs-assessment>)

### Freedom of Information Request

The Central Bedfordshire Action Group accessed the following data via a Freedom of Information Request (FOI) and published this at the end of December 2022. SNAP PCF was unaware of this data until it was released by the Action Group. As a result of receiving this new data, our steering group has decided to publish a position statement on this issue.



### What is the national picture for refusing to assess for an EHCNA?

[The latest national figure to be published](#) for refusal to assess for an EHC plan is from 2021. Nationally, 22.3% of initial requests made for assessment for an EHC plan during 2021 were refused. The percentage of refusals for Central Bedfordshire Council is significantly higher than this average.

### What is the national picture for refusing to assess for an EHCNA?

[The latest national figure to be published](#) for refusal to assess for an EHC plan is from 2021.

Nationally, 22.3% of initial requests made for assessment for an EHC plan during 2021 were refused. The SEN2 Survey data giving figures for the period January 2022 – end of December 2022 will be published by the DfE in May/June 2023.

Central Bedfordshire Council have provided SNAP PCF with this data as their current figures of refusing to assess for an EHCP:

	% Of EHCNA refusal to assess	Of those refused – % that are parent requests
Jan 22 to Dec 22	26%	49%
May 22 to Dec 22	27%	56%

### SNAP PCF Recommendations

1. SNAP PCF would like to meet with Central Bedfordshire Council to understand the current panel processes and decision-making criteria for EHC needs assessment requests.
2. We ask that we are given the opportunity to review the information that is being sent to schools and parents as part of the process.
3. We also ask for transparency of the panel process and to observe this.
4. Moving forward we would like to receive monthly data indicating how many EHCNA requests have been received, approved, and declined.
5. We would like to understand what evidence parents are providing concerning the EHCNA to see where there are opportunities to support parents gather the appropriate information to accompany the application for an EHCNA.
6. We are also seeking a commitment to work together with CBC as equal partners to coproduce any changes to policies and procedures, in line with our existing Partnership Agreement.

### Central Bedfordshire Council Response

SNAP PCF have met with Sarah-Jane Smedmor and Helen Phelan regarding the content of this report. We have agreed to SNAP PCF recommendations (above). Once we have worked through the recommendations together, we will issue a joint statement to give an update on the work that we have done on EHCNA, panel processes and Early Intervention funding for schools. This information will be published on the SNAP PCF website and on the Local Offer on completion of the work.

### Advice for Parent Carers who have been refused an EHCNA

Please email [admin@snappcf.org.uk](mailto:admin@snappcf.org.uk) to let us know your experience, have you been refused an EHCNA, what happened?

We have booked this training for our members if you would like to attend please email [admin@snappcf.org.uk](mailto:admin@snappcf.org.uk) to book a place. It is free to join SNAP PCF [link to membership form](#)

### **Monday 20th of February 9:30 till 11:30 am Understanding EHCP part 1**

An introduction to how to start the EHCP process, gather evidence, and put together details of parental views and your child/young people's views to include as part of an application for a needs assessment.

### **Tuesday 21<sup>st</sup> of February 9:30 till 11:30 am Understanding EHCP part 2**

This part helps parents understand the process to the next stage of an EHCP, ensures parents understand and can be confident to know the content of an EHCP, and that what is written in each section reflects your child's needs at school and in the community.

Please look at our [website](#) where we have the presentation from SEN legal who have previously run training for SNAP PCF members

### **Organisations that can give you either information, advice, or guidance**

- IPSEA <https://www.ipsea.org.uk/ehc-needs-assessments>
- SOS SEN <https://sossen.org.uk/>
- Contact <https://contact.org.uk/help-for-families/>
- Central Bedfordshire SENDIASS <https://cbsendiass.org/>
- SEN Legal webinar on mediation <https://www.youtube.com/watch?v=qQ7Kfa3s3P0>
- Contact webinar on securing and protecting your child's rights, an introduction to a EHC plan <https://www.youtube.com/watch?v=qgJjZzcmuZc>

**Please keep in touch with us by following us on [Facebook](#) and [Twitter](#), and by emailing us updates on your lived experience, completing our surveys and attending our events.**

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