

Education Health and Care Needs Assessment: Criteria for children and young people with special educational needs and disabilities (SEND) 0 - 25 years

Staffordshire County Council

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Glossary of terms

Term	Meaning
ADD	Attention Deficit Disorder
ADHD	Attention Deficit Hyperactivity Disorder
ASC	Autistic Spectrum Conditions
CAMHS	Child and Adolescent Mental Health Service
CSW	Communication Support Worker
CVI	Certificate of Visual Impairment
DfE	Department for Education
EHC	Education, Health and Care
EHCNA	Education, Health and Care Needs Assessment
EHCP	Education, Health and Care Plan
HI	Hearing Impaired
LA	Local Authority
MLD	Moderate Learning Difficulties
MSI	Multi-Sensory Impairment
NatSIP	National Sensory Impaired Partnership
NYAS	National Youth Advocacy Service
SEMH	Social, Emotional and Mental Health
SEN	Special Educational Needs
SEND	Special Educational Needs and Disabilities
SLCN	Speech, Language and Communication Needs
SLD	Severe Learning Difficulties
SpLD	Specific Learning Difficulties
TA	Teaching Assistant
VI	Vision Impaired

Percentiles explanation:

Percentiles show the percentage of pupils of the same age who would score the same or less than the named pupil. For instance, a child at the 10th centile is doing better than 9 pupils of the same age and worse than 90 pupils of the same age.

Cycles explanation:

In most cases, it is usual to evaluate the impact of action already taken by a nursery, school or college to meet a child or young person's needs as part of a graduated response over at least two cycles. A cycle may vary in length depending upon the child or young person's levels of need and responses to support. Typically each cycle would not usually be any less than 6 weeks and could be greater than one term



Introduction

The Children and Families Act (2014) places a statutory duty on local authorities to identify, assess and meet the special educational needs (SEN) of children and young people aged 0 to 25. This applies to all children and young people with SEN, including those who are looked after by the local authority and those educated at home, as well as children and young people who are in youth custody.

All local authorities must have regard to the Special Educational Needs and Disability (SEND) Code of Practice. This means that whenever they are making decisions about children and young people with special educational needs, consideration must be given to what the Code says and local authorities must follow the guidance set out in it. A full copy of the SEND Code of Practice is available here:

<https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>

The SEND Code of Practice states that local authorities may develop criteria to be used as guidelines to help them decide when it is necessary to carry out an Education, Health and Care Needs Assessment (EHCNA) and, following assessment, to decide whether it is necessary to issue an Education, Health and Care Plan (EHCP).

This document sets out the specific criteria that have been adopted by Staffordshire County Council to support its decision-making in response to requests for EHCNA.

This document should be read in conjunction with:

- Children and Families Act 2014

<http://www.legislation.gov.uk/ukpga/2014/6/contents/enacted>

- Special Educational Needs and Disability (SEND) Code of Practice: 0-25 (2015) and Regulations, Jan 2015

[http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/398815/SEND Code of Practice January 2015.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/398815/SEND_Code_of_Practice_January_2015.pdf)

- DfE Guidance: "Mental Health and Behaviour in Schools", March 2016

[https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/508847/Mental Health and Behaviour - advice for Schools 160316.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/508847/Mental_Health_and_Behaviour_-_advice_for_Schools_160316.pdf)



- DfE Guidance: “Supporting pupils at school with medical conditions”, Dec 2015

<https://www.gov.uk/government/publications/supporting-pupils-at-school-with-medical-conditions--3>

- “Keeping Children Safe in Education”, Sept 2016

<https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>

- “Promoting Education for LAC statutory guidance”, 2010

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/276468/educational_achievement_of_looked_after_children.pdf

- Equality Act 2010

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/315587/Equality_Act_Advice_Final.pdf

- “Living My Life, My Way”, Staffordshire County Council’s Strategy for Disabled People 2013-2018

<https://www.staffordshire.gov.uk/health/childrenandfamilycare/childrenwithdisabilities/Living-My-Life,-My-Way-Strategy.pdf>

- Staffordshire County Council EHCNA Pathway document

<http://www.staffordshirecares.info/send-reforms/Staffordshire-Pathway-Revised-July-2015.pdf>

- Staffordshire County Council policy statement on specific learning difficulties (publication to be confirmed)

- Staffordshire County Council Local Offer

<http://helpyourself.staffordshirecares.info/kb5/staffordshire/directory/localoffer.page?directorychannel=5>



Who is this guidance for?

This guidance is for the people who are making decisions on behalf of the local authority and anyone intending to make a request to the local authority for an EHCNA that may lead to an Education, Health and Care Plan.

This includes

- parents and carers of children and young people under the age of 16
- young people over the age of 16 but under 25
- staff acting on behalf of education settings (nurseries, schools and colleges)
- Local Authority (LA) practitioners (including education and social care staff)
- Health practitioners (including paediatricians, therapists and CAMHS staff)
- children and young people under 19 in youth custodial establishments, their parents, or professionals working with them

This guidance seeks to help parents/carers, children and young people, and professionals to understand the circumstances when it may be necessary for the local authority to carry out an EHCNA. It contains details about the factors that are taken into account and the thresholds which inform decisions. It also contains practical information about how to make a request for an EHCNA.

We do not apply a 'blanket' policy to any particular groups of children or young people or certain types of need. All cases are considered in line with this guidance and in accordance with the SEN Code of Practice.

Background

According to the legal definition, a child or young person has a special educational need if he or she has a learning difficulty or disability which calls for special educational provision to be made for him or her. A child of compulsory school age or a young person has a learning difficulty or disability if he or she:

- has a significantly greater difficulty in learning than the majority of others of the same age, or
- has a disability which prevents or hinders him or her from making use of facilities of a kind generally provided for others of the same age in mainstream schools or mainstream post-16 institutions



For children aged two or more, special educational provision is educational or training provision that is additional to or different from that made generally for other children or young people of the same age by mainstream schools, maintained nursery schools, mainstream post-16 institutions or by relevant early years providers. For a child under two years of age, special educational provision means educational provision of any kind.

A child under compulsory school age has special educational needs if he or she is likely to fall within the definition above when they reach compulsory school age, or would do so if special educational provision was not made for them.

The majority of children and young people with SEN or disabilities will have their needs met within local mainstream early years settings, schools or colleges, through a graduated response.

Children and their parents should be involved in the agreement, planning, delivery and monitoring of the provision to meet their special educational needs.

In a small number of cases, the local authority will need to complete an EHCNA in order to determine whether it is necessary for provision to be made through an EHCP.

What is an Education, Health and Care Plan?

An EHCP is for children and young people (aged up to 25 years old) who have SEN and/or a disability, and who need a much higher level of resource than education settings can deliver on their own. In most cases, children and young people with special educational needs will be able to access the services they require through the Local Offer, and an EHCP will not be needed. Likewise, an EHCP will not be needed if a young person is studying for a higher education qualification, as funding is provided via a different route if required.

The purpose of an EHCP, as set out in the SEND Code of Practice, is to:

- secure the special educational provision assessed as being necessary to meet the SEN of the child or young person
- secure the best possible outcomes for them across education, health and social care
- support preparation for adulthood
- establish outcomes across education, health and social care, based on the child or young person's needs and aspirations



- set out the provision required and how education, health and care services will work together to meet the child or young person's needs and support the achievement of the agreed outcomes
- confirm sources of funding for all aspects of required support, which may be through a personal budget or other resources

Broad areas of need

Children and young people may have special educational needs in one or more of the following four areas described in the SEND Code of Practice as:

Communication and Interaction

Children and young people with speech, language and communication needs (SLCN) have difficulty in communicating with others. This may be because they have difficulty saying what they want to, understanding what is being said to them, or they do not understand or use social rules of communication. The profile for every child with SLCN is different and their needs may change over time. They may have difficulty with one, some, or all of the different aspects of speech, language or social communication at different times of their lives.

Children and young people with Autism Spectrum Conditions (ASC), including Asperger Syndrome, are likely to have particular difficulties with social interaction. They may also experience difficulties with language, communication and flexibility of thought which can impact on how they relate to others.

Cognition and Learning

Support for learning difficulties may be required when children and young people learn at a slower pace than their peers, even with appropriate differentiation.

Learning difficulties cover a wide range of needs, including: moderate learning difficulties (MLD); severe learning difficulties (SLD), where children are likely to need support in all areas of the curriculum and have associated difficulties with mobility and communication; profound and multiple learning difficulties (PMLD), where children are likely to have severe and complex learning difficulties as well as a physical disability or sensory impairment.

Specific learning difficulties (SpLD), affect one or more specific aspects of learning. This encompasses a range of conditions such as dyslexia, dyscalculia and dyspraxia.

Social, emotional and mental health difficulties

Children and young people may experience a wide range of social and emotional difficulties which manifest in many ways. These may include becoming withdrawn or isolated, as well as displaying challenging, disruptive or disturbing behaviour. These behaviours may reflect underlying mental health difficulties such as anxiety or depression. In some cases children or young people may have conditions such



as attention deficit disorder (ADD), attention deficit hyperactivity disorder (ADHD), or attachment disorder.

Sensory and/or physical needs

Some children and young people require special educational provision because they have sensory or physical disabilities. Many children and young people with vision impairment (VI), hearing impairment (HI), multi-sensory impairment (MSI) or physical disability will require specialist support and/or equipment to access learning. Children and young people with an MSI have a combination of vision and hearing difficulties.

Medical needs

Not all children and young people with medical conditions will have special educational needs. The Children and Families Act 2014 places a duty on maintained schools and academies to make arrangements to support pupils with medical conditions. Individual healthcare plans will normally specify the type and level of support required to meet the medical needs of such pupils. Where children and young people also have SEN, their provision should be planned and delivered in a coordinated way with the healthcare plan.

Schools are required to have regard to statutory guidance, "Supporting pupils at school with medical conditions" Dec 2015 which can be found at:

<https://www.gov.uk/government/publications/supporting-pupils-at-school-with-medical-conditions--3>

Considering whether an Education, Health and Care Assessment is necessary

The SEND Code of Practice 2015 section 9.14 sets out the factors that the LA must consider when a request for an EHCNA has been made. To help inform the decision, the LA will need to take into account a wide range of evidence and will pay particular attention to:

- (a) The child or young person's views and those of his or her parents or carers;
- (b) The child or young person's academic attainment (or developmental milestones in younger children) and rate of progress;
- (c) Information about the nature, extent and context of the child or young person's SEN and disabilities;



- (d) Evidence and impact of action already taken by the education provider (i.e. early years setting, school or post-16 institution) to meet the child or young person's SEN as part of the graduated approach;
- (e) Evidence of involvement from an educational psychologist or specialist teacher whose advice has been used in devising appropriate strategies and programmes at the individual pupil level. Advice from other relevant specialist services e.g. speech and language therapists, CAMHS or physiotherapists may also be required;
- (f) Evidence that the impact of these interventions has been evaluated over time;
- (g) Evidence that where progress has been made, it has only been as the result of much additional intervention and support at a sustained level over and above that which is usually provided;
- (h) Evidence of physical, emotional and social, and health needs that have an impact on the child or young person's education and learning, and what has been done to meet those needs by other agencies. This may include evidence from clinicians and a range of other health professionals.

Where such evidence is apparent we will then also consider:

- Significant circumstances in the child or young person's life, for example social disadvantage, early childhood experience, trauma or other family reasons that have prevented or hindered the child or young person from making progress. This may account for under-achievement or slower rates of progress that may not require provision to be made through an EHCP but may require a multi-agency approach. In such circumstances, approaches such as an Early Help Assessment may be more appropriate.
- The education setting's responsibilities under the Equality Act 2010 to make reasonable adjustments to enable access for disabled children and young people to the curriculum and the physical environment which would not require provision to be made through an EHCP.
- The child or young person's main language as they will not be regarded as having a learning difficulty solely because the language or form of language in their home is different from the language in which they will be taught.

For people over the age of 18, we will consider whether, in comparison to the majority of others of the same age, the person requires additional time in education or training to achieve their outcomes and make an effective transition to adulthood. This does not mean, however, that there is an automatic entitlement to continued support, or that those young people with an EHCP will be expected to remain in education and training outcomes, building on what has been learned before and preparing young people for adult life. An EHCP will not therefore necessarily need to remain in place until the young person reaches 25 years of age.



Exceptional cases

In rare circumstances, children or young people may demonstrate such significant difficulties that a school or other provider may consider it impossible or inappropriate to carry out a graduated response or full cycle of “assess, plan, do, review”.

We will consider these cases in exceptional circumstances where there is a compelling reason to do so, which may include but is not limited to:

- Children who have recently acquired SEN through illness or accident;
- Vulnerable children and young people in the care of the LA who have significant or severe educational needs and circumstances have prevented these from previously being met. For children in care, it is expected that the virtual school will have been contacted for advice and support:

<https://education.staffordshire.gov.uk/Pupil-Support/SEN-and-Vulnerable-Children/Children-in-care/Virtual-School/Virtual-School.aspx>

- Those in other critical situations, particularly where multi-agency response is needed.

Requesting an Education, Health and Care Plan

The following people can ask the local authority to conduct an EHCNA:

- the child’s parent, if the child or young person is under the age of 16
- a young person over the age of 16 but under the age of 25
- a person acting on behalf of a school or post-16 institution (this should ideally be with the knowledge and agreement of the parent or young person where possible)

Children and young people under 19 in youth custodial establishments also have the right to request an EHCNA. The child’s parent, the young person themselves, or the professionals working with them can also ask the home local authority to conduct an EHCNA while they are still detained.

In addition, anyone else can bring a child or young person who has (or may have) SEN to the attention of the local authority, particularly where they think an EHCNA may be necessary. This could include, for example, foster carers, or probation services, those responsible for education in custody, school or college staff, or a



family friend. Bringing a child or young person to the attention of the local authority should only be done with the knowledge and, where possible, agreement of the child's parent or the young person. An EHCNA will not be carried out on the basis of a notification alone, as the child or young person's needs may be able to be met through the 'Local Offer'.

How to request an EHCNA

Parents/carers and young people over 16 are able to request an EHCNA by contacting the Local Authority directly through the Single Point of Access by telephone 0300 111 8007 or email sendreferrals@staffordshire.gov.uk or by writing to the address shown below.

Most parents/carers or young people over 16 usually talk to the school or early years setting, or post-16 provider, before asking for an EHCNA, and most requests are made by the child or young person's educational provider.

The **SEND Family Partnership** (Staffordshire's Information and Advice Support Service) can help parents/carers to make a request. They can be contacted by telephone on 01785 356921 or email sfps@staffordshire.gov.uk. Support is available for parents/carers and young people from independent supporters who can be contacted via Core Assets, tel. 0800 028 8455 - email: isreferrals@coreassets.com

The National Youth Advocacy Service (NYAS) provides a service to help children and young people to help them request their own assessments and contribute to decisions about their special educational needs at: <https://www.nyas.net/>

Further information for parents/carers about education, health and care needs assessments and plans can be found at:

<https://www.staffordshire.gov.uk/education/welfareservice/SpecialEducationalNeeds/spps/home.aspx>

Education providers should complete the EHCNA Referral Form:

<https://www.staffordshire.gov.uk/education/welfareservice/SpecialEducationalNeeds/spps/Education-Health-and-Care-Assessments/Statutory-Assessment.aspx>

and send it by email or in writing to the address below.

Preschool children can be referred through the Early Years Forum if appropriate.

Any other person can bring a child or young person to the attention of the Local Authority, where they think an EHCNA may be necessary, by working in partnership with the education provider and contacting the local authority through the single point of access as shown below.



To ensure consistency in processing, all requests need to be sent to the **Single Point of Access** as follows:

Telephoning: **0300 111 8007**

Email: sendreferrals@staffordshire.gov.uk

Writing: **SEND Assessment and Planning Service (EHC) Staffordshire Place 2, Tipping Street, Stafford. ST16 2LP**

Decision-making

Requests for EHCNA will be considered by a multi-professional panel chaired by a senior officer from the SEND Assessment and Planning Service. Decisions are made based on a combination of factors including the severity and complexity of need (threshold), the relevant and purposeful action taken to address the needs (process), the resources deployed to support the child or young person, and the progress made.

A decision will normally be made within 6 weeks of receiving the request. Parents/carers will be contacted by the SEND keyworker following the decision. Further details about the assessment pathway in Staffordshire is shown at

<https://www.staffordshire.gov.uk/education/welfareservice/SpecialEducationalNeeds/spps/SEND-Pathway.aspx>

Cases will go forward for assessment where there is clear evidence that:

- parents/carers and the child or young person have been fully involved and genuinely engaged in the process
- the criteria are met in one or more areas of need
- action taken by the educational provider has been purposeful, relevant and sustained over a period of time (at least two cycles)
- considerable additional funding is required which exceeds the nationally prescribed threshold (£6k), and the level of special educational provision required cannot be sustained **without additional resourcing**

In circumstances where an EHCNA is refused, parents/carers and young people over 16 may appeal to the first-tier SEND tribunal. Full details of how to appeal are provided within the decision letter which also contains information about how to contact the local authority to discuss decisions.

Parents/carers may also contact the SEND Family Partnership for further advice and support as outlined above and/or may consider using Mediation. Details of all these services are also contained within the decision letter.



Threshold criteria

The following pages outline the specific criteria that Staffordshire County Council has adopted for each of the four broad areas of need as set out in the SEND Code of Practice. Children and Young People may meet the criteria in more than one area. It is also recognised that these areas can be interrelated and therefore cases may be considered where children and young people almost meet the criteria in two or more of these areas.

Area of Need	Description
Communication and Interaction	Speech, language and communication needs Social communication and social interaction difficulties, including Autism Spectrum conditions
Cognition and Learning	General learning difficulties Specific learning difficulties
Social, Emotional and Mental Health	Behavioural difficulties arising from social, emotional and/or mental health needs
Sensory and/or Physical	Physical difficulties or medical conditions Severe/Profound hearing or vision impairment Multi-Sensory Impairments



Specific Criteria: Communication and Interaction

This section outlines the criteria for an EHCNA for children and young people with **Communication and Interaction difficulties** which include **Speech, Language and Communication Needs (SLCN)** and **social communication and social interaction difficulties which may be associated with being on the Autism Spectrum**. In order to conduct an EHCNA, evidence must be provided to show that despite relevant and purposeful action being taken to identify, assess and meet the needs of the child or young person, he/she has not made expected progress and therefore requires a higher level of specialist resourcing which is different from and additional to that which is usually provided.

Relevant and purposeful action will usually be demonstrated by evidence of all of the following:

- the setting has provided a higher level of resourcing which is over and above the nationally-prescribed threshold per pupil per year (£6k for all mainstream schools and mainstream further education providers)
- external professionals such as speech and language therapists, specialist advisory teachers and/or educational psychologists have been involved in devising strategies and programmes for the individual pupil or student
- a comprehensive assessment of the child or young person's needs has been completed (**assess**)
- advice to support the child or young person has been followed (**plan and do**)
- the impact of these interventions has been evaluated over time (at least two cycles) (**review**)
- evidence will show that the child or young person has made minimal progress or, where progress has been made, it has only been as the result of much differentiation, additional intervention and support over and above that which is usually provided
- parents/carers and the child or young person have been fully involved and genuinely engaged in the process

For Speech, Language and Communication Needs (SLCN)

The child or young person will typically have two or more of the following:

- Receptive and/or expressive language skills at or below the 2nd centile indicating a severe language delay or disorder
- Limited progress across subject areas due to problems with aspects of communication having a significant impact on learning and/or access to the curriculum



- Extreme communication difficulties which seriously inhibit or preclude participation in activities within the setting and which are evident in a range of environments.

The child or young person may also have:

- Extreme and persistent difficulties with following verbal instructions in the setting
- Extreme difficulties in maintaining attention to task
- Significant interaction difficulties as a result of their SLCN
- Significant difficulties in communicating verbally with others

Social Communication and Social Interaction Difficulties including Autism Spectrum

The child or young person will typically have two or more of the following:

- Significant difficulties with social interaction
- Severe difficulty with communication that impacts on engagement with peers and adults
- A high level of need for a predictable and structured learning environment which can be sufficiently flexible to accommodate special interests
- Evidence of inflexibility and rigidity of thought which consistently impacts on the child or young person's ability to adapt to changes in routine, resulting in extreme behavioural responses despite well-planned timetables and highly differentiated teaching
- Limited progress across subject areas due to problems with aspects of communication having a significant impact on learning
- Extreme communication difficulties which seriously inhibit or preclude participation in activities and or learning both within the setting and in a range of environments

The child or young person may also have:

- High levels of anxiety associated with social communication and interaction difficulties, to the extent that it prevents engagement with the curriculum and/or learning
- High levels of social isolation which prevent the establishment of consistent relationships with peers and/or adults
- Unusual response to some sensory stimuli, requiring major adjustments to the learning environment



Specific Criteria: Cognition and Learning

This section outlines the criteria for an EHCNA for children and young people with Cognition and Learning difficulties which include General Learning Difficulties and Specific Learning Difficulties. In order to conduct an EHCNA, the Local Authority must have evidence that despite relevant and purposeful action being taken to identify, assess and meet the needs of the child or young person, he/she has not made expected progress and therefore required a higher level of specialist resourcing which is different from and additional to that which is usually provided.

Relevant and purposeful action will usually be demonstrated by evidence of all of the following:

- The setting has provided a higher level of resourcing which is over and above the nationally-prescribed threshold per pupil per year (£6k for all mainstream schools and mainstream further education providers)
- External professionals such as specialist advisory teachers and/or educational psychologists have been involved in devising strategies and programmes for the individual pupil or student
- A comprehensive assessment of the child or young person's needs has been completed (**assess**)
- Advice to support the child or young person has been followed (**plan and do**)
- The impact of these interventions has been evaluated over time (at least two cycles) (**review**)
- Evidence will show that the child or young person has made minimal progress or, where progress has been made, it has only been as the result of much differentiation, additional intervention and support over and above that which is usually provided
- Parents/carers and the child or young person have been fully involved and genuinely engaged in the process

General Learning Difficulties:

The child or young person will have:

- Significant difficulties in accessing the curriculum despite a high level of differentiation and mediation of teaching approaches
- The need for learning activities and learning outcomes to be significantly adjusted

In addition, the child or young person will typically have one or both of the following:

- 3 or more scores on relevant cognitive ability scales fall at or below the 2nd centile



- Attainment scores using standardised assessment over time, that are likely to be around the 1st Centile in at least two core areas of learning (i.e. reading, spelling and numeracy)

The child or young person may also have:

- Significant difficulties with self-organisation
- The need for support in generalising new learning
- The need for access to teaching of specific, targeted skills using evidence-based interventions including overlearning, such as Precision Teaching

An early years child would typically be:

- working at or below 50% of their chronological age in 3 key areas: Personal, social and emotional development, communication and language and physical development

Specific Learning Difficulties

Children and young people can experience specific difficulties in particular areas of learning, for example literacy and numeracy. Staffordshire recognises that such difficulties can be referred to as dyslexia, dyspraxia and dyscalculia, as described in our policy on specific learning difficulties (publication to be confirmed).

In Staffordshire, we use the British Psychological Society's definition of Dyslexia (1999) which states for children and young people with dyslexia, accurate and fluent word reading and/or spelling develops very incompletely or with great difficulty despite access to appropriate teaching and support.

The child or young person will typically have:

- Severe and persistent difficulties in acquiring literacy and/or numeracy skills despite appropriate teaching and learning opportunities
- Attainment scores, using standardised assessment over time, are likely to be around the 1st Centile in at least two core areas of learning (i.e. reading, spelling and numeracy)

The child or young person may also have:

- Significant difficulties with self-organisation
- The need for support in generalising new learning
- The need for learning outcomes to be significantly adjusted in the areas of literacy and/or numeracy
- The need for extensive differentiation and support to meet the literacy and numeracy demands of the curriculum
- The need for access to teaching of specific skills using evidence-based interventions including overlearning, such as Precision Teaching



Specific Criteria: Social, Emotional and Mental Health (SEMH)

This section outlines the criteria for an EHCNA for children and young people with Social, Emotional and Mental Health (SEMH) needs.

SEMH difficulties may lead to a range of different behaviours that have an impact on the child or young person's experience and learning. If this impact is significant, the child or young person should be regarded as having a special educational need as well as a social, emotional and/or mental health difficulty. Not all children and young people with an SEMH difficulty, including some with a specific diagnosis such as ADHD, will have a special educational need. Schools have a responsibility to help identify and respond to children and young people in this area (DfE Guidance: Mental health and behaviour in schools, March 2016 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/508847/Mental_Health_and_Behaviour_-_advice_for_Schools_160316.pdf)

In order to conduct an EHCNA, the Local Authority must have evidence that despite relevant and purposeful action being taken to identify, assess and meet the needs of the child or young person, he/she has not made expected progress and therefore requires a higher level of specialist resourcing which is different from and additional to that which is usually provided.

Relevant and purposeful action will usually be demonstrated by evidence of all of the following:

- The setting has provided a higher level of resourcing which is over and above the nationally-prescribed threshold per pupil per year (£6k for all mainstream schools and mainstream further education providers)
- External professionals such as specialist advisory teachers, educational psychologists or CAMHS professionals have been involved in devising strategies and programmes for the individual pupil or student
- A comprehensive assessment of the child or young person has been followed (**assess**)
- Advice to support the child or young person has been followed (**plan and do**)
- The impact of these interventions has been evaluated over time (at least two cycles) (**review**)
- Evidence will show that the child or young person has made minimal progress or, where progress has been made, it has only been as the result of much differentiation, additional intervention and support over and above that which is usually provided. Persistent disruptive or withdrawn behaviours will not necessarily mean SEN. Evidence of an assessment to determine whether there are any causal factors such as undiagnosed learning difficulties, communication difficulties or mental health issues should be provided.



- Parents/carers and the child or young person have been fully involved and genuinely engaged in the process

Social, Emotional and Mental Health (SEMH) needs

The child or young person will have behaviours from the SEMH needs of such intensity, frequency and duration that in spite of actions taken they result in adverse consequences for the child or young person and/or severely affect others in a detrimental way. These consequences might include:

- The child or other person's safety and wellbeing are persistently endangered
- Others' safety and wellbeing are persistently endangered
- The child or young person's achievement and participation in learning are severely restricted
- Others' achievement and participation in learning are severely restricted
- Social isolation that severely impacts on the child or young person's wellbeing
- Anxiety and mental health difficulties resulting in significant periods of school refusal due to anxiety



Specific Criteria: Sensory and/or Physical

This section outlines the criteria for an EHCNA for children and young people with **Sensory and/or Physical needs**. This includes children and young people with **physical difficulties or medical conditions** that are complex, severe and long-term, as well as children and young people with **severe/profound hearing loss (HI), or a severe/profound vision impairment (VI), or multi-sensory impairment (MSI)**.

Most children and young people with sensory and/or physical needs will be supported within their ordinary setting within existing resources. In order to conduct an EHCNA, the Local Authority must have evidence that despite relevant and purposeful action being taken to identify, assess and meet the needs of the child or young person, he/she has not made expected progress and therefore requires a higher level of specialist resourcing which is different from and additional to that which is usually provided.

Relevant and purposeful action will usually be demonstrated by evidence of all of the following:

- The setting has provided a higher level of resourcing which is over and above the nationally prescribed threshold per pupil per year (£6k for all mainstream schools and mainstream further education providers)
- External professionals such as health professionals, specialist advisory teachers and/or educational psychologists have been involved in devising strategies and programmes for the individual pupil or student
- A comprehensive assessment of the child or young person's needs has been completed (assess)
- Advice to support the child or young person has been followed (plan and do)
- The impact of these interventions has been evaluated over time (at least two cycles) (review)
- Evidence will show that the child or young person has made minimal progress or, where progress has been made, it has only been as the result of much differentiation, additional intervention and support over and above that which is usually provided
- Parents/carers and the child or young person have been fully involved and genuinely engaged in the process

Physical

The child or young person will typically have one or more of the following:

- Severe, long-term physical difficulties which may be degenerative
- A healthcare plan that requires a higher level of resourcing which is over and above the nationally-prescribed threshold per pupil per year



- A need for alternative approaches and specific individualised resources and/or equipment, to enable them to access the curriculum
- A need for named staff with appropriate competencies/qualifications to meet their physical needs to support them to access the educational environment

The child or young person may also have:

- Emotional and/or behavioural problems such as withdrawal, disaffection, reluctance to attend
- Additional learning, communication or behaviour difficulties requiring specialist intervention
- A slower rate of learning than would normally be expected which is affected by absences, fatigue or medication

Hearing Impairment

The child or young person will typically have one or more of the following:

- A severe/profound hearing loss
- Severe speech and language delay leading to a likely dependency upon sign and/or higher levels of repetition/rephrasing, requiring a significant amount of intervention from, for example, a TA or specialist CSW to access the curriculum. The child or young person will need adapted learning resources and teaching materials, with strategies to develop inclusive communication in the classroom. They will need discrete learning programmes designed to promote language learning and social skills, and pre-tutoring or post-tutoring to ensure key concepts are understood.
- Communication and independence skills that are significantly delayed in comparison to hearing peers and are likely to require specialist, targeted language support
- A need for named staff with appropriate competencies/qualifications to meet their needs to support them to access the educational environment

The child or young person will require assessment, classroom management advice, monitoring and direct teaching (when necessary) from a specialist teacher. The frequency of support is informed by the National Sensory Impaired Partnership (NatSIP) Eligibility Framework. www.natsip.org.uk

The child or young person may also have:

- Attainment levels that do not reflect ability levels
- Significantly impaired communication and independence compared to peers
- Have delayed social development and require the opportunity to interact socially with peers with hearing impairments



Visual Impairment

The child or young person will typically have one or more of the following:

- A vision loss ranging from Severe /Profound (in accordance with NatSIP visual acuity descriptors)
- A need for large print or Braille, requiring a significant amount of intervention from, for example, a TA or, for tactile learners, a specialist CSW to support curriculum access
- A need for named staff with appropriate competencies/qualifications to meet their needs to support them to access the educational environment

The child or young person will require assessment, classroom-management advice, monitoring and direct teaching (when necessary) from a specialist teacher (frequency of support informed by NatSIP (National Sensory Impaired Partnership) Eligibility Criteria. www.natsip.org.uk)

The child or young person may also:

- Be registered with a Certificate of Visual Impairment (CVI) as either Sight Impaired or Severely Sight Impaired (formerly known as partially-sighted or blind).
- Require targeted support and adaptation and modification of learning materials to support curriculum access
- Have delayed social development and require the opportunity to interact socially with peers with visual impairments
- Impaired mobility and independence in comparison to fully-sighted peers and may require specialist support/advice from a mobility officer

