



Derby City Council Special Education Needs and Disabilities (SEND)

Criteria for SEND Support / Referral for Education, Health Care Needs Assessment



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Introduction

A local authority **must** conduct an assessment of education, health and care needs when it considers that it may be necessary for special educational provision to be made for the child or young person in accordance with an EHC plan. The EHC needs assessment should not normally be the first step in the process, rather it should follow on from planning already undertaken with parents and young people in conjunction with an early years provider, school, post-16 institution or other provider. In a very small minority of cases children or young people may demonstrate such significant difficulties that a school or other provider may consider it impossible or inappropriate to carry out its full chosen assessment procedure.

Code of Practice, July 2014 paragraph 9.3

Where, despite appropriate assessment and provision, the child or young person is not progressing, or not progressing sufficiently well, the local authority should consider what further provision may be needed. The local authority should take into account: whether the special educational provision required to meet the child or young person's needs can reasonably be provided from within the resources normally available to mainstream early years providers, schools and post-16 institutions, or whether it may be necessary for the local authority to make special educational provision in accordance with an EHC plan

Code of Practice, July 2014 Paragraph 9.55

How to use these criteria.

The criteria below is intended to guide professionals as to if an Education, Health and Care (EHC) needs assessment for an Education Health and Care (EHC) Plan is needed.

The criteria have been divided into sections:

- Early Year criteria for referral – Early identification
- Communication and Interaction - Criteria for SEND Support
- Communication and Interaction - Criteria for referral
- Cognition and Learning – SEND Support
- Cognition and Learning - Criteria for referral
- Social, Emotional and Mental Health – SEND Support
- Social, Emotional and Mental Health - Criteria for referral



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- Sensory and Physical – SEND Support
- Sensory and Physical - Criteria for referral

Meeting the needs of children who have (or may have) special educational needs or disabilities in the Early Years

All early years providers are required to have arrangements in place to identify and support children with SEN or disabilities and to promote equality of opportunity for children in their care.

Code of Practice, July 2014 paragraph 5.12

Providers are expected to assess children's special educational needs and if there are significant concerns they should develop a targeted plan. There is expected to be a graduated response which includes an Assess Plan Do Review cycle.

Up until a child starts school the Early Intervention Team (part of the Specialist Teaching and Psychology Service) can provide some support and advice to parents, professionals and providers for children with the most significant needs.

If a health professional is of the opinion that a pre-school child probably has special educational needs and the child is not attending a setting health professionals must bring the child to the attention of the Local Authority. A referral to the Specialist Teaching and Psychology Service would be the most appropriate way to do this.

If the child is not attending an early years setting and the child's needs are significant, home support may be offered.

Criteria for referring a child under three for an Education, Health, Care needs assessment

The vast majority of children will have their needs met through a graduated response. In a very few cases where a child has severe and complex needs, he or she is likely to require very significant additional and/or different provision for most of their school life. In such cases, a EHC needs assessment may be required to gain access to the Foundation Stage. Referrals for education, health, care needs assessment of these children will be co-ordinated by the educational psychologist in close consultation with parents, staff from the early years education support services and the health service, and from any other involved professionals.

Meeting children's needs in the Foundation Stage

Children will progress at different rates during the Foundation Stage (birth to five years). By the end, some will have achieved beyond the expectations of the Early Learning Goals. Others, for example, those who are younger or who may not have attended a pre-school setting, may still be working towards them.

Those making slower progress may include those for whom English is an additional language or who have particular learning difficulties. It should not be assumed that children have Special Educational Needs just because their progress is slower than others. However, they will need carefully differentiated learning opportunities to help them develop essential skills, together with regular and frequent monitoring of their progress

When a child appears not to be making progress either generally or in a specific aspect of learning, then it may be necessary to present him/her with different opportunities or use alternative approaches to learning. Persistent difficulties may indicate the need for a level of help above that normally available in an early education setting.

Settings must maintain records for all children according to the EYFS framework. For children with SEN settings must know precisely where the child is in their learning and development. If there are significant concerns the setting should develop a targeted plan to addressing them.

Early Years Settings must listen and understand when parents express concerns about the child's development and 'where a setting identifies a child as having SEN' they must work in partnership with parents to establish the support the child needs.

Where, despite the setting having taken relevant and purposeful action to identify, assess and meet the special educational needs of the child, the child has not made expected progress, a request for an Education, Health and Care (EHC) needs assessment should be considered. Advice to settings on making requests is provided by the Specialist Teaching and Psychology Service.

The purpose of an EHC plan is to make special educational provision to meet the special educational needs of the child. In a very small number of cases children may demonstrate such significant difficulties that a provider may consider it impossible or inappropriate to carry out its full chosen assessment procedure.



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A child's parents have a specific right to ask the LA to conduct an EHC needs assessment. In addition, anyone else can bring a child who has (or may have) SEN to the attention of the LA, particularly where they think an EHC needs assessment may be necessary. In Derby City the Early Years Educational Psychologists have designated time and responsibility to undertake such referrals.



CRITERIA FOR REFERRING A CHILD IN THE EARLY YEARS FOR AN EHC NEEDS ASSESSMENT

Name		
Pre-FS1/ FS1 / FS2 (circle current year)		Date of Birth
Date		

General Indicator, which <i>must</i> be present	Evidence included
The child's Special Educational Needs are exceptional in the whole LA. The impact on learning is such that the child may have a need for specialist provision.	
Evidence base <i>may</i> include	
Evidence that relevant and purposeful action has been taken by the early years provider to meet the child's SEND needs.	
Evidence of involvement from health and other agencies and what has been done to meet the child's needs	
Evidence of significant lack of progress towards developmental milestones in certain areas.	
Evidence that where progress has been made, it has only been as a result of much additional intervention and support over and above that which is usually provided.	
Information about the nature, extent and context of the child's SEN	
Individual assessments, over time, by the early education practitioner and/or SENCO and external advisers, indicate that an EHC needs assessment may be necessary as the basis for determining an appropriate future educational programme.	
Evidence of the child experiencing sensory and/or physical difficulties which continue to need additional equipment or regular visits for direct intervention or advice by specialists.	
Evidence of the child experiencing on-going communication and/or interaction difficulties, causing significant barriers to his/her development of social relationships and learning.	



**Communication and Interaction
SEND SUPPORT**

Name	
Year Group	
Date	

General Indicator, which <u>must</u> be present	Evidence Included
Pupil displays atypical understanding or use of language, OR they are unintelligible due to speech sound difficulties. This impedes social relationships and results in academic attainments significantly below peers	
Specific Indicators, which <u>may</u> be present	
Differentiated classroom provision for the pupil's education over time has not resulted in progress towards achieving learning targets set to improve his/her speech and language.	
Pupil's speech and language difficulties present alongside generally average or better intellectual functioning in one or more areas of the core curriculum subjects	
Understanding of language is so restricted that the pupil frequently fails to remember requests, instructions and explanations, which are easily understood by the majority of his/her age group	
Individually administered assessments over time by the class/subject teacher and/or SENCO together with discussion with parents and pupil, shows evidence that the pupil's attainments in core curriculum areas are measurably interfering with his/her ability to make expected progress across the curriculum.	
Delayed development of speech sounds renders the child unintelligible out of context and may affect phonics work. The child's speech sounds like that of a younger child.	
Pupil has been assessed by a Speech and Language Therapist and has been diagnosed with a speech and/or language disorder.	
Understanding of spoken language is so restricted that the pupil consistently fails to understand requests, instructions and explanations, which would be easily understood by peers in their age group	
Expressive language is so restricted in terms of atypical word order/vocabulary content, that it renders the pupil unable to explain their thoughts, and affects peer relationships.	
Speech sounds are impaired to such an extent that familiar peers and adults find the pupil unintelligible most of the time.	



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Recorded examples of increasingly difficult to manage behaviour, or emotional difficulties, linked to the pupil's speech and language difficulties.		
Needs signing, symbols, PECS or augmented communication system with some language		
An LEA decision based on the Annual Review indicates, that the pupil's progress now makes it appropriate for the Statement/ Education Health Care plan to be discontinued		



**Communication and Interaction
Criteria for referral**

Name	
Year Group	
Date	

General Indicator, which <i>must</i> be present		Evidence Included
Identified Speech and Language difficulties having a significant impact on inclusion and learning		
Specific Indicators, which <i>may</i> be present		
Difficulties with anxiety, resulting in refusal to engage in school activities		
Physical environment has significant impact on ability to communicate or engage		
Significant difficulty in social use of language		
Significant impairment in social interaction		
Pupils academic profile has areas of strength as well as delayed development, where communication and interaction poses significant challenge (spikey profile)		
Reliant on signing, symbols, PECS or augmented communication system.		



**Cognition and Learning
SEND support**

Name	
Year Group	
Date	

General Indicator, which <i>must</i> be present		Evidence Included
General educational attainment levels show the gap between the pupil's performance and that of his/her peers is widening.		
Specific Indicators, which <i>may</i> be present		
Modification of the differentiated classroom provision for the pupil's education has not resulted in the expected progress towards achieving learning targets set.		
Individually administered assessments over time by the class/subject teacher and/or SENCO, together with discussion with parents and the pupil, indicate that external advice and/or support is necessary to devise a more highly individualised and differentiated educational programme.		
Measures of the pupil's abilities, where available, show his/her performance to be amongst that of the lowest attaining 5% of his/her age group, equivalent to a standardised test score of around 84.		
A pupil with English as an additional language who demonstrates no improvement of his/her English language skills for 18 months or more.		
National Curriculum outcomes outside the range expected of most pupils at the end of key stages, as follows:		
Recorded examples of increasing frequency and extent of difficult-to-manage behaviour linked to difficulties with learning, development or social interaction.		
Evidence that the pupil's attainments in basic skills - notably literacy and numeracy - are measurably interfering with his/her ability to make expected progress across the curriculum.		
An LA decision, based on the Annual Review of a Statement or Education Health Care Plan, that the pupil's progress now makes it appropriate for the Statement to be discontinued.		
A consensus of those who teach the pupil, in partnership with his/her parents and the pupil, that the gap in levels of educational attainment is widening between the pupil and his/her peers.		



CRITERIA FOR REFERRAL Cognition and Learning	
Name	
Year Group	
Date	

General Indicator, which <i>must</i> be present	Evidence Included	
In terms of levels of general educational attainment, the gap between the pupil's performance and that of his/her peers is continuing to widen.		
Specific Indicators, which <i>may</i> be present		
Revision of the differentiated classroom provision for the pupil's education at SEND Support has not resulted in the expected progress towards achieving learning targets set.		
Individually administered assessments over time by the class/subject teacher and/or SENCO and external advisers, together with discussion at SEND Support review meetings, indicate that an Education, Health, Care Needs Assessment of the pupil may be necessary in order to determine an appropriate future educational programme.		
Measures of the pupil's abilities, where available, show his/her performance to be amongst that of the lowest attaining 1% of his/her age group.		
Outcomes very significantly outside the range expected of most pupils at the end of key stages.		
Recorded examples of the frequency, extent and enduring nature of difficult-to-manage behaviour linked to difficulties with learning, development or social interaction.		
Evidence that the pupil's attainments in speech and language, literacy and numeracy are very significantly interfering with his/her ability to make expected progress across the curriculum.		
A consensus of those who teach the pupil, in partnership with his/her parents and the pupil, that the gap in levels of educational attainment is widening between the pupil and his/her peers.		



Social, Emotional and Mental Health SEND Support	
Name	
Year Group	
Date	

General Indicator, which <i>must</i> be present	Evidence Included
The pupil's emotional difficulties and/or social relationships are significantly impeding his/her learning	
Specific Indicators, which <i>may</i> be present	
Differentiated classroom provision for the pupil's education has not resulted in the expected progress towards achieving targets set.	
Assessments over time by the class/subject teacher and/or SENCO provide evidence that the pupil's emotional, and social difficulties are becoming a more significant obstacle to his/her effective learning.	
Assessments over time by the class/subject teacher and/or SENCO, together with discussion with parents and pupil, indicate that external advice and/or support is necessary to devise a more highly individual and differentiated educational programme.	
The pupil's emotional, and social difficulties are clearly apparent in the school environment but do not arise solely in response to specific aspects of that environment.	

The pupil's difficulties are general – in that his/her emotional, mental health and social difficulties cause management problems in a wide range of situations.	
Evidence of the pupil's continuing underachievement in a number of curriculum areas, not predicted by reference to his/her general level of ability.	
Consistent evidence over time of the pupil's unwillingness to or inability to acknowledge or accept responsibility for his/her own actions.	
A consensus of those who teach the pupil, in partnership with his/her parents and the pupil, that there is evidence of a range of emotional and social difficulties being consistently present within school.	



**CRITERIA FOR REFERRAL
Social, Emotional and Mental Health**

Name	
Year Group	
Date	

General Indicator, which <i>must</i> be present	Evidence Included
The pupil's behaviour and/or emotional difficulties and/or social relationships are severely impeding his/her learning, leading to substantial underachievement, and his/her relationships with peers and adults are severely impaired.	
Specific Indicators, which <i>may</i> be present	
Revision of the differentiated classroom provision for the pupil's education at SEN Support has not resulted in the expected progress towards achieving targets set.	
Individually administered assessments over time by the class/subject teacher and/or SENCO and external advisers, together with discussion at SEN Support reviews, indicate that a statutory assessment of the pupil's needs may be necessary to determine an appropriate future educational programme.	
Diagnosis of Autism Spectrum Disorder (ASD)	
Evidence of the pupil's significant unhappiness, anxiety, stress and/or disaffection over a sustained period, which may be accompanied by significant absences from school and associated with a growing awareness by the pupil of his/her particular difficulties.	
The pupil's emotional, mental health and social difficulties are not only a significant obstacle to his/her own learning but are preventing his/her peers from learning	



Sensory and Physical SEND support	
Name	
Year Group	
Date	

General Indicator, which <i>must</i> be present	Evidence Included
CYP will have a medical diagnosis of physical or sensory impairment which impacts on their simultaneous access to the curriculum and on progress and achievement	
Specific Indicators, some of which <i>may</i> be present	
Reasonable adjustments in place with arrangements, environment and resources to enable access to learning	
CYP will need tasks, activities and experiments m	
CYP will have mild – moderate fine motor skills and/or gross motor skills delay	
Appropriate differentiation of tasks set and by outcome	
CYP will require extra time and a quiet environment to complete tasks independently or with minimum support	
CYP may need access to a workstation and equipment for Alternative Augmented Communication, for example PECS (2:1 ratio may be necessary in the early stages) or due to sensory integration difficulties	
CYP may have moderate difficulties with sensory integration, functional behaviour and social awareness, play and social imagination	
CYP has moderate difficulties as a result of ASD which present barriers to cognition and learning	
CYP may needs an individual risk assessment or fire evacuation plan	
CYP will have a permanent hearing loss at least moderate in degree or Auditory Neuropathy Spectrum disorder and use, prescribed personal listening technology, radio aids and possibly a soundfield system	

**CRITERIA FOR REFERRAL
Sensory and Physical**

Name	
Year Group	
Date	

General Indicator, which <i>must</i> be present		Evidence included
All criteria listed in SEND support Sensory and Physical “specific indicator” section implemented for a minimum of two academic terms – this must include at least two target setting meetings held with parents, where progress has been reviewed		
Additional Indicators, which <i>may</i> be present		
CYP may require intimate care/self help skills to be met by others		
CYP has chronic condition or potential degenerative condition		
Will have at least a moderate level of visual impairment which may include a cerebral visual impairment and/or perceptual or processing difficulties (visual acuity) likely to be 0.8 logMAR or below		
CYP uses low-vision aids, modified resources/text and/or assistive technology (for example a lap top with zoomtext)		
CYP will need Mobility & Independence programmes		
CYP uses Braille as literacy medium		
CYP has multiple needs which may not require significant SEN educational input but does require medical or social care involvement and support		



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Compelling Reasons

The criteria listed above will be adhered to in the majority of cases. However where there are compelling reasons that indicate a child needs a statutory assessment, or where there is a range of professional opinion that indicates there are compelling reasons consideration will be given to whether or not a child needs a EHC needs assessment.