

Bexley SEND IASS:

Case Study on Education, Health and Care Needs Assessment Request Rejection

The issue: EHC Needs Assessment Request Rejected

A theme which features in our top enquiries each quarter is the topic of an EHC Needs Assessment Request rejection. Service users often come to us feeling frustrated and disappointed, wishing to understand their rights. Frequently, service users do not understand the Special Educational Needs Support process in nurseries, schools and colleges. Sometimes, service users believe that their child needs a medical diagnosis in order to access support within a school setting. Occasionally, service users express great concern as they have been informed that their child must have an EHC plan in order to access any support within an educational setting.

A summary of the issue:

- Parent contacted in September 2023. Parent concerned as EHC needs assessment request for her son (Child O) was rejected. Currently in year 5. Child O has a diagnosis of Autism Spectrum Disorder (ASD).
- Child O was working at above age-related expectations in all key subjects but was struggling with the classroom environment. He often ran out of the classroom and tried to exit the school building.
- Child O said that he “hated” school and would frequently go straight to sleep after the school day as he found the experience to be overwhelming.
- Parent was concerned that her son was isolated at school. He said that he “had no friends”.
- Parent said that they had tried speaking to the school about her sons support but that the school were not “listening” to their concerns. Parent was also worried that he would get into “trouble” because he would repeatedly exit the classroom throughout the school day.
- Child O was not known to the Early Intervention and Specialist Advice Service or the Advisory Service for children on the Autism Spectrum.

Support provided by IASS:

IASS gathered information from the parent, so that we could offer the appropriate advice. The parent was given information, advice and support on their rights around special educational needs support, requesting reasonable adjustments, mediation, appeals and working with professionals. The parent was reassured to return to the service with any questions, or if they needed information clarified. The parent received support via a telephone conversation, email and our website.

The support provided by IASS is as follows:

- Helped parent to understand the special educational needs support process in schools. Explained key terminology such as the 4 broad areas of need and differentiation.
- Addressed parent’s concern that because Child O was exceeding academically, they would not be able to access support. Referred directly to the Special Educational Needs Code of Practice i.e. *“6.18 It can include progress in areas other than attainment – for instance where a pupil needs to make additional progress with wider development or social needs in order to make a successful transition to adult life.”*
- Clarified how to request reasonable adjustments under the Equality Act 2010.

- Supported parent to understand how schools can involve specialists (such as the Advisory Service for children on the Autism Spectrum) to request advice.
- Supported parent to understand how professional recommendations should be reasonably followed within a school setting.
- Supported parent to understand mediation and their right of appeal.
- Advised parent to speak to the class teacher and the Special Educational Needs Co-ordinator (SENCO) about their concerns.
- Advised parent that if necessary, to escalate concerns to headteacher, putting concerns in writing via email so that there is a record of correspondence.
- Gave information on the special educational needs support process, using relevant videos and documents from the IASS website.
- Gave information on support services, signposting to the Bexley Local Offer.
- Gave information on local social prescribing services for further regular support.
- Gave information and advice on preparing for meetings with professionals.

The outcome:

IASS seeks to give families the support that they need, to promote independence and self-advocacy. After coming to IASS, the parent felt confident to speak to the class teacher about their concerns. A meeting was arranged with the school SENCO and the parent felt confident to request reasonable adjustments for her son. The parent felt that IASS had listened to their concerns and understood them. The parent considered pursuing an appeal but found that the situation improved with a greater focus on the special educational needs support around her child.

Some of the outcomes from IASS information, advice and support are as follows:

- Improved communication between school staff and parent
- The family felt confident to attend a meeting to discuss special educational needs support concerns.
- The parent felt confident to discuss special educational needs support, from their understanding of the Special Educational Needs Code of Practice.
- The parent felt confident to discuss reasonable adjustments. As a result, reasonable adjustments were put in place by school staff, which began to have a positive impact on Child O's wellbeing. He said he began to feel happier within the school setting.
- Referrals to a specialist service such as the Autism Advisory Service were discussed with school staff.
- Family was empowered with an understanding of their rights.
- Family were able to return to the IASS website to consolidate their understanding of special educational needs support, utilising the documents and videos.
- Family was able to participate in decisions about their child's education, being fully-informed.

Summary:

The impact of the IASS intervention was empowering the family with the knowledge to address their concerns with their child's special educational needs support. It gave them the confidence to collaborate with professionals, finding possible solutions.

As a result of this case we were able to clarify the advice given to our families regarding special educational needs support where those children are working above age-related expectations.