The Education Health Care Needs Assessment Process

Applies to England only

The Education Health Care Needs Assessment (EHCNA) process is detailed in the SEND Code of Practice in Chapter 9.

Before making an Education Health Care Needs Assessment (EHCNA) request

The EHCP is written using professional reports. If you do not have the right professionals inputting, then the EHCP will have gaps so it is crucial that you have everyone around you to input at Week 6 onwards.

Consider if you need to refer into any services before starting and find out how long you may be waiting. You need to do this via your GP

List of Professionals

If the EHCNA goes ahead, at Week 6, the Local Authority (LA) legally have to request advice and information from:

- The child's parents or young person.
- The manager, head teacher or principal of the early years setting or school attended by the child. If the child does not attend, the LA must seek educational advice and information from a person responsible for educational provision for the child.
- Health Care Professionals - usually a Paediatrician, but may also be a Health Visitor or any other involved health or medical professionals.
- A Paediatrician
- An Educational Psychologist
- If the child is hearing or visually impaired, then advice from a person qualified to teach pupils with these impairments. I would argue that most children with DS need this advice as these teachers can give very valuable advice about positioning in class and other reasonable adjustments.
- Social care
- If your child is looked after or you a member of the Armed Forces then other people may be asked to contribute.

There is a clause that states “Advice and information from any person requested by the child’s parent where the LA considers it reasonable to do so e.g. a GP or other health professional.’ However you need to have referred into these professionals in advance (see previous page).

Consider who used to be involved with your child and is no longer. Could their information be important? As a minimum a child with Down syndrome probably needs:

Speech and Language Therapy (SaLT)

Even if your child’s speech is good the SaLT will advise what teachers can do to help your child to listen, attend, concentrate and improve speech.

Occupational Therapy (OT)

These are probably the most relevant service for school. The OT should check seating, tables, adaptations possibly at mealtimes, writing implements and position and advise on sensory input. Note you should get enough sensory input from a general OT report for a child with DS, however, if your child is very sensitive you may be able to get a special sensory OT involved.

Physiotherapy (Physio)

Particularly to get the word ‘hypotonia’ in or possibly refer to a pushchair or wheelchair use e.g. for long walks or trips. Most children with DS also have hypermobility too.

An expert in the education children with Down syndrome

This may be Portage, Pre 5 Service, Early years advisor, SEND advisory teacher, other SEND LA service. Ideally find a teacher in a local support group who can write you a letter as an expert outlining things like See and Learn, Numicon, large size font etc.

Also consider requesting advice or information from:

- Audiology - most children will need this advice.
- Orthoptist / Ophthalmology / Optician - most children will need this advice
- Hearing Impaired team - if audiology are involved
- Visual Impaired team - if your child wears glasses or has any other visual issues.
- Possibly a separate sensory trained OT especially if autism is suspected (the usual OT will address most DS issues)
- Incontinence team
- Cardiologist
- ENT
- Sleep consultant
- Bowel consultant
- Any other consultants e.g. orthopaedic
- Orthotics - they may not write a report but ask them to confirm that your child has orthotic boots or insoles. Physiotherapy may report this for you.

Note seeking advice for an EHCNA doesn’t necessarily mean the professional will stay on board.

You may have been discharged eg from a surgeon or physio and feel no need to ask for new advice or to involve the professional. In this instance submit the last or relevant reports so that words like hypotonia or warnings about health or any needs / provision etc. are included.

Summer Born Compulsory School Age Start

Children born between April 1st and August 31st can start school a year later than they should do. Find out about this and ensure that you either have got agreement from several Heads of schools and the LA ideally before starting, or at the same time as you request the EHCNA.

If you are requesting a Summer Born CSA start you will need as many professionals to support a Reception start (not Year 1) in their reports as possible.

Part Time School Under Compulsory School Age

All parents can agree a part time education for their child for the term(s) prior them turning CSA. This needs to be agreed with the Head.

Private reports

Private reports are sometimes necessary, but you must seek local advice on what your LA are like for accepting them. If your LA accepts private reports easily then get these done before Week 12 of the EHCNA process. However, in most LA's you will need an appeal to get private report provision written into an EHCP. Private reports therefore need to be timed perfectly so that they aren't out of date before a tribunal hearing, so find out current tribunal hearing waiting times before booking.

If you get a private report, think very carefully about how the advice will be maintained long term. If you have to appeal to get the provision written in, then the LA may try to reduce the therapy down by getting their own therapists to write fresh reports ahead of the next Annual Review.

Our suggestion is to do the first EHCP without private reports and see what the end result is.

Our strong recommendation is that you do not get private reports which may need an appeal until your child's school place has been named on February 15th of the year that they are due to start school. Any appeal will almost certainly prevent a school being named for your child and they may be forced to miss starting school in September. Getting your school place named is more important that starting school with a perfect EHCP. Your child needs to start school with their peers. Please seek advice if unsure how to proceed.

Note: do not apply for an EHCNA after the first week in July. If the LA cannot get information from the school or term time nursery before they close for summer, then the EHCNA request will be refused.

The EHCNA Process Timeline

Week 0

- EHCNA Request is submitted by Nursery, School, or Parents.
- The LA becomes responsible.
- Initial information will be gathered from professionals and nursery / school to see if there is enough basis to do a full Needs Assessment.
- The date on the request letter is the legal date which the LA should go by, however some use date of receipt.

Start viewing schools. There is a maximum of 16 weeks to decide. Look for a school with a positive 'can do' attitude - "we can certainly do x and y and look at what we have done over here for little Jimmy too." If everything is an issue or they aren't sure if they can provide or do something, then be very wary about naming the school. LA's will look at the distance from your home, so start with your nearest schools and work outwards.

Week 1

- You should have acknowledgement that your EHCNA request has been received. If you have had nothing within a couple of weeks, then check that it arrived.
- The LA will ask for initial information from professionals and nursery / school to decide if a full assessment is required. Parents often think that this is the assessment, but it is only the preliminary enquiries.

By Week 6

- You have to be informed before Week 6 if the LA have decided whether to proceed with an EHCNA or not.

At this point, e-mail the LA a list and contact details of all involved professionals, and all past involved professionals. Send any last reports in from each professional. Request that information and advice is sought from all these professionals (see list above). Mention if any referrals are outstanding.

If your child has had a professional involved in the past e.g. a surgeon or you have advice in a report which you believe school need to know about e.g. not trampolining, or your child gets easily out of breath or struggles with hypotonia, or is a poor sleeper, then submit the relevant reports or even consider contacting the professional yourself for an update or appropriate statement to submit. The LA will focus on educational information, but health information should be contributed as it may be relevant to PE or school trips or residentials.

Week 6-12

- Parents will be asked for advice and information. This will form Section A of the EHCP which is information about your child. Your child will be asked to contribute if they are able to. This may be done as a co-production meeting or may be a sheet of paper to fill in. Do not be restricted by boxes. Write fully to answer each question. Ensure everything is written in here that no professional will write.

- Start with a few lines about your family set up and who is important to your child, pregnancy, birth, any notable health issues in the family e.g if a family member has type 1 diabetes or autism.

- Write about what your child likes doing, put in a few strengths e.g. they can count to 5 or know their colours or are fantastic at video games. Also put in any areas of concern or that your child is unable to do e.g. fully dress themselves or uses a spoon to feed.

- Consider describing any feeding, sleeping, mobility, safety risks, toileting, or any health needs. What would a school need to know if they were taking your child away for a few nights? Remember too that DWP will request your child's EHCP as part of a DLA application.

Please will you also add in a new bullet point at the bottom of this box:

"Ensure that you write in long term aspirations for your child. Please make these very long term. Our recommendations are along the lines of:

- To be educated at the highest level possible, to have a meaningful job / job they enjoy, to live independently, to be part of a community, to have friends and relationships, to travel, (maybe to take part in sports).

Write these to suit your family aspirations. Whilst there is education and training that can be done to meet these long term aspirations, the EHCP should not cease, so these are important.'

Week 12-13

- All professional information must be supplied within 6 weeks of the date of the EHCNA request.

Week 14

- A draft EHCP should have been sent out to parents if the LA have agreed to issue a plan. All professional reports plus anything submitted by you should be included. Check these reports carefully and chase if any are missing.

Week 16

- The LA must inform you if they are not issuing a plan.

From the date on the draft EHCP

- The LA must give at least 15 days from the date on the draft EHCP for parents/carers to make their representations to the LA. We advise that each time that a draft EHCP is received that the following is sent to the LA:

Dear Case officer / XXX local authority,

Thank you for sending the draft EHCP for my child (Name, date of birth). I am seeking advice and will be making parental representations to the local authority shortly. I would like:

1. For the local authority not finalise the EHCP on Day 15 pending my parental representations, in line with the SEND Code of Practice 9.77 which states: "The local authority must send the draft EHC plan to the child's parent or young person and give them at least 15 days to give views and make representations on the contact.'

I will send my parental representations through as soon as they are ready.

2. To request a meeting with the local authority to discuss the proposed changes in line with 9.77 of the SEND Code of Practice: "During this period, the local authority must its officers available for a meeting with the child's parent or the young person on request if they wish to discuss the content of the draft EHC plan."

Please would you let me know your available dates at the end of, or after the 15 day period.

Yours Faithfully,
Parent name

Note: Case officers will be very happy if the meeting is cancelled cancel if not required.

From the date on the draft EHCP

- The LA must give at least 15 days from the date on the draft EHCP foe parents/carers to make their representations to the LA. We advise that each time that a draft EHCP is received that the following is sent to the LA:

- The LA will send out school consultation paperwork at this point with a copy of the draft EHCP.

- The LA will choose which schools you wish to consult with. If you want specialist provision, say so clearly and do not name a mainstream school otherwise the LA will choose this school.

- Some areas restrict your consultations but there should be no restriction. With a first EHCP there is a strict timeline with penalties to the LA, so you need to submit all your possible choices at once; but with a subsequent review you can drip feed schools to consult with as consultations arrive back. For example, if your first two say they cannot meet needs, then you can ask for more schools. This is a good way to get your preferred choice of school rather than the nearest.

- Be very clear what your order of preference is i.e. first choice is X, second choice is Y. If you wish, ask your case officer to contact you once consultation paperwork is back so that final choice can be discussed before it goes to panel to be named.

- The LA will consult with their choice of school(s) too. This is usually your nearest or catchment mainstream school, or your nearest suitable specialist schools in your LA. Be aware these are the ones you are 'competing' against if you prefer a different school. Ensure you have visited the LA's choice(s) so that you can argue why they are unsuitable for your child.

- You **must** be decisive about your choice of school because the LA will be usually pushing to finalise on time so that they don't get penalised. You do not want to force the LA to either simply name your nearest school or write a type of school (mainstream or specialist) in the EHCP if you need a school place for September. Once the EHCP is finalised everything gets harder to resolve.

Week 18 (or after the summer holidays if submitted prior)

- Schools have 15 days to respond to consultation paperwork except over summer holidays (so 15 days plus the summer holidays).
- Phone the general SEN department admin number and ask them to look at the system and see if the consultation paperwork is back. Request a copy of each.
- If they refuse, state that the data is about your child and you are entitled to a copy. Ask them to check if you can be given it now, or else you will submit a Subject Access Request for it. Do not phone the schools up asking what they wrote. The consultation paperwork will reveal if there are any issues and you can tell a lot about whether your child will be welcome and the attitude of the school.

Week 20

- The EHCP will be finalised. You will receive a copy either by post or an e-copy. It is worth asking for an e-copy if you do not receive one.
- The provision will have been written into Section I at this point if it is a first EHCP or your child is moving provision. Check this is correct.
- Do keep all EHCP records (EHCP's and reports) safely. You never know when you may need to refer back to something especially if the LA tries to remove provision at any point. If you only have e-copies it is worth printing them to file.

Note: If the consultation period of the EHCNA process has fallen over the summer holidays then the timeline will be extended by the period of the summer holidays i.e. the process may take up to 26 weeks.

Further Information

With thanks to Justine Cornforth for her expertise in compiling this document.

Justine is employed by DSUK to provide support to families with a child with Down syndrome.

Join our EHCP Online Support Group

Our EHCP Support Service provides expert guidance on the EHCP process through online support groups, 1:1 drop-in sessions, and a detailed draft review service. Led by one of our specialists, this service helps DSUK families navigate applications, reviews, and parent representations with confidence.

School Starters 2026

School Starters 2025

School Starters 2024

For more information about educational support visit:

For parents

For professionals

Book an EHCP Support and Draft Review Session

Book a full review of the draft EHCP and professional reports with Justine. This is followed by a call of up to 2 hours to share feedback. During this call, Justine will run through the EHCP with you to ensure you understand any issues with the draft so that you can put your parent representations effectively to the Local Authority. After booking, you will receive instructions for contacting Justine to arrange a suitable day and time for the session – please allow up to two hours for the call.

Book here