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| **Local Authority criteria for agreeing a statutory**  **assessment?** |

The majority of children and young people with special educational needs will have their needs met within local mainstream provision within schools or settings. The Local Authority, however, must conduct an assessment and prepare a plan where the special educational provision required to meet the child or young person’s needs cannot reasonably be provided from within the resources normally available to mainstream schools and settings.

Where this is required for a child or young person for a short term need (ie, unlikely to last beyond the current key stage), then element 3 funding should be considered as an alternative.

In considering whether a statutory assessment is necessary, the Local Authority will pay particular attention to:

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|  | **Criteria** | **Elements** |
| 1. | The child or young person’s academic attainment (or developmental milestones for younger children) and rate of progress. | Developmental milestones at or below:  Foundation Stage 1 18 - 24 months  Foundation Stage 2 24 - 30 months  National Curriculum attainment (within the past 3 months) in core subjects at or below:  Key Stage 1 P4 - P5  Key Stage 2 P5 - P6  Key Stage 3 P6 - P8  Key Stage 4 P8 - 1A  Academic/vocational attainment at or below:  16+ Entry level 2  and a rate of progress less than the equivalent of 2 National Curriculum sublevels over a previous 12 month period (KS 1 and above) |
| 2. | The nature, extent and context of the Child or young person’s SEN and/or physical, emotional and social development and heath needs | An assessment of need including:  - school assessments/information gathering  - assessment by appropriate outside agencies  - information supplied by the CYP  - information supplied by the parents/carers |
| 3. | Action already being taken and progress achieved | Interventions normally for at least 2 terms in line with mainstream school/setting SEND provision expectations and which:  - are matched to need  - are based on evidence of effectiveness (i.e. research and/or  school evaluations)  - are planned with the child or young person and their parents  - implement advice provided by appropriate outside agencies  - are delivered by staff with appropriate skills and knowledge  - are reviewed and adjusted accordingly  and where review, despite continuing concerns, indicates progress towards realistic but appropriate targets. |

Each request is considered in terms of the child or young person’s individual needs and circumstances and there is no application of a blanket policy in making these considerations. However, it would normally be expected that each element of criteria 1 to 3 will need to be satisfied for a statutory assessment where the primary need is cognition and learning. For other areas of need, while criteria 1 will still be relevant, each element of criteria 2 and 3 will need to be satisfied.

Each request should be signed by the parents (or those with parental responsibility) or the young person (16+)

For young people aged over 18

Additionally, the Local Authority should consider whether remaining in education or training would help them to progress, building on what they have learned before and helping them to make a successful transition to adult life.

For all children under compulsory school age

The Local Authority should conduct an assessment when it considers that the special educational needs provision required to meet the child’s needs cannot reasonably be provided from within the resources normally available to mainstream early years providers, or when it seems likely that the child will need an EHC Plan in school.