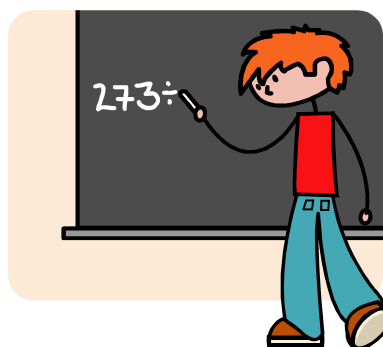




STATUTORY ASSESSMENT



Statutory Assessment

What does assessment mean?

When the term “assessment” is used in relation to special educational needs in school it means:

- finding out what a child can do and cannot do and what a child needs to learn;
- finding out how a school can assist a child to learn.

Assessment of special educational needs in schools includes a number of things. The school will ask you what you feel your child is able to do and will ask about any concerns or suggestions you may have regarding your child in school. Teaching staff will carry out regular assessments of your child’s progress in school. Your child’s Individual Education Plan (IEP) or Group Education Plan (GEP) will include details of targets for your child and how they will be helped to try and achieve them.

If your child is being supported at School Action Plus, the school might ask other education staff to become involved, such as the Educational Psychologist or the Learning Support Advisory Teacher. You will be asked for your permission before they see your child and you should receive a copy of any reports they write. It is sometimes possible for parents to meet the Educational psychologist or Learning Support Advisory Teacher to talk through their findings. The school will use the information it collects to plan how they will teach and support your child.

Statutory Assessment

There may be times when you, the school or the Local Education Authority (LEA) believe that your child needs additional help and that a further detailed assessment is required. This will usually be when a child has been receiving support at School Action Plus for some time, but is not making the progress expected.

Children who may be considered for a Statutory Assessment may have difficulties which affect their learning. These difficulties may fall under the following headings:

- Communication and interaction
- Cognition and learning
- Behaviour, emotional and social development
- Sensory and/or physical needs
- Long term medical conditions

Requesting a Statutory Assessment

Most Statutory Assessments are requested by the school, after discussion with the parents, but parents also have the right to ask the LEA to carry out a Statutory Assessment of their child. Parents who wish to ask for a Statutory Assessment should first discuss the situation with their child's school. If, after discussion, you feel you want to go ahead with the request, you will need to write to the LEA asking them to consider carrying out a Statutory Assessment and including your reasons for making the request. You should include any reports which will help the LEA understand your child's difficulties. Your child's school or your Parent Partnership Officer can tell you who to write to and can help you decide what information you need to include.

Once the LEA has received a request for a Statutory Assessment from a parent or a school, it has six weeks to decide whether or not to carry out an assessment. During this time, the LEA will look at information provided by the child's school, which will include information about:

- the child's progress
- the support already being provided by the school
- the child's difficulties
- advice already received from the Educational Psychologist, Learning Support Advisory Teacher or other education specialists

The LEA will also take into account any information provided by the parent.

The LEA decision

Once a decision has been made, the LEA will write to you to let you know whether or not a Statutory Assessment will be carried out. If the LEA decides not to carry out a Statutory Assessment, they will give you reasons for their decision. You may want to ask to meet with the Statementing Officer from the LEA to discuss the decision.

If you are unhappy with the decision you have the right to go to mediation or to appeal to an independent tribunal (Special Educational Needs and Disability Tribunal or SENDIST). Details on how to apply for mediation or a tribunal hearing are included in the letter from the LEA giving their decision. You may want to discuss with your child's school or with a Parent Partnership Officer whether or not you want to appeal against the decision.

Statutory Assessment – the next step

If the LEA decides to carry out a Statutory Assessment, you will be sent a letter which:

- explains that the LEA believes an assessment is necessary
- describes briefly who is involved in the assessment
- asks parents to give their permission for the assessment to go ahead
- invites parents to put forward any views they might have within 29 days (however, if you feel you need more time to contribute your views, you can send Information to the LEA any time within the next six weeks)

You have 29 days to respond to this initial letter. If you do not want the LEA to carry out an assessment of your child, then you should send your reasons in writing to the LEA. The LEA will look carefully at your reasons, and may wish to arrange a meeting with you to discuss the situation.

If you are happy for the assessment to go ahead, then you can complete the form and return it to the LEA as soon as possible. This gives the LEA permission to start the assessment process. If you do not reply within 29 days, the LEA has the right to assume that you are happy with the decision, and to go ahead with the assessment.

Who is involved in the Assessment?

- you
- your child
- your child's school
- Educational Psychologist
- Medical Officer
- Health professionals who have been involved with your child, such as the Speech and Language Therapist, Occupational Therapist, Paediatrician, Child and Adolescent Psychiatrist
- Social Services Department
- SEN support services staff where appropriate.

Parents are fully involved at each stage of the assessment and should provide a report of their own (please see separate leaflet 'Parental Contribution to Statutory Assessment'). You can also send the LEA copies of any reports which you think may help the LEA to understand your child's needs and difficulties.

You will be asked to take your child for a routine medical appointment with the medical officer. You may also be asked to take your child for other appointments (for example with the Speech and Language Therapist) if the LEA feels that an up-to-date report will help them decide on the type of help your child needs. Social Services will also be asked to state whether they have had dealings with your child.

The LEA can only decide whether to issue a Statement of Special Educational Needs once they have received reports from everyone involved, so it is helpful if you can make sure that all appointments are kept.

Each professional involved in the assessment of your child will contact you directly to make appointments and you will have the opportunity to be present during each part of the assessment process. However, you can appreciate that a child may respond differently if parents are present when being assessed, so it may sometimes be suggested that you do not attend. Each professional who sees your child will discuss their assessment procedures and the outcome of that assessment once completed. You will have opportunities to discuss any issues about your child with each professional involved.

Making a decision

Once all the professional advice has been received, the LEA will decide whether a Statement of Special Educational Needs is necessary for your child. This decision should be made within ten weeks of the start of the Statutory Assessment (ie the date on which you gave the LEA permission to start the assessment). There are exceptions to this which may mean a decision has to be delayed. These include:

- if the assessment period takes place over the school summer holidays
- if there are exceptional personal circumstances affecting the child or the family (for example, a bereavement)
- if the child misses appointments
- if the LEA is waiting for reports from Health or Social Services

When the LEA has made a decision, they will write to you. You will receive a letter whether you or your child's school made the request for a Statutory Assessment.

If the LEA decides not to issue a Statement of Special Educational Needs, they will write to you giving the reasons for their decision. You will be offered the opportunity to discuss the decision with the Statementing Officer. If you are unhappy with the decision you have the right to go to mediation or to appeal to a tribunal. Details on how to apply for mediation or a tribunal hearing are included in the letter from the LEA giving their decision. You may want to discuss with your child's school or with a Parent Partnership Officer whether or not you want to appeal against the decision.

The LEA may sometimes decide to issue a note in lieu instead of a Statement. The note in lieu will include a description of your child's needs and what the school is expected to do to support your child and help them make progress. It will also include copies of all the advice received by the LEA. The note in lieu is useful in providing a clear picture of a child's needs and the help they need, but it is not legally binding on the school, and does not carry any additional funding. If the LEA issues a note in lieu you still have the right to go to mediation or tribunal.

What is a Statement?

A Statement of Special Educational Needs is a legally binding document laying out details of your child's special educational needs, and the support your child needs in order to help them make progress.

If the LEA decides to issue a Statement of Special Educational Needs then you will be sent a Proposed Statement (sometimes also called a Draft Statement). Along with your copy of the Proposed Statement, you will receive a letter from the LEA telling you how you can give your views on the Proposed Statement before a Final Statement is issued. You have fifteen days to contact the LEA by telephone or by letter with any concerns you may have about the Proposed Statement. You may wish to meet with the Statementing Officer at the LEA to discuss the Statement.

Naming a school

When you receive your copy of the Proposed Statement, the section naming the school your child will attend will be left blank. Details of mainstream and special schools in the area will be sent to you at this point. You have a right to say which school you would like your child to attend. This will usually be the school they are already attending.

The LEA will agree with your choice of school providing:

- the school you choose is suitable for your child's age, ability and special educational needs;
- your child's attendance there will not affect the efficient education of other children already at the school; and
- placing your child in the school will be an efficient use of the LEA's resources.

The Final Statement

Usually the LEA will send you the Final Statement within 8 weeks of issuing the Proposed Statement, although this may be delayed if there are discussions about the content of the Statement or about school placement. If, when the Statement is finalised you still have concerns about the content (including the school named in the Statement), you have the right to go to mediation or to appeal to a tribunal.

A copy of the Final Statement will also be sent to your child's school. You may wish to ask for a meeting with your child's school to discuss how the Statement will affect the support and help your child receives.

Timescales

The complete process, from requesting a Statutory Assessment to issuing a Final Statement should take no longer than 26 weeks, split as follows:

- Considering whether to carry out a Statutory Assessment 6 weeks
- Collecting information and deciding whether to issue a Statement 10 weeks
- Drafting a Statement 2 weeks
- Finalising the Statement 8 weeks

However, this schedule can be delayed if there are discussions over any decisions, missed appointments, delays in receiving reports or if the period for collecting information covers the school summer holiday.

Frequently asked questions

If the LEA carries out a Statutory Assessment, does this mean my child will get a Statement?

No, not every child who is assessed will get a Statement. The assessment may show that your child's school is able to provide the support and help they need to enable them to make progress.

If my child is turned down for a Statutory Assessment, can I ask again?

You can make a request for Statutory Assessment more than once. You may want to do this if you feel your child's needs have changed since your last request, if more information about your child's needs has become available, or if you feel your child is no longer making progress.

If a Statutory Assessment is carried out, but my child is turned down for a Statement, can I ask for another Statutory Assessment to be carried out?

You can ask for another Statutory Assessment after six months.

If my child has a Statement, do they have to attend a special school?

No. Most children with Statements attend ordinary mainstream schools, and are taught alongside other children of the same age. Only in a very few cases do parents and LEA together decide that it is best for a child to attend a special school.

Can my child's school issue a Statement?

No, only the LEA can issue a Statement. The school will provide the LEA with information about your child, but the decision to issue a Statement rests with the LEA.

To contact the Parent Partnership Service

The Parent Partnership Service is available to support parents and carers of children with special educational needs across Shropshire and Telford & Wrekin. The Service aims to provide a range of flexible services to help parents and carers play an informed and active role in their child's education.

To contact the Service, please telephone 01952 457176 between 9.30am and 4.00 pm, Monday to Thursday. You will be able to speak to a member of staff who will take your details and put you in touch with the Parent Partnership Officer who covers your area. An answerphone service is available at other times.