

Guidelines for EHC Needs Assessment requests

2026-2027

July 2026

Purpose of this Guidance

This guidance sets out Milton Keynes City Council's expectations regarding requests for Education, Health and Care (EHC) needs assessments. It is intended to support schools, settings, colleges, professionals, parents and carers in understanding the evidence that should normally be available when considering whether an EHC needs assessment may be necessary.

This guidance is underpinned by:

- Part 3 of the Children and Families Act 2014;
- The Special Educational Needs and Disability (SEND) Code of Practice: 0–25 years (2015);
- The Equality Act 2010;
- The principles of participation, inclusion and co-production;
- The Milton Keynes SEND Strategy and Local Offer.

The Children and Families Act 2014 places duties on local authorities, education settings, health partners and social care services to work collaboratively to identify, assess and meet the needs of children and young people with Special Educational Needs and Disabilities (SEND). Decisions regarding EHC needs assessments and EHC Plans must be made in accordance with the current statutory framework.

This guidance should not be viewed as a checklist or a mechanism for delaying referrals. Every request will be considered on its individual merits and in accordance with the legal test set out in the Children and Families Act 2014.

Our Vision for Inclusion

Milton Keynes City Council is committed to ensuring that children and young people with SEND can access high-quality education within their local community wherever possible.

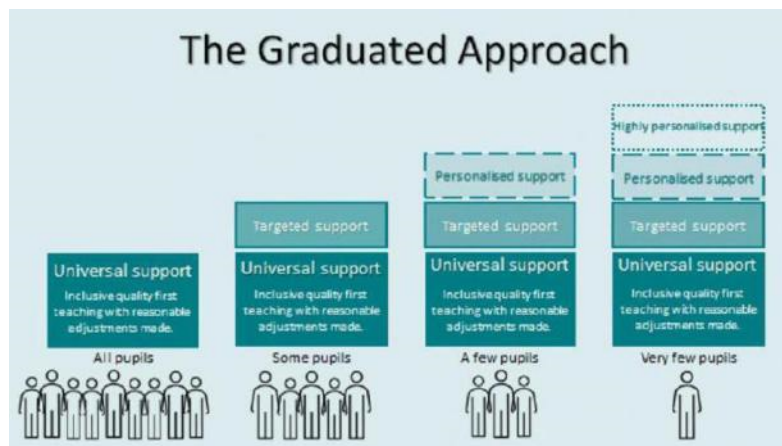
We recognise that:

- Most children and young people with SEND will have their needs successfully met through ordinarily available provision.
- High-quality teaching is the foundation of support for all learners.
- Inclusive practice benefits all children and young people.
- Early identification and intervention improve outcomes.
- Parents, carers and children are key partners in decision-making.
- Outcomes should focus on preparation for adulthood, independence, participation and wellbeing.

Our approach reflects the national ambition to strengthen inclusive practice within mainstream settings whilst ensuring that specialist provision remains available for those children and young people whose needs require it.

The Graduated Approach

The SEND Code of Practice requires schools and settings to use a graduated approach to meeting special educational needs.



The Graduated Approach expects settings and schools to make full use of all their resources and expertise before accessing increasingly personalised support. By continually monitoring all children, settings and schools can decide on the most appropriate level of support for all children, including those with SEND.

The graduated approach should demonstrate a continuous cycle of assessment and review over time, evidencing how provision has been adapted in response to the child's changing needs. The SEN Support Plan is a document that looks holistically at a child or young person and is worked on in partnership between parents and the child or young person's setting. The SEN Support Plan provides a summary of the child or young person's needs, alongside their strengths and areas of difficulty.



Ordinarily Available Provision

Ordinarily Available Provision (OAP) refers to the support, adaptations, strategies and interventions that schools and settings are expected to provide through their delegated resources and inclusive practice.

Ordinarily Available Provision is not limited to attendance at interventions. It includes:

- High-quality adaptive teaching.
- Reasonable adjustments.
- Curriculum adaptations.
- Environmental adaptations.
- Use of assistive technology.
- Targeted interventions.
- Provision informed by specialist advice.
- Support for emotional wellbeing.
- Partnership working with families.
- Ongoing graduated response planning and review.

Examples of Ordinarily Available Provision

Communication and Interaction • Visual timetables. • Communication-friendly classrooms. • Social stories. • Vocabulary pre-teaching. • Language modification by adults. • Social communication groups. • Communication aids. • Speech and language programmes delivered under guidance. • Structured support for transitions. • Sensory regulation strategies.	Cognition and Learning • Precision teaching. • Targeted literacy interventions. • Structured numeracy interventions. • Reading fluency programmes. • Additional scaffolding. • Overlearning opportunities. • Alternative recording methods. • Assistive technology. • Small-group teaching. • Access arrangements used routinely in lessons.
Social, Emotional and Mental Health • Positive behaviour support plans. • Emotion coaching. • Check-in/check-out systems. • Key adult support.	Sensory and Physical • Adapted classroom environments. • Sensory regulation programmes. • Specialist seating. • Writing aids.

• Emotional literacy interventions. • Anxiety management strategies. • Safe spaces and regulation areas. • Attendance support plans. • EBSA plans. • Multi-agency planning meetings. • Targeted pastoral support.	• ICT and assistive technology. • Fine and gross motor programmes. • Occupational therapy programmes delivered under professional guidance. • Medical care plans. • Accessibility adaptations. • Environmental modifications.
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Further information around Ordinarily Available provision can be found on [The Local Offer Ordinarily Available Provision - School Age | Milton Keynes City Council](#)

Requesting an EHC Needs Assessment

The majority of children and young people with SEND will have their needs met successfully through ordinarily available provision and SEN Support.

However, an EHC needs assessment should be considered where evidence suggests that:

- The child or young person has, or may have, SEND.
- Despite relevant and purposeful action taken by the school or setting, significant difficulties remain.
- The child or young person continues to require highly personalised provision.
- It may be necessary for special educational provision to be made in accordance with an EHCP.

A medical diagnosis is not required for an EHC needs assessment to be requested. Equally, the presence of a medical diagnosis does not automatically mean that an EHCP is necessary. Decisions must be based on the child's identified needs and the provision required to meet those needs.

A needs assessment can be requested via the Local Offer [Education, Health and Care Plans \(EHCPs\) | Milton Keynes City Council](#)

Evidencing the impact of Provision

Why is Impact Evidence Important?

An EHC needs assessment request should not simply describe what support has been provided.

The evidence should demonstrate:

- The identified need.
- The provision implemented.

- The duration and frequency of support.
- The impact on outcomes.
- Any adaptations made following review.
- Why needs may require support beyond ordinarily available provision.

What Good Impact Evidence Looks Like

Requests should demonstrate impact rather than list interventions. Include baseline information, duration of support, review information and outcomes.

Quantitative Evidence

Use attendance data, attainment data, standardised scores, reading ages, behaviour incidents, exclusions, intervention attendance and independence measures.

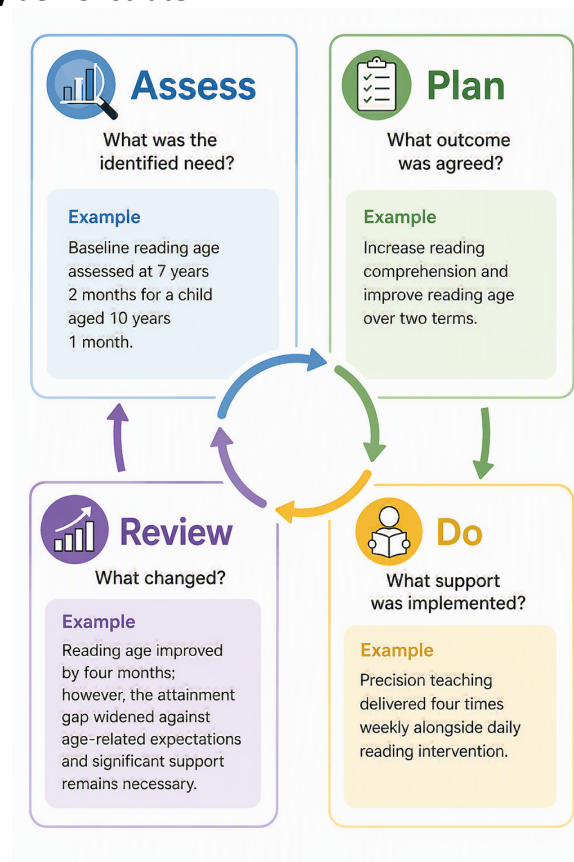
Qualitative Evidence

Include pupil voice, parent views, professional observations, engagement levels and examples of increased independence.

Demonstrating Limited Impact

Evidence should show that provision was implemented appropriately and adapted over time but significant barriers to learning remain.

Evidence should clearly demonstrate:



What Good Impact Evidence looks like

Weak Evidence

Reading intervention in place.

Strong Evidence

Reading intervention delivered four times per week for twelve weeks. Reading age increased from 6.8 years to 7.3 years; however, attainment remains significantly below age-related expectations and the gap continues to widen.

Weak Evidence

Social skills group attended.

Strong Evidence

Following sixteen weeks of social communication support, the pupil is able to initiate interactions with familiar peers but continues to require daily adult support during unstructured times.

Weak Evidence

Pastoral support in place.

Strong Evidence

Behaviour incidents reduced from eight to four per week following implementation of a key adult plan; however, attendance remains at 62% and anxiety continues to significantly affect engagement in learning.

Evidence Schools should normally provide

- SEN Support Plan(s).
- Evidence of at least two APDR cycles unless needs are exceptional.
- Parent and child views.
- Attendance information.
- Attainment data.
- Timetables of support.
- Evidence of reasonable adjustments.
- Professional advice and reports.
- Analysis of provision and outcomes over time.
- Evidence that support has been reviewed and adapted.
- Information regarding independence, participation and engagement.
- Evidence of implementation of specialist recommendations.

How decisions are made

Milton Keynes City Council uses a multi-agency decision-making panel to consider requests for Education, Health and Care (EHC) needs assessments. The purpose of the panel is to ensure that decisions are informed by a holistic understanding of a child or young person's education, health and care needs and are made consistently, transparently and in accordance with the Children and Families Act 2014 and the SEND Code of Practice.

The panel is typically made up of representatives from:

- The SEND Service, including SEND managers and EHC casework officers;
- Educational Psychology;
- Health professionals, where appropriate;
- Social Care representatives, where appropriate;
- Other specialist professionals, depending on the needs of the child or young person being considered.

Panel members consider all available evidence submitted as part of the request, including:

- The views of the child or young person and their parents/carers;
- Information provided by the school, setting or college;
- Evidence of the graduated approach and Assess, Plan, Do, Review cycles;
- Progress and attainment data;
- Reports and recommendations from relevant professionals;
- Evidence of the impact of support and interventions over time.

In line with the SEND Code of Practice, the panel's role is not to determine whether a child has a diagnosis or whether support has been provided, but to consider whether the available evidence suggests that the child or young person has, or may have, special educational needs and whether it may be necessary for special educational provision to be secured through an Education, Health and Care Plan.

School Involvement

During term time, schools and educational settings are invited to participate in panel discussions relating to their requests. This collaborative approach aims to:

- Provide clarity regarding the evidence presented and the rationale for decisions;
- Enable constructive professional dialogue between schools and panel members;
- Support understanding of statutory processes and decision-making;
- Identify potential next steps and additional support where an EHC needs assessment is not agreed;
- Promote consistency and strengthen inclusive practice across the local area.
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Milton Keynes City Council views school participation as an important part of the decision-making process and as an opportunity for collaborative learning and continuous professional development.

Outcomes Following Panel Consideration

Following consideration of the available evidence, the panel will recommend one of the following outcomes:

Proceed with an EHC Needs Assessment

- The evidence indicates that the legal threshold for an EHC needs assessment may be met and further statutory assessment is required.

Do Not Proceed with an EHC Needs Assessment at This Time

- The evidence indicates that the child's needs can currently be met through ordinarily available provision, SEN Support and the graduated approach. Clear recommendations and next steps will be provided to support ongoing planning and provision.

All decisions will be communicated in writing, together with the reasons for the decision and information regarding rights of appeal and dispute resolution where applicable.

Principles Underpinning Decision-Making

All decisions made by the panel are guided by the following principles:

- Child-centred and outcome-focused practice;
- Participation of children, young people and families;
- Evidence-based decision-making;
- Consistency and transparency;
- Promotion of inclusion and high aspirations;
- Consideration of the whole child or young person across education, health and care;
- Compliance with statutory duties under the Children and Families Act 2014 and the SEND Code of Practice.

The panel does not make decisions based on diagnosis, funding levels, availability of placements, or the amount of support already allocated. Decisions are based on the child's identified needs, the evidence presented, and the statutory tests set out within SEND legislation.

Key Principle

The focus of an EHC needs assessment should not be on the amount of support that has been provided, the presence of a diagnosis, or whether a child is making some progress.

The central question is:

Despite relevant and purposeful action through the graduated approach, does the evidence suggest that it may be necessary for the child or young person to receive special educational provision through an Education, Health and Care Plan?

This principle should underpin all requests submitted to Milton Keynes City Council and all decisions regarding EHC needs assessments and EHC Plans.

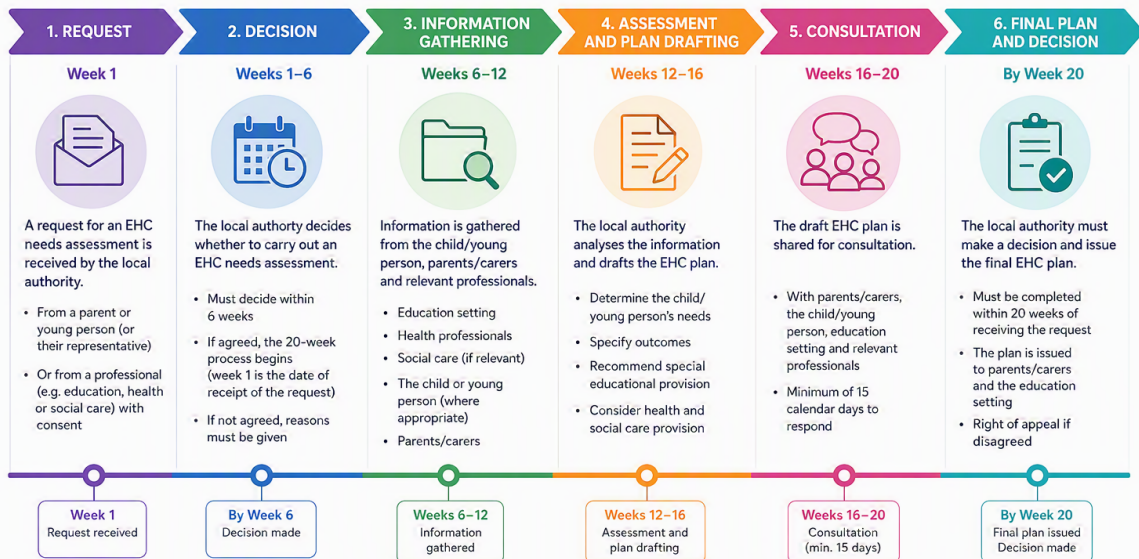
The decision to initiate an EHC needs assessment is not a decision to issue an EHC plan.

This is a separate decision made once the assessment process has been completed.

Timeframes for the assessment Process

20-Week EHC Needs Assessment Process

A step-by-step timeline from request to final EHC plan decision.



Key points

The local authority has up to 20 weeks from the date of the request to issue the EHC plan.

Timelines can be paused in exceptional circumstances (e.g. if the child/young person moves LA).

Parents and young people should be kept informed and involved throughout the process.

The EHC plan must be kept under review and updated as needs change.

