

EHCNA- How long does the process take?

From start to finish the legal timeframe of the process should be **20 weeks**. The initial stage where the local authority decides whether to carry out an assessment takes **six weeks**. [EHCNA - FAQs](#)

Week 0-6

The [request for an EHC needs assessment](#) is made by a place of learning, or a professional, parent carer or young person age 16+ with SEND.

Within 3 days: the local authority will acknowledge the request and ask parents to complete a permissions form (if not already provided).

Once the needs assessment request is received, the LA will gather all initial information and evidence already available. Any existing professional advice will be requested and considered.

It is at this point that the child / young person must meet the **legal test** outlined in [Section 36\(8\) of the Children and Families Act 2014](#) for an EHC needs assessment.

The LA must let the parents or young person know whether it will carry out an EHC needs assessment within **6 weeks** and give parents right of appeal if they decide not to carry out an assessment. [What happens if LA refuse to carry out assessment](#)

Legal Test

If a local authority ("LA") is requested to carry out an EHCNA by a parent, young person, school or college, they must consider:

- whether the child or young person has or may have special educational needs ("SEN"); and
- whether it may be necessary for special educational provision to be made for the child or young person in accordance with an EHC plan.

[Section 36\(8\) Children and Families Act 2014](#)

If the answer to both questions is yes, they **must** carry out an EHC needs assessment.

Week 6-14

If the assessment is agreed - any further evidence needed to inform the EHC needs assessment will be identified and requested. [See the SEND Code of Practice: 0-25 years, Chapter 9.49](#) for the full list of who **must** be consulted. Parents have a specific right to make 'reasonable' request that the LA seeks advice from any person. E.g. SALT, CAMHS. If the LA agree to the request, the professional must provide the advice within **6 weeks**. Where the child or young person is in or beyond year 9, advice and information in relation to provision to assist the child or young person in preparation for adulthood and independent living **must** be sought.

Week 14-16

During weeks 14-16 the local authority will calculate the costings of any special educational provision needed, and a decision will be made whether to issue an EHCP or not. An EHCNA will not always lead to an EHCP.

Have the LA decided to issue an EHCP?

Y

N

If the decision is **no**, then a '**refusal to issue**' letter will be sent outlining the reasons behind the decision and the parents right of appeal. The timeframe for notice of **refusal to issue a plan** must be within **16 weeks**. [Appealing a refusal to issue an EHCP](#)

If the decision is **yes**, a draft plan is circulated to parents/young person for any changes and suggestions. The Local Authority will give parents **15 days** to raise any comments about the draft EHCP plan and name a parental preference of school. The local authority will also offer a **Proposed Plan Meeting (PPM)** once a decision has been made and the draft EHCP has been shared. [Draft EHCP and PPM](#), [Choosing a school with an EHCP](#)

Week 16-20

Following the return of the draft EHCP and any discussions with the LA, the SEND Operations team will then consult with any school/college or other place of learning the parent has requested. The school or college should respond within **15 days**. The local authority will then finalise the plan and a school or school type will be named. In most cases a child or young person will remain in their current place of learning. Issuing an EHC plan does not mean that a child or young person's place of learning will necessarily change. [Finalising the EHC plan](#)

Week 20

When the final EHC plan is issued parents will have the right of appeal to the SEND Tribunal, in accordance with [Section 51 of the Children & Families Act](#) if they are unhappy about any of the following:

- the description of child/young persons special educational needs;
- the special educational provision specified in the EHC plan; and/or
- the name/type of school or college in the EHC plan or the fact that no school/college is named

The final EHCP must be sent to the child's parents or the young person and school or principal of any school/early years provider.

[Appealing to the SEND tribunal service about an EHCP](#)