



Derby City Council

People services directorate – Learning and skills

EHC Panel

Review Date

Version	Next Review Due (Date)	Reason for review
V1.0	01/04/2020	Review of operating procedures in line with WSoA progress and requirements
V.2.0	30/09/2020	

Change History

Version	Date	Reason for change/update
V1.0	27/03/2020	First draft created and circulated to key leads
V1.1	30/03/2020	Amended draft following feedback from core panel members
V.2.0	30/04/2020	

Document Owner

Role / Job Title	Team	Reason for change to Document Owner (if applicable)
Daniel Marson – SEND Team Manager	SEND - Learning and Skills, People Services	

1. Scope and purpose

The Panel will enable the Special Educational Needs (SEN) team to implement the Education, Health and Care pathway for children and young people with Special Educational Needs and Disability (SEND), with a view to improving outcomes for children and young people through scrutiny of assessment requests and information.

It will support the statutory duty of Derby City Council, under the Children and Families Act, to carry out Education Health and Care assessments in a consistent and timely manner. The core purpose of panel will be to determine:

- a) Is a statutory assessment required in accordance with the statutory tests¹²?
- b) Should a plan be issued following a statutory assessment³?

Each child and young person's needs and circumstances are individual and while it is expected that the majority of applications will fit within these categories, there will be other circumstances where the needs and situation of the child and young person require individual consideration⁴.

2. Membership

The panel has multi-agency representation. A representative from education, health and care is required to attend all meetings although the actual professional attending may vary.

Name	Job Title	Specific roles and responsibilities
Core attendees		
Daniel Marson	SEND Team Manager – Derby City Council	<ul style="list-style-type: none">• Ensure panel process is followed• Facilitate panel discussions• Accountable for panel decisions• Ensure and identify best practice
Paula Nightingale	Head of Service - Derby City Council	<ul style="list-style-type: none">• Ensure and identify best practice in inclusion across the City• Identify strategic priorities in respect of the Local Area SEND strategy

¹ Section 36(8) of the Children and Families Act 2014

² SEND Code of Practice (9.11)

³ SEND Code of Practice (9.53)

⁴ SEND Code of Practice (9.16)

Richard Lakin	Principal Educational Psychologist – Derby City Council	<ul style="list-style-type: none"> • Consider the evidence submitted from the school/setting and the implementation of the graduated approach • Reviews evidence of interventions implemented and their impact • Contributes to decision making re assessment or plan • Identify best practice and areas for development in educational psychology
Eleanor Moore	Specialist teaching Service Manager (STEPS)	<ul style="list-style-type: none"> • Consider the evidence submitted from the school/setting and the implementation of the graduated approach and use of specialist teaching • Reviews evidence of interventions implemented and their impact • Contributes to decision making re assessment or plan • Identify best practice and areas for development in specialist teaching
Designated by head teacher senior leadership meeting	Primary School Representative	<ul style="list-style-type: none"> • Reviews the evidence submitted from the school/setting and in particular the way in which the graduated approach to the meeting of need has been applied, providing professional challenge as required • Contributes to decision making around specialist provision for learners
Designated by head teacher senior leadership meeting	Secondary school representative	<ul style="list-style-type: none"> • Contributes to decision making re assessment or plan • Recommendations for school interventions to be applied through EHCP or SEN Support • Identify best practice and areas for development
Jayne Hankins	Designated Clinical Officer SEND - NHS Derby and Derbyshire Clinical Commissioning Group	<ul style="list-style-type: none"> • Review the contribution of all health services within the paperwork • Review how health information and evidence is included in proposed EHCPs, cross referring that advice provided is reflected in the plans • Recommend potential health interventions to be applied through the EHCP or SEN Support • Identify best practice and areas for development

Andrew Kaiser	Designated Social Care Officer – Derby City Council	<ul style="list-style-type: none"> Review the contribution of all social services within the paperwork Review how social care information and evidence is included in proposed EHCPs, cross referring that advice provided is reflected in the plans Recommend potential social care interventions to be applied through the EHCP or SEN Support Identify best practice and areas for development
	SEND Team Administrative Support Officer	<ul style="list-style-type: none"> Ensure relevant paperwork is sent to panel members Coordinate availability of rooms and any required resources Take minutes and notes during the meeting, and document decisions and actions Coordinate observers
Optional Attendees		
SEND Officer		<ul style="list-style-type: none"> Provide detailed knowledge of the case to assist robust decision making
Observers	A maximum of two observers from the Local Area SEND community will be invited to attend.	<ul style="list-style-type: none"> Create understanding of the panel assessment process in the local area Assist with the professional development of attendees

- All members are expected to read the paperwork before the panel. Decisions are made based only on the paperwork received for the panel.
- Where an individual has been named, they may delegate attendance to a suitable member of their management/leadership team, but will remain accountable for the attendance of someone from their sector/service. If an individual is unable to attend it is expected that they will inform chair/admin and will designate an alternative representative.

3. Appointment of Chair

The meeting will be chaired by a senior officer in Derby City Council SEND and Inclusion service.

4. Panel roles and responsibilities

- Consider the information in respect of their own professional field to contribute to decision making in respect of the specific case

- Make informed and compliant decisions based on the information provided regarding whether a statutory assessment is required or whether a EHC plan should be drafted
- Apply the SEND Code of Practice to all decision making
- Identify opportunities for advice and information for those cases where a 'no' decision is reached
- Identify gaps in provision in respect of their own professional field and escalate these via their internal governance arrangements
- Identify and collate trends at a local area, systemic level to support the development of SEND provision and practice across Derby
- Identify best practice and areas for development
- Provide critical challenge to other professionals to drive up the standard of information and decision making.

If, from the information presented, the needs of a child or young person do not appear to meet the criteria for EHC assessment/plan, the Chair of EHC Panel will ensure:

- Reasons for the recommendation (relating to the guidance in the 0 to 25 SEND Code of Practice 2014) are clearly recorded for the SEND Officer to feedback to the family and referrer.
- Panel recommendations are placed on the child/young person's local authority SEND file.
- Notification is issued to the child or young person's school or setting
- Information is passed to relevant education support teams to provide enhanced support for the school or setting through follow up advice if necessary, for example through the continuation of the graduated approach and use of the Local Offer for the child or young person.
- Due consideration is given to the role of SENDIASS in supporting the child or young person and their parent/carer

5. Terms of Reference (key objectives)

To make decisions on EHC assessments and plans that complies with relevant legislation, and the SEND Code of Practice, and considers that⁵:

- A learner's individual need is significantly greater than learners of the same age, and is likely to be long term. That there is continuing and significant need for support in order to access the curriculum and make progress
- The graduated response to meeting need has been followed by schools/settings, with evidence of 'Assess, Plan, Do, Review' cycles. Records suggest the need for provision which is over and above what schools/settings would ordinarily be expected to provide from within their own financial and other resources
- Suitably qualified external specialists have been involved over time in order to advise schools/settings on what could be provided to meet need. The impact of advice on provision and progress has been recorded and is evidence based

⁵ SEND code of practice 2015 (9.14)

- Settings have used delegated funds in an appropriate way, which is clearly documented and costed. This will include records of targeted interventions and reviews of their effectiveness.

6. Meetings and Activities

- Panel will meet weekly on a Wednesday morning, with a continuity plan to enable video conferencing where physical meetings are not possible. In the event that the scheduled panel date falls on a bank holiday, cases will be carried forward to the next available panel date.
- Meetings will be scheduled for 2 hours
- Derby City Council SEND administrative support team will compile relevant paperwork in conjunction with linked case officers and will circulate with an agenda at least 3 working days before the meeting
- Only relevant and agreed paperwork will be considered to ensure that safe and compliant decision making is possible by panel
- Where panel is determining whether a statutory assessment is required, the following standard documentation will be provided:
 - Officer recommendation
 - Referral/request form
 - Signed consent from parent/carer
 - Summary of graduated response
 - Copies of letters from all advising professionals
 - Provision map with costing
- Where panel is determining whether a plan should be issued following a statutory assessment, the following standard documentation will be provided:
 - Officer recommendation
 - Referral/request form
 - Copies of letters, reports and statutory assessments from advising professionals
 - Provision map with costing
- Minutes and actions will be taken by a member of Derby City Council SEND administrative support team, these will be circulated to all members and attendees within 48 hours of the meeting.
- The recommendations of the panel will be shared with the SEND Team via a standard proforma completed at the meeting. SEND team caseworkers will affected parents, carers and school settings via email or phone to inform of the outcome of panel. The outcomes will be communicated within 48 hours of the panel meeting.

7. Governance arrangements

- Panel representatives must uphold confidentiality in all cases considered and act in accordance with the data protection duties of the local authority and working together to safeguard children.

- Papers are provided electronically only via secure portal/email and will be destroyed afterwards
- The chair will request any declarations of interest at the start of each meeting, to establish any personal involvement in the cases being discussed, i.e. involvement outside of the professional area of expertise within which they are participating as a panel member.
- An annual audit of panel will be conducted in partnership with the Local Area Partnership Board. This will include an anonymised sample check of decision making as defined by the Local Area SEND Quality Assurance Framework.

8. Relationship / links with other Boards / Working Groups / Partnerships / Initiatives

Implementation of a successful panel is noted as part of the written statement of action and, as such, will be monitored via Local Area SEND board, and Local Area Send Delivery Group⁶.

9. Appendices

Appendix 1 – Panel checklist



EHC01 Panel referral
and checklist.docx

⁶ Local Area SEND written statement of action (3.2.2)