

EHC Needs Assessment (EHCNA) Timeline

RIGHT OF APPEAL

PAP LETTER



YES / NO TO ASSESS

The LA must respond within 6 weeks to let you know if they are going to proceed to the assessment stage.

If the LA's decision is to not assess, you have a right of appeal.

If the LA does not adhere to this deadline you can issue a 'Pre Action Protocol' (PAP) letter.

DAY
1



THE EHCNA REQUEST

Parent/school/college/young person submits request to the Local Authority (LA).

This can be done by any means, but we recommend writing a letter and ensuring you have confirmation of receipt from the LA. The receipt marks 'Day 1' of the EHCNA process.

6
weeks



RIGHT OF APPEAL

PAP LETTER

YES / NO TO ISSUE A PLAN

Assessments take place and should be completed by week 16.

By this point the LA, by law, must tell you whether they intend to issue a plan for your child, or not.

16
weeks

PAP LETTER



DRAFT PLAN

By Week 17 you should receive a draft plan. You then have 15 calendar days to make representations (amendments and your views) on the draft plan and set out your parental choice of placement.

It is usual for Section I to be blank at this stage.

17
weeks



RIGHT OF APPEAL

PAP LETTER

FINAL PLAN

By week 20, the LA must have considered your amendments, consulted with settings, and issued you with a final plan which names a specific setting.

You have the right of appeal on sections B, F and I.

20
weeks



APPEAL AND PAP LETTERS

Throughout the process there are stages at which you can appeal the Local Authority's decision - they are highlighted above.

You also have the right to issue a pre-action protocol letter when the LA acts unlawfully, this is a legal letter as part of the judicial review process - these opportunities are highlighted above.

We are here to help you with the entire process.

LAW

This information has been collated and designed by Sunshine Support, an award winning team of SEND/ALN advocates and consultants who provide advocacy, training and general support for parents, carers and professionals.



Sunshine Support

www.sunshine-support.org

