


## A parent's guide

Information for parents and carers of children with special educational needs and disabilities

# Statutory Assessments and Statements - the process



This leaflet is a summary of how Nottingham City and Nottinghamshire County Councils (Local Authorities) conduct the statutory assessment process for children with special educational needs and disabilities

# ***What is a Statutory Assessment?***

It is a detailed assessment of your child's special educational needs undertaken by the Local Authority (LA). It gathers information from a wide range of professionals, including parents, and has to be completed within a prescribed time limit. A statutory assessment is the way in which the LA determines a child's special educational needs, how these needs will be met and also whether or not a child requires a statement of special educational needs. At the end of the process either a statement or a note in lieu will be issued.

## ***Does my child need a statutory assessment?***

Most children will have their needs met at school through support at School Action or School Action Plus. For a child where extra support has been provided but the child's progress is still causing concern, the LA may decide to carry out a statutory assessment. If you are concerned about your child's progress you should first discuss it with the school.

## ***Who can request a Statutory Assessment?***

A statutory assessment can be requested by parents, the school, other educational professionals or a referral made by another agency to the LA. The request is made to the Special Educational Needs Team within the LA.

## ***What happens next?***

Once the LA receives your request for a statutory assessment, an SEN Officer will send you a yellow and a pink form to be completed. They also write to the school and other educational support services

that may be involved with your child, to ask for information about your child's special educational needs. All the paperwork will need to be returned by a set date.

## ***How does the Local Authority decide if my child needs a statutory assessment?***

Nottingham and Nottinghamshire each have a multi-agency panel which considers all the information provided. Members of the panel represent their agencies. They are chosen for their experience in special educational needs and related areas of work, and undertake specific training to prepare them for their role as panel members.

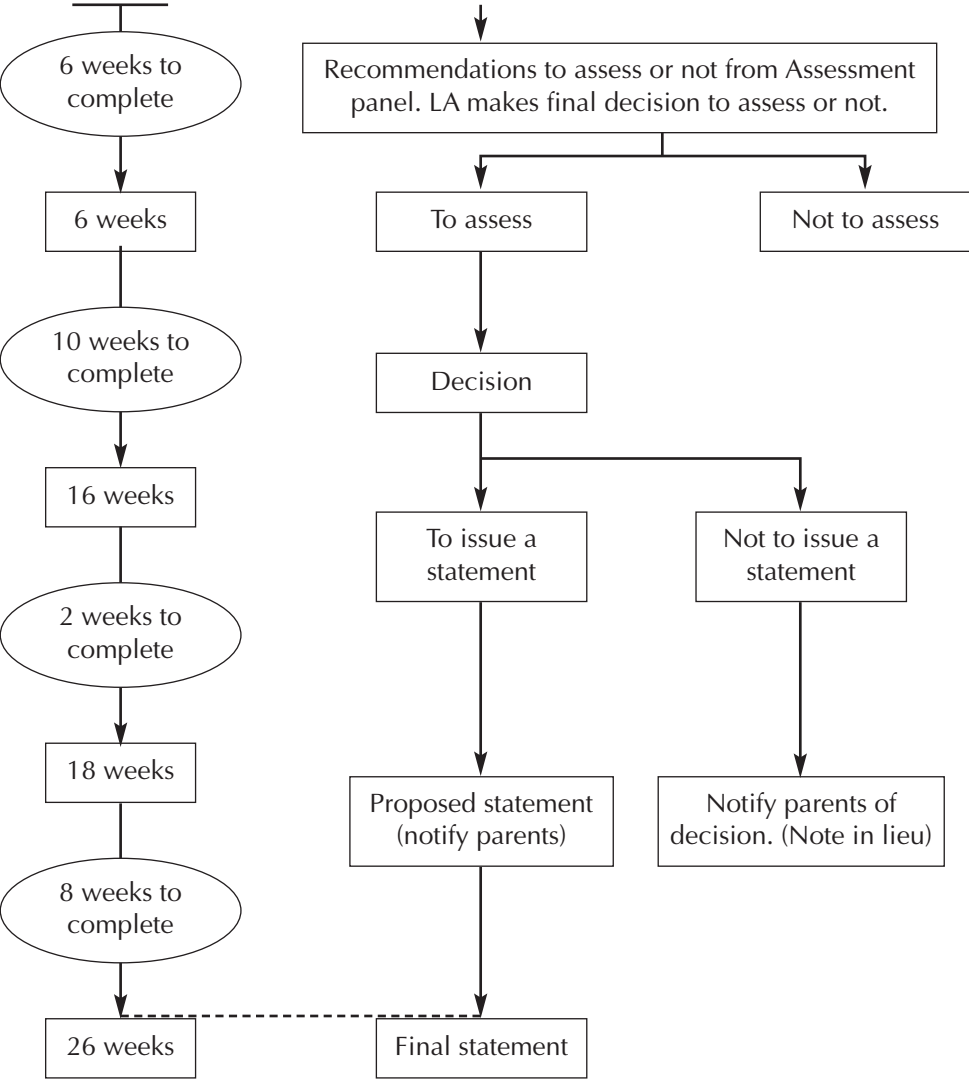
The panel members read the information about your child in the light of criteria set out in the SEN Code of Practice (2001). The panel makes a recommendation to the LA that an assessment is necessary or that other actions should be taken. The LA has legal responsibility for making the final decision as to whether it should carry out a statutory assessment of a child's needs, and for writing to tell parents of this decision.

If the LA decides that the statutory assessment is to go ahead, the casework officer will ask for more information from a wider range of professionals, including social care and medical professionals if they are involved with your child.

If the LA refuses to conduct the statutory assessment, you have the right of appeal (see overleaf).



# *Time limits for the statutory assessment process and issuing a statement or note in lieu.*



## ***Completing the statutory assessment***

Once the statutory assessment is completed, the SEN Officer responsible for your child's case will use the information from you and from involved professionals to decide whether to issue a proposed statement or a note in lieu.

You will receive the proposed statement together with all the reports written by professionals; so that you can read it all and check whether everything you feel is important is included in the statement. If you wish to have any amendments made to the proposed statement, you have a four week period in which to discuss these with the LA. You will be sent a blue form to express a preference for a school. This could be your child's local mainstream school or you may wish to express a preference for a special school.

A note in lieu is issued when the SEN Officer feels it is not necessary to issue a statement. A note in lieu provides useful information gathered during the statutory assessment to help your child's school provide appropriate support.

You have the right to appeal against the decision to issue a note in lieu rather than a statement (see below).

## ***Issuing the final statement***

Once you and the SEN Officer have agreed on the content of the statement, a final statement will be issued containing the name of the school. If you are still unhappy with the content of the statement or cannot agree with the LA on a school, you have the right of appeal (see below).



# *Resolving disagreements about statutory assessments and statements*

Whatever the situation, we advise that you first ask to meet with your child’s SEN Officer to discuss any points of disagreement before making the decision to go to appeal. You can also request the involvement of an independent mediation service to help resolve the situation. Often, just meeting with the SEN Officer, perhaps with the support of a PPS caseworker, will allow for mutually acceptable actions to be agreed.

## *Frequently asked questions*

### **Does my child need a statement to receive extra funding for support in school?**

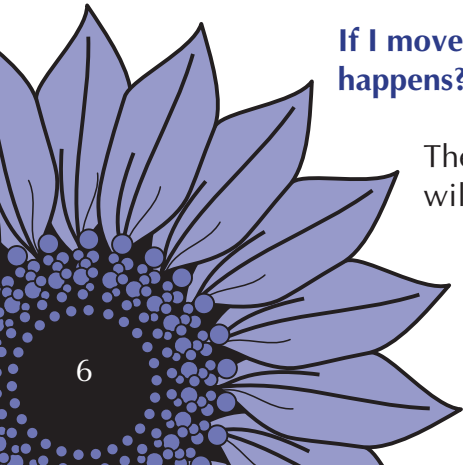
No. A child can receive funding according to their individual needs, and full access to support services, without a statement in Nottingham and Nottinghamshire.

### **How often will the statement be reviewed?**

The statement has to be reviewed annually (the Annual Review). Your child will also have an Individual Education Plan in place throughout the school year, which will also be reviewed.

### **If I move to another Local Authority area what happens?**

The statement of special educational needs will move with your child. If you are planning to move to another Local Authority, you should inform them that your child has a statement. You should



also tell the SEN team in Nottingham or Nottinghamshire that you are moving to another Local Authority area.

## **What happens when my child moves school?**

The LA will amend Part 4 of the statement, which names the school your child attends.

## **Who do I appeal to?**

You should lodge your appeal with the tribunal (details below) within two months of receiving the Local Authority's letter, whether this is regarding a refusal to carry out a statutory assessment, refusal to issue a statement, or regarding the content of the statement or the named school.

Prior to going to an appeal it is always useful to meet with the SEN Officer with responsibility for your area, to discuss your concerns. The Parent Partnership Service may be able to assist you with this meeting.

First-Tier Tribunal (Special Educational Needs and Disability)

[www.sendist.gov.uk](http://www.sendist.gov.uk)

Tel: 0870 241 2555

## ***Other publications that may be useful***

- Completing the yellow form
- Your Views Matter - getting involved in your child's statutory assessment
- Checklist for Annual Reviews
- Individual Education Plans



# Parent Partnership Service

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