



EHCP SUPPORT SERIES

Chapter 2

Requesting an EHC Needs Assessment

A practical guide to making a request, explaining why an assessment may be necessary and understanding what happens next.

What this chapter covers

Who can request an assessment, the legal test the local authority must consider, useful information to include, the six-week decision point and what you can do if the request is refused.



Who Can Request an Assessment?

An EHC needs assessment is the statutory assessment process that can lead to an Education, Health and Care Plan. A request is not the same as asking the local authority to issue an EHCP immediately: the first decision is whether an assessment is necessary.

Key fact

A child's parent, a young person aged 16 to 25, or a person acting on behalf of a school or post-16 institution can request an EHC needs assessment. Others can also bring a child or young person to the local authority's attention (Children and Families Act 2014, s.36; Department for Education and Department of Health, 2015).

You do not have to wait for the school to make the request

Parents can make a request directly to the local authority. It can still be helpful to speak with the SENCO or education setting and ask for copies of relevant evidence, but their agreement is not a legal prerequisite for a parent to request an assessment.

Study note

The statutory test is not whether the child already has a diagnosis, has reached a particular academic level or has completed a fixed number of cycles of SEN support. The local authority must consider the legal test set out in section 36 of the Children and Families Act 2014.

Where do I send it?

Send the request to the local authority responsible for the child or young person. Councils may provide an online form or template, but the statutory right to request an assessment comes from legislation. Check the local authority's SEND or Local Offer pages for its current submission route and contact details.



The Legal Test

When deciding whether to carry out an EHC needs assessment, the local authority must consider whether the child or young person **has or may have special educational needs** and whether it **may be necessary** for special educational provision to be made through an EHC plan.

Key fact

The wording 'may have' and 'may be necessary' matters. At this stage, the question is whether an assessment may be needed to understand needs and required provision - not whether the family can already prove every detail that a final EHCP would contain (Children and Families Act 2014, s.36).

Information that can help show this

- Needs that affect access to learning, communication, participation, regulation, independence or progress.
- Support already tried, how consistently it has been available and what difference it has made.
- Evidence that needs remain significant despite support, or that the provision required may go beyond what is ordinarily available.
- Professional observations, reports or assessments that help explain needs or provision.
- The child or young person's views, experiences and aspirations, where these can be gathered.
- Parent/carer observations about what happens outside school or what may not be visible in the education setting.

Remember

Evidence is useful because it helps build a clear picture. It does not need to be presented as a perfect professional case file before you are allowed to ask for an assessment.



What Should I Include?

A clear request explains **what the needs are, what support has been tried, what is still difficult and why you believe a statutory assessment may be necessary**. Keep the focus on the child or young person's day-to-day experience.

1. Basic details

Child or young person's name, date of birth, address, education setting and your relationship/contact details.

2. Why you are requesting an assessment

A short explanation of the main concerns and why you think needs may require provision through an EHC plan.

3. Strengths and needs

Describe the whole child: interests and strengths as well as learning, communication, sensory, physical, emotional, social or independence needs.

4. Support and its impact

What has been tried? What helped? What did not help? Is support available consistently? What remains difficult?

5. Evidence

Attach the most relevant reports, plans, assessments, attendance information, correspondence or examples you already have.

6. Views

Include the child or young person's views where possible, and your own observations and priorities.



A Simple Request Structure

Your local authority may have its own form. If you are writing a request yourself, this structure can help you organise the information without feeling that you need to write a legal document.

Opening

I am requesting an Education, Health and Care needs assessment for [name], under section 36 of the Children and Families Act 2014.

Needs

Briefly describe the main areas of special educational need and how they affect education, participation and everyday functioning.

Current support

Summarise SEN support, adjustments, interventions or specialist input already in place and what has happened as a result.

Why assessment may be necessary

Explain what remains unmet or unclear, and why a coordinated statutory assessment may be needed to identify needs and provision.

Evidence enclosed

List the reports, plans, letters, attendance information or other evidence attached.

Closing

Ask the local authority to confirm receipt and provide its decision within the statutory timeframe.

Practical tip

Keep a dated copy of what you submit and any attachments. If you submit electronically, save the confirmation or email showing when the local authority received it.



What Happens After I Request?

Six-week decision point

The local authority must notify the parent or young person of its decision about whether to carry out an EHC needs assessment within a maximum of six weeks of receiving the request, subject to the statutory exceptions (Department for Education and Department of Health, 2015).

If the assessment is agreed

The local authority gathers advice and information about the child or young person's education, health and care needs. The assessment should involve the parent and the child or young person, and advice is normally sought from relevant education, health and social care professionals, including an educational psychologist.

Study note

When the local authority requests advice as part of the assessment, those providing it must normally respond within six weeks. If the authority later decides not to issue an EHC plan, it must notify the parent or young person by the 16-week point, subject to statutory exceptions.

If the assessment is refused

The decision should be given in writing with reasons. The parent or young person has a right of appeal to the SEND Tribunal. Before an appeal is registered, mediation must usually be considered, although there are exceptions to the requirement to obtain mediation advice for certain types of appeal.

Support can help

SENDIASS provides free, impartial information and advice. Specialist SEND legal charities and services can also explain rights and appeal routes. Always check the decision letter for the current deadline and next steps.



Plan My Request

Use these prompts to organise your thoughts before completing your local authority's form or writing your request. You can type directly into the boxes.

The main needs I want the local authority to understand

Support that has already been tried and what happened

What is still difficult, unmet or unclear

Why I think an EHC needs assessment may be necessary

Evidence I want to attach or ask for



References & Further Support

About this guide

This resource is written for the SEND/EHCP system in **England**. It provides educational information rather than individual legal advice. Check current legislation, statutory guidance and your decision letter when acting in a specific case.

Harvard references

Department for Education and Department of Health (2015) *Special educational needs and disability code of practice: 0 to 25 years*. London: Department for Education. Available at: GOV.UK (Accessed: 22 September 2026).

Great Britain (2014) *Children and Families Act 2014*. London: The Stationery Office. See Part 3, particularly section 36.

Department for Education (2026) *Children with special educational needs and disabilities (SEND): Extra help*. GOV.UK (Accessed: 22 September 2026).

Further support

- SENDIASS - free and impartial SEND information, advice and support. Find your local service through your council or Local Offer.
- **GOV.UK SEND guidance** - official information about EHC assessments, plans and challenging decisions.
- **Your local authority's Local Offer** - current local forms, contact details and SEND processes.

Next in the series

Chapter 3: Writing the Parent/Carer Contribution - describing your child as a whole person, explaining needs clearly and making sure your knowledge and observations are represented.