

Joint Commissioning (Version 4 - April 2014)

Appendix 1– Wigan EHC Panel Terms of Reference



WIGAN COUNCIL

EDUCATION, HEALTH AND CARE (EHC) REFERRAL GROUP MEETING

Terms of Reference

Version 2: 25TH November 2013

1. CONTEXT

The EHC Referral Group Meeting has been established for the SEN:D Pathfinder to support consistent and transparent decision making in response to referrals received by the Local Authority (LA) for an EHC assessment.

The EHC Referral Group Meeting will consider all referrals for an EHC assessment on behalf of the LA. Both severity and process criteria will be considered, details of which can be found in the "Single Plan and Personalisation Pathway" document.

As Key Working forms part of the EHC process, at the point the EHC referral is accepted, the EHC Referral Group Meeting will consider who will undertake the Key Working role and determine an indicative level of input.

The EHC Referral Group Meeting can make both recommendations and decisions. However, the final responsibility lies with the LA and therefore the formal decision, cannot be delegated but remain with the officer of the LA.

2. MEMBERSHIP

The EHC Referral Group Meeting membership will consist of a range of professionals including headteachers, SENCOs from primary, secondary and special schools, educational psychologists, Key Worker Co-ordinator, TESS, representatives from Health and Social Care, Parent Partnership Officer, the SEN & D Assessment and Commissioning Manager and SEN & D Principal Officer.

A SEN & D Case Officer will administer the meetings and record recommendations and decisions.

3. CHAIR

The EHC Referral Group Meeting will be chaired by the SEN & D Assessment and Commissioning Manager whose role is to ensure a fair hearing and consistency around decisions.

In the absence of the SEN & D Assessment and Commissioning Manager, a SEN & D Principal Officer will assume responsibility. In the absence of both of these officers, any other member of the meeting can assume responsibility.

4. QUORACY

A quorum shall consist of no less than 3 people.

5. TERM OF OFFICE

The EHC Referral Group Meeting members shall serve a period of 2 years with an option of renewing for further periods, if felt necessary. The need to ensure continuity and stability has to be balanced against the need to safeguard against complacency and to provide fresh perspectives.

6. FREQUENCY AND LOCATION OF MEETINGS

The EHC Referral Group Meeting will meet every week, initially on a Wednesday afternoon from 1.00 to 3.30 pm and will run throughout the year to ensure timescales are met.

Due to the frequency of the EHC Referral Panel Meeting, three groups have been established (Group A, B and C). Each Group will meet once every 3 weeks.

The dates will be agreed and circulated prior to the start of each academic year.

The EHC Referral Group Meeting will meet at Progress House.

7. ADMINISTRATION AND FUNCTION OF PANEL

- A letter including the agenda will be circulated electronically every Friday by **12.30 pm.**
- Referrals for EHC assessment papers **will be available for collection from Friday afternoon** otherwise will be circulated to the EHC Referral Group Meeting members on the day of the meeting **with opportunity to read the papers during the first hour of the meeting .**
- The EHC assessment papers will not be anonymised and will be collected by the SEN & D Case Officer following discussion at the meeting
- The EHC Referral Group members should not write on the case papers as these will need to be circulated to parents/advice givers etc.
- Recommendations and decisions are based on the written evidence presented and members will consider the referral having regard to the severity and process criteria.

- A checklist will help the EHC Referral Group members to establish that school have provided relevant documents and have taken all reasonable steps to meet the needs of the pupil. The evidence must detail a graduated response over time and include specific details of intervention including how Element 2 funding has utilised, strategies and impact of these.
- To encourage discussions, EHC Referral Group members will be asked to lead on cases.
- If the EHC Referral Group member has any direct involvement or conflict of interest and is present at the meeting at which the referral is under discussion, the member will declare that interest as early as possible and shall not participate in the discussion.
- Individual recommendations and decisions will be recorded by the SEN and D Case Officer and placed on the pupil's file for action by the relevant officer.

8. DECISION MAKING

As stated, the EHC Referral Group meeting can make both recommendations and decisions. However, the final responsibility lies with the LA.

Every effort will be made to reach a consensus on each case.

In the event that consensus cannot be reached, the views of the majority will be recorded.

9. CONFIDENTIALITY

All cases considered by the EHC Referral Group are of a confidential nature and as such should not be discussed outside of the meeting.

10. REVIEWING ARRANGEMENTS

Any comments/feedback from the EHC Referral Group members will be reported by the SEN & D Assessment and Commissioning Manager to the SEN Management Meeting.

The Panel procedures will be reviewed annually and/or following any changes in legislation, guidance, LA's processes.