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# **Statutory Assessment: Statement Process**

**Guide for  
Parents/Carers**

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

Within RCT only children placed in special schools have to have a statement of special educational need and will have to undergo a statutory assessment. However, if, despite having help (or placement) at School Action Plus, you feel your child is not making progress, then you or the school (or certain other professionals) may ask the Local Authority to carry out a statutory assessment. In every case, the statutory process is the same. The assessment is multi-disciplinary and is a detailed investigation to establish all the additional learning needs of your child. The Special Educational Needs Code of Practice for Wales 2002 sets out process and the timescales that the Local Authority has to work to.

## **What are the steps in a Statutory Assessment?**

### **Step 1- The Initial Request**

Requests for statutory assessment may be made by:

- parents,
- school (or Early Years Setting),
- paediatrician,
- social worker or
- educational psychologist.

Following a request, you will receive a letter from Access and Inclusion Service explaining that a request has been received and is receiving consideration. You will be asked to complete a consent form and provide us with details of people you would like to provide advice. You will also be sent a copy of the details of voluntary groups that may be able to help you. The Statutory Assessment and Liaison Officer (SALO), who is the named LA Officer, will also be able to offer advice and assist you through the process.

To help us to decide whether a statutory assessment is necessary, we will gather information about your child and his or her progress at school. We will consider your views and, if possible, those of your child. We will seek advice from staff at your child's school. We will want to know about action that the school has already taken to help your child and about the rate and style of your child's progress.

Within six weeks of receiving a request for a statutory assessment, we will inform you and the school in writing whether we consider that a statutory assessment is necessary.

If we decide a statutory assessment is not necessary, we will explain why we have reached this decision and explain what you can do next.

### **Step 2 – Requesting Advice**

If we decide that your child needs a statutory assessment, we will ask for your views, the views of the school and other professionals who have been working with your child, including the Educational Psychology Service, the Health Service and Children’s Services about your child’s needs. Your child will be able to contribute to his or her assessment wherever possible. Everyone who has been working with your child will be asked to write reports. These are called advices. Your advice is known as Parental Advice or Appendix A.

### **The Involvement of Parents**

Parents are fully involved throughout the statutory assessment process. As a parent you will be invited to give your own views and comments about your child’s special needs. You will be provided with a form that you may wish to use for this purpose. Advice and help in completing the form, this is available. Your child’s wishes and feelings will play an important part in the assessment and he or she may be asked about his or her special educational needs and the kind of help he or she thinks would be best.

You may accompany your child to any interview, medical test or assessment, although occasionally a professional may ask to see your child alone because children sometimes respond differently when their parents are present. Each professional will be willing to discuss the assessment and any action or outcome and you will eventually receive copies of all the reports which form part of the statutory assessment.

At the start of the assessment, you will be provided with details of Named LA (Local Authority) Officer who will be able to give information, advice and support during the assessment process. If you have any worries or concerns about any of the procedures you can contact this person.

During the statutory assessment parents may, if they wish, also obtain support from a independent Named Person. This is someone who is preferably independent of the Access and Inclusion Service and may, for example, be a parent support worker or a member of a voluntary organisation. The Named Person can accompany them to meetings and help fill in forms or prepare reports. If you do not know of anyone who can help in this way, the Service will nominate a named person on your behalf; usually SNAP (Special Needs

Advisory Project). Once all the advice and reports have been received by the Service, a decision will be made as to whether a statement of special educational needs is necessary for your child.

If it is decided that a statement is not needed, then a note in lieu may be issued instead, giving all the advice that has been received and providing an explanation of how this decision has been made.

It is very important that you are a partner in the statutory assessment. Your understanding and knowledge of your child are an essential part of the process. The better informed you are, the more involved you can be in your child's assessment. It is very important to make every effort to keep all appointments made for your child. If you miss an appointment it could mean that it might take much longer to finish your child's assessment. Please ask if you need anything translated or the services of an interpreter.

### **How will my child be involved?**

Just as you as parents have vital information about your own child, children and young people themselves have a unique knowledge of their own circumstances. They will have their own views about what support they would like to receive, in order to make the most of their education, and they should feel confident that their views will be taken into account. All children and young people have rights, including the right to receive information and to express opinions about decisions which affect them. Support will be given to help young people, particularly those with communication difficulties, to express their views and develop their confidence. From an early age, children with additional learning needs will be involved in discussion about their individual education plans.

### **Step 3 – Making the Decision**

The SEN Panel is a group of Senior Specialist Education Professionals within the Access and Inclusion Service. The Panel meets weekly. The SEN Panel will discuss your child and consider all written advices very carefully before making recommendations regarding the support that your child needs. The SEN Panel has to decide whether your child needs a statement of special educational needs.

A statement of special educational needs will only be necessary if the support that your child needs cannot reasonably be provided from the resources

normally available to mainstream schools or if your child attends (or will attend) a special school.

#### **Step 4 – The Proposed Statement**

Following the SEN Panel's decision that a statement of SEN is necessary, we will send you the statement that we are proposing to issue for your child. We will also send you a copy of all the advices that we have received as part of the statutory assessment. A copy of the proposed statement and the advices will also be sent to everyone who contributed to the assessment.

If a note in lieu is issued, a school will be named in Part 4, and you will be asked to respond within 15 days, if you have any representations. You will also be advised of your right of appeal to the Special Educational Needs Tribunal for Wales (SENTW). If a proposed statement is issued, at this stage you will also be sent a copy of the 'Notice to Parents', which explains fully how you can comment on the proposed statement, before it is finalised. It will also explain your rights regarding your choice of school.

#### **The statement is in 6 parts:**

- **Part 1** includes details of your child's name, date of birth and address as well as your name and address
- **Part 2** is the description of his or her special educational needs
- **Part 3** describes the support and/or provision your child will need in school how it will help your child in the long term the arrangements for your child's progress and provision to be monitored and reviewed
- **Part 4** is the name of the school – Please note this section is left blank on a proposed statement.
- **Part 5** describes non-educational needs
- **Part 6** describes the provision to meet your child's non-educational provision.

You will be asked to respond within 15 days if you have any comments about the documents. Remember, if you have any questions or concerns, you should discuss these with the Parent Partnership Service, SNAP Cymru. You can ask for an appointment to meet to discuss the Special Educational Needs Panel's recommendations in more detail by contacting the SALO, the Named Officer.

## **Step 5 – The Final Statement**

A final statement will normally be issued within 8 weeks of the proposed statement and will be accompanied by a letter telling you of your right to appeal to SENTW.

### **Time Limits for Making Assessments and Statements**

**6 Weeks** - Considering whether a statutory assessment is necessary

**10 Weeks**- Making the Assessment

**2 Weeks**- Drafting the proposed statement or note in lieu

**8 Weeks**- Finalising the statement

**Total time: 26 weeks**

Please find structure of time limits in appendix 1.

## **Step 6 – Reviewing the Statement**

If your child has a statement of special educational needs, the statement will be discussed at least once a year at an annual review, to ensure that the statement is still meeting your child's needs. You and your child will be invited to attend the annual review, together with the people who are working with your child.

A statement will only be maintained as long as it is needed; very few children or young people have a statement throughout their education. A statement is ceased when a child or young person has made enough progress to be supported at Early Years/School Action Plus or leaves school.

Please remember that Parent Partnership Services provide support and advice to parents and carers of children who may have additional learning needs. They could come with you to meetings, help you write your views and give you advice and information as well as personal support. Locally, SNAP Cymru provides a Parent Partnership Service. This service is free, independent and confidential and can be contacted:

**Address:** SNAP Cymru Head Office  
10 Coopers Yard,

Curran Road,  
Cardiff,  
CF10 5NB

**Tel:** 02320348990

**Helpline:** 08451203730

**Helpline from mobile:** 03451203730

**Email:** [enquiries@snapcymru.org](mailto:enquiries@snapcymru.org)

You may of course wish to use the service of another voluntary organisation.

### **What can I do if I disagree with the recommendations?**

If you have any concerns or disagree with Part 2, Part 3 or Part 4 of the final statement, you have the right to appeal to the Special Educational Needs Tribunal for Wales (SENTW). You must appeal within 2 months of the date on which the Final Statement was issued.

You may also wish to get advice or use the disagreement resolution service. This is an independent service and can be accessed by contacting:

**Address:** SNAP Cymru Head Office  
10 Coopers Yard,  
Curran Road,  
Cardiff,  
CF10 5NB

**Tel:** 02320348990

**Helpline:** 08451203730

**Helpline from mobile:** 03451203730

**Email:** [enquiries@snapcymru.org](mailto:enquiries@snapcymru.org)

Using this service does not prevent you from appealing to the Independent Special Educational Needs Tribunal (Wales), it does not affect your rights and an appeal to the Tribunal can run at the same time as any disagreement resolution process.

**Timetable for the Statutory Assessment Process**

