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INFORMATION SHEET: 14

MY CHILD HAS A STATEMENT OF SPECIAL EDUCATIONAL NEEDS - WHAT CAN I DO IF I THINK THE NEEDS SHOULD BE RE-ASSESSED

If your child has a Statement you have a right in law to request a re-assessment of your son or daughter's special educational needs as long as it is more than six months since the last assessment or since the Statement was issued.

It would be advisable to discuss your concerns with your son or daughter's school. You might wish to do this at an Annual Review, when a recommendation can be made to the Local Authority (LA) as part of the Review process. You should have good grounds for feeling that a re-assessment is necessary, as you will be asked to explain the reasons for your request.

The principal reason will almost always be that the child's needs have changed significantly. For example, this could be because it is several years since the statement was first issued or because their learning difficulties have become more severe or because they have developed behavioural difficulties.

You should make your request for re-assessment to the LA in writing, addressing your letter to the Area Special Needs Manager for the area in which you live (see list of areas below). An example of the type of letter you could write is given below.

(Your address and telephone No.)

(Date)

Area Special Needs Manager
Area office

Dear

Re: *(Child's name and date of birth)*

I am writing to ask you to re-assess the educational needs of my son/daughter under the terms of the Education Act 1996.

I make this request under section 328 of the Act because *(give details of your reasons for making the request for assessment)*

I understand that you will gather information about *(child's name)* special educational needs and that a panel will decide whether or not those needs meet Surrey's criteria for statutory assessment.

Yours sincerely

Once the LA has received your request, it has six weeks to decide whether or not your son or daughter's needs are complex enough to need a statutory re-assessment. If they agree then the assessment will go ahead; if they disagree, they will write to you and the school explaining why. The LA will also inform you of your right of appeal to an independent the Special Educational Needs and Disability Tribunal (SEND).

The Annual Review process is considered by the LA to be an up-date of the Statement as it should provide the latest information on progress, attainment and current difficulties.

The LA can also amend your son or daughter's Statement without carrying out a full re-assessment. For instance, they might change the school named on the Statement when the pupil moves from primary to secondary school, or they might add details of a new diagnosis. If the Statement is amended and you do not agree with the changes you will be able to appeal to the Special Educational Needs and Disability Tribunal (SEND).

N.B. Our Helpline can advise you about your right of appeal and explain the appeals procedure.



Where can I find my Local Education Office?

Surrey is divided into two local education areas as follows:

East Local Education Area Office

Omnibus, Lesbourne Road
Reigate RH2 7JA

Tel : 01737 737600

(Acting) Area Special Needs Manager:
Carol Bennett

West Local Education Area Office

Grosvenor House, London Square
Cross Lanes
Guildford, GU1 1FA

Tel : 01483 517900

Area Special Need Manager:
Carol Gill

