



**WOKINGHAM
BOROUGH COUNCIL**

Education, Health and Care Plan (EHCP) Decision Making Panels

Terms of Reference

February 2025

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The role of the EHCP decision making panels

Wokingham Borough Council has two panels for making decisions about Education, Health and Care (EHC) needs assessments and Education, Health and Care Plans (EHCPs).

The panels are called:

- The EHC needs assessment decision making forum (EDMF)
- The placements and funding decision making forum (PFF)

These panels act as advisory forums. Their role is to support Wokingham Borough Council to make consistent, fair and robust decisions about how to meet the needs of children and young people with special educational needs and disabilities (SEND).

Both panels are multi-agency, with professionals from different services attending. This ensures that the decision-making process is informed through professional debate.

The panels consider every request on an individual basis and must also consider the fair and efficient use of public funds. They must ensure that available resources in schools are effectively targeted to meet the needs and improve outcomes for children with SEND.

Decisions are based on the evidence provided and the relevant legal framework and guidance:

- [The Children and Families Act 2014](#)
- [Special educational needs and disability code of practice: 0 to 25 years 2015](#)

Decisions the panels make

The EHC needs assessment decision making forum (EDMF) makes decisions about:

- Carrying out an EHC needs assessment
- Issuing an EHCP
- The type of school and the level of funding in an EHCP
- Reassessing the needs of a child or young person with an EHCP

- Ceasing an EHCP, where a child or young person's outcomes have been met, or can be provided from within the resources ordinarily available

The placements and funding decision making forum (PFF) makes decisions about:

- Using the council's resources to meet the needs of children and young people with an EHCP
- Personal budgets for children and young people with an EHCP
- A change of educational placement or level of support for children and young people with an EHCP

Frequency of meetings

Both panels take place once a week, on a Wednesday.

Panels also take place at appropriate times of the year to consider decisions around the needs of particular groups of children and young people. For example, early years, phase transfer to secondary school, post 16, and admissions for specialist resources and special schools.

Membership

Wokingham Borough Council operates multi-agency panels. This means that representatives from different services provide input at both panels.

Both panels are chaired by the SEND Practice Manager from our SEND Service.

The people who attend the EHC needs decision making forum (EDMF) are from:

- our SEND Service
- our Educational Psychology Service
- our Social Care Services
- local schools (for example a SENCO or headteacher)
- local early years settings
- our alternative provision provider, Foundry College

The people who attend the placements and funding decision making forum (PFF) are from:

- our SEND Service (including our Area SENCO)
- our Educational Psychology Service
- our Social Care Services
- our Children's Services finance team
- our Children's Services commissioning team
- our alternative provision provider, Foundry College

Input from Berkshire Healthcare Children and Young People's Integrated Therapies (CYPIT) is used at both forums.

Where a child or young person has a hearing, visual or multi-sensory impairment, Berkshire Sensory Consortium are invited to attend, or to provide input into the decision-making process.

The voice of the child, young person and parent or carer

The views, wishes and feelings of parents, children and young people are a central part of the decision making within both panels.

Their views are actively sought:

- During a needs assessment for an EHCP
- As part of the annual review process for an EHCP
- Through contact with the SEND Team

How the panels operate

As the areas to which the panels give advice on are wide ranging, agendas need to be planned so that time is used efficiently, and decisions can be taken within the relevant statutory timescales.

- Papers, together with an agenda, are made available in advance of the meeting to panel members
- There is an expectation that panel members will have read the panel papers in advance and come informed to represent their service
- At the meeting, a collective decision is reached in respect of each case submitted
- In exceptional situations where a consensus cannot be reached, and sufficient information is available, the meeting Chair has the casting vote
- A formal record of the decision is noted
- Panel discussions are confidential, and all panel members agree to act in accordance with the terms of the confidentiality wording set out in [Appendix A](#).
- Panel members should declare any conflicting interests at the start of a meeting. Cases on the agenda are altered on the day to accommodate the departure of panel members from panel from these discussions. Where it is unclear as to whether a conflict exists, the Chair shall make the final decision.

Following a panel meeting

Parents/carers and referrers will be contacted by the SEND Team to inform them of the panel decision, a week after the panel date or sooner where possible. They will be provided with a letter and decision sheet to confirm the decision.

If the decision is not to proceed with an EHC needs assessment, or that following a needs assessment, it is decided that an EHCP is not required, the letter will include where they can get further advice, and what their legal rights are to appeal the decision.

Wokingham Borough Council is committed to working in partnership with families and, where there is a disagreement associated with a decision made, will always seek to discuss any issues. The council believes that this approach is in the best interests of our children and young people. Families can also ask Wokingham Borough Council to take part in formal mediation.

Where a school or setting has referred a child to Wokingham Borough Council, they will receive feedback on the outcome and, if appropriate, support and advice.

In all cases, if new or additional advice is made available which may change the decision, this can be presented at a future panel.

APPENDIX A

Confidentially agreement

I hereby agree that I will keep confidential and will not, except in the proper course of my duties or as required by law, use or divulge and shall use all reasonable endeavours to prevent the use or disclosure of, any information which comes to my knowledge by virtue of my participation as a panel member. I will, however, be entitled to disclose such information to Wokingham Borough Council and to any party to whom Wokingham Borough Council is entitled to disclose information.