

## **Learning Difficulty Assessments (LDA)**

### **What is a Learning Difficulty?**

Definition of Learning Difficulty: A person has a learning difficulty if:

- he/she has a significantly greater difficulty in learning than the majority of persons of his/her age, or
- he/she has a disability which either prevents or makes it difficult to access post-16 education or training.

This includes people with mental health difficulties, autistic spectrum conditions, dyslexia, attention deficit hyperactivity disorder, behavioural emotional or social disorders, physical, sensory and cognitive impairments and other identified and non-identified difficulties in learning.

All of these conditions could fall within the definition of learning difficulties for the purpose of a Learning Difficulties Assessment.

### **What is an LDA?**

Until September 2015 all young people with a statement of special educational needs (SEN) who were likely to start post-16 education and training were entitled to an LDA. An LDA is also sometimes known as an S139a (from section 139a of the Learning and Skills Act 2000)

An LDA identifies the young persons' needs and suitable provision to meet those needs. It is an assessment of a young person that results in a written report containing:

- his/her educational and training needs
- the learning provision required to meet those needs.

The LDA should be impartial, and focused on the needs of the young person. It should take account of the expected outcomes for the young person on the completion of their learning including their realistic aspirations and hopes for the future and focusing on moving towards independence and employment where appropriate.

During the assessment process all possible options should be considered, including work based learning, apprenticeships and supported internships.

### **Transfer to EHCP**

If the young person is already a student in college and started before September 2015, it is likely that they will have an LDA. As part of the Children and Families Act 2014, the young person or their parent/carer can ask the local authority to transfer to an EHCP (Education Health and Care Plan) if they wish to. This would mean a further assessment period of up to 20 weeks, during which time the LDA would remain in place.

If the programme the young person is on and the support he/she is getting are working well, there may be little to be gained from changing.

Some of the benefits of changing to an EHCP could be:

- Getting a personal budget to pay for some of the support identified in the plan
- Getting alternative or additional funding from social care or health
- Having the right to appeal to the Special Educational Needs and Disability (SEND) tribunal if the plan needs changing

If the young person is expecting to stay in college beyond September 2016, then they will have to transfer to an Education, Health and Care Plan during 2015/16.