



PLANNING FOR LIFE AFTER 16

Section 139a Assessments

About Section 139a Assessments

Other than in a few very exceptional cases, statements cease when young people leave school. The support mechanism for young people attending colleges, and some other forms of education-based training, is through a Learning Difficulty Assessment (LDA), usually known as a Section 139a Assessment, because they are prescribed in section 139a of the amended Learning and Skills Act 2000.

What the law says

The Act stipulates that local authorities must arrange for an assessment of all young people who:

- > have a statement, are in their last year at school, and are expected to go on to post-16 education

OR

- > are under 25 and do not have a statement, but appear to have a 'learning difficulty'

AND

- > are either already receiving post-16 education or training

OR

- > are in their final year of school and likely to go on to post-16 education or training.

'Learning difficulty' under the terms of the Act is defined as having a learning difficulty or disability which

- > makes it significantly harder to learn than for the majority of people of the same age

OR

- > prevents or hinders the young person from making use of facilities of a kind generally provided by institutions offering education or training for other people of his/her age.

The purpose of Section 139a Assessments

Section 139a assessments consist of an assessment resulting in a written report, setting out the young person's educational and training needs and the provision required to meet those needs. In this, they are very like statements, though are not legally binding on the local authority in quite the same way.

Nevertheless, it is still important for parents and young people to ensure they are thorough and detailed for two reasons:

- > So that colleges and other providers know what support your son or daughter needs and can arrange it

AND

- > To help ensure the availability of appropriate provision for young people with speech and language impairments.

Local authorities, colleges and other providers use the information contained in Section 139a assessments to inform their planning. Historically, there has been little or no provision specifically for young people with speech and language difficulties because nobody was aware that there was a need for it. A regular flow of robustly worded section 139a assessments specifying that, as a result of the young person's speech and/or language disorder, he or she needs a package of support that includes, for example:

- > speech and language therapy
 - > specialised teaching and/or teaching assistant support
- and perhaps
- > social skills or independence training, and
 - > intensive preparation for employment

will make it more likely that:

- > Local authorities and colleges develop a much better understanding of the numbers of young people affected
- > Local authorities recognise the need to arrange specific programmes of learning or support systems for young people with speech and language impairments
- > Colleges and other providers will make greater efforts to provide the tailored packages of support the young people need.

Although the legal duty to arrange Section 139a assessments lies with local authorities, they generally delegate the responsibility for carrying out the assessment to Connexions. Young people with statements have their own PA (personal adviser) and he or she usually does their assessment. For more information about Connexions, see the relevant factsheet.

Young people without Statements

If your son or daughter does not have a statement, it is unlikely that he or she will be given a Section 139a assessment automatically, unless he or she already has a Connexions PA who plans to do one. If not, and you think your son or daughter meets the criteria for having a 'learning difficulty' as set out above, it is worth talking to the school as they may be able to request an assessment for you, or, at least, refer you to Connexions. Indeed, there may be a PA based at the school. Failing that, try approaching Connexions directly and asking for a PA with expertise in SEN generally, and speech and language difficulties in particular. If, however, Connexions in your area are unable to help, perhaps because funding cuts mean they have had to restrict their service to young people with statements only, the best thing is to write to your local authority, formally requesting a section 139a assessment.

Government guidance

The Department for Education has issued guidance for local authorities on Section 139a Learning Difficulty Assessments. It can be viewed here:
<http://tinyurl.com/8885gzj>

For more information about these or any other related matters, see the factsheet *Education: Sources of Further Information* or contact the **Afasic Helpline** on **0300 666 9410** or **0207 490 9420**.