

Information for parents

The special educational needs and disability (SEND) reforms - England

contact a family
for families with disabled children



Education, Health and Care plans

From 1 September 2014 statements of special educational needs and Learning Difficulty Assessments will be replaced by Education, Health and Care (EHC) plans. EHC plans can be issued for a child or young person aged between 0-25.

What is an Education, Health and Care (EHC) plan?

An EHC plan is a legal document which describes:

- a child or young person's special education, health and social care needs
- the help that will be given to meet those needs, and
- what the young person will be able to achieve as a result of the support.

The plan is drawn up by the local authority after a formal assessment process called an EHC Needs Assessment (see our factsheet *Education, Health and Care needs assessments*).

Who needs an EHC plan?

Most children and young people with special educational needs (SEN) will not need an EHC plan. SEN support at their nursery, school or college will be able to provide all the extra help they need (see *Extra support in mainstream school – SEN support*).

A small number of children or young people will need an EHC plan if they need more support than is normally available in mainstream nurseries, schools or further education colleges, or through the 'local offer'. A local offer is intended to provide information about what a local authority expects to be available to children with special educational needs and disabilities in their area, including leisure activities and childcare. You should be able to find this on your local authority website. For more information about the local offer, see *The local offer explained*.

A young person aged between 19 and 25 can have a plan if they still need more time to finish their education or training.

Key Principles

- The local authority and other agencies must involve families in preparing the plan.
- EHC plans should describe what the child or young person can do or has achieved.
- EHC plans should be clear, concise, and understandable to everyone.
- The LA must consider how the outcomes can best be achieved, and must take into account the evidence from the EHC needs assessment.
- EHC plans must specify the outcomes the child or young person wants and needs to achieve. An outcome is the positive difference the support will make to a person.
- Planning should include support and advice for families about alternative ways of receiving support, for example, through a personal budget.
- EHC plans should show how education, health and care will work together and support the young person to achieve their outcomes.

Need advice?

Call our freephone helpline

0808 808 3555

helpline@cafamily.org.uk

Open Monday to Friday, 9.30am–5pm



- EHC plans should include plans for the future – for example planning for transition to adulthood.

What does an EHC plan look like?

It is up to each local authority to decide how to lay out their EHC plans. However, all plans must include the following separately labelled sections.

A. The views, interests and aspirations of the child or young person

This should include: history, future goals, play, health, schooling, friendships, how to communicate with the child or young person and involve them in decision making.

B. Special educational needs (SEN)

Must set out all the identified special educational needs. Note that some health or social care needs may be treated as special educational needs. (see section F)

C. Health needs

Must set out health needs identified by an EHC assessment which relate to special educational needs. Can give detail about any other health care needs as well.

D. Social care needs

Must set out social care needs related to special educational needs, for example help with personal care for your child so they can study. Must set out needs which lead to provision under section 2 of the Chronically Sick and Disabled Person's Act 1970 (see section H1). This means practical help for your child, for example equipment, help with travel, leisure, short breaks. May set out other social care needs not linked to the child or young person's special educational needs (SEN) or disability.

E. Outcomes sought for child or young person

Can be education, health or care related. Must distinguish between provision and outcome. For example, provision could mean weekly speech and language therapy session. The outcome could be 'child can talk to friends'.

Should include smaller steps towards meeting the outcomes, how progress will be checked and arrangements for review.

F. Special educational provision

Must be detailed and specific. Should state: the type and amount of support, how often it will be provided, the level of expertise needed, where a personal budget is used, and how support will help to meet the outcomes. There must be provision to match every need identified in section B. Must set out here any health or social care provision which educates or trains a child or young person.

G. Health provision reasonably required by learning difficulty/disability which results in special educational needs (SEN)

Should be detailed, specific, and support the outcomes (see section E). May include specialist support, and/or therapies, medication, nursing, specialist equipment.

H1. Social care provision which must be made under section 2 of the Chronically Sick and Disabled Person's Act 1970

Should be detailed and specific, including the type of support, who will provide it, including use of direct payments. For example, help in the home, and to take part in leisure activities.

H2. Any other social care provision reasonably required as a result of SEN

Can include provision identified through social services assessments, safeguarding assessments or adult social care provision for young people over 18. Can also include provision not related to a child or young person's SEN or disability.

I. Placement

Type and name of school, nursery, further education college or other setting.

J. Personal budget

Must set out details of personal budget and direct payment arrangements. Must specify the SEN outcomes which are to be met by direct payments.

K. Advice and information

Must list advice and information gathered during EHC needs assessment. This must be set out in appendices to the EHC plan.

Where in the light of an EHC needs assessment, it is necessary for special educational provision to be made for a child or young person in accordance with an EHC plan, the local authority must prepare a plan.

(SEND Code of Practice section 9.53)





When your child has a plan

From draft to final EHC plan

You have at least 15 days to comment on the plan and to say which education institution you would like your child to go to. The LA should give you guidance about the options available and must meet with you if you want to discuss the plan.

This is a good time to ask questions if anything is unclear, discuss personal budget arrangements if appropriate or to say if you think changes need to be made to the plan.

The LA then have 15 days to consult the education institution which they are thinking about naming on the plan. This involves sending them your child's draft plan so that they can comment on whether they can provide the support detailed in the plan.

The LA must finalise the plan within 20 weeks from the date they received your request if you asked for an EHC assessment yourself.

Reviewing and changing the plan

The plan must be reviewed at least once every year. The purpose of the review is to look at your child's progress, discuss any problems and check whether any changes are needed to the plan. For example, your child may need a change to the amount or type of help, or may be moving on to a different stage of their education.

The process involves gathering information about your child, and meeting with you and others involved in their education or support. The review finishes when the local authority makes a decision about whether they are going to change anything in the plan, leave it unchanged, or end the plan.

The plan will remain in place until your child leaves education, or the LA decides that your child no longer needs extra support in the plan. If your family moves to another local authority the plan is transferred.

If your child has special educational needs and you are unhappy with a local authority decision about their education, you can appeal to the Special Educational Needs and Disability Tribunal. The Tribunal is made up of a legally qualified tribunal judge and two specialists who have knowledge and experience of children with special educational needs and disabilities.

You have to appeal to the Tribunal within two months of getting the decision letter. Call our freephone helpline for more information about appealing a decision.

Find out how you can get involved in the changes in your area by joining your local parent carer forum. Contact the National Network of Parent Carer Forums:

www.nnpf.org.uk 020 7608 8708 info@nnpf.org.uk
www.facebook.com/NNPCF www.twitter.com/NNPCF

**Got a question about the changes?
Call the Contact a Family freephone
helpline: 0808 808 3555
helpline@cafamily.org.uk
www.cafamily.org.uk**

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