

NE Lincs SENDIASS Fact Sheet

What is an Education Health and Care Plan?

An **Education, Health and Care plan (EHCP)** describes your child's special educational needs (SEN) and the help they will get to meet them.

An EHCP also includes any health and care provision that is needed.

It is a legal document written by the local authority and is intended to ensure that children and young people with an EHCP receive the support they need.

Who needs an EHC Plan?

EHCPs are for children and young people (0-25 years) who have a special educational need or disability that cannot be met by the support that is available at their school or college.

Most children and young people with special educational needs will have help given to them without the need for an EHCP. This is called SEN Support.

The purpose of SEN Support is to help children achieve the outcomes or learning objectives that have been set for them. Some children and young people may not make the progress expected of them even with this help. When this happens the Local Authority can carry out an EHC needs assessment. A few children and young people have such significant difficulties/needs that an EHC needs assessment should not be delayed.

You or your child's school can ask the local authority to make an EHC needs assessment. Local authorities must give their decision in response to any request for an EHC needs assessment within a maximum of 6 weeks from when the request was received.

If the local authority decides, following an EHC needs assessment, not to issue an EHCP plan, it must inform the child's parent or the young person within a maximum of 16 weeks from the request for an EHC needs assessment.

What should an EHCP be about?

The SEND Code of Practice says that EHCPs should:

- be based on decisions made openly, and with parents, children and young people
- describe what the child or young person **can** do
- be clear, concise, understandable and accessible
- consider how best to achieve the outcomes for the child or young person. They must take into account the evidence from the EHC needs assessment
- specify clear outcomes
- consider alternative ways of providing support if a parent or young person wishes it. This could include having a Personal Budget
- show how education, health and care provision will be co-ordinated
- be forward looking – for example, anticipating, planning and commissioning for important transition points in a child or young person's life
- describe how informal support as well as formal support from statutory agencies can help in achieving agreed outcomes
- have a review date

There is a full list of principles and requirements in the **SEND Code of Practice** section 9.61.

What is included in an EHCP?

Every EHCP must include at least 12 sections, but each local authority can decide how to set these out. The sections are:

- A:** The views, interests and aspirations of you and your child or the young person
- B:** Your child's or young person's special educational needs
- C:** Health needs related to their SEN or to a disability
- D:** Social care needs related to their SEN or to a disability
- E:** Planned outcomes for your child or the young person
- F:** Special educational provision. Provision **must** be specified for each and every need shown in section B
- G:** Any health provision required that is related to their SEN or to a disability
- H1:** Any social care provision that **must** be made for your child or young person under 18
- H2:** Any other social care provision required that is related to their SEN or to a disability
- I:** The name and type of the school, maintained nursery school, post-16 institution or other institution to be attended
- J:** Details of how any personal budget will support particular outcomes and the provision it will be used for
- K:** The advice and information gathered during the EHC needs assessment

Where the child or young person is in or beyond year 9, the EHCP must also include the provision required by your child or young person to help prepare for adulthood and independent living.

You can read the full list of what must be included in each Section in the **SEND Code of Practice** sections 9.62 and 9.63

Can I request a particular school?

The law says that parents or the young person has a right to request that a particular school, college or other institution is named in the EHCP. The Local Authority must agree to this request unless:

- it would be unsuitable for the age, ability, aptitude or SEN of the child or young person, or
- the attendance of the child or young person there would be incompatible with the efficient education of others, or the efficient use of resources

You can find out more about your rights to request a particular school or college in the **SEND Code of Practice** sections 9.78 to 9.90.

How will I be involved?

The **SEND Code of Practice** says:

“Local authorities must consult the child and the child’s parent or the young person throughout the process of assessment and production of an EHCP.” (9.21)

And:

“Reviews must be undertaken in partnership with the child and their parent or the young person, and must take account of their views, wishes and feelings, including their right to request a Personal Budget.” (9.168)

Your views, and your child’s views, are really important. The local authority, school or college should help you take part and involve you in decision making. If you would like help to do this please contact North East Lincolnshire SENDIASS for impartial advice and support. We can also give you information on other sources of help, and on what to do if you do not feel that you have been heard or listened to.

Will there be a review of the EHCP?

The local authority **must** review the EHCP at least once every 12 months. This **must** be done in partnership with you and your child or the young person, and must take account of your views, wishes and feelings.

The local authority **must** decide whether to keep the plan as it is, make changes, or cease to maintain it within four weeks of the review meeting. You have a right of appeal if the local authority proposes to cease the EHCP.

For some young people an EHCP will continue until they are 25. However the plan will stop if the young person:

- goes to university
- gets a job
- tells their local authority they no longer want their EHCP, or,
- no longer needs special help and the local authority decides that the EHCP should cease.

You can find out more about reviews of EHCPs at:

<https://www.ipsea.org.uk/what-you-need-to-know/changing-an-ehc-plan/annual-review>

What can I do if I am not happy about the EHCP?

The first step is to contact the school, college or local authority to discuss your concerns.

NE Lincs SENDIASS can give you impartial advice and support and explain your options. This may include independent disagreement resolution, mediation or going to appeal.

What happens if I move to another local authority area?

If you plan to move to another local authority area you should contact the 'old' and the 'new' local authorities so the support specified in the EHCP will be in place. The 'new' authority will amend the plan and name the new school or college.

The 'old' local authority must transfer the EHCP on the day of the move, as long as it has had 15 working days' notice.

Where can I get more information, advice or support?

You can find out more about Special Educational Needs Support and Education Health and Care Plans by:

- looking at the SEN policy on the school website
- talking to your child's teacher or the Special Educational Needs Co-Ordinator (SENCo)
- looking at the Local Offer <https://www.nelincs.gov.uk/children-and-families/send-and-local-offer/>
- reading Chapter 6 of the **SEND Code of Practice** <https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>
- looking at the IPSEA website <https://www.ipsea.org.uk/>

If you would like help or want to discuss how we can support you to resolve any problems please call;

NE Lincs SENDIASS on **01472 355365**

or email:

nelincs@barnardos.org.uk

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