

Education, health and care (EHC) plans are for children or young people aged up to 25 with special educational needs (SEN), who need more support than can be given through SEN support in their mainstream nursery, school or college.

Your child or young person's EHC plan is a legal document. It explains

- what their special educational, health and care needs are
- the support they will get to help them to achieve and make progress (provision)
- how that support will make a difference to them (outcomes)

Your local authority must make sure that your child gets everything that's set out in their EHC plan, but the nursery, school or college will deliver what's in the plan.

Sometimes a school or college may give support that's different from what is written in the plan. If this happens the support that's given must achieve the same thing for your child, even if it's given in a different way.

One of the main aims of your child's EHC plan is make sure that the support given will help them achieve the best possible results in their journey towards adulthood. Even from early years, the support set out in a plan should challenge your child to become as independent as possible. This means taking small regular steps towards developing the skills they'll need for adult life.

What should be in an EHC plan?

The information in an EHC plan is based on the information that comes directly from you and your child, and from the professionals involved with supporting them.

The needs, outcomes and the support listed in the plan will have come directly from professional's reports and recommendations. The Special Education 0-25 team (SEN 0-25 team) staff don't usually write the content for the plan, but they may ask professionals to be clearer about the information they give.

The plan should

- describe positively what your child can do and what they've already achieved
- set out your views, your child's views and their goals for the future (aspirations)
- clearly and specifically list what your child's needs are and the support they will have
- say what difference the support will make to them (outcomes) – these should be SMART – Specific, Measurable, Achievable, Realistic and Time-bound.

You can find out more about aspirations, needs, outcomes and provision and what they mean in our factsheet and on our website.

EHC plans are usually written as long-term plans and they aren't expected to change very often. They usually cover a phase of education, such as a key stage (key stage 1 or 2 for example).

Your child's nursery, school or college should write their own detailed plan about the day to day support they give. This may also have some short-term goals for your child to achieve as 'stepping-stones' towards the longer-term goals in the EHC plan. An EHC plan is usually reviewed once a year, but the school or college plan should be reviewed more often than that – often once a term.

How each local authority lays out an EHC plan varies, but there are some sections and information that must be in every plan.

Section	What's in it
A	The views, interests and aspirations of you and your child or young person
B*	Your child or young person's special educational needs (SEN)
C*	Your child or young person's health needs that relate to their SEN
D*	Your child or young person's social care needs that relate to their SEN
E	Outcomes
F*	Your child's educational support (SEN provision)
G*	Any health support in relation to your child's SEN
H1 and H2*	Any social care support in relation to your child's SEN
I*	The name and/or type of educational placement (school, college etc.)
J	Personal budget
K	Appendices, which include the advice and information gathered as part of the assessment

*These are the parts of the EHC plan that you have a right to appeal.

The SEND Code of Practice is the legal guidance about special educational needs and disability support for local authorities to follow. It gives a detailed list of what should be in an EHC plan. The Council for Disabled Children also has a guide to good examples for the different parts of an EHC plan.

Important things to know about your EHC plan

Your child's EHC plan is an important document and it's likely to be in use for years. Often it will be in place until the end of compulsory schooling when your child is 16, and sometimes for longer. So, it's a good idea for you to know how it's used and changed and the things you will need to do as the years go by.

Here are our top ten most important things to know.

1. EHC plans can and ideally should be supported by another plan made by your child's school or

college, which set out how support works day to day. These school plans should also have short term targets for your child to achieve.

2. What's written in the EHC plan is meant to change over the years, but usually not very often. Most of the time when an EHC plan is made and updated the targets your child has are for a whole key stage. This gives time for support to work and for your child to develop new skills. What should change regularly is the plan that your child's school or college uses as their day to day plan. EHC plans are reviewed and sometimes changed following a yearly review process.
3. Your local authority has to make sure that your child gets the support (provision) set out in their EHC plan. But the nursery, school or college will give it. Sometimes a school or college may give support that's different from what is written in the plan. If this happens, the support must achieve the same thing for your child, even if it's given in a different way.
4. The targets (outcomes) set in an EHC plan are meant to be achievable for your child, but also ambitious. Everyone involved in the EHC plan should have high expectations for what your child can and should be achieving.
5. Your child's EHC plan should help your child achieve the best possible results in their journey towards adulthood. Even from early years, the support set out in a plan should challenge your child to become as independent as possible. This means taking small regular steps towards developing the skills they'll need for adult life.
6. EHC plans are meant to be 'living' documents. That means they should be looked at and used regularly, rather than gathering dust on a shelf. It's a good idea to use the plan sometimes when you have a school or college meeting to talk about how your child is getting on. If possible, always use a plan to guide you when you have a meeting to look at your child's progress and support. That could be the school's own plan that supports the EHC plan, or the EHC plan itself. That way you'll get to be very familiar with it and know what's in it.
7. The type of content in the EHC plan will change as your child grows. Each stage of school life, and beyond, has its own set of challenges and opportunities. So, as a result your child's plan will reflect that. For example, when your child reaches year 9 their plan will start to have

- information in it about getting ready for being an adult. This might include support to develop the skills they need to live on their own, to understand managing their money or to get experience in the type of work they want to do.
8. Other services often use the information that is in an EHC plan as part of the process for deciding whether your child might need other support or an assessment. So, it's important that it's up to date and accurately sets out your child's needs and support.
 9. You and your child have an important role in making sure the EHC plan is useful and relevant. Your views are key to making sure the plan works – by helping to make sure that what's in it is realistic, that it makes the most of your child's strengths and that it focuses on what is important to them.
 10. EHC plans are meant to be holistic. That means they're an all-round look at your child's needs and support in relation to their learning. The EHC plan should include health and social care needs if they are relevant. If these parts of the plan are empty, it's always worth asking the professionals whether they should be. You can ask for a review meeting for your child's needs to be added to the plan.

What to do when you get a final EHC plan

You will be sent a final copy of the EHC plan when it's issued. You'll need to decide whether you agree with what's in it. Your child's nursery, school or college should also get a copy.

If you agree with what's in the EHC plan

If you agree with the plan, your child's nursery, school or college will start giving the support that's set out in it. They may be doing quite a lot of the support already, so you may not see much change day to day. Support is usually given by staff in your child's school or college, but some children have support from other people and services too.

The EHC plan must be reviewed at least once every 12 months. Most schools and colleges also have their own plan which sits alongside the EHC plan. The school's plan might have some short-term goals in it and more

detail about day to day support. These plans are usually reviewed every term to check how your child is getting on and see whether anything needs to change.

You can find out more about reviewing an EHC plan on our website or in our factsheets.

If you disagree with what's in the final EHC plan

When parents or carers disagree with what's in a plan, it's usually about two main things:

- the nursery, school, college or other provider that's named as the place your child will go
- or**
- your child's education, health and social care needs and their support or both (what's written in sections B, C, D, F G and H of the plan)

If you disagree with either of these parts of the plan, tell your case co-ordinator at the SEN 0-25 team. You can tell them why you disagree with it and talk about the main issues. Many disagreements can be sorted out this way.

If you can't come to an agreement that way, then you can ask for disagreement resolution or mediation. If that doesn't resolve the disagreement, you can appeal. Appealing means challenging the local authority through a court at a tribunal hearing.

If you decide to appeal what's in the EHC plan your child should still be supported at school or college.

Which parts of an EHC plan can I appeal?

You can go to appeal about the information that's contained in most parts of your child's EHC plan:

- Section B: Your child or young person's special educational needs (SEN)
- Section C: Your child or young person's health needs that relate to their SEN
- Section D: Your child or young person's social care needs that relate to their SEN
- Section F: Your child's educational support (SEN provision)
- Section G: Any health support in relation to your child's SEN

- Sections H1 and H2: Any social care support in relation to your child's SEN
- Section I: The name and/or type of educational placement (school, college etc)

You can't appeal these parts of an EHC plan:

- Section A: Your child's views or parent views
- Section E: Outcomes (targets)
- Section J: Personal Budget

Appealing the education parts of the EHC plan (sections B and/or F)

You can appeal the content of the parts of the plan that set out your child's special education needs and the support they will get. So, if you disagree with the needs that are listed in the plan, and / or the support your child will get to meet those needs, you can appeal to the SEND tribunal.

To do that, you'll need to fill out appeal forms and send them in. You'll be asked to give information about you and your child and your local authority. You'll also be asked to say why you are appealing – so for example, why you think the local authority's decision is wrong, or why what's in the plan needs to change. Try to put in everything you need to say and support it with the evidence you have, such as reports and assessments. Match the points you're making with the evidence you have whenever you can.

Don't worry if you don't have everything ready to send straight away; you can send more evidence after you've registered your appeal. The IPSEA website has lots more information about how to appeal.

Appealing the health and social care parts of the EHC plan (sections C, D, G, H1 and H2)

Before April 2018, if you disagreed with your local authority about the education parts of an EHC plan, you could go to tribunal and ask for this to be reviewed. But you couldn't appeal the health or social care part.

A project has been running since 2018 which has allowed parents and carers to appeal the health and/or social care parts of an EHC plan as well. That's worked well and it's been decided to carry on doing it in the future.

That means, you can appeal about the health part of the plan, or the social care part, or both together. But, to appeal the health or social care part of an EHC plan you must also appeal the education part of the plan. The tribunal can make "non-binding" recommendations about the health and social care support set out in an EHC plan. This means that legally, health and social care organisations don't have to follow the judge's recommendations. But, even though they're non-binding, the local authority and health care commissioners are expected to follow them.

Appealing the school or other education setting named on the EHC plan (Section I)

You, or your child if they are over 16, have the right to ask for a particular school, college or other setting to be named in an EHC plan. If the local authority doesn't agree, and they name a different setting, you can appeal that decision at SEND Tribunal.

You can appeal just section I, the educational placement. But for most parent carers, it's also worth appealing sections B and/or F as well. They are the parts of the plan which set out your child's needs and their support. The school that's named in the plan should be the logical conclusion to what's been said in sections B and F. So, if the school that's named isn't the right one for your child, then the needs and support may not be right either.

You don't have to consider mediation if your appeal is only about which school or other institution your child should go to.

You can find out more about appealing the school or education setting on the IPSEA website, and the SEND Tribunal website.

How do I know if the EHC plan is accurate for my child?

Lots of the parents we support sometimes get a bit lost when it comes to EHC plans, what should be in them and what they are used for.

Perhaps it's been a while since you've looked at the plan, or since it's been reviewed or discussed? Or maybe you've decided to dip your toe in the water, and this is the first time you've thought about looking at it

properly? Whatever the situation, here are some tips that can help you get to grips with the plan and check that it's accurate for your child.

Think about your child's hopes, strengths, needs and support

The first thing to do, before you look at the plan fully, is to take some time to think about and write down:

- what really matters to and for your child
- what stops them from achieving
- what your hopes are for them in the future

Make a list of the most important support they already get and the support you think they need.

You know your child better than anyone. By making a list of what's most important for them, you will have a good place to start when you're looking at the plan. What's on your list should be in the plan somewhere, as your child's aspirations, needs and provision.

Check your child's goals (outcomes)

Then think about what you and they want to achieve over the next few years. Bear in mind that one of the main things you and school need to do is to help them develop as much independence as they can. The things that they (and you) want to achieve should make up the outcomes written in the EHC plan.

Read the plan

Read the EHC plan all the way through. Does it feel like it's your child that's being described? Does it feel like all the information that is needed is in it? Ask yourself if someone who didn't know your child picked up the plan, could they easily use it to understand and support them in school or college?

See if it's clearly written

Next, think about how clear the plan is to you. Is it easy to understand exactly what your child's needs are and what support they will get? For example, for the support listed in the plan, you should know:

- what the support is

- who is going to give the support (for example, a trusted adult such as a teaching assistant, teacher or therapist) and any skills, qualifications or training they should have
- how often the support will be given
- when and how it will be reviewed

Look for any new information

Check when the plan was last reviewed and whether any changes have been made to it recently. If anything important has happened lately, check to make sure that it's included in the plan. For example, if your child has recently been diagnosed with something, or an assessment has been done which adds new information, are these in the plan (if they are relevant)?

Once you've done these things, you should have a fairly good idea about whether the plan is accurate for your child as things stand now. If you think it might need changing, have a look at the questions and answer below. You can also contact us for advice or to talk it through with someone so you know what your next steps could be.

What do I do if I think my child's EHC plan might need changing?

If you've had a really good look at the EHC plan and you think that what's in it might need to change, the first thing to do is to arrange to talk to, or meet with, your child's SENCO. Sometimes schools are doing a lot to support a child, but that information doesn't always get passed onto parents. Ask the SENCO whether they feel that the plan is still accurate and how things are at school for your child.

You could talk about:

- The support that's in the plan and whether your child is getting it. So, ask if your child is getting the support as often as they should, is it being given by the right people and what difference is it making?
- Are their needs the same or have they changed? For example, your child may have developed a new health condition or be struggling to manage

emotionally in school – are these changes in the EHC plan, and should they be?

- If your child is struggling with learning or being in school, do they need to be further assessed or reassessed? Or if they have recently been assessed, does that information need to be added to the plan?
- Whether the nursery, school or college feel they are still able to meet your child's needs.

Once you've had that conversation, you can decide whether

- you think that the plan needs to be reviewed and changed or
- whether the plan is right, but what's in it isn't being given properly.

Early review of the EHC plan

EHC plan reviews usually happen once a year, but they can happen sooner than that if it's needed. The plan may need to be reviewed before the regular review is due if your child is:

- permanently excluded or
- their needs change a lot or
- the support they are getting is no longer right

You might hear this called an interim emergency review or sometimes an early statutory review.

If your child's situation has changed and you think the plan should be reviewed and possibly changed too, contact your case coordinator at the SEN 0-25 team to talk about it. You can ask for an early review to be done. If your child's school or college thinks an early review is needed, they can contact the local authority. If this happens you will need to ask for an early review too – the school can't ask for a review unless you ask for one too.

What do I do if I think my child's plan doesn't need changing, but I don't think the school are giving all the support in it?

Your child's school is given extra money, to add to the SEN money that's already in their budget, to deliver what's in your child's plan. Many will also get specialist advice or outside specialists will work directly with your child. But, the final legal responsibility for delivering what's in your child's plan is the local authority's.

If you've had a look at the EHC plan and you aren't sure if your child is getting all the support in it, ask to talk to your child's SENCO. Sometimes schools are doing a lot to support a child, but that information doesn't always get passed onto parents. Ask the SENCO how they're supporting your child. These are other things to consider.

- Ask if your child is getting the support that's in the plan as often as they should, and who is giving it. The school may have an individual timetable or plan which shows when your child has intervention sessions and how or who is supporting them.
- Remember that sometimes support can be invisible to a child, so asking them if they had help in a class may not always be the best way to find out. For example, a teaching assistant maybe supporting your child from a distance, watching to see when they need help rather than being sat next to them. Your child may not realise this is happening, so they might say they didn't have any help if you ask them. Many children want to blend in with their classmates so don't want it to be obvious an adult is helping them.
- You child might tell you they don't know **who** to ask for help, or **how** to ask them. You and your child can talk to the SENCO to make sure they know who they can go to for help. Schools use different ways for students to let the teacher know they need help. Some have a card a child puts on the desk, or a red pen or your child might be quite happy to just ask. Whatever is decided it's important your child is comfortable with it and all the staff know what has been agreed.
- If they school tell you that they can't deliver all the support in the plan because they don't have enough funding or the right resources, you can contact us to discuss things in more detail.

Need more information?

SEND Code of Practice

Legal guidance around special educational needs
www.gov.uk/government/publications/send-code-of-practice-0-to-25

Council for Disabled Children

EHC plans – examples of good practice
councilfordisabledchildren.org.uk/

Devon SEND Local Offer

SEND services and support available in Devon
www.devon.gov.uk/educationandfamilies/special-educational-needs-and-disability-send-local-offer

SEND Tribunal

Information about tribunal and court process.
www.gov.uk/courts-tribunals/first-tier-tribunal-special-educational-needs-and-disability

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