

SEND Information, Advice & Support Service



Your guide to

The Education Health and Care (EHC) Plan



Contents

What is an EHC Plan?	4
Who needs an EHC Plan?	4
The EHC Plan	5
What must an EHC Plan include and how will I be involved?	5
Section A	The views, interests and aspirations of the child and their parents, or of the young person 6
Section B	The child or young person's special educational needs (SEN) 6
Section C	The child or young person's health needs which relate to their SEN 7
Section D	The child or young person's social care needs which relate to their SEN or to a Disability 7
Section E	The outcomes sought for the child or the young person 8
Section F	The special educational provision required by the child or the young person 8
Section G	Any health provision reasonably required by the learning difficulties or disabilities which result in the CYP having SEN 9
Section H1	Descriptions of social care provision 9
Section H2	Descriptions of social care provision 10
Section I	Placement 10
Section J	Personal budgets 11
Section K	Advice and information 11
The Golden Thread	12
The final EHC plan	13
Assessment process timeline	14
Useful contacts	15

Education, Health and Care (EHC) Plans

This guide is about Education, Health and Care (EHC) Plans. The Children and Families Act 2014 replaced Statements of Special Educational Needs and 139a Learning Difficulties Assessments with Education, Health and Care (EHC) Plans.

The Plan coordinates the support for children and young people from 0-25 in a way that focuses on desired outcomes including, as they get older, preparation for adulthood.

Chapter 9 of the SEND Code of Practice talks about EHC Plans in detail and is available to download at

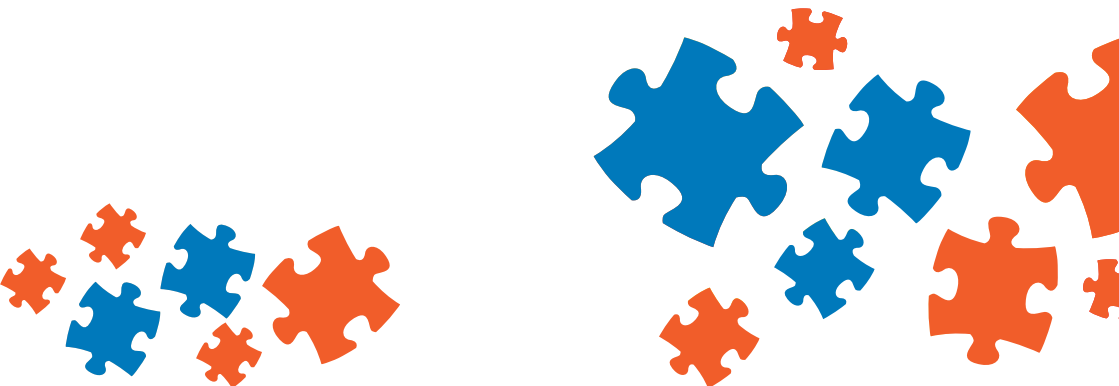
www.gov.uk/government/publications/send-code-of-practice-0-to-25

Feedback

The formation of an EHC plan should have the wishes and views of the child and young person at the heart of it. This includes the planning and assessment process, as well as the final document. Coventry Local Authority would welcome all feedback from families on the EHC process, to help ensure that it is designed and developed to support families undergoing an EHC needs assessment/plan.

To add your thoughts of your experience, a short questionnaire is available through the Local Offer website or from the Statutory Assessment and Review Team (START) (contact details on back cover).

Visit: <https://letstalk.coventry.gov.uk/coventry-send-local-offer>



What is an EHC Plan?

An EHC Plan is a legal document which is written by the Local Authority and is used for children and young people who have a high level of need.

The Plan describes your child or young person's special educational needs (SEN) and the support and help he or she needs to meet those needs and to make progress. The Plan should be focused on outcomes and coordinated across Education, Health and Social Care.

The SEND Code of Practice says:

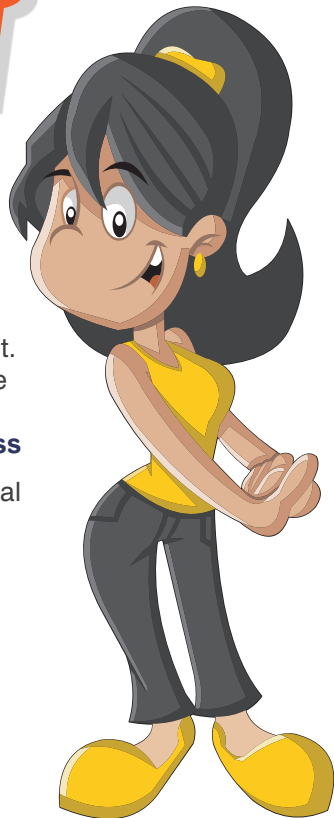
“The purpose of an EHC Plan is to make special educational provision to meet the special educational needs of the child or young person, to secure the best possible outcomes for them across education, health and social care and, as they get older, prepare them for adulthood” (9.2).

Who needs an EHC Plan?

The majority of children and young people with SEN will have their needs met at 'SEN Support' within a mainstream educational setting. EHC Plans are for those children and young people whose needs cannot be met by the support that is usually available at their early years setting, school or college.

An EHC Plan is issued following an EHC needs assessment. To find out more about these assessments view 'Your guide to Education, Health and Care (EHC) Needs Assessments' which is available on our website www.coventry.gov.uk/iass

Children and young people who have a Statement of Special Educational Needs will transfer to an EHC Plan between September 2014 and April 2018.



The EHC Plan

After the EHC needs assessment has been completed and if the Local Authority decides that an EHC Plan is necessary, they will send you a draft EHC Plan, together with a copy of all of the advice and reports collected during the assessment.

The Local Authority must give you at least 15 days to respond and give your views on the content of the draft EHC Plan. During this period, the Local Authority must also make its officers available to meet with you or the young person if you wish to discuss any concerns and give your views on the plan's content.

At this time you will also have the opportunity to state your preference for an educational setting. You also have the right to request a personal budget. All young people with an EHC plan and all parents of children with an EHC plan can ask for a Personal Budget.

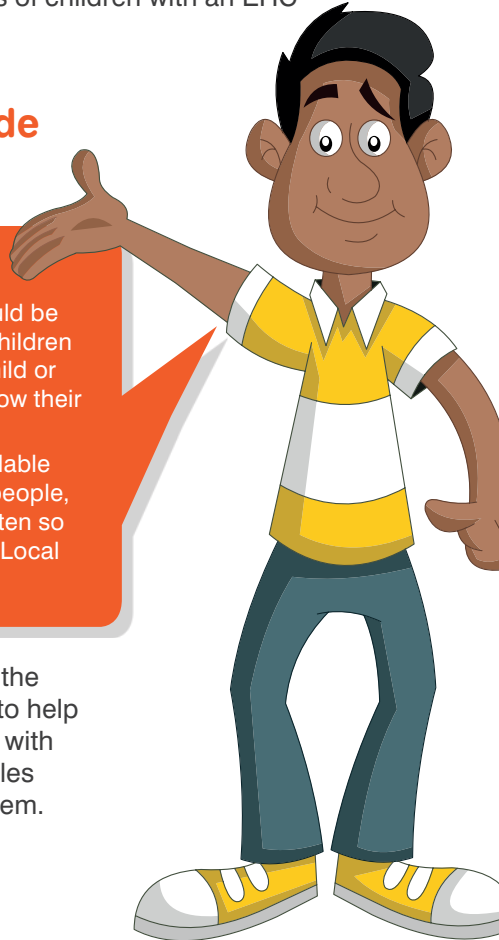
What must an EHC Plan include and how will I be involved?

The SEND Code of Practice says:

“Decisions about the content of EHC Plans should be made openly and collaboratively with parents, children and young people. It should be clear how the child or young person has contributed to the plan and how their views are reflected in it.

EHC Plans should be clear, concise, understandable and accessible to parents, children and young people, providers and practitioners. They should be written so they can be understood by professionals in any Local Authority” (9.61)

The EHC Plan is split into sections A – K. Over the following pages, each section is broken down to help you understand what must be included (in line with the SEND Code of Practice), along with examples and “top tips” of what you should find within them.



Section A The views, interests and aspirations of the child and their parents, or of the young person

What does the Code of Practice say should be included?

- A brief history of the child/young person (CYP)
- What the CYP and their parents/ carers want for the future (short term and long term)
- Details about play, health, schooling, independence, friendships
- How the child/young person communicates



Top Tips

- The information here should be reflected in the rest of the plan i.e. outcomes (section E) and provision (section F, G and H)
- We all have aspirations – and they often change. No-one should be limited to what they would ideally like to achieve, whether a type of job, where they'd like to live or how they participate in the community

Section B The child or young person's special educational needs (SEN)

A special educational need is a learning difficulty or disability which requires special educational provision.

What does the Code of Practice say should be included?

All the child/young person's identified Special Educational Needs must be specified.

SEN may include needs for health and social care provision that are treated as special educational provision because they educate or train the child/young person. (9.73)



Top Tips

- Are the child/young person's needs clear and easy to identify?
- Should include current levels of attainment inc. self-help skills, independence
- Is there a clear link between each need and the provision in Section F?
- 'Content should be drawn from professional advice attached in Section K

Section C The child or young person's health needs which relate to their SEN

What does the Code of Practice say should be included?

The EHC plan must specify any health needs identified through the EHC needs assessment which relate to the child or young person's SEN. Some health care needs, such as routine dental health needs, are unlikely to be related.



- If there are health needs mentioned anywhere in the plan, they should be noted here e.g. sleep disorders, continence, gross motor skills
- Might their learning difficulty/disability be a barrier to health services like doctor/dentist appointments?
- A diagnosis is not a need

Section D The child or young person's social care needs which relate to their SEN or to a Disability

What does the Code of Practice say should be included?

- The EHC plan must specify any social care needs identified through the EHC needs assessment which relate to the child or young person's SEN or which require provision for a child or young person under 18 under section 2 of the Chronically Sick and Disabled Persons Act 1970
- With consent of child and parents, information about other care needs, such as Child Protection or Child in Need plan, to enable greater co-ordination of services



- What assessments during the EHC needs assessment were carried out to identify these needs? This will be noted in Section K.



Section E The outcomes sought for the child or the young person

These should be SMART: specific, measureable, achievable, realistic and time-bound.

What does the Code of Practice say should be included? (See 9.64 for full description)

- EHC plans should be focused on education and training, health and care outcomes that will enable children and young people to progress in their learning and, as they get older, to be well prepared for adulthood. EHC plans can also include wider outcomes such as positive social relationships and emotional resilience and stability
- When agreeing outcomes, it is important to consider both what is important to the child or young person – what they themselves want to be able to achieve – and what is important for them as judged by others with the child or young person's best interests at heart



Are the outcomes person centred? - “**To develop literacy skills**” is not person centred or SMART. “**Kieran will be able to read simple texts, like his favourite comic, by the end of the key stage**” suggests a more person-centred approach.

Section F

The special educational provision required by the child or the young person

What does the Code of Practice say should be included?

- Provision must be detailed and specific and should normally be quantified, for example, in terms of the type, hours and frequency of support and level of expertise (of those providing it)
- Where health or social care provision educates or trains a child or young person, it must appear in this section
- Provision must be specified for each and every need specified in Section B



Is provision clearly identified? Phrases such as “**Access to**”, “**opportunities for**” and “**regular**” could be open to interpretation and as such, would not be describing specific and quantified provision. The duty to “**secure**” provision in Section F is with the Local Authority – if an educational setting cannot provide it with the funding they receive, the LA is legally obliged to do so.

Section G Any health provision reasonably required by the learning difficulties or disabilities which result in the CYP having SEN.

What does the Code of Practice say should be included?

- Provision must be detailed and specific and should normally be quantified, for example, in terms of the type, hours and frequency of support and level of expertise required
- Health care provision reasonably required may include specialist support and therapies, such as medical treatments and delivery of medications, occupational therapy and physiotherapy, a range of nursing support, specialist equipment, wheelchairs and continence supplies
- It could include highly specialist services needed by only a small number of children which are commissioned centrally by NHS England (for example therapeutic provision for young offenders in the secure estate)

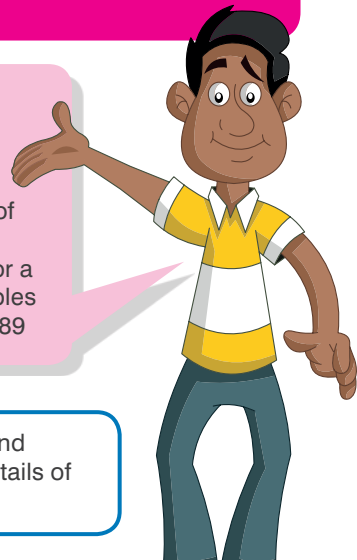


Provision for addressing speech and language impairment is normally considered to be special educational provision and would normally be found in Section F. See 9.73-9.76 of CoP.

Section H1 Any social care provision which must be made for a CYP under 18 resulting from section 2 of the Chronically Sick and Disabled Persons Act 1970 (CSDPA).

What does the Code of Practice say should be included?

- Provision should be detailed and specific and should normally be quantified, for example, in terms of the type of support and who will provide it
- It must outline any services assessed as being needed for a disabled child or young person under the CSDPA (examples in 9.69) or their parent/carers under the Children's Act 1989

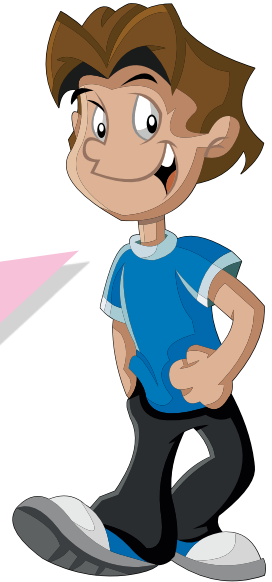


If an assessment has not been carried out (and listed in Section K) you can request one – details of how to do this should be on the Local Offer.

Section H2 Any other social care provision reasonably required by the learning difficulties or disabilities which result in the child or young person having SEN.

What does the Code of Practice say should be included?

- Social care provision reasonably required may include provision identified through early help and children in need assessments and safeguarding assessments for children but must only include services which are not provided under Section 2 of the CSDPA.
- Social care provision reasonably required will include any adult social care provision to meet eligible needs for young people over 18 (set out in an adult care and support plan) under the Care Act 2014.



“Reasonably required” means that LA’s can take into account cost and convenience, unlike in Section H1.

Section I Placement

What does the Code of Practice say should be included?

The name and type of the school, maintained nursery school, post-16 institution or other institution to be attended by the child or young person and the type of that institution (or, where the name of a school or other institution is not specified in the EHC plan, the type of school or other institution to be attended by the child or young person).



This should only be included in the Final plan – this section should be left blank at draft stage to give you the opportunity to state your preference for an educational setting. The Local Authority must then consult with your preference.

The Golden Thread

There should be clear link in the plan between Aspirations (Section A), Needs (Section B, C & D), Outcomes (section E) and Provision (Section F,G and H).

An example of this would be:

Aspirations (Section A)

Kieran (age 8) wants
“to be able to
read stuff.”

Needs (Sections B, C and D)

Kieran has
significant literacy
difficulties including a
significant weakness in
phonic skills.

Outcomes (Sections E)

By the end of KS2,
Kieran will be able to
fluently read a story he
has written to a
friend/class.

(This story will include
thirty 3-5 letter words
with 2 and 3 consonant
combinations).

Provision (Sections F, G and H)

A phonics programme,
delivered in a small
group, 4 times a week,
for 30 minutes
each time.

Teacher to co-ordinate
individual support from
a teacher assistant to
monitor progress at
least every 5 minutes
and provide prompts
as needed.

Teacher to work
with Kieran's family
to develop a home
reading programme.

The Final EHC Plan

If you or the young person has suggested changes to be made to the plan and they have been agreed by the Local Authority, the draft plan should be amended to reflect these changes and then finalised within 20 weeks of the initial request for assessment.

What can I do if I am unhappy with the final EHC Plan?

Once the final EHC Plan has been issued, the Local Authority must notify you or the young person of your right to appeal to the Special Educational Needs and Disability Tribunal (SENDIST) and the time limit for doing so. The Local Authority will also explain the requirement for you or the young person to consider mediation should you wish to appeal.

The Code of Practice says:

“Parents and young people do not have to contact a mediation adviser prior to registering their appeal with the Tribunal service if their appeal is solely about the name of the school, college or other institution specified in the EHC Plan or the fact that no school or other institution is named” (11.24).

Mediation is arranged by the Local Authority, unless the disagreement relates only to health, in which case the responsible commissioning body must arrange mediation. Mediation must be independent of the Local Authority.

If as a parent/carer or young person you wish to appeal about the special educational needs elements of the EHC Plan, you may do so only if an independent mediation adviser has provided you with information about mediation and how it might help.

If you choose mediation, the local authority must take part. The meeting will be arranged within 30 days and the independent mediator runs the meeting. When the mediation has finished, the mediator will issue you with a certificate within 3 working days.

If a parent/carer or young person decides against mediation, an appeal can only be lodged after you have received a certificate from the mediation adviser, stating that you have been given advice about mediation and have considered it.



EHC Assessment Process Timeline 0-20 weeks



Useful contacts



Coventry's (SEND) Local Offer

Local authorities must publish a Local Offer, setting out in one place information about provision they expect to be available across education, health and social care for children and young people in their area who have SEN or are disabled: www.coventry.gov.uk/sendlocaloffer

Special Educational Needs - Useful Contacts for further information:

IPSEA www.ipsea.org.uk (Independent Parent Special Educational Needs Advice) IPSEA is a national charity providing free legally based advice to families who have children with special educational needs.

Contact contact.org.uk

Contact is a national charity for families with disabled children, offering support and advice on a range of issues.

Council for Disabled Children (CDC)

www.youtube.com/channel/UCGOeEXhdJ2z1PoP28vvevwmA

A selection of short animated videos explaining SEND areas such as EHC needs assessments and plans.

Coram Children's Legal Centre www.childlawadvice.org.uk

Coram provides free legal information and advice to children, young people and their families.

National Autistic Society (NAS) www.autism.org.uk

Provide information, support and pioneering services, and campaign for a better world for people with autism.

Transport

Whilst home-to-school transport is very rarely included in EHC plans themselves, children and young people with EHC plans may well be eligible for assistance in getting to and from school.

You can find out more about eligibility by speaking to your EHC plan co-ordinator at the Local Authority throughout the EHC process.


Coventry Local Authority's home-to-school transport policy is also available on the Local Offer (see above), produced in line with the Department for Education's "Home to School Travel and Transport statutory guidance" (2014). This should include details of the type of provision available, how to apply and any appeals procedures.







For further information about SEN Support and support available to parent/carers, children and young people, ask at your educational setting or contact:

SEND Information, Advice and Support Service


 Limbrick Wood Centre
Thomas Naul Croft
Tile Hill
Coventry CV4 9QX

Statutory Assessment and Review Team (START)

 PO BOX 15
Council House
Coventry CV1 5RR

 024 7683 1614

If you require this information in another format or language please contact us.

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