



## Children and Young People's Services

# Education, Health and Care Plans

## How can the Specialist Education Support Service at Guide Dog's Children and Young People's Services help and support you?

A Specialist Education Support Officer can offer you independent and impartial information, advice and guidance to help you navigate the Education, Health and Care Plan (EHC Plan) journey. If, at any of the stages below, you need clarity and support, please do not hesitate to call our helpline number: 0800 781 1444.

### What is an Education, Health and Care Plan?

An EHC Plan is a legal document which describes the needs of a child or young person. It explains what he or she can or cannot do and identifies what should happen to get his or her needs met through Education, Health and Social Care.

An EHC Plan will look at all the needs a child or young person has across Education, Health and Social Care. Professionals from each area, along with parents, will consider what outcomes are desired and what is needed to achieve them. EHC Plan will have the same protection in law as a Statement of Special Educational Needs.

### What has changed?

In September 2014 there were changes in the law for supporting children and young people with Special Educational Needs.

Statements of Special Educational Needs are transferring to EHC Plans and this should be completed by April 2018. The transfer process should take no longer than twenty weeks: two weeks' notice, followed by eighteen weeks to complete the plan.



- An EHC Plan will support your child from birth to the age of twenty-five.
- The Education, Health and Social Care process takes a person-centred approach, meaning that the parents and the child or young person will be involved.
- The process will focus on your child's aspirations to allow them to achieve their personal goals.
- Your Local Authority (LA) now has an obligation to outline the support on offer to your child in your local area. This will be referred to as "The Local Offer."
- A parent or young person may request a 'Personal Budget' at the draft stage of their EHC Plan journey to fulfil their Education, Health and Social Care needs.

### **Top tip!**

A good quality EHC Plan will:

- Be clear, concise, accessible and understandable to all.
- Be 'person-centred' and include the aspirations of the child or young person.
- Meet the requirements of the Children and Families Act 2014:

<http://www.legislation.gov.uk/ukpga/2014/6/contents/enacted> and the Special Educational Needs Code of Practice:

[www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/398815/SEND Code of Practice January 2015.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/398815/SEND_Code_of_Practice_January_2015.pdf)

## **What is considered when you request an EHC Plan?**

Four broad areas of Special Educational Needs will be considered when your child's special needs are reviewed:

### **1. Communication and interaction**

Some children and young people have difficulties in communicating with others; this may be because they can't understand or make sense of what is said to them, or because they have difficulty in saying what they want to say or in understanding and using the social rules of communication.



## **2. Cognition and learning**

Some children and young people learn at a slower pace than others of their age or find it hard to understand parts of the curriculum. Some have difficulties with organisation and memory skills or have particular difficulties in certain areas of learning, such as literacy or maths.

## **3. Social, emotional and mental health difficulties**

Some children and young people experience social and emotional difficulties and may find it hard to manage their relationships with other people. They may behave in a way that will hinder their learning or that of other children, or the difficulties they have can impact on their health and wellbeing.

## **4. Sensory and/or physical needs**

Some children and young people require assessment and special educational provision because they have conditions such as vision impairment and/or hearing impairment, or a physical need which hinders them from making use of the educational facilities generally provided. This means they must have additional equipment and ongoing support.

An EHC Plan will be provided where the needs of a child or young person “cannot reasonably” be met without additional specialist support.

## **How do I apply for an EHC Plan?**

You need to request an assessment from your LA (there is a sample “request for assessment” letter at the end of this guide: Doc.1).

Following this request, you should receive a reply from your LA within six weeks (there is a sample of a LA “refusal to assess” letter at the end of this guide: Doc.2 which informs you of your right to mediation and/or appeal).

### **The process:**

#### **What does an EHC Plan look like and what are the timeframes?**

If you are eligible for an EHC Plan the whole process should take no longer than 20 weeks.

All LAs must work within the statutory guidance as outlined in the Special Educational Needs Code of Practice 2015.

Your journey may follow the pathway as outlined in the table below; have a look to see where you should be.

### Colour key

- Red indicates a statutory requirement, which means that this is a legal obligation of your LA and therefore must be completed within the timeframe.
- Blue refers to points on the journey at which you will have the opportunity to appeal against your LAs decision. Your appeal must be submitted within a specified timeframe.
- Yellow refers to guidance only. This is general guidance as to what should be taking place at given times in the process.

**Table 1: Timeline of dates relating to the EHC Plan process**

Week	Action	Guidance	Statutory	Right to Appeal
1- 4	Request an assessment.		✓	
Up to week 6	You will receive your outcome letter, informing you of the LAs decision in response to your request for an assessment.		✓	<b>You can appeal your LA's decision not to assess your child's needs.</b>
5-8	Gathering relevant information and reports from those involved.	✓		
	If the LA refuses to issue an EHC Plan, the parent or young person must be informed of the reasons and that they have the right to appeal to the Special Educational Needs and Disability Tribunal.		✓	

9-12	Writing of draft EHC Plan.	✓		
13-16		Presentation of draft EHC Plan to SEND panel.		
Up to week 16		You will be informed of your LAs decision to finalise the draft. EHC Plan. NB: At this stage the can still decide to refuse to provide an EHC Plan.	✓	
17-20	Receipt of finalised. EHC Plan. This Plan is now ready to be used.		✓	<b>You may appeal the LA decision not to complete an. EHC Plan.</b>

## The EHC Plan journey:

### What happens?

Your journey will begin at the point where you write and submit your “request for assessment” letter to the LA.

### Top tips!

- Always ask in writing and keep a record of the date.
- We would strongly recommend that you send your letter by recorded delivery.
- It may also be sent as an attachment to an email, again to allow you confirmation of delivery.

**Please note:** The clock does not officially start ticking until the LA has received your “request for assessment” letter.



### **Top tip!**

Whilst you are waiting to hear from your LA, you may want to start thinking about the 'All About Me' document (Part A of the plan) which relates to the views, wishes and aspirations of the child or young person and their family.

## **The decision:**

### **a. Appealing your LAs refusal not to assess your child's needs**

You have the right to appeal your LAs refusal not to assess your child for an EHC Plan by contacting the Special Educational Needs and Disability Tribunal (SENDIST) Helpline on 01325 289 350. Please contact Children and Young People's Service – Specialist Education Team for further information about this process.

### **b. The LA agrees to assess your child's needs – what happens next?**

At this stage, your LA has the responsibility to contact any professionals involved in supporting your child to request that they carry out assessments (if 'fresh' assessments are required) and share their reports.

Where possible these reports should contain recommendations that can be included in the EHC Plan to help meet the needs of your child in the best possible way.

## **What information or assessment reports may be requested?**

- The child or young person's own thoughts, aspirations and wishes for the future (Part A).
- Educational advice from professionals who have regular contact with the child or young person, for instance, their class teacher and/or the Special Educational Needs Co-ordinator (SENCo).
- Reports from medical specialists, for example, Ophthalmologists, Orthoptists, Optometrists, Paediatricians.
- A report from an Educational Psychologist.
- Information on any involvement from Social Services, for instance access to direct payments and personal budgets.
- Information on the child's physical or sensory needs and abilities, for example, from a Qualified Teacher of children with a Vision Impairment (QTVI), Multi-Sensory Impairment teacher (MSI) or Habilitation Officer.
- Reports from health care professionals, e.g. Occupational Therapists, Speech and Language Therapists, Physiotherapists.



- Any other professional considered important to the development of the child or young person, e.g. Braille Tutor, Assistive Technology Advisor, Specialist Employment Co-ordinator of the Vision Impaired

Parents can request that the LA seeks information from anyone, including independent professionals, who it is agreed may reasonably be able to provide information.

## **Following the EHC Plan assessment, what happens next?**

Following the assessment, there are two possible outcomes: an agreement to issue an EHC Plan or a decision not to proceed with an EHC Plan.

If the decision is not to go ahead with an EHC Plan you have two possible options:

1. You can appeal this decision by contacting the Special Educational Needs and Disability Tribunal Helpline (SENDIST): 01325 289 350.
2. You can explore the alternative support available through “The “local offer.” This is often referred to as Special Educational Needs support, or the “graduated approach.” To clarify, this is SEN support that is offered within the school setting, often along with specialist support provided by services in your LA.

## **Your EHC Plan is going to be drafted – what do you need to know?**

The EHC Plan is split into parts A-K. These should appear as separate sections in your plan – they shouldn’t be “lumped together” or necessarily appear in alphabetical order. However, there should be a link running through all parts of the plan which is commonly referred to as the “golden thread.”

There is an example below of how these parts can be linked using the idea of the “golden thread”:

Text highlighted in yellow relates to language.

Text highlighted in green relates to frequency and who is responsible.

Text highlighted in blue relates to a measured outcome.

Table 2 – relating to Parts A, B, F and E of the EHC Plan



<p><b>Expectations And aspirations</b></p> <p><b>Part A</b></p>	<p><b>Vision impairment and Special Educational Needs</b></p> <p><b>Part B</b></p>	<p><b>Provision</b></p> <p><b>Part F</b></p>	<p><b>Outcomes</b></p> <p><b>Part E</b></p>
			<p><b>Long term aim:</b> By the end of reception year</p>
<p>Julie wants to be able to “read books like my big sister.”</p>	<p>Julie has ROP and Congenital Nystagmus.</p> <p>Julie’s visual acuities were last assessed as BEO: 6/18.</p> <p>Julie needs to access print at size N18.</p>	<p>INSET for whole school based staff.</p> <p>INSET training <b>must</b> be provided <b>by</b> a <b>QTVI</b> from the Sensory Support Team in the <b>summer term</b> prior to Julie starting school in September.</p> <p>All printed materials <b>must</b> consistently be presented to Julie in N18 on white A4 paper.</p> <p>All resources <b>must</b> be sourced and modified <b>by</b> the <b>TA</b> <b>in school</b> and <b>specialist TA</b> from the Sensory Support Service in advance of the lesson and</p>	<p>Julie will be able to:</p> <p>Blend sounds to read all Phase 3 tricky words e.g. fizz, chip, sheep, light.</p> <p>Decode and read accurately <b>25/54</b> words from the reception High Frequency (HF) words list.</p>



		<p>presented at the same time as her peers receive their resources.</p> <p>Julie <b>must</b> consistently have her specialist equipment for all lessons: sloping board, Dycem matt, black felt tip pen</p> <p>Julie <b>must</b> have directed 1:1 phonic and reading activities with a QTVI and Classroom TA:</p> <p><b>QTVI – x1 hour</b> per week (1:1 direct time and liaison with classroom teacher and TA)</p> <p><b>TA – daily 15 minutes</b> directed time for phonics and reading activities.</p>	
			<p><b>Short term aim:</b> By the end of the Spring term:</p>



			<p>Julie will be able to: accurately recognise and name all letters in the alphabet and their associated sounds. Blend sounds to read all Phase 1 CVC words e.g. pin, tap, sit. Decode and read accurately 15/54 words from the reception High Frequency words list. NB: Revise regularly (fortnightly) Julie's understanding of the reception HF word list.</p>
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This “golden thread” idea needs to be applied to each individual’s EHC Plan regardless of their age or the type of Special Educational Needs they have.

## What language should I use?

The EHC Plan is a written document, so it is the quality of the writing and the language used which will make the plan accessible and useable by all.

A good quality plan will:

- Be clear, concise, accessible and understandable to all.
- Be ‘person-centred’ and include the aspirations of the child or young person.
- Quantify and specify support (Part F); this means detailing what support will be given, how often, by whom and for what purpose.



- Meet the requirements of the Children and Families Act 2014 and the Special Educational Needs Code of Practice.
- Use the recognised language in Part F (Provision) to ensure that provision is put in place (enforceable in law.) The two recognised words are “must” and “should”, e.g.:

“Julie must have x4 hours of support a week from an experienced Qualified Teacher of children with a Vision Impairment (QTVI.)”

## **Which parts of an EHC plan have an education focus only?**

The answer is Parts B, F and I. However, try to remember, there should also be a link with Part A (Aspirations e.g. the “All About Me” document) and Part E (Outcomes.)

## **Section B: Special Educational Needs**

### **This section must:**

- Describe in detail ALL the Special Educational Needs of the child or young person identified during the assessment. SEN may cover health and social care provision that “seeks to train or educate.”
- Be written in plain English.
- Describe where the child or young person is “right now”.
- Include a description of the current functioning of the child or young person i.e. what they cannot do.

### **Top tip!**

- Check that “areas of need” are organised together in the same part of the Plan where possible i.e. to avoid repetition!
- Apply this simple test: could someone new to the child or young person pick up the document and easily find out what the priority areas are for the child or young person’s educational development?

## **Section F: Provision**

### **This section must:**

- Quantify and specify the provision needed to meet the Special Educational Needs of the child or young person. The provision should be described in a way that leaves no room for doubt in relation to:



- What support is to be provided
  - By whom
  - How the support will be delivered?
  - How often it will be delivered (daily, weekly, monthly, termly, yearly).
- Detail facilities, equipment, staffing and modifications to, or exclusions from, the curriculum.

Health and social care which “seeks to train or educate” must appear in this section: if intervention seeks to train and/or educate the child or young person, for instance, through habilitation training then this can be put into the Education parts of the plan, making this support legally binding.

## **Section I: Placement**

### **This section must:**

- Give the name and type of school, maintained nursery school, post-16 institution or other institution the child or young person will attend, and the type of that institution (for instance, whether it is in a specialist setting, independent setting etc.) However, the child’s school will not be named in a draft plan; it will only be named in Part I once the plan has been finalised (week 20).

Parents (and all involved) will have 15 calendar days to comment on, and suggest amendments to, the plan whilst it remains as a draft.

Even at this late stage, your LA can choose not to finalise and issue an EHC Plan.

You can appeal this decision by contacting the Special Educational Needs and Disability Tribunal (SENDIST) Helpline: 01325 289 350.

## **Why is section E also important?**

The purpose of an EHC plan is that the agreed “outcomes” are achieved by the child or young person. Outcomes are what we all want!

Provision is what needs to be in place to enable the child or young person to “achieve the agreed outcomes”, but how will we ever know if these outcomes have been achieved?



Well, they need to be SMART (please see below) and there should be a “golden thread” running through the EHC plan document. As explained above, the term “golden thread” means that all parts of the plan are linked together so, for example, a young person’s “aspirations” (Part A) are linked to their “Special Educational Needs” (Part B), “provision” (Part F) and related “outcomes” (Part E).

“Part E” tells us whether or not the plan is working!

The EHC plan should be reviewed at least once a year at the Annual Review. If your child’s outcomes are not being achieved, then the plan needs to be looked at again and amended accordingly.

## **Section E: Outcomes**

### **This section must:**

- Include outcomes that are SMART:

S = Specific

M = Measurable

A = Achievable

R = Realistic

T = Time bound

Remember, it is important that outcomes are “Measurable”, so we can see if a child or young person has achieved what everyone agrees should be achieved.

### **Top tips!**

- Try and include a ‘target’ where possible, for example: “Julie will achieve 8/10 correct spellings throughout the summer term of year four, taking into account Julie’s individual abilities”.
- An EHC Plan should detail the range of ‘outcomes’ that cover not only Education but also Health and Social Care.
- Outcomes should be “Time Bound” to include short term outcomes and long term outcomes

There should be a clear difference between outcomes (Part E) and “provision” (part F’).



Remember, “provision” should help a child or young person achieve an outcome, so include arrangements that will prepare them for this.

## **Post 16 Education, Health and Social Care**

For those preparing for adulthood, the EHC Plan should give details of possible employment outcomes. It is helpful if the plan also refers to “careers guidance” which the child or young person will receive, in order to progress to these employment outcomes.

### **Amendment to the EHC Plan: 15-day window for comments to be made on the draft EHC Plan.**

Before the draft plan is finalised, you will have 15 calendar days to comment on the draft plan. This is your opportunity to consult with your LA about the changes you wish to make.

Please note: your draft plan should not contain the name or type of school (in Part I) which the child or young person will attend. This will only appear in the final version of the EHC Plan.

#### **Top tip!**

At this stage, take the time to double-check that your draft plan has a clear “golden thread”, as explained in this guide. Please do not hesitate to contact our Specialist Education Officers if you require any further advice and guidance on how to make the appropriate amendments.

### **Finalising the EHC Plan:**

Your draft EHC Plan should be finalised by week 20. This plan may contain details that you do not agree with, e.g. Part I may name a school which you do not wish your child to attend.

#### **Top tip!**

We strongly advise that you agree to finalise the plan. This is the only opportunity for you to appeal against the content of the plan.



## What can you appeal?

You can only appeal the Education parts of the plan:

- Part B (description of your child or young person's Special Educational Needs)
- Part F (provision)
- Part I (educational placement)

### Top tip!

If you are challenging or contesting any one of these parts (B, F or I) then we advise that you ask for all parts to be reconsidered as relevant.

For instance, if the provision (Part F) detailed in the plan does not meet the needs of your child (as outlined in Part B) then the “golden thread” is broken and the plan should be challenged and amended as appropriate.

## Going through the appeal process:

Remember, you can appeal at these points of the EHC Plan process:

- Week 6
- Week 16
- Week 20

At any one of these appeal stages, the Specialist Education Support Officers at Children and Young People's Service will be able to offer you general information about the appeal process. We are not able to support you directly with your appeal process but we can signpost you to organisations who are in a position to help you.

### Doc. 1: Sample letter requesting assessment of educational needs

[Insert your own address and contact details here.]

[Insert the name and address of the Director of Children's Services or the named Special Educational Needs Officer (if known) at your local authority.]

Dear Sir or Madam

Re: [Insert the name of the child or young person and their date of birth]  
Request for EHC needs assessment



I am writing as the parent/carer [delete as appropriate] of the above child/young person to request an assessment of their Education, Health and Social Care needs under section 36 (1) of the Children and Families Act 2014.

[Insert name of child or young person] currently attends .....  
nursery/school/college. [Delete as appropriate.]

Or, [Insert name of child or young person] is out of nursery/school/college. [Delete as appropriate.]

The test which the local authority must apply when considering this request is contained in section 36 (8) of the Children and Families Act 2014.

[If the child or young person has a 'known' special educational need – for example, a vision impairment, detail this here. List all your child's Special Educational Needs (SEN) here in priority of significance.]

[Insert name of child or young person] has the following Special Educational Needs (SEN):

- A visual impairment: my child has been diagnosed as having [insert the name of your child's eye condition here. If they have more than one need, list them as bullet points.]
- My child is currently under the care of [insert the name of your child's eye care professional, e.g. their ophthalmologist or optometrist.]
- [Insert child's name] is registered severely sight impaired/blind (SSI) or sight impaired/partially sighted (SI) [delete as appropriate.]

NB: If you already have copies of your child's latest clinical reports and Certificate of Visual Impairment (CVI), you may wish to attach them, with this letter, to an email marked for the attention of the Director of Children's Services and/or Special Educational Needs Disability Officer (SENDO).

If you're not sending this letter by email, you may wish to enclose photocopies of these documents with the letter and send it by recorded delivery. Please note: attaching the documents is helpful but not obligatory.



If your child is currently in an education setting (nursery, school or college) you may feel the setting does not or cannot provide the specialist provision needed, for example a specialist modified curriculum, specialist equipment or opportunities to develop specialist skills such independent living skills. If this is the case, you should use the second part of this letter to outline all the reasons why you feel they cannot meet your child's needs:

I believe [insert name of child or young person]'s nursery/school/college [delete as appropriate] cannot meet my child/young person's needs as outlined below:

I am aware that as a local authority you are required, by law, to reply to this request within a six-week period and if you refuse my request for an EHC Needs Assessment, I will be able to exercise my right of appeal to the Special Educational Needs Tribunal.

Please do not hesitate to contact me should you require any further information. I look forward to hearing from you soon.

Yours faithfully  
[Insert your name here]

.....  
[Your name] on behalf of [name of young person]

## **Doc 2: Sample "refusal to assess" letter sent by the LA**

Local authority headed paper  
Date:  
Address:

Dear

Re: Child's name and date of birth

After much consideration and review by our Special Educational Needs Panel, we are confident that your child's needs can be fully met by the Special Educational Needs Support (SEN Support) available through our Local Offer and current support



in place at her school. We therefore cannot further your request for an Education, Health and Care Plan (EHCP) assessment.

You know, of course, that you have the right to appeal to the Special Educational Needs Tribunal against the description of your child's special educational needs, against the special educational provision specified in the statement including the school named or, if no school is named, against that fact. This may be done by writing to the Special Educational Needs & Disability Tribunal (SENDIST), [address of where to send the letter of appeal]. If you wish to appeal to the SENDIST, you must lodge the appeal within two months of the date of this letter.

There is also a disagreement resolution service available to you: KIDS London SEN Mediation Service. They can be contacted on 020 7359 3635. If you decide to use this service, it will not affect your right to appeal to SENDIST. Alternatively, you can obtain further advice from the [local authority name] SEN Information and advice Service.

Ms Somebody has been designated as the officer to whom you apply for information and advice about your child's special educational needs and you may contact her at the above address or telephone to discuss any of the above.

Yours sincerely

Special Educational Needs Assessment Service