

A GUIDE TO EHC PLANS

The **BIGGEST** struggle that we face as parents of children that have special educational needs / disabilities is gaining the support that they need to give them the best chance in life. This all starts with the **EDUCATIONAL HEALTH CARE PLAN (EHCP)**. A **LEGALLY BINDING DOCUMENT** which **PROTECTS** the **SUPPORT** your child needs. It outlines any special education needs a child / young persons has, and the provision a **LOCAL AUTHORITY (LA) MUST** put in place.

The **PURPOSE** of this document is to **GUIDE** you through ensuring that your child has a good **QUALITY** Education Health and Care Plan that meets both the letter and the spirit of the **CHILDREN AND FAMILIES ACT 2014**. Writing an EHCP can be challenging, and each plan will only achieve the job it was intended to do where it reflects in full the particular individual child or young person to whom it relates.

We have included some examples within this document to guide you but please note that the EHCP **MUST REFLECT** your child's needs. The authorities claim that your signature identifies your acceptance that the final document is a true reflection and this is your responsibility. **DO NOT BE AFRAID** to question it.

It is **VITALLY IMPORTANT** to **ENSURE** that your EHCP covers **ALL** aspects of your child's needs, and makes **CLEAR** provision for it. Our experience is that plans are **NOT** often **SPECIFIC** or **DETAILED** enough, including copied and pasted vague statements. LAs often sneak wording in such as that a child "would benefit from" speech therapy. Such a vague statement is hard to enforce. It **MUST** be **CLEAR** and **QUANTIFIED**, for example, saying "the child **MUST** have speech therapy in one group session of 30 minutes per week and one individual session of 30 minutes per week." This leads to disappointment within the educational setting for the parents and can place our vulnerable children at risk. It is **IMPORTANT** that it reflects the child's needs on his / her **WORST** day. No Parent wants to highlight the struggles that their child faces, but in this instance, this is **CRUCIAL** in gaining the right resources for your child's development. But education and therapy staff know that painting the rosiest picture will only mean the child **DOES NOT** have the sufficient support on the "WORST" days.

There are various reasons for issuing an EHCP with vague statements of provision; the LA may lack appropriate staff, have budgetary constraints, lack expertise in writing EHCPs or be uncertain about the provision that is required. It is essential that the statements are very specific about the provision that is required to address the child's needs and difficulties. **THE SPECIAL EDUCATIONAL PROVISION DETAILED SHOULD BE WHAT THE CHILD'S SEN REQUIRES – NOT SIMPLY WHAT THEIR LA IS WILLING TO PROVIDE. IT IS UNACCEPTABLE FOR AN LA OR A SCHOOL TO USE FUNDING ISSUES AS A REASON FOR DENYING THE SUPPORT OR RESOURCES THAT A PUPIL NEEDS.**

The **KEY THINGS** to check are that;

- **ALL** of the child or young person's special educational needs (SEN) are set out in **SECTION B**.
- **ALL** of the special educational provision (extra help they need with learning) required by the child / young person is set out in **SECTION F**.
- The **SCHOOL / COLLEGE** to be **ATTENDED** by the child / young person is set out in **SECTION I**.

This is **BECAUSE**;

- If a **NEED** is included in **SECTION B**, then there **MUST** be provision for that need set out in **SECTION F**.
- If provision is included in **SECTION F**, then the LA **MUST** ensure that this provision is **MADE**.
- If a school, college or other setting is **NAMED** in **SECTION I**, then it **MUST ADMIT** the child or young person for whom the EHCP is maintained.

However, **SECTION A** is **ESSENTIAL**. Children Act 2014 recognises that **YOU** know your child **BETTER** than anyone **ELSE**. **YOU** have **VALUABLE** information that the LA **NEEDS** in order for them to make a good decision about your child's education. It is **YOUR** chance to **SHARE** your views of your child / young persons, his/her needs and the aspirations for their future. The more accurate you are in communicating your child's needs, the more likely professionals are to identify the resources.

You **MUST ENSURE** that any supporting documentation is **CURRENT** and is a **TRUE REFLECTION** of your child's needs.

While you can request for an informal review or an early EHCP review at any time with your child's educational setting these plans **MUST** be reviewed **EVERY** 12 months. The annual review will give **YOU** an opportunity to raise concerns or suggest changes if you are **NOT** happy with the content of an EHCP. The LA is **RESPONSIBLE** for your child's EHCP and the annual reviews, but the school usually organises the review meetings.

SPECIAL EDUCATIONAL NEEDS AND DISABILITY (SEND) Code of Practice: 0 to 25 Years - Paragraphs 9.21 – 9.24 **PROVIDES** statutory guidance for professionals on how to include children, young people and their parents in their individual process of assessment and production of an EHCP. This guidance confirms that the needs of the child and young person should sit at the heart of the assessment and planning process. This includes their aspirations and the support they need to achieve them.

The SEN Code of Practice states that every local authority **MUST** ensure that children, their parents and young people are **INVOLVED** in discussions and decisions about their individual support and about local provision.

A **GOOD** EHCP **MUST** include children and young people's participation and voice throughout all sections.

SECTION A – The views, interests and aspirations of the child and his parents or the young person

Personal Information:

This section is self-explanatory and is the details about who the plan is for, their parents and their family.

My Personal Profile:

What Others Like and Admire About Me:

This is the section where you can show the good qualities that your child has. Share their warmth and innocence. What they like and dislike. Paint a picture of the good nature that they have.

Things You Need to Know About Me and How I Cope With My World.

In this section you need to show how your child struggles in the everyday world. What they need on a daily basis.

How is their communication?

How do they cope in crowds and groups?

What causes their emotional breakdowns and outbursts?

What calms them?

What are their dislikes?

Do they forget that they need to go to the toilet? Do they need prompting?

What is Important to Me?

As simple as the heading suggests.

What does your child like?

How I Communicate and Make Decisions.

Every child with special educational needs is different and as a parent, only you can answer this.

These are My Hopes and Dreams.

Again, as their parent, only you and your child can answer this.

What I Want Now and in the Future.

The rest of the questions in this section are self-explanatory and should be based on your own personal knowledge of your child (At early years) and should share your child's voice once they have found it.

SECTION B – The Child or Young Person’s Special Educational Needs (SEN).

While each area of Section B starts with the child’s strengths, which it should. It is their needs that form the basis of the support and provision that they will receive.

As parents we never want to show our child in a bad light, but masking over their struggles and challenges will not help them. The simple fact that you are reading this and going through the process of writing an EHCP shows that they have these struggles and they **MUST** be put across in their fullest.

You need to make sure that each special educational need is articulated separately. This will enable you to ensure that there is provision to meet these needs in Section F.

The topics in this are:

- Communication and Interaction.
- Cognition and Learning.
- Social and Emotional Wellbeing.
- Sensory and/or Physical.

SECTION C – The Child or Young Person’s Health Needs Which are Related to Their SEN.

Keep it as simple as possible – make sure it is understandable by a non-specialist. If you are having input here as a parent that has learnt everything there is to know about your child’s condition, then you need to remember that the person reviewing the Plan may not understand. Similarly, if you do not understand what has been written by a professional, then the person carrying out the review may also not understand.

A diagnostic label does not describe need. Focus on the practical implications of the health conditions or impairments on the different areas of your child’s life. How does it affect them?

E.G. Child X has a hearing impairment. This can lead to loss of some hearing at low levels and profound loss of hearing at high levels. This can impact “X’s” everyday life as they require a consistent tone without environmental noise to understand instruction being given. In a classroom setting it can make it very difficult for “X” to focus which can lead to disruptive behaviour and emotional breakdowns.

Where a child or young person is not known to health services and there is no evidence of a relevant specialist health need, this should also be identified with Section C.

SECTION D – The Child or Young Person’s Social Care Needs Which are Related to Their SEN.

Information about social care needs may come from a range of people: they could be teachers, Teaching Assistants, carers, youth workers or an allocated social worker.

Just because your child is not known to Social Care, it does not mean there are no social care needs.

When requesting social care advice, relevant information that has already been collected about the child or young person’s social care needs and outcomes should be passed on to the social care professional providing the advice.

Do not be afraid to highlight negative behaviour at home. It is NOT a reflection on your parenting but a symptom of their condition.

e.g. “Y’s” lack of risk awareness can lead him to put himself in physical danger. “Y” likes to sit on window sills and post things out of the windows putting him at risk of falling out and therefore needs constant supervision.

SECTION E – The Outcomes Sought for the Child or Young Person

Short-term, service level targets should be included in an appendix, not as outcomes.

Outcomes should follow from the aspirations identified in Section A.

Where appropriate, outcomes should be joint across education, health and social care. For young people over 17, the education and training outcomes need to be separately identified.

e.g. By the end of Key Stage 3. Child “X” to show more flexibility and understanding of conversations and turn taking to enable him to take part in a simple two-way conversation.

By the end of year 5, Child “Y” who is non-verbal to have a more progressive understanding of written language and be able to use their tablet to communicate basic feelings such as Hunger, thirst, need to use toilet, etc. using communication apps.

By the end of year 9, Child “Z” to be able to work independently, 50% of the time.

SECTION F – The Special Education Provision Required by the Child or Young Person.

If section B represents the diagnosis then section F is the treatment, i.e., the measures, support and provision that will be put in place to ensure that the pupil's special educational needs are met in full, that the outcomes will be achieved and the pupil will achieve his/her full potential.

The SEN Code of Practice gives clear and unambiguous guidance about the statutory guidance for drafting provision, though it is our experience that the guidance is often ignored. On page 166 of the SEN Code of Practice it states:

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, including where this support is secured through a Personal Budget.

Provision **MUST** be specified for each and every need specified in section B. It should be clear how the provision will support achievement of the outcomes.

Where health or social care provision educates or trains a child or young person, it **MUST** appear in this section.

There should be clarity as to how advice and information gathered has informed the provision specified. Where the local authority has departed from that advice, they should say so and give reasons for it.

In some cases, flexibility will be required to meet the changing needs of the child or young person including flexibility in the use of a Personal Budget.

The plan should specify

- any appropriate facilities and equipment, staffing arrangements and curriculum.
- any appropriate modifications to the application of the National Curriculum, where relevant.
- any appropriate exclusions from the application of the National Curriculum or the course being studied in a post-16 setting, in detail, and the provision which it is proposed to substitute for any such exclusions in order to maintain a balanced and broadly based curriculum.
- where residential accommodation is appropriate, that fact.
- where there is a Personal Budget, the outcomes to which it is intended to contribute (detail of the arrangements for a Personal Budget, including any direct payment, **MUST** be included in the plan and these should be set out in section J).

It **MUST** divide the hours of professional time into clearly defined activities which address a particular need and support progress towards a particular outcome.

The grids within the form format should be used to make links between outcomes, needs and provision but this cannot be at the expense of separate sections.

Each point **MUST** be specific and detailed.

SECTION F – The Special Education Provision Required by the Child or Young Person. (continued)

The provision in this section should relate directly to the outcomes in section E, and answer the questions what, who, how, where, when, how long? Provision **MUST** have specificity and quantification. Statements of provision such as *“Barney will receive mobility and independence training as appropriate”* are unacceptable as no indication is given of the nature, frequency or length of training to be given.

To be clear about the amount and nature of the help that a child will receive, we need to answer the following questions.

1. What type of help does the child need?
2. How will this be provided.

We **MUST** consider:

- Is the whole National Curriculum appropriate or will there need to be modifications to its application?
- Is the curriculum/subject content going to be differentiated in an appropriate way, e.g., using multi-sensory resources?
- Is adequate time allowed for planning and production of appropriate resources?
- Who will be responsible for differentiation and for producing all of the additional resources needed?
- How will the additional resources be funded? Is a personal budget appropriate?
- Does the child have access to extra-curricular activities and opportunities?

DO NOT ACCEPT GENERAL STATEMENTS!!!!

“X” will have full access to the curriculum, including the National Curriculum, on a par with his peers. The work will be differentiated so that it is all accessible and meaningful to him. This will require careful planning of topics and work to ensure that the content is relevant and meaningful and all work will be modified using tactile codes, tactile diagrams and graphs and audio resources, prepared in advance of lessons, so that it is both accessible and achievable.

LAs cannot state that provision will be quantified in the future following an assessment. The LA should complete assessments before issuing the EHCP. Such statements remove the parent's opportunity to challenge the provision or lodge an appeal as the assessment and provision will probably be completed after the two-month limit for appeals.:

Orientation, mobility and independent living skills will be assessed and a program developed as appropriate by the Rehabilitation and Mobility Officer at the Sensory Support Team.

Additionally, it can not specify support through a type of school unit as this could predetermine the placement in Section I, for example:

A small group teaching situation, in a specialist unit attached to a mainstream secondary school, with staff experienced in meeting the needs of pupils with severe visual impairment.

SECTION F – The Special Education Provision Required by the Child or Young Person. (continued)

Provision Needed to Implement the Plan

This section should specify the different funding areas and amounts and give an overview of how this will be used to meet the needs of the child.

Primary Need.

This is the diagnosis of the Child.

Arrangements for Review.

The EHCP **MUST** be given a full review at least every 12 months from the date of the finalised plan. For progressive disabilities you and the education setting may agree a shorter timescale for review in this section.

The LA **MUST** secure the special education provision specified in Section F. You can remind the LA of this duty and make a complaint if the LA isn't doing so. In addition, if a child of compulsory school age isn't able to attend school due to illness, exclusion or otherwise, then the local LA **MUST** ensure that suitable alternative education is in place.

SECTION G - Any Health Provision Reasonably Required by the Learning Difficulties or Disabilities Which Result in the Child or Young Person having SEN.

Set out exactly what is going to happen, who is going to do it, what skills, qualifications or training they need, how often it will be made available, and when it will be reviewed.

It may be possible for therapies to appear in special educational provision (Section F) and in health provision.

SECTION I - Name of the School or other Institution

THIS IS WHERE YOU MUST PUT YOUR EDUCATION SETTING OF CHOICE!

DO NOT ACCEPT A PLAN WHERE THIS SECTION HAS BEEN OMITTED!!

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).

SECTION J – Details of any Direct Payment which will be made

Once a child or young person has an EHCP, the LA **MUST** ensure the support set out in the plan is made for the child or young person. Normally the LA will do this by providing the necessary funding to the school or college attended by the child or young person, in order for them to deliver the educational support need. However, it is also possible for the LA to consider making a payment to the parent, the young person or another nominated person, so that they can organise the provision themselves. This is called a Direct Payment. In order for the parent or young persons to request a direct payment, the LA **MUST** first identify a personal budget. Where there is a Personal Budget, the details of how the Personal Budget will support particular outcomes, the provision it will be used for including any flexibility in its usage and the arrangements for any direct payments for education, health and social care. The special educational needs and outcomes that are to be met by any direct payment **MUST** be specified.

SECTION K - Evidence

The advice and information gathered during the EHC process which needs assessment **MUST** be attached (in appendices). There should be a list of this advice and information here.