



SUPPORTIVE PARENTS

The SENDIAS service for children, young people and their parents

CHECKING YOUR DRAFT EHC PLAN

Your final plan is a legally binding document and the provision on it must be provided

The SEND Code of Practice says:

9.77 The local authority must send the draft EHC plan to the child's parent or to the young person and give them at least 15 days to give views and make representations on the content.

1. UNDERSTANDING YOUR PLAN

There should be a clear and direct link between the **aspirations, needs, provision and outcomes** in your plan. This is sometimes referred to as the Golden Thread and can be achieved by thinking about **outcomes** as steps on the journey towards the **aspirations**.

Aspirations: This is a goal or objective that is strongly desired by the child, young person and or the parents or carers. They may change as a child or young person gets older but the local authority cannot be held responsible for ensuring aspirations are achieved.

Needs: Children with special educational needs all have learning difficulties or disabilities that make it harder for them to learn than most people of their age. The needs that should be described in your plan are those difficulties that require the child or young person to receive different or additional help from that given to other children of the same age.

Provision: Special educational provision is educational or training provision that is additional to or different from that made generally for other children or young people of the same age.

Outcomes:

The SEND Code of Practice says:

9.66 An outcome can be defined as the benefit or difference made to an individual as a result of an intervention. It should be personal and not expressed from a service perspective; it should be something that those involved have control and influence over, and while it does not always have to be formal or accredited, it should be specific, measurable, achievable, realistic and time bound (SMART).

Outcomes should support Aspirations and set high expectations.

- You may wish to set aside at least 2 hours to go through the plan. A selection of coloured highlighters may help you to differentiate between needs, provision and outcomes.
- There is a template at the end of this fact sheet which you may find helpful to use.
- When issuing the draft EHCP following an EHC assessment, the local authority must also take into account the evidence received as part of the EHC needs assessment. When amendments to an EHCP have been made following an Annual Review, any additional advice and information which contributed to the decision to amend the plan must also be considered and must be sent to the parents or young person along with a copy of the previous plan, clearly showing where changes have been made.

2. STEP ONE: REPORTS

The SEND Code of Practice says:

9.61 In preparing the EHC plan the local authority must consider how best to achieve the outcomes sought for the child or young person.

- Go through all of the professional reports used during the assessment and highlight each need.
- Check that these cover ALL of the child or young person's needs, including all health and social care needs. You may find it useful to put these **needs** onto the sheet provided under each of the four broad areas of **needs** headings which should be used throughout your EHC Plan.
- Now go through the reports again, using a different colour and highlight all of the **provision**. EHC plans **must** specify the special educational **provision** to meet each of the child or young person's special educational **needs** (CoP page 164).
- Repeat the process with **outcomes**. The outcome is the benefit or difference made to an individual as a result of an intervention. Remember **outcomes** should be SMART (Specific, Measurable, Achievable, Realistic and Time bound).
- Every **need** and **outcome** should have corresponding provision. Again you may find the template helpful to match them up.

The SEND Code of Practice says:

9.69 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.

- To be clear about what your child or young person’s help will amount to on a typical school day, ask yourself the following:
 - *what type of help will my child get? E.g. equipment, learning support, teaching programme, speech therapy.*
 - *who will give that help and do they need particular qualifications or experience?*
 - *how many hours of extra help will he or she need?*
 - *how often will the help happen?*
 - *what teaching strategies will staff use?*
 - *will teaching be 1:1 or in small groups and if so how big will the group be?*
 - *will the child or young person get help for self-care if needed?*
- Make a note of any gaps in provision in your child’s plan, anything that is unclear or anything you do not agree with or understand. Check back through the reports to see if there are any recommendations you can use as evidence, to support your concerns.
- Beware of ‘weasel’ words like ‘access to...’, ‘where necessary...’, ‘opportunities for...’ or ‘help as required’. The plan should say how much help your child will get and how often. Words like these leave it up to someone else to decide so your child or young person may not get the help they need.
- If there is no specification or quantification you can contact the report author and ask for them to include this. If they are unsure, ask for the minimum amount. If you do this by email you can copy in your SEND practitioner. If by phone it is a good idea to let your SEND practitioner know.

3. STEP TWO: THE DRAFT PLAN

- Once you have a table or list with **needs, provision and outcomes**, check that all of these have been included in the draft plan.
- If the child or young person had a statement and is transferring to an EHCP, check that anything in parts 2 and 3 of the statement that is still relevant, is in the draft EHCP.

<p>Section A – All about me</p> <p><i>Is it clear how the child or young person participated in the development of the plan and how their views were gathered?</i></p> <p><i>Does the plan include the child or young person’s story?</i></p> <p><i>Does it include who and what is important to the child or young person?</i></p> <p><i>How do they communicate?</i></p>

<p><i>Does the plan include the child or young person's interests, views, aspirations and those of the parent/carer? These could include education, health, community participation, play, friendships, family, independent living, employment etc.</i></p>
<p>Section B – Special educational needs</p>
<p><i>ALL the special educational needs that have been identified through the assessment, including health and social care needs which educate or train a child or young person should be in Section B.</i></p>
<p>Sections C and D – Health and social care needs</p>
<p><i>All other health and social care needs should be included in sections C&D.</i></p>
<p>Section E – Outcomes</p>
<p><i>Do the outcomes reflect the aspirations of the child or young person? Remember outcomes should be SMART.</i></p>
<p>Section F – Provision</p>
<p><i>Remember provision should be SMART for example in terms of the level of support and who will provide it. 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</i></p> <p>The Code of Practice says:</p> <p>9.73 Health or social care provision which educates or trains a child or young person must be treated as special educational provision and included in Section F of the EHC plan. <i>This could include any therapies which educate or train a child to achieve an outcome.</i></p>
<p>Section G – Health care provision</p>
<p><i>This section should include any health provision reasonably required by the learning difficulties or disabilities which result in the child or young person having SEN</i></p>
<p>Section H – Social Care Provision</p>
<p><i>Section H1 of the EHC plan must specify all services assessed as being needed for a disabled child or young person under 18, under section 2 of the CSDPA.</i></p> <p><i>Section H2 of the EHC plan must specify any other social care provision reasonably required by the learning difficulties or disabilities which result in the child or young person having SEN. This will include any adult social care provision being provided to meet a young person's eligible needs (through a statutory care and support plan) under the Care Act 2014.</i></p>
<p>Section I – Placement</p>
<p><i>The name and type of the setting should be inserted here BUT only when the final EHC plan has been issued. This should be left blank on your draft plan. See step 3.</i></p>

- If you have any queries contact your SEND practitioner. You may find it helpful to email any questions or to follow up phone calls with emails.
- If you are happy with your plan let your SEND practitioner know.
- If you are not happy, send your requested amendments to the SEND practitioner or you can request a meeting to discuss the content of the draft plan.

The SEND Code of Practice says:

9.77 The local authority must make its officers available for a meeting with the child’s parent or the young person on request if they wish to discuss the content of the draft EHC plan.

STEP 3 – NAMING A SCHOOL

- Your draft plan should not have a school or setting named on it. Once you have agreed the plan’s contents, ask your SEND practitioner to consult with the school or setting of your choice on whether they can meet a child or young person’s needs based on the plan.
- You have the right to request that a particular school or college be named in the plan if it is a maintained nursery, school, academy or free school; a non-maintained special school; further education or sixth form college; a section 41 independent school or specialist college. The local authority must consult with your choice of school and the setting should respond within 15 days.
- There are limited reasons that a school can use to refuse a place to a pupil.

The Code of Practice says:

9.79 The local authority must comply with that preference and name the school or college in the EHC plan 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.

- If the local authority does not agree with a school’s reasons for refusing a place, they can direct a school to take the child or young person and will name that placement on the final plan. If the local authority names a school in the final plan, the school MUST admit the child or young person.
- You may also request that the local authority name a non-maintained early years setting, independent school, specialist college or other post-16 provider that is not on the approved Section 41 list and they must consider your request. The local authority is not under the same conditional duty to name the provider but it must have regard to the child, young person’s and parents’ wishes, so long as it can meet the child or young person’s needs and does not mean unreasonable public expenditure.

4. NEXT STEPS

- If you and the SEND practitioner cannot agree on changes, you can request a meeting with a senior officer.
- If you cannot agree on a final draft with the local authority then the final plan should be issued anyway. Only then will your rights be activated to seek disagreement resolution via mediation, or you can appeal to the SEND first tier tribunal over sections B, F and I.

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For Further Information

For all enquiries, please contact Supportive Parents via one of the methods below and our trained advisors will be happy to help:

- **Information, Advice & Support Line:**
0117 989 7725
- **Email:**
support@supportiveparents.org.uk
- **Complete the contact form on our website:**
www.supportiveparents.org.uk
- **Our Postal Address:**
3rd Floor, Royal Oak House
Royal Oak Avenue
Bristol
BS1 4GB



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Aspirations (EHC Section A)	Needs (EHC Sections B, C &D)	Provision (EHC Section F)	Outcomes (EHC Section E)
	<p data-bbox="674 180 1025 213">Cognition and learning</p> <p data-bbox="674 456 987 528">Communication and interaction</p> <p data-bbox="674 775 999 847">Social emotional and mental health</p> <p data-bbox="674 1046 1043 1080">Physical and/or sensory</p>		