

Education, Health & Care Plans

Otherwise known as EHCPs or EHC Plans

What is an Education, Health and Care Plan (EHC Plan)?

An Education, Health and Care plan (EHC plan) is a legal document, written by the local authority if the EHC needs assessment indicated that one is needed. It describes your child's special educational needs (SEN) and the help they will get to meet them. An EHC plan also includes any health and care provision that is needed.

The SEND Code of Practice 2015 (9.2) 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.

EHC plans are for children and young people who need a high level of support at their early years setting, school or college. The plans can start from a child's birth and can continue into further education and training (up to the age of 25). Most children and young people with SEN will have help given to them without the need for an EHC Plan. This is called SEN Support.

However, some children and young people may not make the progress expected of them even with this help. When this happens, the local authority should carry out an EHC needs assessment (EHCNA).

What does an EHC plan include?

The SEND Code of Practice 2015 says that EHC plans should:

- be based on decisions made openly, and with parents, children and young people
- be clear, concise, understandable and accessible
- consider how best to achieve the outcomes for the child or young person.

For the full list of principles and requirements for an EHC Plan, please see section 9.61 in the SEND Code of Practice 2015: <https://bit.ly/3Dz29xh>

Every EHC plan must include at least 12 sections, but each local authority can decide how to set these out. The sections are:

- A: The views, interests and aspirations of you and your child or the young person.
- B: Your child's or young person's special educational needs.
- C: Health needs related to their SEN or to a disability.
- D: Social care needs related to their SEN or to a disability.
- E: Planned outcomes for your child or the young person.
- F: Special educational provision.
Provision must be specified for each and every need shown in section B.
- G: Any health provision required that is related to their SEN or to a disability.
- H1: Any social care provision that must be made for your child or young person under 18.
- H2: Any other social care provision required that is related to their SEN or to a disability.
- I: The name and type of the school, maintained nursery school, post-16 institution or other institution to be attended.
- J: attended.
- K: Details of how any personal budget will support particular outcomes and the provision it will be used for.
The advice and information gathered during the EHC needs assessment



Where the child or young person is in or beyond year 9, the EHC plan must also include the provision required by your child or young person to help prepare for adulthood and independent living.

Most sections should reflect and link to other sections. For example, provision (section F) should link with needs (section B), outcomes (section E) link to aspirations (section A) and so on.

What happens at the end of the EHC needs assessment?

Once the LA has all the information and advice it must decide whether your child or young person needs support to be made through an Education, Health and Care plan (EHCP) or can be provided by 'SEN Support'. The LA should notify you of its decision by week 16.

How long does the whole process take? *

Start date - LA receives an EHCNA request

By week 6 of the start date - the LA decides whether an EHCNA is needed or not. EHCNA takes place OR if not, you are given the right to appeal against a Refusal to Assess (RTA)

By week 16 of the start date - LA decides to issue a Draft EHC Plan or not. You either receive the draft OR are given the right to appeal against a refusal to issue an EHCP.

If draft is received - you have at least 15 days to respond with any changes wanted and to submit placement preference and request for personal budget. LA then consults with setting(s) who have 15 days to respond.

Within 20 weeks of the start date - LA must issue a Final EHC plan. If you do not agree with the contents of the final EHC Plan, you will be given the right to appeal.

* The timescale may differ in exceptional circumstances ([SEND CoP 9.42](#))

What if I disagree with a Local Authority Decision?

Firstly, talk to your Planning Co-ordinator in SENAT if you have any concerns or do not agree with a decision being made. For the 4 stages above, you also have the right to consider mediation or go to appeal. You may also want to read our factsheet on 'Lodging an Appeal with the SEN & Disability Tribunal': <https://bit.ly/3tB74Yq>

For Further Information

You can read about Education, Health and Care needs assessments in the [SEND Code of Practice 2015, Chapter 9](#).

The Local Offer includes more information on EHCNAs, EHCPs and the local arrangements for EHC needs assessments: www.local-offer.org

West Sussex SEND Information, Advice and Support Service (SENDIAS) have a website with several resources: <https://westsussexsendias.org>, including related factsheets: <https://bit.ly/3tB74Yq>



You can also contact SENDIAS if you want to discuss your particular situation, including the options available to you.

Service Statement

The role of the SENDIAS service is to ensure all parents, children and young people have access to impartial information, advice and support so they can make informed decisions related to their situation. Any information that is shared with the service is in confidence unless permission has been obtained to share this with any individuals, services and agencies that may be able to help in the circumstances.

To view our policies, and privacy notice, please go to our website and choose the 'About Us' button, and 'How We Work' from the drop-down list.

How To Contact Us

Helpline: 0330 222 8555

Email address:

send.ias@westsussex.gov.uk (parents/professionals)
cyp.sendias@westsussex.gov.uk (age up to 25 yrs)

Website: www.westsussexsendias.org

SENDIAS Blog: <https://westsussexsendias.org/blog>

Facebook: <https://www.facebook.com/WSENDIAS>

Twitter: <https://twitter.com/wsxiias>

SEND: Special Educational Needs and/or Disabilities

To view all SENDIAS factsheets online: <https://bit.ly/3tB74Yq>

or scan QR code:

