

# EDUCATIONAL HEALTH & CARE PLAN

Education, Health and Care plans are replacing Learning Difficulty Assessments and Statements.

Education Health and Care plans are a lot more focused on the individual person and will help young people get the support they need to achieve their goals.

You won't get a plan unless you have significant support needs.

For more info talk to one of the impartial information, advice and support services. To find your local service visit [www.councilfordisabledchildren.org.uk](http://www.councilfordisabledchildren.org.uk). Talk to your family, teachers, tutors and support workers. Get in touch with your local authority. You can find their contact information on the GOV.UK website.

Council for disabled children

Department for Education

## A Guide for Parents

## **Introduction: Education, Health and Care Needs Assessments and Plans – a parent's guide.**

Welcome to this information and support guide. We hope you find this guide useful in giving you information about the arrangements made by Warwickshire's Local Authority Special Educational Needs (SEN) Service for children and young people who are undergoing, or may go under the Education Health and Care needs assessment (EHC needs assessment) process to determine whether your child or young person will be given an Education, Health and Care plan (EHC plan).

You can find out more information about the EHC needs assessment and plans through Warwickshire's Local Offer: [www.warwickshire.gov.uk/send](http://www.warwickshire.gov.uk/send).

## **What is an Educational Health and Care Plan?**

An Education, Health and Care Plan (EHC/EHCP) is a legal document which describes a young person's Special Educational Needs and/or Disabilities (SEND). An EHCP is written and provided by the Local Authority (LA) in order to give children and young people the help and support they need to make progress academically, socially and emotionally.

An EHCP replaced a Statement of Special Educational Need when the revised Code of Practice was introduced in 2014.

An EHCP is for any child or young person that has a significant and complex Special Educational Need or Disability. An EHCP is required when a child's needs cannot be met by the usual support that is available to them in their school or setting.

Many children with SEND receive support in their school or setting without an EHCP, however, their support would come from resources already available within the school. This is called SEN support. Following care at the SEN support level, some children or young people's needs may be deemed significant and complex and therefore require an EHC assessment by the Local Authority.

An EHCP should provide support from birth up to the age of 25 in order to support with further education, training and support in the workplace.

The purpose of an EHC plan is to ensure special educational provision is in place 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.

To support children with SEND, all schools must have a designated qualified teacher that is responsible for coordinating SEND provision. This teacher is called the SENCO (Special Educational Needs Co-ordinator). It is normally best to discuss your concerns with the SENCO at your child's education setting in the first instance. You can contact our SENCO by emailing [SEND@kinetonhighschool.org.uk](mailto:SEND@kinetonhighschool.org.uk).

## What is the criteria and process for an EHC Plan?

When assessing for SEND needs, four main areas are looked at:

- Cognition and learning
- Communication and interaction
- Social, emotional and mental health difficulties
- Sensory and physical barriers

In order for an EHC Needs Assessment to take place, four criteria have been stipulated, according to government guidance, which need to be met by all involved in the young person's circle.

### Criteria 1:

The young person's needs should be significantly greater than other learners of the same age, and are likely to be long term. If your child or young person requires substantial continuing additional support to promote their emotional wellbeing, social inclusion and/or develop their life and independence skills. There would be one area in which the young person has severe difficulty, or moderate to severe difficulties in a number of areas – which severely impact their ability to access and make progress within the school curriculum.

### Criteria 2:

There must be evidence that an assess-plan-do-review approach has been followed, involving the child's school, parents/carers and the young person themselves.

#### Assess

Carry out child observations, hold discussions with key staff and parents/carers to identify and analyse the child's needs. Note the child's strengths and areas for development.

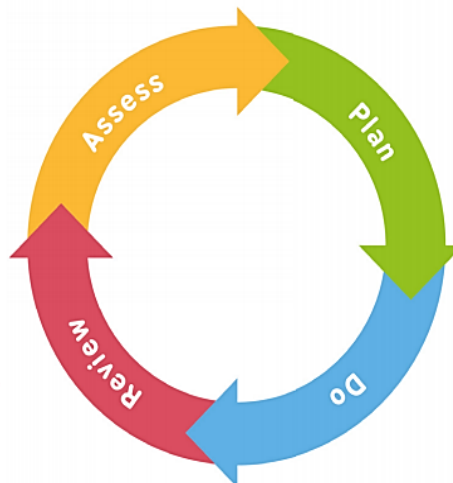
Assessments from outside agencies (Health, Educational Psychology, Social Services) may be required with parental consent.

#### Review

Discuss with others involved about how effective the support has been and the impact on the child in line with the review date.

Check back against observations and planned outcomes.

The next steps should be carefully planned with parents, outside agencies and the child themselves. Think about any other colleagues or specialists that might be able to help before the cycle begins again.



#### Plan

Hold discussions and meetings with parents, colleagues or any specialists who are involved to plan for what support will be put in place.

Make your plan 'outcome focused' - what do you all want the child to improve, develop or achieve? The plan should involve the child and parents at the centre.

Identify the interventions and support required and the expected impact on progress, development and behaviour. Set a clear date for review.

#### Do

Implement the support as planned with class teachers, early years practitioners, support staff and any other staff members working together with support from the SENCo.

Continue with observations to see how the child responds to the support.

The learner needs to have received the appropriate support from Elements 1 and 2 from the Warwickshire SEND Provision Matrix, along with some elements of Element 3. The Provision Matrix can be found here: <https://api.warwickshire.gov.uk/documents/WCCC-1090-114> . **This needs to have occurred for two terms before a EHC Assessment can be requested.** Specific records of the young person's progress through the review cycle will be kept and these records may indicate that continuing support at Element 3 Level may be long term.

### **Criteria 3:**

Suitably qualified external specialists have contributed over time to the review and refinement of evidence based interventions carried out by the school, and can comment on their implementation. This will include the involvement of an Educational Psychologist. **It is recommended that the young person sees the Educational Psychologist twice.** *Please note: there must be time between the Educational Psychologist's assessments, in order that their recommendations can be implemented and assessed as part of the assess-plan-do-review cycle.*

### **Criteria 4:**

The school will have fully and appropriately used its delegated funds, as demonstrated by a fully costed individual provision map including records of targeted intervention and review.

### **Who is involved in the EHC Needs Assessment Process?**

There may be lots of people involved in the EHC Needs Assessment Process. This includes, but is not exclusively:

- Your child or young person's educational setting:
  - The school will collate information from an educational perspective and send a report about what the young person can do / what they find difficult. The school will also write about what support has been given within school, provide any costing information and facilitate external parties working with your child or young person.
- Educational Psychologists:
  - Educational Psychologists are specialists who are trained to assess a child's learning and can advise and provide strategies to schools on how they might be able to help the young person. The Educational Psychologist will talk with the child, the parents and others who know the young person well, alongside observing and assessing them in their educational setting.
- Health professionals:
  - Health professions will be asked about whether any health factors affect the young person's learning and access to learning. Health professionals include: your GP, Speech and Language Therapists, Occupational Therapists, Physiotherapists and specialist nurses.
- Social care:
  - A social care view or full assessment may be sought with regards to a child being classed as a 'child in need', and needing support with safeguarding concerns.
- Other specialist practitioners:
  - Depending on the young person's needs, advice may be sought from other professionals – such as professionals you may have been working with privately.

**What happens if it is decided an EHC Plan is needed?**

If the Local Authority decides that an EHC Plan is necessary, they will send a Draft EHC Plan, together with a copy of all the advice and reports collected during the assessment, to the parent or young person. The Local Authority must give the child's parent or young person at least 15 days to give their views on the content of the draft EHC Plan, to express a preference for an educational institution and to seek the agreement of a personal budget. Parents or young people can contact the SEND Service to discuss any issues or concerns. For more information about the process, see *page 6*.

**What happens if it is decided an EHC Plan is NOT needed?**

If, following the completion of an EHC needs assessment, the SEND service decides not to issue an EHC Plan they must notify you, the current educational setting and the health service and give reasons for its decision. This notification must take place as soon as practical and at the latest within 16 weeks of the initial request. You will be informed of your right to appeal to SENDAR and of your right to consider mediation should you wish to appeal against the decisions made.

Mediation is arranged by the Local Authority, unless the issues relate to health, in which case the responsible commissioning body must arrange the mediation. The mediator must be independent of the Local Authority. If you wish to bring an appeal about the special educational needs element of the plan, you may do so only if an independent mediation advisor has provided you with information about mediation and how it might help. You can then decide whether to go to mediation before you bring an appeal to SENDAR.

### **How long should the process take?**

The EHC planning and assessment process should take no more than 20 weeks from the date of the request until the plan is issued, unless mitigating circumstances occur. Here is a rundown of the process:

#### **Weeks 1-6:**

- The SENDAR team receive a request for an EHCP Needs Assessment and check that we have your written consent to sharing this information with others.
- You will receive a letter which explains the process.
- SENDAR decide within no more than 6 weeks, but sooner if they can, whether an EHCP needs assessment is required and give you their decision. They aim to make this decision within 4 weeks if they can.
- If they don't think an EHCP needs assessment is needed for your child or young person it will be explained why. You and your child or young person will be given the opportunity to meet with them to discuss this.
- You have the right to appeal the decision not to start an assessment.

#### **Weeks 6-12:**

Everyone that is asked for information about your case must reply within 12 weeks from the date of the Needs Assessment request.

It's important that you keep all appointments relating to your assessment. If you don't it could delay the process.

- SENDAR will start to write a draft EHCP using the information provided in the initial request and written reports and send this out to you and to the other professionals to check.
- An Assessment Meeting will be arranged with you at around week 12 to discuss the draft EHCP to make sure it's accurate. Any professionals involved with your child or young person will be invited to this meeting.
- You will be asked at the Assessment Meeting which school or college you would like your child to go to. If the EHCP is for a young person aged over 16 we'll ask them directly which school or college they would like to go to.

#### **Weeks 13-16**

- The draft EHCP will be presented to the SEND panel. The Local Authority will decide whether to issue an EHCP or not on the basis of the information collected during the assessment. It will also be decided whether a mainstream or more specialist education is appropriate.
- If your preferred school or college is a specialist setting, the LA will decide whether this is appropriate, based on the content of the draft EHCP.
- SENDAR will write to you by no later than week 16, to let you know the decision that has been made about whether to issue an EHCP or not. You have the right to appeal this decision if the decision is that an EHCP will not be given.
- If an EHCP is approved, you will be sent a copy of the proposed plan. You have up to 15 days to read it and let us know if you're happy with it, or if you'd like any final changes made.
- At the same time we will send the proposed EHCP to your preferred school or college to ask them if they can meet your child or young person's needs and offer them a place. The school will have to decide whether they think they have the resources to be able to meet your child's needs. Their response will be shared with you.
- If an EHCP request is denied, all the assessment information will be shared with your child or young person's school who will use this information to improve the SEN support they provide.

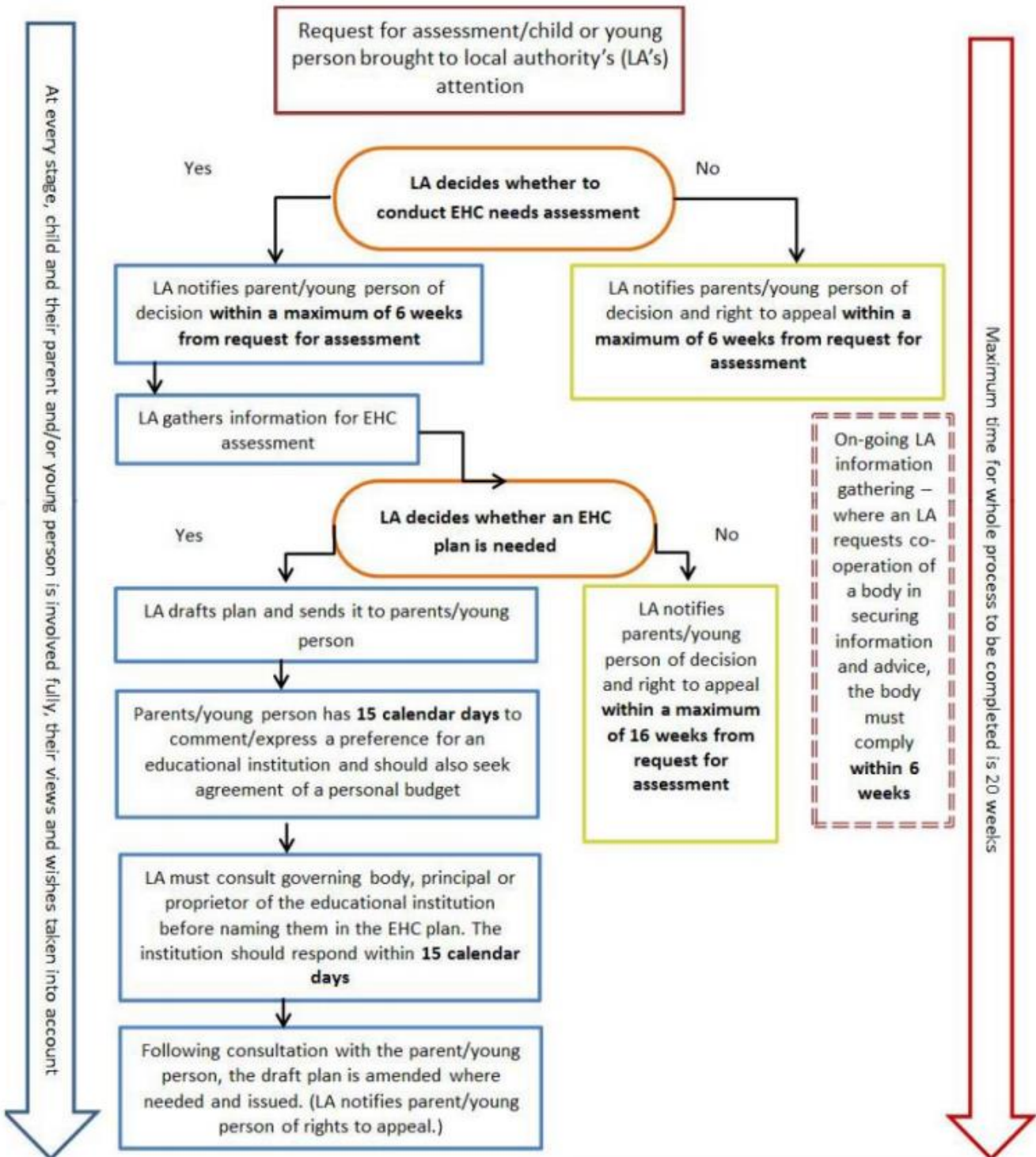
#### **Weeks 17-20**

You'll get the details of the final EHCP by no later than week 20.

The final version of the plan will name the school that your child or young person will be attending.

The support arranged in the plan will be put in place to help your child or young person from that point on. The education setting is legally obliged to deliver the support detailed in the EHC Plan.

### Statutory timescales for EHC needs assessment and EHC plan development



**What does an EHCP include?**

An EHCP includes the following sections of key information, including:

- A. The views, interests and aspirations of the young person.
- B. The young person's Special Educational Needs.
- C. Any 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 the young person.
- F. Provision for the needs mentioned in Section B.
- G. Any health provision.
- H. Any social care provision which must be made for the young person, and any other social care provision which is related to SEND needs.
- I. The school setting details.
- J. Details of any personal budget allotted to the young person.
- K. Appendix.