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## Education, Health and Care plans

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### Summary

This factsheet covers information on what an Education, Health and Care plan (EHC plan) is and what it should include, who may need one and how they are reviewed.

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

An **Education, Health and Care plan (EHC plan)** 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. It is a legal document written by the local authority and is used for children and young people (16- 25yrs) with high support needs.

EHC plans are for children and young people who need a high level of support. The plans can start from a child's birth and continue into further education and training.

The **SEND Code of Practice** 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.*  
(Section 9 Paragraph 2)



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## Who needs an EHC plan?

EHC plans are for children and young people who have a special educational need (SEN) or disability that cannot be met by the support that is usually available at their school or college.

Most children and young people with special educational needs will have help given to them without the need for an EHC Plan. This is called **SEN support**.

The purpose of SEN support is to help children achieve the **outcomes** or learning objectives that have been set for them.

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**. A few children and young people have such significant difficulties that an EHC needs assessment should not be delayed.

You or your child's school can ask the local authority to consider making an EHC needs assessment. When this assessment is finished the local authority must decide whether to issue an EHC plan.

The **SEND Code of Practice** says:

*In considering whether an EHC needs assessment is necessary, the local authority should consider whether there is evidence that despite the early years' provider, school or post-16 institution having taken relevant and purposeful action to identify, assess and meet the special educational needs of the child or young person, the child or young person has not made expected progress.*  
(Section 9 Paragraph 14)

## What does an EHC plan include?

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

- be based on decisions made openly, and with parents, children and young people
- describe what the child or young person can do
- be clear, concise, understandable and accessible
- consider how best to achieve the outcomes for the child or young person. They **must** take into account the evidence from the EHC needs assessment
- specify clear outcomes
- consider alternative ways of providing support if a parent or young person wishes it. This could include having a **Personal Budget**
- show how education, health and care provision will be co-ordinated



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- be forward looking – for example, anticipating, planning and commissioning for important transition points in a child or young person's life
  - describe how informal support as well as formal support from statutory agencies can help in achieving agreed outcomes
  - have a review date.

There is a full list of principles and requirements in the **SEND Code of Practice** Section 9 Paragraph 61.

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:** Details of how **any personal budget** will support particular outcomes and the provision it will be used for.

**K:** 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.

You can read the full list of what must be included in each section in the SEND Code of Practice Section 9 Paragraph 62 and Section 9 Paragraph 63.

You can find a detailed checklist covering each of these sections at **IPSEA EHC plan checklist**.



## How will I be involved?

The **SEND Code of Practice** says:

*Local authorities must consult the child and the child's parent or the young person throughout the process of assessment and production of an EHC plan. (Section 9 Paragraph 21)*

and

*Reviews must be undertaken in partnership with the child and their parent or the young person, and must take account of their views, wishes and feelings, including their right to request a Personal Budget. (Section 9 Paragraph 168)*

Your views, and your child's views, are really important. The local authority, school or college should help you take part and involve you in decision making. If you would like help to do this please contact **Herefordshire and Worcestershire SEND Information, Advice & Support Services (SENDIASS)** for impartial advice and support. We can also give you information on other sources of help, and on what to do if you do not feel that you have been heard or listened to.

## Will there be a review of the EHC plan?

The local authority **must** review the EHC plan at least once every 12 months. This **must** be done in partnership with you and your child or the young person, and must take account of your views, wishes and feelings.

The local authority **must** decide whether to keep the plan as it is, make changes, or cease to maintain it within **four weeks** of the review meeting. You have a right of appeal if the local authority proposes to cease the EHC plan.

For some young people an EHC plan will continue until they are 25. However the plan will stop if the young person:

- goes to university
- gets a job
- tells their local authority they no longer want their EHC plan, or
- no longer needs special help and the local authority decides that the EHC plan should cease.



## Where does the funding come from?

The local authority is responsible for ensuring that all the needs set out in the EHC plan are met and that the provision is made. Funding for EHC plans usually comes from a number of sources.

For children in mainstream school some of the funding comes from the school. The local authority may 'top up' this funding from their 'High Needs Block'. You can find out more in our factsheet 'Funding for SEN in mainstream schools' and in the Local Offer links on our website; address below.

Special schools have a standard amount of funding for each pupil. This can also be 'topped up' with Element 3 funding when necessary.

For young people in 6th forms or attending college some of the funding will come from the college budget. This may be 'topped up' by the local authority if the amount of funding needed is more than the 'nationally prescribed threshold'. This is an amount of money that is decided on each year.

All young people with an EHC plan and all parents of children with an EHC plan can ask for a **Personal Budget**. The **SEND Code of Practice** says:

*A Personal Budget is an amount of money identified by the local authority to deliver provision set out in an EHC plan where the parent or young person is involved in securing that provision.*  
(Section 9 Paragraph 95)

Section 9 Paragraph 110 to Section 9 Paragraph 118 of the **SEND Code of Practice** tell you more about what can be included in a Personal Budget.

Herefordshire and Worcestershire SEND Information, Advice & Support Services (SENDIASS) can give you more information on Personal Budgets, including **Direct Payments**.

## What can I do if I am not happy about the EHC plan?

The first step is to contact the school, college or local authority to discuss your concerns.

**Worcestershire SEND Information, Advice & Support Service** can give you impartial advice and support and explain your options. This may include independent disagreement resolution, mediation or going to appeal. You can also find out more in our "**What if I do not agree?**" factsheet.

## What happens if I move to another local authority area?

If you plan to move to another local authority area you should contact the 'old' and the 'new' local authorities so the support specified in the EHC plan will be in place. The 'new' authority will amend the plan and name the new school or college.



The 'old' local authority must transfer the EHC plan on the day of the move, as long as it has had 15 working days notice.

### Where can I get more information, advice or support?

Links to all websites mentioned (and more) can be found on our website: [www.hwsendiass.co.uk](http://www.hwsendiass.co.uk)  
You can read about Education, Health and Care plans in Chapter 9 of the SEND Code of Practice: <https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>

Herefordshire and Worcestershire SEND Information, Advice & Support Service (SENDIASS) offers:

- information, advice and support to explain the process and to help you take part in EHC plan needs assessments
- advice and support about EHC plans
- information, advice and support to help you take part in reviews of EHC plans
- support to help you find out more about the funding and provision for SEND made for your child
- information, advice and support about Personal Budgets if your child has an Education, Health and Care Plan
- information about other organisations, support groups and information services that may be of help
- information, advice and support about your rights to make a complaint, seek independent **disagreement resolution** or **mediation** and appeal to the **SEND Tribunal**.

To make a request for an Education, Health Care Assessment you need to write to:

Worcestershire:  
The Assessment Team  
SEND and vulnerable learners  
Education and Early Help  
Worcestershire Children First  
County Hall  
Spetchley Road  
Worcester  
WR5 2NP

Herefordshire:  
  
Herefordshire SEND Team  
Plough Lane  
Hereford  
Herefordshire  
HR4 0LE

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Information, Advice  
and Support Service  
Herefordshire &  
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