Education, Health and Care Plans

Following an increase in enquiries around Education, Health and Care plans, we have produced a list of resources and services to help Parent Carers understand the process.

What is an Education Health and Care Plan?

An Education, Health and Care Plan (EHCP) is a legal document which sets out the education, health and social care needs of a child or young person for whom extra support is needed in the educational setting, beyond that of which they normally provide. The plan will focus on outcomes (what the child or young person wants to achieve) and what's needed to achieve those outcomes. Families and professionals work together to consider the outcomes they would like to see and how best to meet them.

An EHCP covers education from early years (ages 0–5) through to further education (up to age 25). It guarantees tailored support for children and young people with complex special educational needs (SEN).

The plan applies to the following levels of education:

- **Early Years:** Nurseries, pre-schools, and childminders.
- **School Age:** Primary and secondary schools.
- **Post-16 Education:** Further Education (FE) colleges, sixth forms, and traineeships.
- **Work-based Training:** Supported internships and apprenticeships

An EHCP does **not** cover higher education (university degrees) or any course at Level 4 or above. Instead of an EHCP, higher education students receive support through Disabled Students' Allowances (DSAs).

Further information on EHCP's

Applying for an EHCP

You can ask your local authority to carry out an assessment if you think your child needs an EHCP. A young person can request an assessment themselves if they're aged 16 to 25.

A request can also be made by anyone else who thinks an assessment may be necessary, including doctors, health visitors, teachers, parents and family friends.
If they decide to carry out an assessment you may be asked for:
any reports from your child's school, nursery or childminder doctors' assessments of your child
a letter from you about your child's needs.

The local authority will tell you within 16 weeks whether an EHCP is going to be made for your child.

Further information on Applying

Applying for an EHCP

The local authority must secure an EHC needs assessment for the child or young person if... the authority is of the opinion that —
(a) the child or young person has or may have special educational needs, and
(b) it may be necessary for special educational provision to be made for the child or young person in accordance with an EHCP.
s36(8) Children and Families Act 2014

IPSEA information on Applying

Local Authority Decision

When deciding whether a child or young person needs an Education, Health and Care (EHC) needs assessment, the local authority should look at whether the nursery, school or college has already tried to identify and support their special educational needs, but the child or young person is still not making the progress that would be expected.

The local authority should consider:
• How the child or young person is progressing in their learning and development.
• The type and level of their special educational needs.
• What support and adjustments the nursery, school or college has already put in place.
• Whether any progress has only happened because of a significant amount of extra support that goes beyond what is normally available.
• Their physical health, emotional wellbeing, social development and any medical needs, including information from health professionals and other services involved.

For young people aged 18 and over, the local authority must also consider whether they need extra time to complete their education or training compared to other young people of the same age. Continuing education should help them achieve their goals, develop skills and prepare for adult life.

Importantly, the question is not whether a child is making some progress. The question is whether they need support through an EHCP because their needs cannot be met from the resources and support that are normally available in their setting.

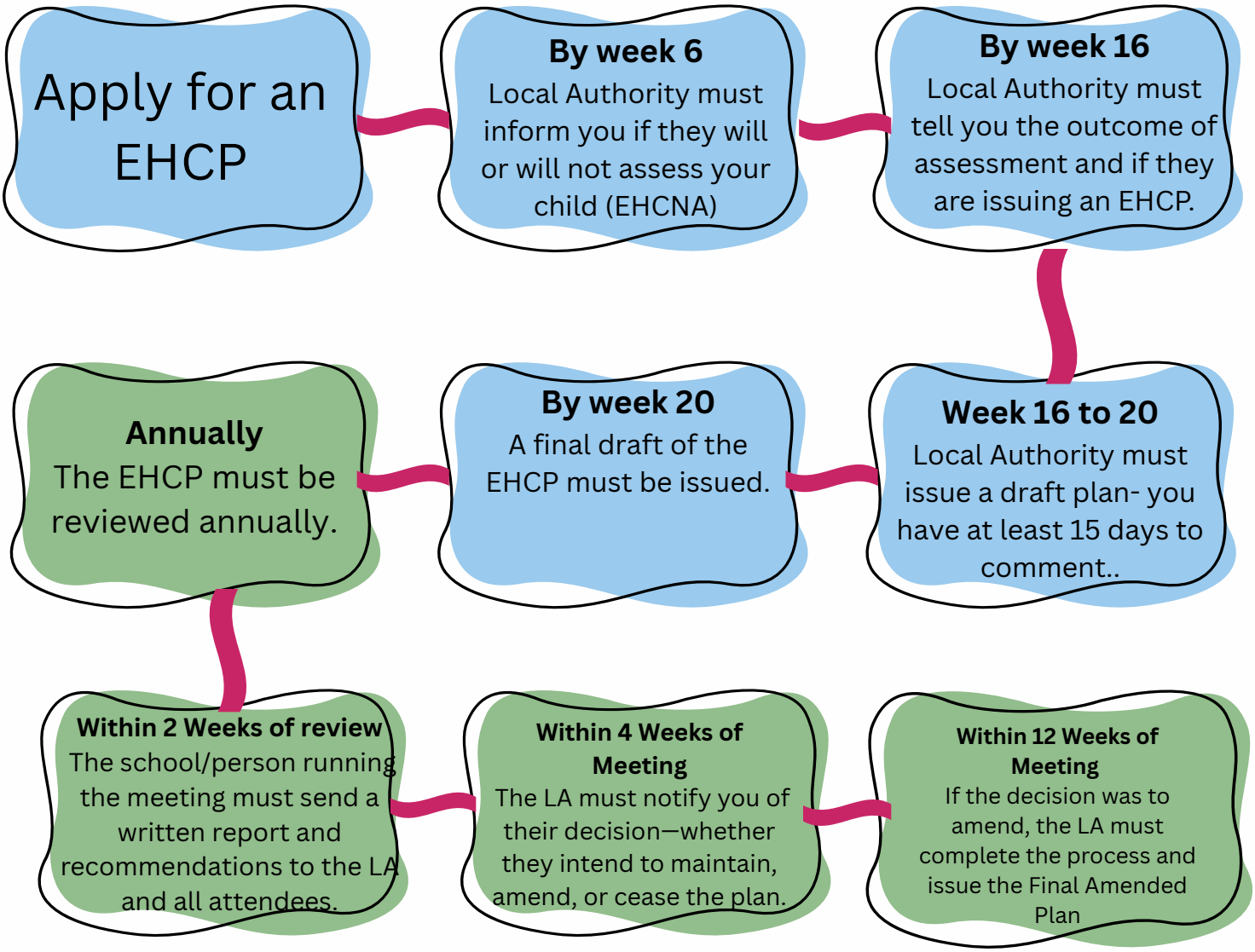
Appealing a decision

If Shropshire Council has completed an EHC Needs Assessment and then decided not to issue an EHCP, you have the right to appeal to the SEND Tribunal.
Step 1: Read the decision letter
Step 2: Contact a mediation adviser
Step 3: Submit your SEND Tribunal appeal

More on Mediation

More on Tribunal

EHCP Timeline



What sections are in an EHCP?

A: Your child's views, interests, and aspirations.
B: Their special educational needs (SEN).
C: Health needs related to SEN or a disability.
D: Social care needs linked to SEN or a disability.
E: Planned outcomes for your child.
F: Specific educational support needed.
G: Health provision required.
H1: Social care provision for those under 18.
H2: Additional social care provision related to SEN.
I: The name and type of school or college.
J: Details of any personal budget.
K: Evidence gathered during the EHC needs assessment.

EHCP Template 0-15 years

EHCP Template Post 16

What is the purpose of EHCP Outcomes?

Section E EHCP outcomes are created to secure the best possible outcomes for a child or young person. The outcomes section is heavily influenced by Section A (aspirations), Section B (individual needs) and Section F(provision). Tying all sections together, Section E outcomes guide if the child has made the intended progress.

The SEND code of practice states:

9.61- EHC plans must specify the outcomes sought for the child or young person. Outcomes in EHCP should be SMART (specific, measurable, achievable, realistic, time-bound).

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 SMART.

The success of an EHCP will be measured by how effectively outcomes are met. As a young person grows and makes progress the outcomes in an EHCP will change, outcomes should reflect key learning and development across education, health and social care. At the year 9 annual review, the focus on Preparation for Adulthood will increase and this should be reflected in the outcomes in an EHCP. Outcomes in an EHCP should reflect not just education progress, but the development of social and independence skills also.

What is a SMART outcome?

S

Specific

The 'what' – a clear statement of what will be achieved
The 'why' – be clearly defined and easy to understand
The 'how' – the action that needs to be taken.

M

Measurable

Based in evidence – it can be assessed objectively and/or it can been observed or recorded
It includes figures/numbers – it can be accurately measured against targets

A

Achievable

Challenging but not beyond reach
Providing opportunities for success along the way

R

Realistic

Aligning with the child or young person's aspirations
Meaningful to the child or young person

T

Time bound

A time scale for achievement with an end date or date for review.
Remember, outcomes should be across education, health and social care and should not just focus on educational achievement

Annual Reviews

What is an Annual Review?

An EHCP (Education, Health and Care plan) annual review is a legal requirement, occurring at least once a year, to assess a child's progress and ensure their EHCP remains relevant and effective. It involves reviewing the plan, its outcomes and targets, and considering whether changes are needed. The process includes a meeting with all relevant parties, including the child or young person, their parents or carers, and professionals involved in their support.

The purpose of an annual review is:

- To check if the EHCP is still appropriate and effective in supporting the child's needs and progress.
- To review the child's progress against the outcomes and targets outlined in the EHCP.
- To identify any changes in the child's needs, whether in education, health, or social care.
- To decide whether the EHCP needs to be amended, remain the same, or be ceased.
- To prepare for transitions, particularly from primary to secondary school, or from school to post-16 education.

Your local authority (LA) must complete the first review of your child's EHC plan within 12 months of the EHC plan being finalised. Subsequent reviews must be completed within 12 months of the previous review.

Further information- Annual Reviews

The following steps must take place in an annual review:

Your LA must consult with you (and with the school or institution being attended if there is one) about the EHC plan, and take account of your views, wishes and feelings.
An annual review meeting must take place to discuss the EHC plan.

Information must be gathered from you as well as from professionals about the EHC plan and then circulated two weeks before the meeting.

After the meeting a report of what happened must be written and sent to everyone who went to the meeting or provided information to be discussed.
After the meeting the LA reviews the EHC plan.
The LA must notify you of its decision within four weeks of the meeting.
All of these steps – not just the meeting – must be followed in order for an annual review to be completed.

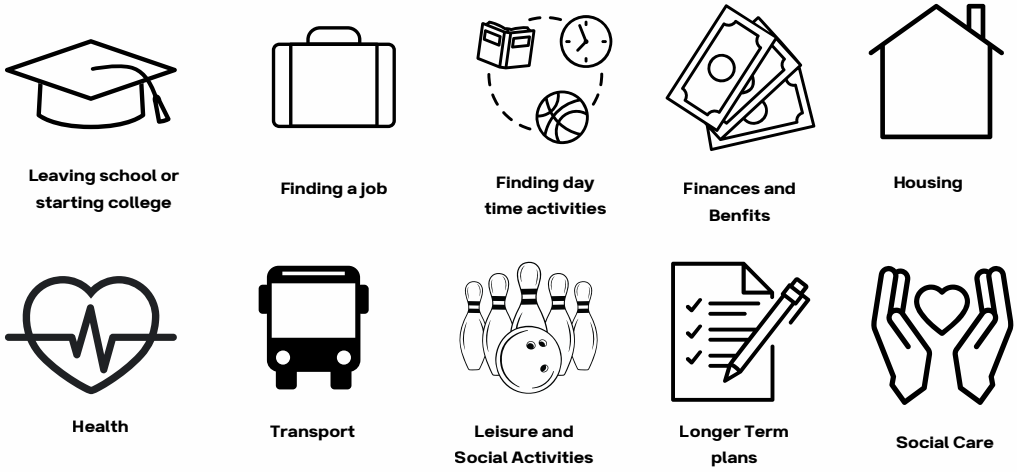
IPSEA- EHCP Checklist

IASS- EHCP Support

Annual Reviews – Preparation for Adulthood

What is Preparation for Adulthood (PFA)?

PFA covers all areas of your Young Person's life that will enable them to have the best outcomes as the enter adulthood.



PACC's PFA Guide

The SEN and Disability Code of Practice sets out what should be considered in annual reviews from Year 9 onwards. For teenagers, preparation for adult life has to be part of the planning and support for them. Discussions about their future should focus on what they want to achieve and the best way to support them to achieve. Planning must be centred around the child or young person and explore their aspirations and abilities, what they want to be able to do when they leave post-16 education or training, and the support they need to achieve their ambitions. LAs should make sure that children and young people have the information and help they need to join in fully in this planning and make decisions.

There are some key points for annual reviews and transition between school and further education and/or training:

- Planning is based on the young person's aspirations and abilities and what is needed to support them to "achieve their ambition": the EHC plan must fit the child/young person and not the other way around.
- Young people should be given the help they need to participate and make decisions. Parents and carers need to think about what will help their young people to make decisions when the time comes.
- Transition planning must be built in to the revised EHC plan. Although outcomes will need to be revised, remember that only the contents of sections B and F of an EHC plan can be appealed. It's very important that the transition planning is specified and quantified in section F of the revised plan.
- The outcomes sought for a young person must be "ambitious" and "stretching" and "prepare young people for adulthood". This is very important when thinking about education or training for young people aged 19-25 where provision tends to be more bespoke (and harder to get).

Frequently Asked Questions

Can Local Authorities have their own timescales for EHCP's?

No, local authorities don't have their own, separate timescales for issuing Education, Health and Care (EHC) plans. The legal timeframe for completing an EHC needs assessment and issuing a final plan is 20 weeks from the date of the initial request, this is a statutory requirement.

Are there times when Local Authorities can go over the 20-week deadline?

The only time the LA is legally allowed to miss this deadline is if meeting the deadline is impractical (so not reasonable or possible) due to:

- the LA requested advice as part of the EHC needs assessment from the nursery, school or college attended by your child or young person during a time when it was closed for a period of longer than 4 weeks (such as in the summer holidays), or in the week immediately before such a closure, and this delayed the process
- exceptional personal circumstances affected you or your child, or your young person, during that time period, or
- you or your child, or your young person, were absent from the LA's area for a continuous period of not less than 4 weeks during that time period.

The law remains the law – even when there are staff shortages- not having full staffing is not a lawful reason to go over the 20-week deadline.

Certain people and bodies (such as a local NHS service) asked for information and advice must respond within six weeks. This is set out in SEND Regulation 8(1) and paragraph 9.52 of the Code. The only exceptions to this are if:

- during that six week period, exceptional circumstances affect you or your child
- you or your child are away for a continuous period of not less than four weeks, or
- you fail to keep an appointment for an examination or a test.

Your LA must either decide not to issue an EHC plan within 16 weeks of the date your EHC needs assessment request was received, or (if a plan is to be issued) to issue a final EHC plan within 20 weeks of that date. These are legal duties which must be complied with. There are a few minor exceptions to these deadlines, but they cannot be avoided because there is a long waiting list or because there are staffing shortages. Resource issues is not one of these exceptions.

We have received my child's draft plan following an annual review. In the summary of needs, they have crossed out their diagnosis and listed their needs as independent living, health and further education and employment. Is this right?

No, as per legislation, the SEND Code of Practice identifies four primary areas of need that should be considered when assessing and planning for children and young people with Special Educational Needs and Disabilities (SEND). These are: Communication and Interaction, Cognition and Learning, Social, Emotional and Mental Health, and Sensory and/or Physical Needs.

Identifying Primary area of need

We have received a draft plan and we have been told all outcomes in Section E must be focused on Education?

Outcomes should be across education, health and social care and should not just focus on educational achievement.
Section E EHCP outcomes are created to secure the best possible outcomes for a child or young person. The outcomes section is heavily influenced by Section A (aspirations), Section B (individual needs) and Section F(provision). Tying all sections together, Section E outcomes guide if the child has made the intended progress.

The success of an EHCP will be measured by how effectively outcomes are met. As a young person grows and makes progress the outcomes in an EHCP will change, outcomes should reflect key learning and development across education, health and social care. At the year 9 annual review, the focus on Preparation for Adulthood will increase and this should be reflected in the outcomes in an EHCP. Outcomes in an EHCP should reflect not just education progress, but the development of social and independence skills also.

Further Reading

IPSEA "EHC plans, EHC needs assessments and SEND Tribunal appeals"

Kids Understanding EHCPs

IPSEA-EHCP Information	Kids- Understanding EHCP's
legislation Children and Families Act (2014)	legislation SEND Code of Practice (2015)
NDTi Preparing for Adulthood: EHC planning	Shropshire Council Local Offer

What to do when things go wrong
Where to go for help

(Click the images)

We understand how stressful, overwhelming and confusing it can be to understand the law, processes, and what to do when things go wrong. The following organisations offer support, guidance and information.

IPSEA

IPSEA is a registered charity in England that provides free legal advice and support to families of children with special educational needs and disabilities (SEND).

SHROPSHIRE SENDiass
Information, Advice and Support Service

IASS offers practical guidance, resources, and advice to support you in working with schools and professionals to ensure your child gets the right support.

contact

Contact provides online information and advice to families caring for children and young people with disabilities or additional needs.

Formal Complaints

If your complaint relates to process delays, poor communication, or the day-to-day delivery of provisions inside the plan, first reach out to the Shropshire EHCP Team to give them an opportunity to rectify the issue.

If you do not receive a timely response, or direct contact does not resolve the issue, you can escalate the matter through the council's formal complaints procedure.

IPSEA Template letters

EHCP Team Contact Details

Formal Complaints

Community Navigator Service

Offering personalised signposting and Information Provision for families of 0-25 year old's with SEND in Shropshire

We understand how difficult and overwhelming it can be to navigate your child or young persons journey. PACC's Community Navigator Service is open to any Parent Carer of a child/ young person ages 0-25 with SEND in Shropshire.

How can PACC Help?

You will be offered an initial 30-minute phone/ Teams call with a Navigator. All of PACC's Navigators are Parent Carers themselves, so have both a lived and work experience of the SEND system in Shropshire. Following the call you will receive an email with information and signposting.

What can I speak to a Navigator about?

- Social Opportunities
- Finances and Benefits
- Staying Healthy
- Mental Health Support
- Being Part of the local community
- Housing Options
- Support for Parent Carers
- Support for Families
- Employment and Volunteering
- Help navigating the SEND system
- Education
- Education, Health and Care Plans
- Annual Reviews
- Activity Plans



PaCC Shropshire's Independent Parent Carer Forum

Parent Carer Community Shropshire

COMMUNITY FUND

Info@paccshropshire.org.uk