AWAREVERSE

The 20 Day EHCP Parent Guide

A practical guide to understanding and checking an Education, Health and Care Plan in England.

See the person. Understand the need. Make a change.

This guide brings together the complete Awareverse EHCP Daily series in one document. It is designed to help parents and carers understand the structure of an EHCP, identify questions to ask and organise evidence. It is general information, not individual legal advice.

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AWAREVERSE EHCP DAILY: PART 1 OF 20

What is an EHCP and what is it actually for?

An Education, Health and Care Plan is a legal document for children and young people whose special educational needs require provision beyond what is ordinarily available. It is not simply a diagnosis document. It should identify needs, outcomes and the provision required.

THE KEY RULE OR PRINCIPLE

Section 42 of the Children and Families Act 2014 places the duty on the local authority to secure the special educational provision specified in the plan.

PARENT CHECK

If a complete stranger read the EHCP, would they understand the child and the support that must be provided?

See the person. Understand the need. Make a change.

AWAREVERSE EHCP DAILY: PART 2 OF 20

Section A: Views, interests and aspirations

Section A should capture the child or young person as a person. It should include their views, interests, strengths, wishes and aspirations, alongside relevant parental views. Communication does not have to mean spoken words. Views can be gathered through AAC, writing, pictures, behaviour, gestures or people who know the child well.

THE KEY RULE OR PRINCIPLE

Section 19 of the Children and Families Act 2014 requires local authorities to have regard to the views, wishes and feelings of the child and their parent, or the young person, and to support participation in decisions.

PARENT CHECK

Does Section A genuinely sound like my child?

See the person. Understand the need. Make a change.

AWAREVERSE EHCP DAILY: PART 3 OF 20

Section B: Identifying all special educational needs

A diagnosis is not the same as a need. Section B should specify all of the child's special educational needs, including relevant difficulties with communication, learning, sensory processing, executive functioning, emotional regulation, interaction and other areas affecting education.

THE KEY RULE OR PRINCIPLE

Section B matters because Section F should contain provision for the special educational needs identified in the plan.

PARENT CHECK

Compare Section B with every professional report. Is every significant special educational need actually included?

See the person. Understand the need. Make a change.

AWAREVERSE EHCP DAILY: PART 4 OF 20

Section C: Health needs related to SEND

Section C records health care needs that relate to the child's special educational needs. It should describe relevant needs, rather than simply listing diagnoses. Health and education can overlap.

THE KEY RULE OR PRINCIPLE

Under section 21 of the Children and Families Act 2014, health or social care provision that educates or trains a child or young person is treated as special educational provision.

PARENT CHECK

Do the health needs described in professional reports appear accurately in Section C, and has any provision that educates or trains the child been considered for Section F?

See the person. Understand the need. Make a change.

AWAREVERSE EHCP DAILY: PART 5 OF 20

Section D: Social care needs

Section D records social care needs relating to SEN or disability. A child does not need to have a social worker for relevant social care needs to exist. Consider independence, personal care, safety, community access, relationships, supervision and daily living.

THE KEY RULE OR PRINCIPLE

The SEND Regulations require the EHCP to specify relevant social care needs. Sections H1 and H2 then deal with social care provision.

PARENT CHECK

Does Section D describe the child's actual social care needs, rather than simply whether services are currently involved?

See the person. Understand the need. Make a change.

AWAREVERSE EHCP DAILY: PART 6 OF 20

Section E: Outcomes and why they matter

Outcomes describe the benefit or change sought for the child or young person. They are not the support itself. A useful chain is: need in Section B, outcome in Section E, provision in Section F.

THE KEY RULE OR PRINCIPLE

The SEND Code of Practice says outcomes should be specific, measurable, achievable, realistic and time bound, and from Year 9 onwards reviews should include a focus on preparing for adulthood.

PARENT CHECK

Can I tell what progress towards each outcome would actually look like?

See the person. Understand the need. Make a change.

AWAREVERSE EHCP DAILY: PART 7 OF 20

Section F: Special educational provision

Section F specifies the special educational provision required. This can include teaching approaches, interventions, specialist input, therapy where it educates or trains, support for communication, sensory needs and other provision required because of SEN.

THE KEY RULE OR PRINCIPLE

Section 42 requires the local authority to secure the special educational provision specified in the EHCP.

PARENT CHECK

Take each need in Section B. Where is the provision in Section F that addresses it?

See the person. Understand the need. Make a change.

AWAREVERSE EHCP DAILY: PART 8 OF 20

How specific and quantified should Section F be?

Provision should be sufficiently clear that everyone understands what must happen. Look for the type of support, amount, frequency, duration, group size, expertise and arrangements for delivery or review where relevant.

THE KEY RULE OR PRINCIPLE

The SEND Code of Practice says provision should be detailed and specific and should normally be quantified, for example by type, hours and frequency of support and level of expertise.

PARENT CHECK

Could I objectively tell whether each item of Section F provision had been delivered?

See the person. Understand the need. Make a change.

AWAREVERSE EHCP DAILY: PART 9 OF 20

Section G: Health provision

Section G specifies health care provision reasonably required by the learning difficulties or disabilities that result in SEN. Section C identifies relevant health needs; Section G deals with health provision. Some therapy may instead belong in Section F when it educates or trains.

THE KEY RULE OR PRINCIPLE

The legal duties for health provision differ from the section 42 duty for special educational provision, so identifying the correct section matters.

PARENT CHECK

Compare Sections C, G and F. Has each relevant health need resulted in the right provision in the right place?

See the person. Understand the need. Make a change.

AWAREVERSE EHCP DAILY: PART 10 OF 20

Sections H1 and H2: Social care provision

H1 covers provision required for a child under section 2 of the Chronically Sick and Disabled Persons Act 1970. H2 covers other social care provision reasonably required by the child's learning difficulties or disabilities resulting in SEN.

THE KEY RULE OR PRINCIPLE

Social care needs in Section D and social care provision in H1 and H2 should be considered together. Signposting to another service is not necessarily the same as specifying required provision.

PARENT CHECK

For each social care need in Section D, what provision is recorded in H1 or H2?

See the person. Understand the need. Make a change.

AWAREVERSE EHCP DAILY: PART 11 OF 20

Section I: Naming the school or placement

Section I names the school or other institution. Needs, provision and placement should make sense together. Parents and young people have statutory rights to request certain placements.

THE KEY RULE OR PRINCIPLE

Sections 38 and 39 of the Children and Families Act 2014 govern requests for particular schools and institutions. A named institution covered by section 43 has a duty to admit.

PARENT CHECK

Can the placement in Section I actually meet the needs in Section B and deliver the provision in Section F?

See the person. Understand the need. Make a change.

AWAREVERSE EHCP DAILY: PART 12 OF 20

Section J: Personal budgets

A personal budget identifies funding that may be available to secure particular provision in an EHCP. It is not automatically a direct payment. Arrangements can include direct payments, notional budgets, third party arrangements or combinations.

THE KEY RULE OR PRINCIPLE

Section 49 of the Children and Families Act 2014 and the Special Educational Needs Personal Budgets Regulations 2014 provide the statutory framework.

PARENT CHECK

If a personal budget is relevant, is it clear what provision it relates to and how it will be managed?

See the person. Understand the need. Make a change.

AWAREVERSE EHCP DAILY: PART 13 OF 20

Section K: Advice, assessments and professional reports

Section K lists the advice and information obtained during the EHC needs assessment and the reports should be attached. The crucial practical task is comparing professional evidence with the operative sections of the EHCP.

THE KEY RULE OR PRINCIPLE

Important needs or recommendations should not simply disappear between a professional report and Sections B or F without explanation.

PARENT CHECK

Take one professional report. Which needs were identified and which provision was recommended? Can you find them in Sections B and F?

See the person. Understand the need. Make a change.

AWAREVERSE EHCP DAILY: PART 14 OF 20

Annual Reviews: What should actually happen?

An annual review is a statutory review process, not simply a meeting. It should consider progress towards outcomes, whether needs and provision remain accurate and effective, and whether the plan should be maintained, amended or ceased.

THE KEY RULE OR PRINCIPLE

Section 44 requires EHCPs to be reviewed at least every 12 months. Following the review meeting the local authority must notify the parent or young person of its decision within the statutory process.

PARENT CHECK

Does the EHCP still describe the child today, or has an old plan simply been carried forward?

See the person. Understand the need. Make a change.

AWAREVERSE EHCP DAILY: PART 15 OF 20

What if EHCP provision is not being delivered?

Start with the current final EHCP and compare every item in Section F with what is actually happening. Record missed sessions or support, dates, reasons given and the impact. Tell the local authority clearly and in writing.

THE KEY RULE OR PRINCIPLE

Section 42 places the duty on the local authority to secure the special educational provision specified in the EHCP. Staffing or resource difficulties do not themselves remove provision from the final plan.

PARENT CHECK

For every item in Section F ask: did this happen in the amount, frequency and form specified?

See the person. Understand the need. Make a change.

AWAREVERSE EHCP DAILY: PART 16 OF 20

Asking for changes and amendments

An EHCP may need amendment when needs, evidence, provision or circumstances change. When proposed amendments arrive, compare them with both the previous final EHCP and current professional evidence. Look for what was removed or weakened as well as what was added.

THE KEY RULE OR PRINCIPLE

Following the relevant amendment process, parents or young people must be given an opportunity to make representations. Statutory timescales apply.

PARENT CHECK

What should have changed, and does the proposed amended EHCP actually make those changes?

See the person. Understand the need. Make a change.

AWAREVERSE EHCP DAILY: PART 17 OF 20

Appealing an EHCP decision

The SEND Tribunal can determine certain disputes about EHC assessments and plans. For a final EHCP, key appeal issues commonly concern Section B, Section F and Section I. Be precise about the wording you challenge, what you want instead and the evidence supporting it.

THE KEY RULE OR PRINCIPLE

Appeal deadlines are important. The usual deadline is two months from the local authority decision letter or one month from the mediation certificate, whichever is later. Mediation advice requirements and exceptions should be checked for the particular appeal.

PARENT CHECK

The EHCP says X. I believe it should say Y. What evidence proves why Y is required?

See the person. Understand the need. Make a change.

AWAREVERSE EHCP DAILY: PART 18 OF 20

Evidence: What parents should collect and keep

Good evidence is organised, dated and relevant. Keep EHCP versions, professional reports, annual review paperwork, emails, attendance information, provision records, meeting notes, school and LA correspondence, parent observations and the child's own views.

THE KEY RULE OR PRINCIPLE

A simple chronology can be extremely powerful: date, event, action, response and supporting evidence.

PARENT CHECK

If somebody knew nothing about my child, could my evidence file show clearly what happened and in what order?

See the person. Understand the need. Make a change.

AWAREVERSE EHCP DAILY: PART 19 OF 20

EHCP red flags: Vague wording and things to question

Look carefully at wording such as access to, regular, as required, when necessary, opportunities for, where appropriate and support may include. These words are not automatically unlawful, but essential provision must still be sufficiently clear.

THE KEY RULE OR PRINCIPLE

Check for needs in Section B with no corresponding provision in Section F, missing quantities, unclear expertise and professional recommendations that become weaker in the final plan.

PARENT CHECK

Could a new team read Section F and independently understand what must be provided, how often and by whom?

See the person. Understand the need. Make a change.

AWAREVERSE EHCP DAILY: PART 20 OF 20

The complete parent EHCP checklist

Bring the whole plan together. Check A for the child's voice, B for all SEN, C and D for relevant health and social care needs, E for meaningful outcomes, F for clear provision, G and H for health and social care provision, I for placement, J for personal budgets and K for the evidence behind the plan.

THE KEY RULE OR PRINCIPLE

Then check implementation, annual reviews, amendments, evidence and appeal rights. Distinguish between disagreeing with what the EHCP says and failure to deliver provision already specified.

PARENT CHECK

If everyone currently involved disappeared tomorrow, could a completely new team use this EHCP to understand the child and deliver the required support?

20 DAYS. 20 PARTS. ONE PURPOSE.

Parents should not need a law degree simply to understand the document intended to support their child. Use this guide alongside the current EHCP, professional evidence and correspondence. Where there is a dispute or urgent legal issue, consider obtaining specialist SEND advice.

See the person. Understand the need. Make a change.