



'How to' Guide

Checking a draft Education, Health and Care (EHC) plan

This guide is about checking a draft Education Health and Care (EHC) plan. It can help you to understand what should be in the plan and decide whether you want to ask for changes to be made. It tells you what you need to do now, and what will happen next.

DIAS is a free, confidential and impartial service providing information and support to parents, carers and young people about Special Educational Needs and Disability (SEND). We can support parents, carers and young people with any aspect of the EHC Plan process.

Key Points

An EHC plan should be clear, concise and understandable to you. It should accurately set out your child's views and aspirations, their needs, the support they will have, and what the outcome of that support will be.

By checking the draft plan, before it becomes final, you have a chance to say whether you agree with what's in it. You can suggest changes, add in missing information and ask for more information to be included. Once you have done that, you have two options:

- If you think the plan is good, you can accept it without making any changes, or
- You can ask for changes to be made to the plan before a final one is issued.

You have 15 days (from the date on the letter that comes with the plan) to get back to the Local Authority 0-25 team with your views.

It can take some time to check the plan. Make sure you give yourself plenty of opportunity to read it, think about and discuss it, and make any changes you would like. If you need more time you can ask for it.

The information in the plan comes directly from you and your child, and from the professionals involved with supporting your child, such as their school, speech and language therapist and educational psychologist.

You're looking to see whether the plan 'paints' an accurate picture of your child, including their strengths and difficulties, what they want to achieve and what support they will need.

Anyone reading the plan should be able to see a clear link between your child's aspirations, their needs, the outcomes and the provision (this is sometimes called the Golden Thread).

The plan should be specific. This means it should be clear about things like how often support will be given and by whom, what training for staff is needed, and when a child is expected to achieve their goals.

When you send the draft plan back, you can say which nursery, school or post-16 institution, or what type of school (e.g. mainstream or special) you would like your child to go to.

What you need to know about the draft plan

The EHC plan you have been sent is a draft, not the final version.

Along with the draft plan, you should have been sent copies of any reports from the assessment. This is the information given by professionals, such as the educational psychologist, the school and any health and social care services. If you haven't had this information, ask the person who contacted you from the 0-25 team to send it.

Along with the plan and reports, you should get a form to complete and sign, which asks whether you

- Agree with the content.
- What your choice of school is.
- Whether you would like a personal budget.

The EHC plan is a legal document; it's important that it describes your child and their needs fully, clearly and accurately.

The plan should be clear, concise and understandable to you. You, or the young person who the plan is about (if they're over the age of 16), get a copy of the draft plan to comment on. A copy is also sent to your child's school or college, as well as any other school, being considered, or asked for by you. This is so that schools can see whether they can meet your child's needs.

You're being asked to read the draft plan and think about whether it accurately sets out your child's needs, the support they will have, and what the outcome of that support will be.

Once you have done that, you have two options:

- If you think the plan is good, you can accept it as it is, without making any changes,
or
- You can ask for changes to be made before a final plan is issued.

If you're not happy with the plan, you don't have to say you agree with it.

The draft plan has been made by the SEN 0-25 Team at Devon County Council (the Local Authority or LA); you will find their contact details on the letter which came with the plan. You can talk to them about the draft plan and any changes you think should be made. Someone from the 0-25 team must agree to see you if you want to meet.

What you need to do now

You have 15 calendar days (from the date on the letter that came with the plan) to reply to the 0-25 team with your comments, or to accept the plan as it is. This time can go by very quickly, so give yourself plenty of time to read the plan, think about it and discuss it with your family.

You will probably have been sent a paper copy of the draft plan. You can ask your contact at the 0-25 team to send you an electronic copy (usually a PDF) if you would prefer that.

If you need more time to look at and comment on the plan, for example, if you've been

away, or you want to talk to other people about it, you can ask for more time. Contact the 0-25 team to ask.

There are two main things for you to do:

1. **Check the draft plan** to see whether it's accurate about your child's needs, the support they will have and what the outcome of that support should be. If you don't think it's accurate, you can suggest changes, add in missing information and ask for more information to be included.
2. **Say which school**, college or other educational setting you would like your child to go.

Checking the content of the plan

The information in the plan comes directly from you and your child, and from the professionals involved with your child, such as their school, speech and language therapist, educational psychologist, paediatrician or social worker. The 0-25 team may reword advice from specialists, for example to make it clearer, but their main role is to co-ordinate things. The 0-25 team should only include the needs and support recommended by the professionals involved in the EHC Needs Assessment.

Checking the plan can feel a bit intimidating or overwhelming. Going through it in small steps can help to make it easier to deal with:

1. Make a copy of the plan, so that you can mark any changes on it.
2. Read the plan all the way through once. This helps you to get a general feel about whether it paints a full picture of your child.
3. Read all the professional advice that has been sent with the plan. You can use different colour highlighter pens to separately colour code the needs, outcomes and the support/provision listed in each report.
4. Crosscheck the contents of the plan against each professional report, making sure that all your highlighted information has been included in the plan. This makes sure that everything that should be in the plan is there.
5. Now, go through the plan again – re-read each section and make notes as you go along or use post-it notes to mark any changes. If it's difficult to fit everything onto the plan, you can use numbers to cross reference to notes you've written on a separate sheet of paper. So, for example, you could put (1) in the margin of the plan, then on the separate sheet you record (1) alongside whatever comment or suggestion you may want to make.

Other helpful resources

The Council for Disabled Children has produced a guide to EHC plans with examples in it. This includes examples of needs, outcomes and provision that are clear and specific. The guide is available free of charge; details are at the end of this guide.

Independent Parental Special Education Advice (IPSEA) offers free and independent legally based information and advice about SEND. They produce a draft EHC plan check list which can also be helpful if you're checking a plan. Details are at the end of this guide.

This is what you're checking the plan for.

Section A: Your child's and your views

This should be the information that you and your child gave during the assessment process; you might have used a form called *All About me*, or *All about my child* to do that. If you wrote a lot, it might have been summarised for this part of the plan. Any other information you sent that isn't in this section should be attached as an appendix.

This part of the plan should include something about your child's aspirations and your aspirations for them in the short and the long-term future. These aspirations are the key part of what's sometimes called 'the Golden Thread' and they should be reflected throughout the plan (more about this later).

This section might also have brief information about your child's history and their health, play, school, level of independence and friendships. There may be something included here about the work or education that they would like to do in future.

Section B: Your child's special educational needs

This section should include what they are good at and personal strengths and what academic level or level of independence they are currently at. It should also include your child's needs. These are often split into four main areas:

- **cognition (thinking) and learning needs** (such as moderate learning difficulties and dyslexia)
- **sensory and physical needs** (including physical disability, visual and hearing impairment)
- **communication and interaction needs** (including speech and language and the difficulties linked with autism spectrum conditions)
- **social, emotional and mental health needs** (including anxiety and depression, attachment disorder and ADHD)

The needs listed should be the ones that the plan is going to address. Each special educational need should be written down separately, so you can check the support to meet each need.

Sometimes you might see a diagnosis, such as autism, listed as a need. The condition shouldn't be listed, but the things about the condition that make learning more difficult should be. So, for example, the plan might include difficulty with social skills as a need, rather than autism.

Each need should be matched to the relevant support (provision). Anyone reading the plan should see a clear link between your child's aspirations, needs, outcomes and provision (the Golden Thread – see right for an example).

An example of the golden thread and how it might look in an EHC plan for Jessie

Jessie's aspiration: I want to have friends to play with at lunchtime.

The need: Jessie plays well on her own. But she finds social interaction with other children difficult.

The outcome: By the end of key stage 2, Jessie will be able to independently start a conversation with a child and maintain a shared topic of conversation for a minute. She will be able to resolve conflict with adult support.

The provision (support): Jessie will be part of a small social skills group, led by a TA once a week for half an hour to explore social situations. The group will use social stories and role play. Jessie will be supported during break times by her Teaching Assistant (TA) and by other TAs trained by the Education Psychology Service to help her to enter group play.

Sections C and D: The health and social care needs that relate to your child's SEND

These sections of the plan should have the health and social care needs that are relevant to your child's education or training – those that affect their ability to learn. If your child has no health or social care needs, then this should be written clearly on the plan.

There should be information here about what your child is able to do, which can be built on to help them make progress. The information that's in this section is written by the health and social care professionals involved with your child, and therefore it's normally included in the plan exactly as it's been sent in, without any changes.

There might also be some information here about health needs that don't directly affect your child's ability to learn but are important to them. For example, if your child has a long-term health problem, such as asthma or diabetes, and are managing it themselves, that might be included.

Section E: The outcomes for your child

Each need should have an outcome that goes with it.

Outcomes can sometimes be hard to get your head around. They're not a description of the service or support that your child is having. So, for example, three hours of speech and language therapy per week isn't an outcome – it's a description of provision/support. An outcome should clearly state what your child will be able to do because of the support they will be given. So, an outcome could be that your child will be able to 'clearly say their name and age by the end of the summer term.'

Outcomes should be SMART. This means they should be

- **Specific** – the outcome should be clear and easily understood
- **Measurable** – this shows how everyone will know that the outcome has been achieved
- **Achievable** – the outcome should be linked to yours or your child's aspirations
- **Realistic** – your child should realistically be able to achieve the outcome in terms of their skills and abilities, with the resources and time available
- **Time bound** – a time when the outcome will be achieved - this is usually at the end of a key stage or stage of education but can be shorter term as well.

Section F: The special education provision your child needs

This part of the plan is where all the educational support, resources and services your child needs are set out. It should link clearly to your child's aspirations, their needs and their outcomes. Each need should have clear provision set out for it (sometimes these are numbered so you can see what goes with what). Some reports may talk about 'recommendations' rather than provision, but this usually means the same thing.

The provision/support section should be specific. It should set out exactly:

- What is going to happen
- Who is going to do it
- What skills qualifications or training any staff should have
- How often it will be done
- When and how it will be reviewed

When you're checking this section, look out for 'woolly' phrases that are not specific enough, such as 'access to', 'opportunities for', 'regular' or 'up to'. When you're reading, ask yourself, what does this actually mean? Is it clear what my child is going to get, and if it's not, then it's not specific enough!

In this section you might also have the following:

- Information that says whether your child or young person may need residential accommodation.
- Information about staffing, changes to the curriculum, facilities or equipment needed.
- Health or social care provision which educates or trains a child or young person, such as speech and language therapy or some types of occupational therapy.

Section G and H: Health and social care provision

This part of the plan is where all the health and social care support, resources and services your child needs are set out. It should link clearly to your child's aspirations, their needs and their outcomes.

Like the educational provision, this provision needs to be specific and clear. It might include some of the following:

- Mental health support as well as physical.
- Specialist services and support, such as therapies and medical treatments, equipment and nursing support.
- Short breaks and respite care.
- Enabling support or support with personal care and independent living skills.

Section J: Personal budget

This section will probably be blank unless you've specifically asked for a personal budget. When you return the draft plan, you'll be asked whether you would like a personal budget. If you say yes, you'll be able to see detail about the amount of money available to deliver the personalised parts of your child's plan. If you want to know more about personal budgets, DIAS has an information leaflet – contact us for a copy.

Section I: Naming the school, college or other educational setting you want your child to go to

Section I of the plan should be blank when you get it.

When you return the draft plan to the Local Authority, you will be asked whether you would like your child to continue going to their current school. If you do, say yes. If you don't you'll be asked to say which nursery, school or post-16 institution, or what type of school (e.g. mainstream or special) you would like your child to go to.

You don't have to say your preferred school or college, but if you decide not to, the Local Authority will choose and name a school, college or other educational setting. This may not be the same place you would have liked.

You can ask for any of the following:

- a maintained nursery school
- a maintained school and any form of academy or free school (mainstream or special)
- a non-maintained special school
- a further education or sixth form college
- an independent school or independent specialist colleges, where they have been approved for this purpose by the Secretary of State and published in a list called section 41 (see helpful resources below)

You can ask for a place at a non-maintained early years provider, an independent school, specialist college or other post-16 provider, which isn't on the Section 41 list and the local authority must consider your request. You can also ask to electively home educate your child.

Information about Devon schools, including special schools and specialist bases, is on the Devon SEND Local Offer website. The details are listed below.

What happens next?

- If you don't reply within the 15 days you're given, the 0-25 team will assume that you agree with and accept the plan as it's written. So, if you don't agree or need more time you need to tell them.
- If you agree with the contents of the plan, sign the form that's with it and return it. The 0-25 team will then issue a final plan and send it to you.
- If you disagree with what's in the plan, send it back to the 0-25 team with the changes you would like them to make. Keep a copy of the document you send. You can also call the person from the 0-25 team who sent you the plan to talk about it, or you can ask for a meeting to discuss your changes.
- When they receive your comments, the 0-25 team will consider them and may make amendments to the plan. They will also use the plan to consult with the school, college or other educational setting you have named, and any potential alternatives, to see if they can meet your child's needs. A final plan is then issued.
- If the final plan is issued and you disagree with either the school or further education institution that's named, or what's written in sections B and F of the plan (your child's need and the provision) then you have the right of appeal. This means you can ask for mediation or challenge the local authorities decision at a tribunal. You can find out more about this on the DIAS website and by contacting us.
- If you need help with any aspect of the EHC plan process, then you can get information on the Devon SEND Local Offer or the DIAS website. You can also contact us on the number below.

Other helpful resources and websites

IPSEA	Council for Disabled Children	Devon Local Offer for SEND
Independent Parental Special Education Advice EHC plan checklist www.ipsea.org.uk	Education, Health and Care Plans: Examples of good practice councilfordisabledchildren.org.uk	Information about SEND services in Devon and how to access them, including list of special and section 41 schools new.devon.gov.uk

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