



The Rotherham Parent Partnership Service

Rotherham
Metropolitan
Borough Council
Where Everyone Matters



Education, Health and Care Plan (EHC)

The government is transforming the system for children and young people with special educational needs (SEN), including those who are disabled, so that services consistently support the best outcomes for them.

The changes will start to be implemented from September 2014 and will extend the SEN system from birth to 25, giving children, young people and their parents greater control and choice in decisions and ensuring needs are properly met. It takes forward the reform programme set out in 'Support and aspiration: a new approach to special education needs and disability - progress and next steps' by:

- replacing statements with a new birth- to-25 education, health and care plan
- offering families personal budgets
- improving cooperation between all the services that support children and their families, particularly requiring local authorities and health authorities to work together

The SEN Code of Practice

The Special Educational Needs and Disability (SEND) Code of Practice for 0-25 years is a statutory guidance for organisations who work with and support children and young people with SEND. The code provides guidance on how to carry out statutory duties to identify, assess and make provision for children and young people who have special educational needs. Within the code of practice, is a chapter (9) which talks about **Education, Health and Care Plans (EHC)**.

Following the Local Authority (LA) conducting a Statutory Assessment of a child's Education, Health and Social Care needs, it may be appropriate to write an EHC plan.

Contents of an EHC Plan

How an EHC plan is set out will depend on each Local Authority, however all EHC plans **must** include, in separate sections:

- Yours and your child's/young person's views, interests and aspirations.

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- Your child's / young person's SEN
- Your child's/ young persons' Health needs related to their SEN
- Your child's/ young person's Social Care needs related to their SEN
- What outcomes will be sought including transition to adult life where appropriate
- The special educational needs provision required
- Any health or social care provision reasonably required due to your child having SEN
- The name or type of school or setting your child will attend
- Where there is a personal budget, the details of this and the outcomes to which it is intended to contribute
- The advice and information gathered during the assessment (in appendices). There should be a list of this advice and information.
- If your child is in or beyond Year 9, the plan **must** include the provision needed to help in preparing for adulthood and independent living. This could also include support for finding a job, house or participation in society.

The Draft Plan

The LA will work with you to coordinate the assessment process and to create a plan. They will then send a draft copy of the proposed EHC plan to you and/or your young person. They will also send you a copy of all the information they gathered during the assessment. You then have 15 days to discuss and tell them what you think of the plan and which school or setting you would like. The LA will help you get information about different settings and options. The LA will also help you consider the option to request a Personal Budget.

Requesting a Particular School, College or Other Institution

You or your young person has a right to request a particular school, college or other institution of the following type to be named in the EHC plan:

- Maintained Nursery School;
- Maintained school, academy, or free school (mainstream or special)
- Non-maintained special school;
- Further education or sixth form college
- Independent school or independent specialist college (approved by the Secretary of State)



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By making a request for any of the above settings, the LA **must** name this in the plan unless;

- The school would not be suitable for your child's age, aptitude or Special Educational Needs; or
- Your child attending this setting would be incompatible with the efficient education of others or it would not be considered to be an efficient use of the LA's resources.

The LA **must** consult with the setting requested and must consider their response before naming them on the EHC plan. The settings would be given 15 working days to respond to the consultation. Once a setting has been named on an EHC plan, that setting **must** admit your child.

The Final EHC Plan

Once consultation with settings, you and your young person has been completed, the draft plan will be amended (where needed) and a final plan will be issued. You will be told of your/ or your young person's rights to appeal about particular parts of the plan if you disagree with them. You will also be told of the mediation process which may be useful for you at this point.

The whole process, from requesting a Statutory Assessment to receiving a Final EHC plan should be completed within a 20 week period.

So What's Happening in Rotherham?

Rotherham Education, Health and Care Services have been working together with Rotherham Parents, Carers, Young People, Schools and Settings to design the format of EHC plans. Parents, carers and young people have contributed their views on what they wanted to be included in our EHC Plans and these are being built upon and mapped against the statutory requirements. The development of Rotherham EHC plans is being led by John Coleman who is the service lead for the Special Educational Needs Assessment Service, alongside a Health Representative.

NOTE - This factsheet is based on information taken from the Draft Code of Practice. As a result of this, it may be subject to change once the final Code is published.