

Writing an EHCP

What principles should a Local Authority have regard to when drafting an EHCP?

The Local Authority is responsible for drafting an EHCP. This should be done in accordance with the following principles:

- Decisions about content should be made openly and collaboratively. The child or young person should contribute to the plan. Their views must be reflected.
- EHCPs must be clear, concise, understandable, accessible, forward-looking and outcomes focused. It must positively describe what the child or young person can do and their achievements.
- SMART (specific, measurable, attainable, realistic and time bound) outcomes should be detailed. How the outcomes are to be achieved should be considered with reference to evidence of education, health and social care needs.
- If innovative or alternative ways to receive support are sought, consideration should be given to how this may be achieved through a Personal Budget.
- EHCPs must describe how education, health and social care provision will be co-ordinated. The plan should pull together all services required in a unified and cohesive manner.
- If informal support is to be relied upon, an explanation of how this will be used to help achieve outcomes should be included.
- A review date must be detailed and co-ordinated with reviews of other plans.

What content should an EHCP include?

EHCPs must include the following sections separately labelled from each other using the letters listed below.

	Content	Top Tips
A	<p>The views, interests and aspirations of the child and his parents or the young person.</p> <p>Section A should include:</p> <ul style="list-style-type: none"> • Details about aspirations and goals for the future, to include employment, living and community participation. • Details about play, health, schooling, independence, friendships, further education and future plans. • A summary of how to communicate with and engage the child or young person in decision-making. The history should be included. If written in the first person, the plan should make clear whether this represents the views of the child or young person, parents or professionals. 	<p>This is an important area of the plan and should be carefully written. It affords the opportunity to paint a clear picture of your child or young person. Every child or young person is unique and so should their plan be.</p>
B	<p>The child or young person's special educational needs.</p> <p>Section B must specify precisely the child or young person's identified SEN. These include:</p> <ol style="list-style-type: none"> a) Communication and interaction. b) Cognition and learning. c) Social, emotional and mental health. d) Sensory and/or physical needs. 	<p>This section should be used to portray strengths and needs. It should make clear all difficulties your child or young person faces be they sensory, emotional or physical problems which impact upon learning.</p>

C	<p>The child or young person’s healthcare needs which relate to their special educational needs.</p> <p>Needs arising from a long-term condition should be specified if they are likely to require management in an educational setting.</p>	<p>Examples may include physical impairments such as an absence of grip strength or visual problems. Essentially any difficulties resulting from healthcare needs that may impact upon the ability to access education should be explicitly specified and provided for.</p>
D	<p>The child or young person’s social care needs which relate to their special educational needs or disability.</p> <p>This should include reference to needs identified in both the EHC needs assessment and needs identified in other assessments to ensure a co-ordinated approach.</p>	<p>This section could include reference to social interaction difficulties, delayed self-help skills, and lack of safety awareness.</p>
E	<p>The outcomes sought for him or her.</p> <p>Outcomes are the intended consequences of the provision. They should be SMART, focused on the education, training, health and social care that will enable progress in learning. Wider objectives such as positive social relationships, emotional resilience, and preparation for adulthood should be included. It is important to describe what the expected benefit of the provision is, how it will help achieve an outcome, and what arrangements to monitor and review progress will be implemented.</p>	<p>For example: the <u>aim</u> might be for the child to use a computer programme such as a voice output potential, Co-Writer 7 software.</p> <p>The <u>outcome</u> would be to give the child an alternative way to communicate and deliver information thereby aiding his learning. Using a table depicting aims next to outcomes can be useful.</p>
F	<p>The special educational provision required by the child or young person.</p> <p>“Special educational provision” means: provision that is additional to or different from provision made generally for others of the same age in mainstream schools or institutions. If under 2, it means educational provision of any kind.</p> <p>Section F should mirror Section B. Special educational provision must be specified, quantified, detailed and appropriate for every need identified in Section B.</p> <p>Healthcare or social care provision which educates or trains can also be treated as special educational provision.</p> <p>Section F may include details of:</p> <ul style="list-style-type: none"> • Any modification to the application of the national curriculum. • The need for one-to-one support. If so by whom & how many hours per week should be detailed. • The need for specialist teaching, by whom & how frequently. • The qualifications and experience of teaching staff or other professionals working with the child or young person. • Class size requirements. • The need for input from other professionals such as speech & language therapists, the nature of direct and indirect support and its frequency. • The need for any specific equipment such as IT. • The need for a waking day curriculum. <p>Section F cannot place any duties on parents or other public bodies.</p>	<p>It can be helpful to break this section down into distinct areas:</p> <ul style="list-style-type: none"> • Cognition and learning. • Communication and interaction. • Social emotional and mental health. • Sensory and physical needs. <p>For each section, detail all provision required under each heading.</p> <p>For example: under communication, specify any input needed from a speech and language therapist.</p> <p>Under Sensory and/or physical needs, specify any occupational therapy and equipment required.</p> <p>It is essential this section is detailed, because once finalised the Local Authority has a legal duty to provide named provision.</p>

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G	<p>Any health care provision reasonably required by the learning difficulties or disability of the child or young person which result in special educational needs.</p> <p>Any provision should be specific, detailed, appropriate and quantified. Reference to health services specified in other plans to ensure services are co-ordinated should be included. Examples of provision which may be detailed include occupational therapy, physiotherapy, specialist equipment, wheelchairs and continence supplies.</p>	<p>This might include provision for annual paediatric reviews, occupational therapy assessments, physiotherapy programmes, input required from paediatric neurologists, speech and language therapists.</p>
H1	<p>Any social care provision which must be made for the child or young person as a result of Section 2 CSDPA 1970.</p> <p>The provision in H1 must be detailed, specific and quantified. If a parent is assessed as needing services, these should be included in H1.</p>	<p>Examples might include: specialist seating at home, early help activities in the community, assistance with travel to access the community; respite care; and help with adaptations to the home.</p>
H2	<p>Any other social care provision reasonably required by the learning difficulties or disability which result in special educational needs.</p> <p>H2 should contain provision made outside of CSDPA 1970 (for example under the Children Act 1989). It should include services such as short breaks and any other services arising from SEN which are unrelated to a disability.</p>	<p>An example might be residential short breaks.</p>
I	<p>The name of the school, maintained nursery school, post 16 institution or other institution to be attended or the type.</p> <p>The name must be included by the Local Authority unless:</p> <ol style="list-style-type: none"> The school or institution requested is unsuitable for the age, ability, aptitude or SEN of the child or young person; Compliance with the preference would be incompatible with the provision of efficient education for others; and Compliance with the preference would be incompatible with the efficient use of resources. <p>There is a presumption of mainstream school. This presumption can be rebutted if the Local Authority is satisfied that it would be inappropriate for provision to be made in mainstream education.</p> <p>Where a residential school is named, the Authority must pay any fees for education or training, and for residency if residency will facilitate special educational provision. If the named school is already attended, the difficulties of moving must be considered.</p>	<p>It is important here to detail the child's parents and/or young person's wishes carefully so that it is clear why a named education institution is preferred. A Local Authority has a legal duty to take preferences into account.</p>
J	<p>Where any special educational provision is to be secured by a direct payment, the special educational needs and outcomes to be met by the direct payments.</p>	<p>This may include the monies required to facilitate home to school transport and the provision of short breaks.</p>
K	<p>Copies of all advice and information obtained as part of the EHC needs assessment.</p>	<p>A record of all advice and support received and used to prepare the plan.</p>

From Year 9, the EHCP must include reference to the provision required to prepare for adulthood in Sections F, G, H1 and/or H2.

What should the final EHCP look like?

Once changes to the draft EHCP are agreed, the final EHCP should be issued promptly. The final EHCP can only differ from the draft if further representations are made by the child's parent or the young person, and/or decisions have been taken with regard to the named school. Any further changes require the Local Authority to re-issue the draft EHCP for comment.

How can Lester Aldridge assist?

At Lester Aldridge we have experience of supporting clients through the process of securing SEND provision. Our aim is to ensure that a child or young person receives the education, health and social care provision required to meet need.

We can provide:

- An initial, free consultation to discuss your concerns about how to ensure the draft EHCP accurately reflects EHC needs.
- On-going support to review and negotiate amendments to a draft EHCP with a Local Authority.
- Advice at each key stage of the drafting process.
- Pointers with regard to how to deal with a final EHCP which differs from the draft EHCP.
- Advice with regard to when it may be necessary to challenge the decisions of a Local Authority.