

How to Make an Effective Education Health and Care Plan

A guide for parents and carers

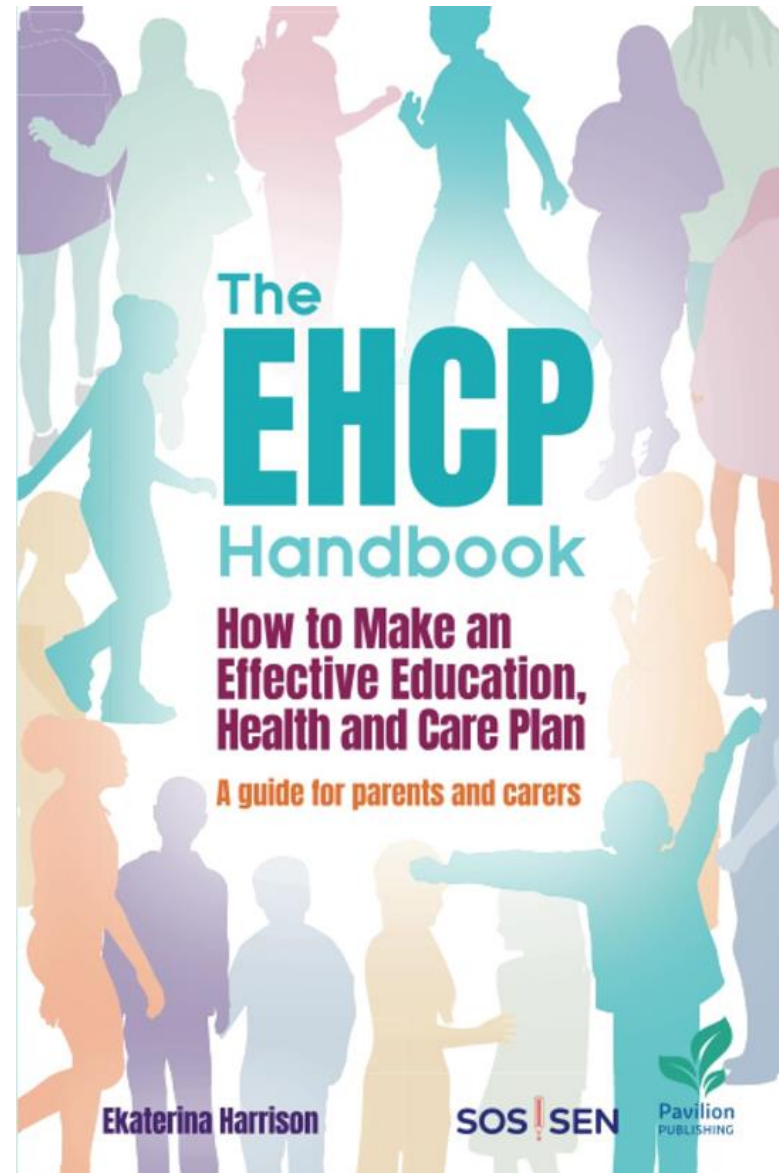
Wednesday 22 January 2025, 1pm GMT

Free
webinar



Pavilion
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ldt learning
disability
today



Ekaterina Harrison

SOS ! SEN

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Why do EHCs sometimes fail to deliver?



The UK has three key pieces of legal framework to consider

The Children and
Families Act 2014
(CFA 2014)

The Special
Educational Needs
and Disability
Regulations 2014

Special Educational
Needs and Disability
Code of Practice: 0
to 25 Years

Some of the key terms you should know

child - a person who is not over compulsory school age

young person - a person who is over compulsory school age but under 25

EHCP - Education, Health and Care Plan

LA - the relevant local authority responsible for education provision as set out in CFA 2014

SEN - special educational needs

SEP - special educational provision

SEND tribunal - an independent court-like body for appeals related to EHCPs or EHCP process

Understand the EHCP sections & where you should focus

Section	Content	SEND tribunal appeal
A	Personal profile	✗ Non-Appealable
B	Special educational needs	✓ Appealable
C	Health care needs	⚠ Non-Binding Recommendation
D	Social care needs	⚠ Non-Binding Recommendation
E	Outcomes	✗ Non-Appealable
F	Special educational provision	✓ Appealable
G	Health care provision	⚠ Non-Binding Recommendation
H1 H2	Social care provision	⚠ Non-Binding Recommendation
I	Named School or Institution	✓ Appealable
J	Personal budget	✗ Non-Appealable
K	Advice and information	✗ Non-Appealable

A last resort? SEND tribunal appeals

Appeals statistics:

- Most appeals concern EHCP content, with other leading causes being refusal to assess and refusal to issue an EHCP
- Since 2014, LAs have spent over £580 million defending appeals, with a 4% success rate average during this period (*Special Needs Jungle, Dec 2024*)

Impact on Families: incalculable emotional, financial and time costs

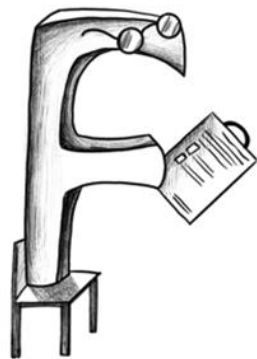


Importance of education sections

Sections B, F and I are pivotal:

- B: Documents SEN (like noting symptoms at a doctor's office)
- F: Specifies SEP (like prescribing treatment)
- I: Names the appropriate school placement (like selecting the right medicine)

These sections must align to deliver meaningful support



Role of expert evidence in EHCPs



An EHCP is needed when a child or young person with SEN requires additional support beyond what is generally available in mainstream schools in England



EHCPs are based on evidence collected during the education, health and care needs assessment (EHCNA)



Input from educational psychologists, speech therapists, occupational therapists, and other professionals is sought



Plans are updated as new evidence becomes available

Needs-driven v
Resource-driven
plans

What should drive EHCPs?

- **Intention**: plans should be needs-driven, addressing the child's or young person's actual requirements
- **Reality**: plans are often resource-driven, reflecting what the LA can afford
- **Conflict**: the LA commissions reports and drafts plans, which may lead to budget-influenced recommendations

Impact on EHCP effectiveness



Failure to identify all relevant needs and difficulties

Omission of accommodations

Inclusion of vague, non-compulsory recommendations

Unclear or vague language

Section F often contains vague and ambiguous language

When reviewing expert reports and draft EHCPs **scrutinise vague terms** to determine if they add clarity or create uncertainty

Advocate for removal of unclear terms and **inclusion of specific, detailed wording** to ensure clear and enforceable provision

Goal: Achieve absolute clarity in the delivery of support to prevent potential challenges later



Examples of “weasel words”

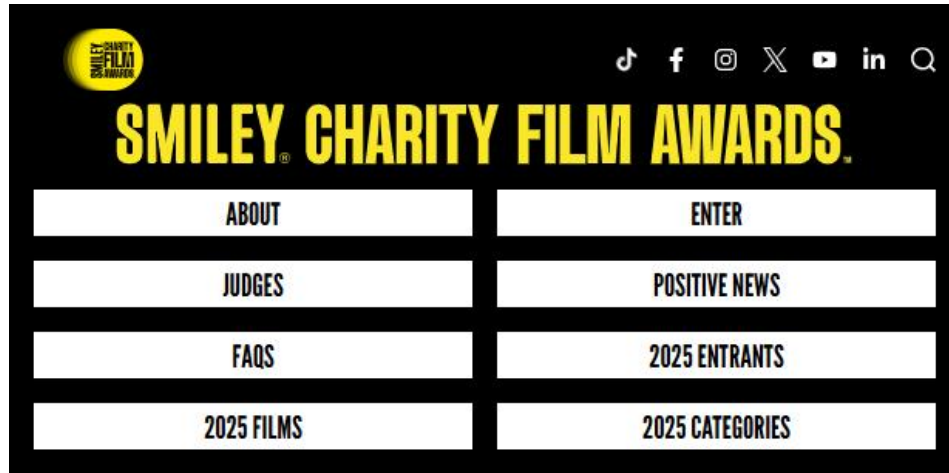
Opportunities for	Will benefit from	Access to
Up to	Regular support	Periodic
To be determined	As required	May be helpful
If available	Adult	No more than
Small groups	Might or may	One-to-one support



Key takeaways

1. Advocate for needs-driven EHCPs
2. Avoid and challenge vague or ambiguous recommendations
3. Collaborate with professionals to refine EHCPs for clarity and enforceability





Documentary

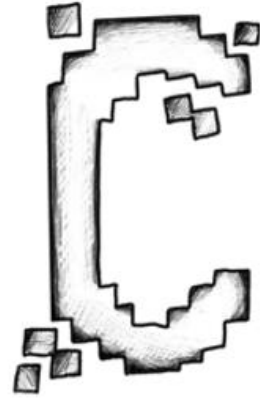
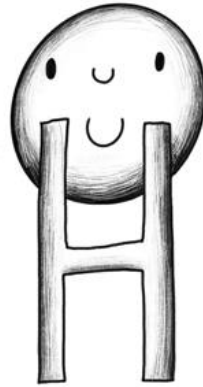
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Laws, Weasels, Teapots and Unfinished Tales



Thank you!

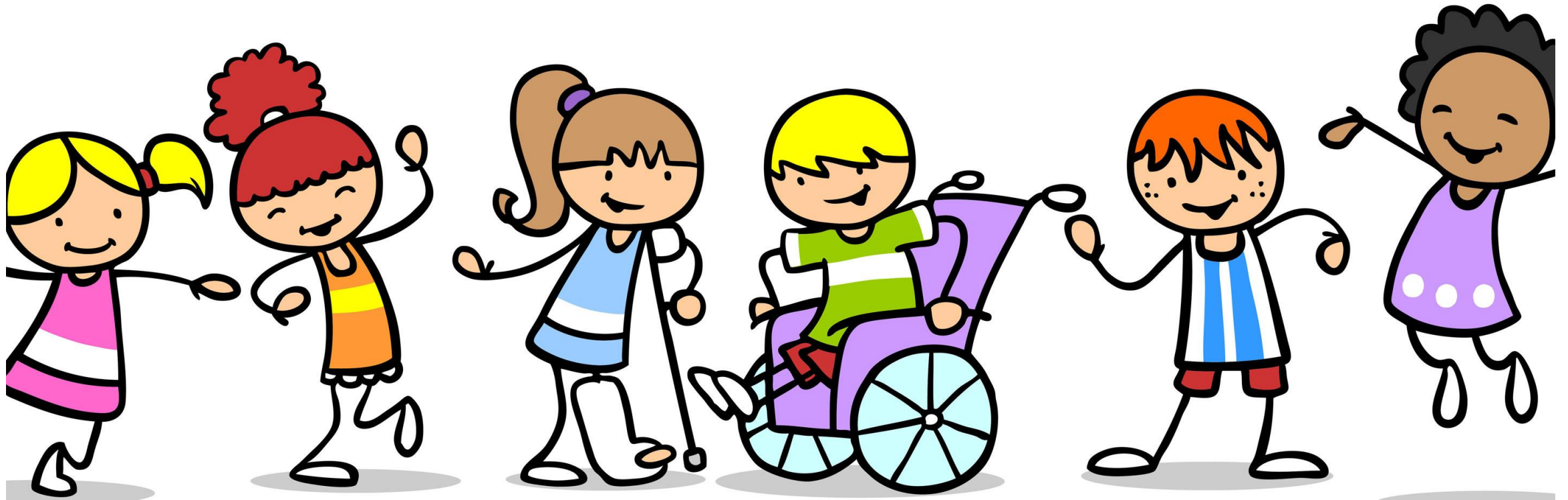




EHCP – Parent experience

Julie Pender

Top tips from 12 years of living with SEN





IT IS NOT YOUR FAULT

Top tips from 12 years of living with SEN

- You aren't the problem but you are the solution!
- Your parenting journey will be slightly changed – welcome to being an active advocate
- Don't wait for the crisis (or the diagnosis)
- Raising children takes a village – find your special village, it will make a difference
- Choose who to trust – pick reputable organizations from which to source your information

Places I trust for help...

LEGAL

- SOS!SEN
- IPSEA
- Special Needs Jungle

CARE

- Contact
- Cerebra
- ERIC (SEN toilet training)
- Skylarks
- Official orgs with sites dedicated to the diagnosis (Autism UK, Nystagmus Network UK, Syngap Research Fund)



[Julie \(@sensible_parent\) • Instagram photos and videos](#)

Thank you!

Q&A

As a thank you for attending today's webinar, we'd like to offer all attendees **20% off**

The EHCP Handbook
How to Make an Effective Education, Health and Care Plan:
A guide for parents and carers
using coupon code EHCP20.

