

Newcastle SENDIASS How to Guide:

How to check a draft plan



An Education, Health and Care Plan (EHCP) is a legal document, and it should describe your child and their needs fully and clearly. It's important to check the draft EHCP before it becomes final. It's a key document about your child's support in the future.

You have 15 days to read the draft plan and give your comments. Or you can accept the plan as it is. If you need more time to look at and comment on the plan, you can ask for more time. Contact your SEND Caseworker to ask. Their name and email address are printed at the top of the letter. If you don't make any comments about the draft plan, the needs, outcomes and support in the draft plan will become the final as they are.

What is the point of checking the draft plan?

An EHCP is one of the tools that's going to help your child make progress and achieve their best across all areas of their learning. As they get older it's also going to help them become as independent as possible and prepare them for life as an adult. It's important that when the plan is first issued it is accurate and clear.

Think about whether what's in the plan accurately describes your child or young person as they are now. There is detailed information in the reports and recommendations used to support the needs, outcomes and support in the plan, such as an Educational Psychology report.

EHCPs should be supported by the plans made by schools and colleges, which set out how support works day to day. These school plans should also have short-term targets for the support for your child.

Your role is to help your child stay at the heart of the EHCP, so that their views and goals are central to it. You'll also play a part in making sure their needs are met, and they make progress in the areas that are important for them. To do this you need to think long-term about what they're going to need in terms of skills, experiences and knowledge. As they get older, you'll need to work with them to do this.

The law is very clear that EHCPs should be forward-looking documents that support children and young people to aim high and achieve their ambitions.

Which parts of the plan do I check?

Check every part of the plan. This is what each part is and the kind of information it includes.

Section A: All About Me and My Parent/Carers' Views

This is the information that came from you and your child, this section should be exactly what you wrote. If your views, or your child's, have changed a lot since you started the assessment process, update them.

Sections B, E & F: Special Educational Needs, Outcomes and Provision

These sections should accurately describe all of your child's needs, the outcomes that they are working towards, and all of the provision they need. It's split into the four areas of SEN – Cognition and Learning, Communication and Interaction, Social, Emotional and Mental Health and Sensory and/or Physical Needs. The information in these sections has been taken from the professional reports gathered during the needs assessment.

Sections C, E & G: Health Needs, Outcomes & Provisions

This is the part of the plan about health needs which affect your child's education. If your child doesn't have health needs this part will be blank.

Sections D, E, H1 & H2: Social Care Needs, Outcomes & Provisions

This is the part of the plan about social care needs which affect your child's education. If your child doesn't have social care needs this part will be blank.

Section I: Education Setting

This is where your child's nursery, school, college or other education setting is listed on the final plan. On the draft plan this part is blank.

Section J: Personal Budget

If you asked for a personal budget for your child, this is where the information about it is written. If you didn't ask for a personal budget this part will be blank. Having a personal budget does not mean that you receive an amount of money, it means that there is a breakdown of the money being used to fund the plan.

Section K: Information & Advice

This is the list of all the information and advice (reports and recommendations) given by professionals.

Important things to know before you start

The draft plan isn't the final version yet.

You, or the young person who the plan is about (if they're over 16), get a copy of the draft plan to comment on. Your child's school or college, and any other school you're asking to be considered, should get a copy too. This is so that schools can see whether they can meet your child's needs.

The SEND Caseworker may reword advice from specialists, for example to make it clearer, but their main role is to co-ordinate all of the information into one document. The SEND Caseworker will only include the needs, outcomes and support recommended by the professionals involved in the EHC Needs Assessment.

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, ask for missing information or more detail to be added.
2. Say which school, college or other educational setting you would like your child to go to.

Once you have read and thought about the draft plan, you have two options:

1. If you think the plan is good, you can accept it as it is, without making any changes

Or

2. You can ask for changes to be made before a final plan is issued. If you're not happy with the draft plan, you don't have to agree with it.

Step 1 – get familiar with the plan

What to do

Read the draft plan all the way through, get familiar with the layout and the different sections. Use the guide above to help you.

Think about what you would expect to see in the plan and look for the things that matter most. Are they there?

Why you're doing this

This helps you to get a general feel about whether the plan includes all your child's needs and gives a clear picture of the day to day support they need in class. You know your child better than anyone else, when you read the plan does it sound like your child?

Step 2 – Get familiar with the professional reports

What to do

Read all the professional advice that has been submitted as part of the needs assessment. You should receive a copy of all reports along with a copy of the draft plan.

Sometimes the requests for advice from professionals haven't been responded to or they're no longer involved. If you don't think this information is right, you can ask your SEND caseworker to follow this up.

If any of the reports contain information that you think is incorrect you can contact that professional directly to challenge the report.

Why you're doing this

Reading all the reports and advice helps to show you what should be in the draft plan. Even if you've read them before, this will help to get them fresh in your mind. You should be able to see clearly if anything major, such as advice from a specific professional, is missing.

Step 3 – work out what should be in the plan

What to do

Go through each of the professional reports and separate out the needs, outcomes and support (provision) that they have recommended. The needs and support are usually easy to find, but sometimes professionals don't include outcomes in their reports.

You could use different colour highlighter pens to separately colour code these.

Why you're doing this

The information in the draft EHCP is made up almost entirely of what is written in the reports from professionals. So, the main things from those reports should be in the draft plan.

An EHCP contains information about your child's needs and the support (provision) they should get to meet those needs. It should also include an outcome for each need – which is like a target that says what difference the support will make.

Checking the plan this way helps you to be sure that each of your child's needs is included in the plan, alongside the relevant support and outcomes.

Step 4 – Find out if anything is missing

What to do

Crosscheck what is in the draft plan with what is in each professional report. So, look at the needs, outcomes and support you have found in the professional reports and check that it is included in the plan. You're looking to see if anything is missing.

Do this in a careful way so you don't miss anything. You can either go through each professional report and tick off everything that's in the plan and make a list of what is missing or not clear enough.

or

go through the plan section by section and check each professional report, ticking off everything that's in the reports and make a list of what is missing or not clear enough.

Sometimes your caseworker will reorder or reorganise advice from professionals' reports so that it doesn't repeat itself across the categories. It's worth looking to see if the advice in the report is somewhere else in the EHCP instead.

Why you're doing this

This is the part of checking the plan that is likely to take you longest, so give yourself plenty of time.

It can be easy to get lost among all the paperwork and to lose the thread of what you're aiming to do, so be as orderly as you can be. If you're not the most organised person, ask someone to help you with this bit. One of you can read out the needs, outcomes and support and the other can check the plan.

By ticking off everything that's made it into the plan you can see whether anything is missing. If you do find things that are missing, you can ask for them to be included in the final plan. See step six for more information about commenting.

Step 5 – check the detail and how specific it is

What to do

Now that you've worked out what should be in the plan, you also need to check that there's enough detail in it. What's written in the plan should be clear and straightforward. It should be specific.

Make a note of anything in the plan that is unclear or anything you don't understand.

When you're reading the plan, 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!

A need only needs to go in once. So, for example, several professionals might list a need such as anxiety. But it only needs to appear once in the plan, alongside the support recommended by each of the different professionals.

Check to make sure that the key support and the wording used to describe it is correctly written in the plan. So, for example, the level of support given in class, the ratio of staff to children, any group size for learning and the level of supervision needed to keep your child safe.

Why you're doing this

The SEND Code of Practice says that “EHC plans should be clear, concise, understandable and accessible to parents, children, young people, providers and practitioners.”

You should know from the plan exactly...

- what support your child will get and how often
- who is going to do give the support and
- what skills qualifications or training they staff should have

The plan should also be clear about how often the support should be reviewed to see what progress is being made.

It's important to get the details right, to make sure the support is given in the right way at school or college. However, try not to get too bogged down in the smallest detail and making sure absolutely everything is in it. It's often important to find the right balance between making sure the plan is clear about key support, while giving some flexibility to staff and your child day to day.

Step 6 – Make your comments

What to do

This is where you bring all your work together to make any comments you have. There is a form you can write this information on, or you can use a separate sheet of paper if you need more space.

You can comment on needs, outcomes and provision for each of the four areas of SEND, and for health and social care if they're part of your child's plan. You might find it easiest to do one area of SEN at a time. If you're asking for information that's missing to be included, it helps if you can be clear about what report that information

comes from. So for example, page 11 educational psychologists report or page 2 of therapists report.

Why you're doing this

When they get your comments, the SEND Caseworker will consider them and based on what you've said, they may make changes to the draft plan.

They may then issue another draft version for you to look at, or more likely issue a final plan. This may or may not have the changes you asked for in it.

Step 7 – Name the education setting

What to do

Section I of the draft EHCP should be blank when you get it. This is where you say which school or college you would like your child to go to.

You can choose the school or college that your child already goes to, or somewhere different.

Why you're doing this

You have the right to ask for a particular school for your child, including any mainstream or special school. You can also ask for an independent school or an independent special school. If you're in this situation, it's a good idea to get specific advice about it. You can contact us to speak to one of our team.

The local authority will usually consult a mainstream school as part of the process, even if you think it's not suitable.

The local authority must consider your choice, but they can name a different school if they think it can meet the needs of your child. The local authority makes the final decision (you can challenge the decision). If you don't ask for a specific school the local authority will choose for you.

Step 8 – Send in your response

What to do

When you've written all your comments for each section and chosen the nursery school or college you want your child to go to, send this information back to your SEND Caseworker.

Why you're doing this

All your comments and your choice of nursery, school or college will be sent to the SEND Caseworker. They will consider everything you've sent and may send the amendments back to the SEND panel for consideration. They will then send you a final EHCP.

If the final plan is issued and you disagree with either the school or college that's named, or with any of the needs or support, then you have the right of appeal. This means you can ask for mediation or challenge the local authority's decision at an appeal tribunal.