

After you have checked the Plan:

Part 3 of the Children and Families Bill and related draft regulations set out the statutory requirements for an Education, Health and Care (EHC) assessment and plan, including key content that local authorities must include in a plan.

The Bill also sets out some general principles to which local authorities must have regard when they are carrying out their duties towards children and young people with SEN, including when they carry out an assessment and draw up a plan. This checklist brings together these two sets of requirements.

It is set out in this checklist, drawn up by the Council for Disabled Children (CDC):

Statutory requirements/key person centred elements	Y/N	Evidence/points for action
Clarity of language		
Is the plan clear and written in a way that is easy to understand? Where technical terms are necessary, are they explained?		
Advice		
<i>Is it clear how the advice obtained through the assessment has been taken into account in the plan?¹ Is the advice included in the appendices?²</i> Is there a list of those who contributed advice? Is there advice from all the relevant professionals? The child/young person? Their parents/carers?		
Other assessment and planning processes		
Is any other assessment integrated with the EHC assessment and planning process, eg assessment under s17 of CA 1989, or the Care Bill?		

¹ Draft Education (Special Educational Needs) (Assessment and Plan) Regulations

² Draft Education (Special Educational Needs) (Assessment and Plan) Regulations

<p><i>Have local agencies and services co-operated with the local authority to integrate requirements under different legislation?</i>³</p> <p>If this is not an integrated assessment, are appropriate links made to any other assessments?</p>		
All about me		
Participation		
<p><i>Is it clear how the child or young person participated in the development of the plan?</i>⁴</p> <p>Is it clear where views were gathered directly from the child/young person and where they were provided by parents/others?</p> <p>Is it clear how they were supported to communicate their views?</p> <p>Is it clear how they participated in decision-making?</p>		
My story		
<p>Does the plan include the child/young person's story including:</p> <ul style="list-style-type: none"> • the achievements of the child/young person? • who and what is important to them? <p>Is there a one-page summary that communicates essential information about the child/young person?</p>		
Special educational needs		
<p><i>Does the plan include the special educational needs that have been identified through the education, health and care assessment?</i>⁵</p>		
Health and social care needs		
<p>Does the plan include any health and social care needs?</p>		
Aspirations, views and interests		
<p><i>Does the plan include the child/young person's interests, views and aspirations and those of the parents/carers for a child?</i>⁶</p> <p>Does this include, as appropriate, details about: education, play, health, friendships, sixth form, further education, independent living, university and employment?</p>		
Outcomes sought		

³ C&F Bill, clause 25(1) and clause 28

⁴ C&F Bill, clause 19, LAs to carry out their functions with a view to promoting the participation of children and young people in decision-making

⁵ C&F Bill, clause 37(2)(a)

⁶ Draft Education (Special Educational Needs) (Assessment and Plan) Regulations

<p><i>Does the plan list the outcomes sought for the child/young person?⁷</i></p> <p>Do the outcomes reflect the aspirations of the child/young person?</p> <p>Is it clear how people will know whether or not each outcome has been achieved?</p> <p>Are the outcomes specific and measurable?</p>		
Provision and responsibilities		
Special educational provision		
<p><i>Does the plan specify the special educational provision to be made for the child/young person? It is the responsibility of the local authority to secure this provision.⁸</i></p> <p>Is the provision detailed, specific and quantified (for example, in terms of the level of support and who will provide it)?</p> <p>Is it clear how the type and level of provision will support the outcomes?</p> <p>How has evidence of what works informed the specified provision?</p>		
Health care provision related to child/young person's SEN		
<p><i>Does the plan specify the health care provision reasonably required by the learning difficulty or disability which results in him or her having special educational needs?⁹ The responsible commissioning body must arrange the specified provision.¹⁰</i></p>		
Social care provision related to child/young person's SEN		
<p><i>Does the plan specify the social care provision reasonably required by the learning difficulty or disability which results in him or her having special educational needs?¹¹</i></p>		
Other health and social care provision (if applicable)		
<p>Does the plan specify other health and social care provision reasonably required by the child or young person?¹² This is provision that is reasonably required but not linked to the learning difficulty or disability that results in the special educational need.</p>		
My resources		

⁷ C&F Bill, clause 37(2)(b)

⁸ C&F Bill, clause 37(2)(c)

⁹ C&F Bill, clause 37(2)(d)

¹⁰ C&F Bill, clause 42(3)

¹¹ C&F Bill, clause 37(2)(d)

¹² Power under C&F Bill, clause 37(3)

Does the plan include the informal, additional support available to the child/young person through friends, family, community?		
Action plan		
Is there an action plan bringing together everything that everyone is going to do to enable the child or young person to achieve the outcomes identified in the plan? Is it clear who is going to do what? Are timescales and review points clear?		
Personal Budget (if applicable)		
<i>Where the parent or the young person has requested it, does the plan identify a personal budget?</i> ¹³ <i>Does the plan specify the particular provision to be secured through a personal budget?</i> ¹⁴		
Direct payment (if applicable)		
<i>If a direct payment is to be made, as all or part of a personal budget, does the plan set out the special educational needs and outcomes to be met by the direct payment?</i> ¹⁵		
Review		
Planning to review		
<i>Does the plan include a date by which the plan must be reviewed? This must be within 12 months of the date on which the final plan was made, or within 12 months of the last review date.</i> ¹⁶ <i>For a child in year nine, and thereafter, will the review meeting consider what provision is required to assist in preparing the young person for adulthood and independent living?</i> ¹⁷		
If this is a revised plan following a review...		
<i>Does it reflect the views, wishes and feelings of the child's parent/carer or the young person?</i> ¹⁸ <i>Does it reflect the views of the school or other institution attended by the child/young person?</i> ¹⁹ Does it reflect what is working well and what is not for the child/young person in the important areas in their		

¹³ C&F Bill, clause 48

¹⁴ C&F Bill, clause 48

¹⁵ Draft Education (Special Educational Needs) (Assessment and Plan) Regulations

¹⁶ C&F Bill, clause 44(1)

¹⁷ Draft Education (Special Educational Needs) (Assessment and Plan) Regulations

¹⁸ Draft Education (Special Educational Needs) (Assessment and Plan) Regulations

¹⁹ Draft Education (Special Educational Needs) (Assessment and Plan) Regulations

life? Does it reflect the child/young person's progress towards the outcomes in the plan? ²⁰		
Key information		
Name of school/nursery/post-16 institution: draft plan		
<i>Does the draft plan leave out the name and type of the school, nursery or post-16 institution so that the parent/carer or young person can state their preference for a particular placement when the draft plan is sent to them?</i> ²¹		
Name of school/nursery/post-16 institution: final plan		
<i>Does the final plan include the name and type of the school, nursery or post-16 institution where the child or young person is going to be placed?</i> ²²		
Administrative information		
Is the plan signed and dated by a relevant officer of the LA?		
Requirements related to the issue of a plan		
Advice and information		
<i>Were parents/carers and young people given information about services providing advice and information?</i> ²³		
Accountability and redress		
<i>Accompanying the plan is there information about how the child/ their parent/the young person can appeal decisions of the LA?</i> ²⁴ Is there information about how to complain about: the assessment and planning process; the failure to implement different parts of the plan?		

²⁰ Draft Education (Special Educational Needs) (Assessment and Plan) Regulations

²¹ C&F Bill, clause 38(5)

²² C&F Bill, clauses 39 & 40

²³ C&F Bill, clause 32

²⁴ Draft Education (Special Educational Needs) (Assessment and Plan) Regulations

The table below summarises the statutory requirements of the content of an Education, Health and Care Plan.

When preparing an EHCP a local authority must set out in separate sections:

Name (or type) of school/nursery/post-16 institution (final plan)	
Aspirations, views and interests of the child/young person and the parents (for a child)	
Child or young person's special educational needs	
Outcomes sought for the child or young person	
The special educational provision required by the child or young person	
Any health care provision reasonably required by the learning difficulties and disabilities which result in the child or young person having special educational needs	
Any social care provision reasonably required by the learning difficulties and disabilities which result in the child or young person having special educational needs	
Where any special educational provision is to be secured by a direct payment, the special educational needs and the outcomes to be met by the direct payment	
The advice obtained in connection with an assessment must be attached to the plan	