

Appendix A

An Extract from the SEND code of practice (9.22):

The Special Educational Needs Code of Practice (2015) outlines the following principles for professionals in undertaking an EHC assessment:

- focus on the child or young person as an individual
- enable children and young people and their parents to express their views, wishes and feelings
- enable children and young people and their parents to be part of the decision making process
- be easy for children, young people and their parents or carers to understand, and use clear ordinary language and images rather than professional jargon
- highlight the child or young person's strengths and capabilities
- enable the child or young person, and those that know them best to say what they have done, what they are interested in and what outcomes they are seeking in the future
- tailor support to the needs of the individual
- organise assessments to minimise demands on families
- bring together relevant professionals to discuss and agree together the overall approach, and
- deliver an outcomes-focused and co-ordinated plan for the child or young person and their parents

The information below is extracted from the SEND Code of Practice, and explains what must be included in the relevant sections of a child or young person's EHC Plan.

The advice that is provided by Social Care will inform these sections of the plan, and those providing the advice should refer to it to understand what should be included in which section

The child or young person's social care needs which relate to their SEN (Section D of the EHCP)

- The EHC plan **must** specify any social care needs identified through the EHC needs assessment which relate to the child or young person's SEN or which require provision for a child or young person under 18 under section 2 of the Chronically Sick and Disabled Persons Act 1970
- The local authority may also choose to specify other social care needs which are not linked to the child or young person's SEN or to a disability. This could include reference to any child in need or child protection plan which a child

may have *relating to other family issues such as neglect. Such an approach could help the child and their parents manage the different plans and bring greater co-ordination of services. Inclusion **must** only be with the consent of the child and their parents*

The outcomes sought for the child or the young person (Section E of the EHCP)

- A range of outcomes over varying timescales, covering education, health and care as appropriate but recognising that it is the education and training outcomes only that will help determine when a plan is ceased for young people aged over 18. Therefore, for young people aged over 17, the EHC plan should identify clearly which outcomes are education and training outcomes. See paragraph 9.64 onwards for more detail on outcomes
- A clear distinction between outcomes and provision. The provision should help the child or young person achieve an outcome, it is not an outcome in itself.
- Steps towards meeting the outcomes.
- The arrangements for monitoring progress, including review and transition review arrangements and the arrangements for setting and monitoring shorter term

Any social care provision which must be made for a child or young person under 18 resulting from section 2 of the Chronically Sick and Disabled Persons Act 1970 (CSDPA) (H1)

- Provision should be detailed and specific and should normally be quantified, for example, in terms of the type of support and who will provide it (including where this is to be secured through a social care direct payment).
- It should be clear how the provision will support achievement of the outcomes, including any provision secured through a Personal Budget. There should be clarity as to how advice and information gathered has informed the provision specified.
- Section H1 of the EHC plan **must** specify all services assessed as being needed for a disabled child or young person under 18, under section 2 of the CSDPA. These services include:
 - practical assistance in the home
 - provision or assistance in obtaining recreational and educational facilities at home and outside the home
 - assistance in travelling to facilities
 - adaptations to the home
 - facilitating the taking of holidays
 - provision of meals at home or elsewhere

- provision or assistance in obtaining a telephone and any special equipment necessary
- non-residential short breaks (included in Section H1 on the basis that the child as well as his or her parent will benefit from the short break)
- This may include services to be provided for parent carers of disabled children, including following an assessment of their needs under sections 17ZD-17ZF of the Children Act 1989.
- See paragraph 9.137 onwards for details of duties on local authorities to maintain the social care provision in the EHC plan

Any other social care provision reasonably required by the learning difficulties or disabilities which result in the child or young person having SEN (H2)

- Social care provision reasonably required may include provision identified through early help and children in need assessments and safeguarding assessments for children.
- Section H2 must only include services which are not provided under Section 2 of the CSDPA. For children and young people under 18 this includes residential short breaks and services provided to children arising from their SEN but unrelated to a disability. This should include any provision secured through a social care direct payment. See chapter 10 for more information on children's social care assessments
- Social care provision reasonably required will include any adult social care provision to meet eligible needs for young people over 18 (set out in an adult care and support plan) under the Care Act 2014. See Chapter 8 for further detail on adult care and EHC plans
- The local authority may also choose to specify in section H2 other social care provision reasonably required by the child or young person, which is not linked to their learning difficulties or disabilities. This will enable the local authority to include in the EHC plan social care provision such as child in need or child protection plans, or provision meeting eligible needs set out in an adult care plan where it is unrelated to the SEN but appropriate to include in the EHC plan
- See paragraph 9.137 onwards for details of duties on local authorities to maintain the social care provision in the EHC plan