



What can I do if the EHC plan is not being delivered?

Step one: Do you understand the EHC Plan?

The first step is to understand the different sections of an EHC plan. The Bexley IASS website explains what an EHC plan is and has an EHC plan checklist which details what an EHC plan should contain. Click here for more information:

[Get Informed - The Education, Health & Care Plan \(EHCP\) - Bexley IASS](#)

Provision is what is **done** to support a child/ young person's needs.

The provision in Section F of an EHC plan is to meet the needs written in Section B. The provision in Section G is to meet the needs in Section C. The provision in Section H is to meet the needs in Section D. What is written on the EHC plan is what should be delivered.

Step two: What if the provision written on the EHC plan is not clear, or needs updating?

Section F of the EHC plan should specify the support that children and young people receive. This means that the plan should give enough detail so that it is clear how often the support is happening and who is delivering the support.

Professional Reports may be needed to update the provision in the EHC plan.

If the child or young person is receiving therapies, for example Speech and Language Therapy interventions, the therapist will write an annual report. Reports from professionals can be used to update the EHC plan. If the interventions take place at school, the school may gather the relevant professional reports.

Step three: How do I raise concerns with the nursery/school/ college?

What provision is written in the plan, and is not being delivered? Find the sentences written in the plan, which are not being carried out, so that this can be shared with the school.

You can speak to the school about your concerns. You may wish to speak to the class teacher, or the SENCO (Special Educational Needs Co-Ordinator). The SENCO is the member of staff at the school/college who has the responsibility for the day-to-day co-ordination of special educational needs support. You may find that through a discussion with the school, sharing the specific sentences of the EHC plan that are not being delivered, that your concerns are addressed.

Step four: How do I raise concerns with the Local Authority?

You may wish to raise your concerns with your child's EHC plan Case Officer. Contact details for EHC plan Case Officers, Support Officers and the Statutory Assessment Service can be found on the Bexley Local Offer. Click here: [EHC Plans - Bexley SEN Statutory Assessment Service and Case Officers | Bexley Local Offer](#)

Step five: How do I raise a school complaint?

If, you have raised concerns with the school, but the EHC plan provision is still not being delivered by the school/college, you may wish to make a formal complaint to the school.

Follow the school's formal complaint procedure, which should be on the school website. If it is not there, you can ask for a copy of it.

Step six: Has there been a review?

An EHC plan should be reviewed annually. If it has been less than 12 months since the last annual review, you can request an early review from the EHC plan Case Officer. A review is an opportunity to talk about what is working well, and what is not working well.

An annual review is a process. To find out more about the process, visit the Bexley IASS website. Click here: [Get Informed - The Education, Health & Care Plan \(EHCP\) - Bexley IASS](#)

Step seven: How do I raise a complaint against the Local Authority?

If the EHC plan provision is not being "secured" by the Local Authority, you may wish to make a complaint to the Local Authority. Click here for more information: [Complaining when the provision in an EHC plan is not being made: Model letter 6 | \(IPSEA\) Independent Provider of Special Education Advice](#)

Legislation regarding schools	Children and Families Act 2014
<i>"If a registered pupil or a student at a school or other institution has special educational needs, the appropriate authority must, in exercising its functions in relation to the school or other institution, use its best endeavours to secure that the special educational provision called for by the pupil's or student's special educational needs is made."</i>	Section 66

Legislation regarding local authorities	Children and Families Act 2014
<i>"Duty to secure special educational provision and health care provision in accordance with EHC Plan"</i> <i>"The local authority must secure the specified educational provision for the child or young person"</i>	Section 42

Have you considered a reassessment of need?

A re-assessment is an opportunity to gather new evidence to work out what support the child or young person now needs. When you write to the local authority (“**LA**”) asking for a re-assessment of the child or young person’s education, health and care needs, explain why you think the current EHC plan is not good enough.

The LA do not have to reassess if they have carried out an assessment within the previous six months or if they consider that a further assessment is not necessary.

If you already have the evidence of the changes needed by the child or young person, for example recent Professional Reports, it may be more effective to request that the EHC plan is amended after a review. This could be after an annual review or you could request an early review. For more information on reassessment of needs, click here: [Asking for a re-assessment of a child or young person’s needs: Model letter 2 | \(IPSEA\) Independent Provider of Special Education Advice](#)

Have you considered your right to appeal?

You may wish to consider appealing the sections of the final EHC plan that you are unhappy about. The first step in an appeal is to consider mediation. Mediation is a discussion between yourself, the school and the Local Authority around the support that is being currently offered. For further information on appeals and mediation, visit the Bexley IASS website. Click here: [Get Informed - Disagreement Resolution & Mediation - Bexley IASS](#)

If, at any point, you have any questions or concerns, contact Bexley IASS (Bexley Information, Advice and Support Service)

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