EHC plans are for children and young people with special educational needs (SEN). The plan talks about:

- what your needs are
- the extra support you need at school or college
- how your education can be delivered differently so that you can do well at school or college, for example being taught in smaller groups or using sign language.

The plan also includes information about the school or college you want to go to. You have the right to go to the school or college of your choice unless there is a very good reason why you can't go there.

If you have special educational needs (SEN) you may already have a statement of SEN. Changes to the law mean that statements are being replaced by EHC plans.
What are special educational needs (SEN)?

Do you need support at school or college that’s different from what’s normally given to hearing children?

For example, you may need a communication support worker or a Teacher of the Deaf to help you in classes. Or you may go to a deaf school or college. If so, this means you might have special educational needs (SEN).

Having SEN doesn’t mean that you are better or worse than other children and young people. It just means that you need different support at school or college to meet your needs.

Having special educational needs means that you might get a statement of SEN. By law your local authority must provide support so that you can do well at school or college.

Not all deaf children are described as having special educational needs. And not all deaf children have a statement of SEN. This might be because the child’s school/college can meet their needs by making small changes (e.g. making sure teachers face the child when speaking or by putting a loop system in the school hall). Or it might be because the child’s family or school have not recognised that they have SEN.
Why is the change happening?
There are lots of reasons why these changes are being made, but the main ones are below.

Old system

- Stopped when you left school
- Didn’t consider your views
- Only looked at your education needs (the support you got in the classroom)
- Difficult to read
- Took a long time to put together

New system

- EHC plan
  - Includes your health and care needs as well as education
  - Your views should be included
  - Can include a Personal Budget
  - Should be written in a way that you and your family can understand
  - You can keep your plan when you go to college or do an apprenticeship
  - If you are 16 or over, you’re in charge
Do I need an EHC plan?
To find out, ask yourself the following questions.

1. Do I have a **statement of SEN** at the moment?
2. Am I struggling even though I have extra support (e.g. a Teacher of the Deaf) to learn at school or college?
3. Do I go to a deaf school?

If you answered ‘yes’ to any of the questions, then you may need an **EHC plan**.

If you have a **statement** at the moment you will need to wait until your **local authority** changes it into an **EHC plan**. This must happen by 2018 though it could happen before then.

It doesn’t matter if you have never had a **statement of SEN** – if you think you need an **EHC plan**, you can ask for one. This is called ‘requesting an EHC needs assessment’.

However, if you’re going to university your plan will end. Students at university are not given **EHC plans**.
How do I get an EHC plan?
If you do not have a statement of SEN, the diagram below shows how to go about asking for and getting an EHC plan.

Ask for (request) an EHC needs assessment from your local authority. Speak to someone at your school/college or your parents about how to do this if you’re not sure.

Local authority will look at your needs and decide if you should have an EHC needs assessment or not.

- Yes
  - Local authority must involve you at every stage!
  - EHC needs assessment takes place.
  - Local authority decides whether or not an EHC plan is needed.
  - Local authority drafts plan and sends to you.
  - You have 15 days to let the local authority know:
    • your comments on the draft
    • the school or college you want to go to.
    And get agreement for a Personal Budget.

- No
  - Local authority must tell you within six weeks from date of request for assessment. You have the right to appeal the decision.
  - Local authority must tell you within 16 weeks from date of request for assessment. You have the right to appeal the decision.

Local authority must consult with (talk to) the school or college you want to go to before the plan is finalised. The school/college has 15 days to agree or disagree.
The diagram shows that you need to ask for an **EHC needs assessment** before you can be considered for an **EHC plan**. If you are under 16 your parents or your school must ask for the assessment. The assessment is used to see what your needs are and what support you need.

If you are over 16 you have the right to ask for an assessment yourself. Or your parents, school or college can do it for you, preferably with your agreement.

If your **local authority** says no to your request for an assessment you will be able to **appeal**. This must be done within two months of the **local authority** sending you their decision.

**What is an EHC needs assessment?**
The **local authority** will ask different people and services for advice on your needs and the *provision* (such as extra support or equipment) which will be needed to help you make progress and prepare you for becoming an adult. These must include:

- you or your parents
- your school or college
- a Teacher of the Deaf
- a healthcare professional (e.g. a doctor or audiologist)
- an educational psychologist
- a social worker
- any other person who you or your parents ask for, for example, an occupational therapist, speech and language therapist or mental health professional.

Someone from the **local authority** will probably have a meeting with you to get your views. Think hard before the meeting about your future and your needs. Here are some questions you might want to consider.

- What sort of job would you like to have in the future?
- What do you find difficult at school or college?
- What support would you like to have at school or college?
- What sort of things would you like to do outside of school or college (i.e. your hobbies)?

The **local authority** will use this information to decide whether you need an **EHC plan**. If they say no, you will have the option of **appealing** against the decision.

**I need to appeal the decision.**
**What do I do?**
If you don’t agree with your **local authority**, then you have the right to **appeal**. You can **appeal** by yourself or you can also ask your family to support you with it.

For more information about how to appeal, contact our Freephone Helpline on **0808 800 8880**, email us at **helpline@ndcs.org.uk** or contact us via Live Chat at [www.ndcs.org.uk/livechat](http://www.ndcs.org.uk/livechat).
What does an EHC plan look like?

EHC plans will look different depending on which local authority you live in. There is no set way of showing the info in the plans. However, they must contain the following sections.

a) Your views and hopes for the future
   What do you want to do in the future? (e.g. get a job or study at college or university).

b) A description of your special educational needs (SEN)
   Your deafness and how it affects you. Also, details of any other SEN you have such as dyslexia.

c) Your health needs (linked to your SEN)
   These must be linked to your SEN so can’t be about having hay fever, for example. This could be about your hearing aids or cochlear implant.

d) Your social care needs
   These could be about equipment you need in the home such as flashing-light doorbells or about support you receive from a social worker.

e) Your outcomes
   This is a very important section of your plan. Outcomes are the things that need to happen so that you are able to achieve the things you want in the future. Examples might include:
   
   - having all the information you need to make an informed decision (based on you knowing all the options) about your education or career when you are over 18
   - making sure that your speech, language and communication skills are at a level that’s expected for your age.

f) The SEN provision required
   Earlier, your plan will have shown what outcomes or goals you want to achieve. This section will show the details of what needs to happen and what support you need to achieve your goals.

g) Health provision
   The support the health services need to provide to help you achieve your outcomes. This could be getting your hearing aids checked out at your audiology clinic every three months.

h) Social care provision
   The support social services need to provide to help you achieve your outcomes e.g. supporting you to mix with other deaf young people.

i) Your school or college placement
   This is left blank until the rest of the plan is agreed. You will be able to say which school or college you think is best for you.

j) Your Personal Budget
   If you have asked to receive a Personal Budget then info about this will go into your EHC plan. See below for more information on Personal Budgets.

To see examples of an EHC plan visit www.ndcs.org.uk/senprofessionals.
**Personal Budgets**

When you request an EHC plan you will also be able to ask for a **Personal Budget** if you want one. This is an amount of money that will be used to help you achieve the outcomes in your EHC plan. You don’t have to have one – it is completely up to you.

The money can be managed in one of the three different ways below.

1. It is paid directly to you or your family (this is called ‘direct payment’).
2. The local authority looks after it for you (called a ‘notional budget’).
3. It is paid to another individual or organisation to look after (called a ‘third party budget’).

**SEN Personal Budgets** are very new and we have not yet come across any examples of deaf young people using them. However, here are some examples of what we think Personal Budgets could be used for:

- communication support at activities outside of school or college, e.g. a BSL interpreter at a youth theatre group
- to buy equipment, e.g. a vibrating fire alarm system for a new flat
- to employ personal assistants, i.e. to support you with getting dressed or washed if you have a physical disability
- sign language classes for yourself or your family.

If you ask for a Personal Budget your local authority will decide if you get one or not. They can turn down your request if they think giving you a Personal Budget means there will be less money or support left over for other young people.

For more information on Personal Budgets, have a look at our factsheet for parents: *Personal Budgets and Special Educational Needs (SEN)*. You can download it from [www.ndcs.org.uk/sen](http://www.ndcs.org.uk/sen).
This all seems quite tricky!

Who can support me if I need help?

Asking for an EHC needs assessment and thinking about Personal Budgets may seem a bit confusing at times, but there are people who can support you with this. Don’t worry about asking for help.

- Most local authorities have ‘Independent Supporters’, who are people trained to help you and your family with EHC plans. Ask your local authority if they are able to put you in touch with one.

- You can also contact our Freephone Helpline on 0808 800 8880, email us at helpline@ndcs.org.uk or contact us via Live Chat at www.ndcs.org.uk/livechat.

- Talk to a teacher – all schools have SENCOs (Special Educational Needs Co-ordinator) whose job is to make sure that children with SEN get the extra support they need.

- Talk to your family.

What if I’m not happy with what my local authority is doing?

Not all local authorities have been following the new system. Some families have said that their local authority has been slow to change and that staff don’t know enough about EHC plans. Some people have also said that they’re not happy with the EHC plan they’ve been given.

If this happens, there are lots of things you can do to try and change things.

If you think that your local authority is not doing what they should or you’re worried that you won’t get the help you need, contact our Freephone Helpline on 0808 800 8880, email us at helpline@ndcs.org.uk or contact us via Live Chat at www.ndcs.org.uk/livechat.

Background to the changes

In September 2014 the Government brought in the special educational needs and Disability (SEND) reforms. This meant that there were changes to the law in England to try and improve education for disabled children and young people. One of the changes is the introduction of Education, Health and Care (EHC) plans.

If you live in Northern Ireland, Scotland or Wales the SEND reforms will not affect you because education systems work differently in each UK country.
Want to know more?
This factsheet has basic info on EHC plans and Personal Budgets. If you want to learn more, have a look at:

• our factsheets and videos on Local Offers and Education, Health and Care (EHC) plans on the Buzz: www.buzz.org.uk (our website for deaf young people) at www.buzz.org.uk/localoffer and www.buzz.org.uk/ehcp.

• our factsheets for parents:

  Personal Budgets and Special Educational Needs (SEN).

You can download them from www.ndcs.org.uk/sen.

• the Government’s Code of Practice document on the SEND reforms which tells local authorities what they need to do. It’s very long, but chapter four explains what local authorities should be doing to develop Local Offers. You can download it from www.gov.uk/government/publications/send-code-of-practice-0-to-25.
Checklist – check that you have done the following.

☐ Thought about your needs at school or college – are they being met.
☐ Found out if you have a statement of SEN.

If you **have** a statement:

☐ found out when it will be changed to an **EHC plan**
☐ thought about what you want to achieve in the future
☐ thought about whether a **Personal Budget** would be useful for you
☐ found someone who can support you through the process.

If you **don’t have** a statement and **would like** an **EHC plan**:

☐ contacted the **local authority** to request a plan
☐ thought about what you want to achieve in the future
☐ thought about whether a **Personal Budget** would be useful for you
☐ found someone who can support you through the process.
Glossary
(what all the key words mean)

**Appeal** When you try to change the result of a legal decision.

**Code of practice** A document that the Government writes for local authorities to explain what support they should offer or must offer children and young people with disabilities or special educational needs.

**Education, Health and Care (EHC) needs assessment** When the local authority works out what your needs are inside and outside of school or college by asking you, your family, teachers, social workers, etc.

**Education, Health and Care (EHC) plan** A document which explains the support a child or young person with special educational needs should receive including your health and social care needs.

**Local authority** Sometimes called your ‘local council’, the organisation which runs services in your local area such as bin collections and social services.

**Local Offer** Information in one central place about education, health and social care support available in your area.

**Outcomes** What will happen (e.g. pass my GCSEs or start an apprenticeship).

**Personal Budget** A sum of money used to achieve the outcomes agreed in your EHC plan. You have control over how it is spent.

**Provision** What is provided, such as extra support or equipment. Often used as an alternative to the word ‘service’.

**Social care** What is provided by social services. Includes support from social workers and equipment that you might use at home such as flashing doorbells.

**Special educational needs (SEN)** You have SEN if you need extra support at school or college such as a Teacher of the Deaf or a communication support worker.

**Special Educational Needs and Disability (SEND) reforms** Changes to the laws about how children and young people with SEN or disabilities are supported.

**Statement of SEN** A document which lays out the support a child or young person with SEN should receive. Now being replaced by EHC plans.
NDCS are here to help you.
Contact us:
NDCS Freephone Helpline:
0808 800 8880 (voice and text)
helpline@ndcs.org.uk
www.buzz.org.uk
Live Chat: www.ndcs.org.uk/livechat