



## Specifying provision in an EHC Plan

### A guide for parents

In writing EHC plans, a Local Authority must by law 'specify' the support children and young people must receive. This means describing it in enough detail so that parents and young people, among others, can clearly tell what must be delivered, how often, how long for and who by.

The SEND Code of Practice paragraph 9.69(F) states 'Provision must be detailed and specific and should normally be quantified, for example, in terms of the type, hours and frequency of support and level of expertise, including where this support is secured through a Personal Budget'.

The following parts of the plan should be specific:

- Outcomes (Section E)
- Special Educational Provision (Section F)
- Health Care Provision (Section G)
- Social Care Provision (Section H)

The SEND CODE of Practice at paragraph 9.51 states 'The evidence and advice submitted by those providing it should be clear, accessible and specific'.

When checking your draft EHC plan, if you feel that any of the information is not specific or it is not clear what needs to be provided then you can request that the Local Authority contact the relevant professional(s) who have contributed to the plan and ask them to be clearer in specifying the provisions required. Whilst the Local Authority will draft the plan on the merit of the information received from others, the responsibility to issue and maintain the plan lies with them.

There are certain words which are generally recognised as being too vague which you could check for and ask to be removed. Examples of these might be:

- 'Access to'
- 'Daily opportunities'
- 'Opportunities for'
- 'Regular'
- 'Small groups'
- 'High levels'
- 'Where necessary'

- 'As required'
- 'Benefit from'
- 'As appropriate'
- 'Periodic'
- 'Subject to review'

In the case of *L v Clarke and Somerset County Council (1998) ELR 129* it was stated that provision should be 'so specific and so clear as to leave no room for doubt as to what has been decided is necessary in the individual case'.

In the case of *IPSEA v Secretary of State (2003) EWCA Civ 07 (2003) ELR 86* it was stated that 'It remains the case that vague statements, which do not specify provision appropriate to the identified special needs of the child, will not comply with the law.'

### Examples of Good Practice and Specificity within an EHCP

Please refer to the Council for Disabled Children document which outlines these and other examples of good practice in relation to the content of an Education Health Care Plan. This can be found [here](#).

#### Section E (Outcomes) examples:

- By the end of KS1, Sheila (6 years old) will be able to express her preference when offered a choice between two activities.
- By the time he finishes college, Ryan (18 years old) will be able to manage his money from day-to-day, including planning for his daily costs (e.g. using public transport, buying lunch and treats).

#### Section F (Provision) examples:

- 'Joe (8 years old) will receive a 30 minute session twice a week focussing on developing his social use of language. The sessions will be delivered by a teaching assistant with one other child. The session programme will be developed under the direction of a Speech and Language Therapist who will train the TA in delivering the sessions. An SLT and Joe's teacher will review his progress on a termly basis and adapt the programme accordingly.'
- 'Victoria (13 years old) will have a laptop with voice activated software to help her prepare for Y11 GCSEs. The laptop will be for use in all lessons where her teachers have identified this will help her to record her work more effectively. The laptop will also be available for use at home where it will be used for homework. The SENCO will provide one-to one

support for one hour per week to enable Victoria to use the software. The SENCo will review Victoria's progress on a termly basis.'

### Section G (Health Care) examples:

- 'Alice (14 years old) will work with the CAMHs team to help her manage her emotional health. She will have two blocks of cognitive behavioural therapy with a clinical psychologist. The blocks will be six weeks each, separated by a two-week review period. She will be given a place at the local support group for young people which meets twice a week and CAMHs staff will support and encourage her to attend.'
- 'Natalie (5 years old) will have a sleep management strategy put in place to address her sleep problems. The strategy will be developed by a Specialist Health Visitor (SHV), working with Natalie's parents, following an initial two hour assessment by the SHV. Weekly follow-up support to Natalie's parents will be provided by the SHV via telephone in 30 minute blocks. Natalie's paediatrician will review the success of this programme at her bi-annual reviews.'

### Section H (Social Care) example:

- 'Jack (10 years old) will have a place reserved at the local specialist holiday scheme for young children with autistic spectrum disorder. He will be able to attend for six half day sessions of his parents choosing during each school holiday period. This is funded by the Children with Disabilities team.'

**If you would like further information, advice or support please don't hesitate to call us on 0117 989 7725 or email [support@sendandyou.org.uk](mailto:support@sendandyou.org.uk)**



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