

LOOKING GLASS CARE / FREE PRACTICAL GUIDE

EHCP law: a parent-friendly starting guide

Parents, carers and education staff navigating the English SEND system.

Understand the assessment threshold, key stages and the difference between needs, provision and outcomes. Use the included record sheet to organise questions and dates.



Why this matters to me

Being a parent alongside working in care shapes the questions I ask. When families are handed unfamiliar terms and long documents, I want the next step to be understandable and the child's needs to stay visible.

How to use this guide

Read the five short lessons, work through the checklist and use the record sheet to choose your next action. Allow around 25-35 minutes plus time for your own review. Keep personal records securely; use anonymised notes for team learning.

This is general educational information for England, checked against the sources listed at the end. It is not an accredited qualification, clinical assessment or individual legal advice.

Learn and apply

1. Understand what the assessment test asks

An education, health and care needs assessment is a local authority process in England. Under section 36(8) of the Children and Families Act 2014, the authority must secure an assessment where the child or young person has or may have special educational needs and it may be necessary for special educational provision to be made through an EHC plan. This is an assessment threshold, not a requirement to prove at the outset that a plan will definitely be issued. A diagnosis is not a universal prerequisite.

2. Make a clear request and keep the dates

Parents, a young person and relevant education settings can request an assessment. Explain the needs, their impact on learning and participation, the support already offered and why assessment may be necessary. Include the child's or young person's views and relevant reports where available. Keep the request and acknowledgement. A local form can help organise information but a request should not be reduced to a paperwork contest. Check the authority's published route and ask for a dated acknowledgement.

Learn and apply

3. Follow the stages and key time limits

The decision whether to assess is normally due within six weeks of the request. Where the process results in a final plan, the usual overall limit is 20 weeks from the request, subject to statutory exceptions. The draft-plan stage allows at least 15 days for comments and school or placement requests. Record the relevant deadline, what arrived and any explanation for delay. These are different stages: agreeing to assess does not automatically mean a plan will be issued.

4. Read the plan as a chain

Check that identified special educational needs in Section B connect to special educational provision in Section F and meaningful outcomes in Section E. Ask what support will happen, how often, for how long, by whom and with what expertise. Vague phrases can make delivery difficult to check. Section 42 places the duty to secure the specified special educational provision on the local authority, subject to the statutory position and exceptions. An attractive outcome does not replace the provision needed to work towards it.

Learn and apply

5. Respond to decisions with the right help

Read any refusal or final-plan letter carefully for reasons, mediation information, appeal rights and deadlines. Different decisions have different routes, so get timely advice from your local SEND Information, Advice and Support Service or a qualified adviser. Keep a chronological record and copies of correspondence. This guide gives general information for England as checked on 18 September 2026; it does not assess the merits or deadlines of an individual case.

Check your understanding

Must a child first have a medical diagnosis before an EHC needs assessment can be considered?

Suggested answer: No. The statutory test concerns special educational needs and whether provision through an EHC plan may be necessary. Describe needs and impact clearly; a diagnosis can be relevant evidence but is not a universal gate.

Practical review checklist

Mark each item: checked / action needed / not applicable. Note the evidence and reason, rather than treating a tick as proof.

- ☐ The child's or young person's views are included.
- ☐ Needs and their impact are described with concrete examples.
- ☐ The request and acknowledgement dates are recorded.
- ☐ Decision, draft and final-plan stages are kept distinct.
- ☐ Section B needs link to clear Section F provision.
- ☐ Outcome wording does not substitute for actual support.
- ☐ Decision letters and relevant advice are saved.
- ☐ Any appeal or response deadline is checked promptly.

My next three actions

1. Action: _____

Owner / help needed: _____ Review date: _____

2. Action: _____

Owner / help needed: _____ Review date: _____

3. Action: _____

Owner / help needed: _____ Review date: _____

Your working record

Use a copy for each review, support plan or referral. Keep identifying and sensitive information in your own secure system.

Request sent and acknowledged

Decision due and received

Needs and evidence to clarify

Draft comments and placement request

Provision question: what, how often, who?

Advice sought and next deadline

Sources and next steps

Information checked on 18 September 2026. Guidance and local pathways can change; use these primary sources for current detail.

[UK Parliament \(2014\). Children and Families Act, section 36](#)

[UK Parliament \(2014\). SEND Regulations, regulation 4](#)

[GOV.UK, Extra help: education, health and care plans](#)

[UK Parliament \(2014\). Children and Families Act, section 42](#)

[Department for Education and Department of Health \(2015\). SEND code of practice: 0 to 25 years](#)

Choose what helps you next

Explore the matching free mini-course, browse related resources or ask Looking Glass Care about practical support. The guide and mini-course do not include an individual assessment or a regulated qualification.

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