

Understanding the Education, Health and Care Plan Process (20 Weeks):

A guide for parents and carers:

Lincolnshire County Council have finalised my child's first EHC Plan. What happens next?

Lincolnshire County Council delegates the delivery of the special education provision specified in Section F in the EHC Plan to the setting which is named on your child's EHC Plan. This is a legal duty, set out in section 42(2) of the Children and Families Act 2014. It is Lincolnshire County Council's legal duty to make sure that setting's staff have the correct financial resources, training and equipment to provide this. To meet this legal duty, Lincolnshire County Council will contact the setting named in your child's EHC Plan, stating that they are named and must commence providing the special educational provision outlined in Section F of the EHC Plan. It is recommended that you as a parent/ carer discuss this implementation of special educational provision directly with the setting, and the timeframe for this.

The EHC Plan must be reviewed within a 12-month period. Lincolnshire County Council oversee these EHC Plan reviews, however, delegates the responsibility of these reviews to the setting named of the child's EHC Plan. This is to ensure it stays up-to-date and continues to provide the support needed. At the end of the review, there are only three decisions Lincolnshire County Council can make:

- To maintain the EHC plan as it is (not make any changes),
- To amend the EHC plan (and say what changes it is proposing), or,
- To cease the EHC plan if it deems it is no longer necessary for it to be in place.

The first review of your child's EHC Plan will take place within 12 months of the EHC Plan being finalised. Subsequent reviews must be completed within 12 months of the previous review.

If your child is between ages 0-5, Lincolnshire County Council will ask the setting to consider reviewing their EHC Plan every 6 months in line with The SEND Code of Practice 9.178, to ensure that the provision continues to be appropriate.

What should I do if I disagree with the contents of my child's EHC Plan?

If you are unhappy with the contents within Sections B and/or F of your child's EHC Plan, you can attend a mediation with the Local Authority, or obtain a mediation certificate to appeal to the First-tier Tribunal (Special Educational Needs and Disability) also known as

the SEND Tribunal. A letter will be available on the EHC Hub detailing how you can proceed with this decision.

What should I do if I do not agree with the setting named in my child's EHC Plan?

If you are unhappy with the setting named in Section I of your child's EHC Plan, you can appeal to the First-tier Tribunal (Special Educational Needs and Disability) also known as the SEND Tribunal. A letter will be available on the EHC Hub detailing how you can proceed with this decision.

What will happen at the First Annual Review and subsequent Reviews?

The setting will be in touch at least four weeks prior to when the first annual review is due, to arrange the EHC Plan review meeting and gather reports. The annual review invitation will be sent at least two weeks prior to the meeting, along with the advice collected beforehand and will be sent to:

- Parents/ Carers.
- The child or young person.
- The SEND caseworker.
- Any health professionals involved with the child.
- Any social care professionals involved with the child.
- Any other professional currently working with your child.

The advice and guidance should provide details about the child or young person's progress and their access to teaching and learning and consider whether the current special educational provision is effective. Parents, young people and professionals can suggest changes to the EHC plan. Gathering this information and advice before the meeting is crucial, particularly where amendments to the EHC plan are being considered. During the Annual Review, several key points will be discussed:

- Your views, wishes and aspirations as the parent and carer.
- Your child's views, wishes and aspirations.
- Your child's special educational needs, and whether these remain appropriate.
- Your child's progress towards outcomes, and whether the outcomes remain suitable.
- The special education provision in place, and whether any adjustments are needed.
- The provision required to support your child in preparing for adulthood and independent living (From Year 9 onwards).

Subsequent reviews will follow the same format and must be held within 12 months of the last review.

The setting will upload the review documentation to the EHC Hub. The SEND Caseworker will then decide whether to maintain, amend or cease your child's EHC Plan.

Maintaining the EHC Plan:

A decision to maintain the EHC Plan may be published following an annual review. This typically means that there have been no significant changes to your child's needs or provision, and therefore no updates to the plan are required.

Amending the EHC Plan:

A decision to amend the EHC Plan may be published following an annual review, if the SEND caseworker identifies significant changes to your child's needs and provision. In this case, proposed amendments will be shared with you via the Draft EHC Plan (Notice of Amendment) on the EHC Hub. You will then have up to 15 days to provide your feedback to the SEND Caseworker, through the EHC Hub. However, the SEND caseworker will also accept feedback through other means if needed. Once your feedback has been considered, a finalised amended EHC Plan will be issued via the EHC Hub.

Ceasing the EHC Plan:

A decision to cease the EHC Plan may be published if the SEND caseworker determines that it is no longer necessary for the plan to be maintained, or if Lincolnshire County Council is no longer responsible for the child or young person.

When the EHC Plan may no longer be necessary:

This may occur when your child no longer requires the special educational provision outlined in the EHC Plan.

When Lincolnshire County Council is no longer responsible:

This applies in circumstances such as:

- A young person aged 16 or over leaves education to take up paid employment (including employment with training but excluding apprenticeships).
- The young person enters higher education (e.g. achievement of a Level 3 qualification).
- A young person aged 18 or over leaves education and no longer wishes to engage in further learning.

- The child or young person moves to another local authority.

Can I request an early annual review?

If you believe that there is a significant changes of need or provision to your child's EHC Plan, you can request that an early annual review be considered and arranged as soon as possible. This decision lies with your SEND Caseworker, and will depend on the circumstances surrounding your request. However, if Lincolnshire County Council does not agree to carry out an early review, there is no right of appeal against that decision.

If a review meeting is brought forward and held without prior confirmation from Lincolnshire County Council the Local Authority is **not** required to review the EHC Plan, follow the legal process nor adhere to legal deadlines.

What if I have concerns with the implementation and delivery of provision within the setting?

If you have concerns, it is best to speak with your child's teacher first, to understand what is happening and explore whether a quick solution can be found. If the issue remains unresolved, you should then speak with the setting's SENDCo, who is actively involved in overseeing your child's provision. It is recommended that you meet with the SENDCo in person to discuss your concerns. After the meeting, allow time for the setting to implement any agreed actions, before escalating the matter to your SEND Caseworker.

If you are experiencing communication difficulties with the setting, please follow their internal policies and procedures to escalate your concerns appropriately.

Can my SEND Caseworker assist with transportation?

Your SEND Caseworker cannot assist with transportation to and from your child's named setting. The responsibility of transport decisions come directly from the Lincolnshire County Council Transport Team, which operates under its own processes and criteria.

For more information please visit: [School and college transport – Lincolnshire County Council](#).

If transport has been agreed and you experience any issues, it is best to raise your concerns with the setting first, before contacting the Lincolnshire County Council Transport Team.

What can I expect from my SEND Caseworker?

Responsibilities:

Your SEND caseworker is responsible for ensuring that processes related to your child's EHC Plan are followed in line with legislation. Their responsibilities include, but are not limited to:

- Overseeing the implementation and delivery of your child's special educational provision within the setting
- Deciding, following an annual review, whether to maintain, amend or cease your child's EHC Plan.
- Working in partnership, with you, your child, professionals from education, health, social care and the third sector to achieve shared objectives, outcomes and aspirations.

Attendance at Annual Reviews:

The SEND caseworker may attend annual reviews when the setting requests their involvement or during specific reviews that occur at key points in your child's educational journey (such as phase transfer reviews). Their attendance helps ensure that both your views and your child's preferences regarding the next educational setting are fully considered, and that the EHC Plan is updated to reflect appropriate provision and support for the new phase of education.

The SEND Caseworker may also attend an annual review if there is a proposed change in provision that requires consideration by Lincolnshire County Council. Please note that SEND caseworkers **do not routinely** attend all annual reviews throughout your child's educational journey.

Communication:

Your SEND Caseworker will communicate directly with the setting if any issues arise and will provide advice and guidance directly to the setting if they need support to meet your child's needs. The setting has a duty to use **all available resources** both internally and through external agencies and The Local Offer before contacting the SEND caseworker for further support.

While you may contact your SEND Caseworker for clarity on EHC Plan-related processes, **educational queries should be directed to the setting**. You are encouraged to:

- Review the setting's policies and procedures
- Explore the Local Offer for available resources

- Contact Liaise for impartial advice

Where a collaborative next step is required, a multi-agency meeting may be held to prevent miscommunication and ensure a holistic approach that promotes the best outcomes for your child. Please note that the SEND Caseworker may direct any queries to other teams within the service or back to your child's setting, if your question does not relate directly to your child's EHC Plan.

The SEND Caseworker will review all annual review documentation once submitted by the setting. They **do not routinely** notify you of decisions following the review; instead, notifications will be sent via email through the EHC Hub. You will receive a Letter of Intent indicating that changes may be required. This is a formal step and reflects what was already discussed during the annual review. A 'Maintained' decision regarding your child's EHC Plan will be finalised without the proposed amendments being shared with you first.

Your views matter:

How did we do during the 20 weeks?

A short set of questions for parents/carers/guardians/young people, used to shape the SEND Team in Lincolnshire:

<https://www.letstalk.lincolnshire.gov.uk/embeds/projects/38656/survey-tools/43370>



Paper copy also available.

Where can I find more information regarding this process?

[Liaise – About Liaise - Lincolnshire County Council](#)



[SEND Local Offer – Lincolnshire County Council](#)



[Lincolnshire Parent Carer Forum – Lincolnshire County Council](#)



[EHC Hub Guidance](#)



[School and college transport – Lincolnshire County Council](#)



[Lincolnshire Young Voices – Lincolnshire County Council](#)



Glossary:

EHC Plan: Education, Health and Care Plan.

EHC Hub: Education, Health and Care Hub.

SEND: Special Educational Needs and Disabilities.

SENDCo: Special Educational Needs and Disabilities Co-ordinator.