



# **Education Health and Care Plans in Hackney – Q&A Resource**

Webinar hosted by  
Hackney SEND Parent Carer Forum  
Thursday 5<sup>th</sup> of June 2025, 18:00-19:00

This Q&A document was prepared by the Hackney SEND Parent Carer Forum, based on webinar presentations, discussion and session Q&As. In addition questions were received by a follow-up survey with the PCF membership.

Thank you to Joanne Hussain (SENDIAGS) and Richard Collins (Hackney Education) for their answers and contributions.

[Webinar reference recording and resources](#)

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# Questions & Answers

**We have a couple of questions about how to make sure parents' voices are heard in the process.**

**So, what do you do as a parent if you feel that the EHC doesn't accurately reflect the changing needs of your children?**

**How can you get the plan updated?**

**What happens if you don't agree with the goals or outcomes?**

ECHPs should by law be reviewed annually, so that provides an opportunity to update plans. Normally plans get completely updated every two to three years at every key stage. But children progress differently and their needs may change. If it gets to the point where you think the plan is completely irrelevant or my child doesn't need a plan, you can request a complete reassessment of the plan.

Sometimes people think the annual review is just a meeting, but it's important to be prepared and to identify what has worked and what hasn't, so it's important to prepare carefully for the review.

The local authority makes the decision to cease the plan, or amend or update it, but at any point where a local authority makes a decision, the parent or carer has the right to appeal.

It's important to take a common-sense approach. For example, if you have an EHCP and then, three months later, your child is diagnosed with autism and as a result there are some new recommendations for support, then you should contact the local authority and ask them to update the plan. Essentially, the plan needs to be fit for purpose. It needs to meet your child's needs, and if information about those needs change, then that information should be included.

**We live in Hackney but our child goes to a nursery school in a bordering borough. Which local authority is responsible for my child's EHCP assessment?**

Regardless of where your child goes to school, if you live in Hackney, Hackney is responsible for the EHC Plan.

## **What advice do you have on appealing a rejection for an assessment?**

Whenever local authorities make a decision about assessments, the content of EHC plans and the named placement, you have a legal right to appeal but you have to appeal within two months.

To appeal you have to request a mediation process with the local authority. Then a member of the EHCP team will meet you in person and go through the reasons why it was turned down and what the next steps might be. After that, if you still don't agree with the local authority's decision. The Local Authority will send out a form on how to appeal, initially you contact mediation and then following the mediation they issue a certificate in which to register your appeal.

For other issues, such as the provision in [section F](#) (the section that sets out the special educational provision a child or young person requires) not being implemented or a failure to carry out an Annual Review, those are dealt with through the Local Authority complaints procedure.

## **Does having an EHCP make any difference in getting the school of choice for my child?**

Parents always have the right to express a preference for whatever school they'd like. If your child has an EHCP, we then consult with the school. They have to give lawful reasons for saying yes or no.

Schools have to have a good reason for refusing to take your child, but they are legally entitled to refuse to take them. But the legal rules are stringent and can be challenged. Schools have to set out really detailed reasons for their refusal to the local authority who then decide whether the decision is lawful.

## **Is there other advice that you would give to parents who are struggling with their child's EHCP?**

The first step is to have a look at the [IPSEA website](#). There's so much information in there. They also have lots of template letters that parents can download and use if they have any issues.

If you are unhappy with anything about the EHCP process, you need to act immediately. That's the most important thing. And you should contact the EHC Plan Coordinator. If it is a decision that can be appealed, act quickly. Sometimes people wait, and if you do, you may miss the two months' deadline and there will be nothing anyone can do about it.

## **Can you reapply for an EHCP needs assessment after it has been declined?**

Yes. For example, if a young person is now 19, moving between colleges from September, the transition might mean that your child needs further support. You can also submit new evidence once you have sent in the initial EHCP assessment request. Any important new information, or additional information, about your child should be included.

If the local authority has decided not to issue a plan after an assessment and you don't appeal immediately, you can reapply for an EHCP after six months.

If however you have submitted an EHC assessment request and the LA decide not to assess and you do not appeal that decision you can reapply at any time.

## **You mentioned that one-line requests can be enough to start the EHC assessment request. But in fact, a lot get refused unless they're backed by a thorough report from the school. What would your advice be in that situation?**

Schools have access to educational psychologists. There are undoubtedly delays about getting assessment – this is a national issue as well as a local one. But basically schools buy into services like educational psychology and they get a number of educational psychologist hours per year, depending on how much they choose to pay.

Parents can also access EP Advice sessions via [Hackney sessions](#).

# **Additional Questions**

Below are more specific questions about Hackney which we were not able to answer in the time available during the webinar. The responses are from Richard Collins the EHC Operations Lead in Hackney's Integrated SEND Service.

### **1. When EHCP reviews are completed, parents don't always get the amended/ final copies. What is the time frame for this?**

From receipt of an Annual Review an LA has 4 weeks to issue a final EHC Plan if it is agreed to be amended. However due to staffing and demand the LA are working to achieve this and some are issued after this deadline.

- 2. Is it right that the school must demonstrate that they have already tried to meet the child's need and spent the notional £6K and do not see improvement before a request for assessment is approved? Could you please confirm the criteria for approving an EHC Assessment request?**

Not as such, schools do have to demonstrate that they are funding out of their budget and the SEN support schools do get does equate to an extra 6k. However this is not a guarantee for assessment as there are many other factors. We have previously agreed to assess children with schools that spend less and have turned down some with schools spending more.

- 3. It can take several years to get educational psychologist, occupational therapy and SaLT assessments. How can local authorities ask for this type of evidence when they aren't providing assessments in time? Is this actually legal?**

If an EHC Assessment is agreed, then the health authorities have to provide advice within 6 weeks and they are generally good at complying with this. If this is before an EHC Assessment takes place, reports are not required to make a request. They can, however, support your case.

- 4. What percentage of children under school age (pre-reception) are granted EHCPs? Are Hackney Education? Are local authorities more likely to approve an EHCP for a child once they've started school vs nursery?**

This all depends on the needs of the child. Hackney Education have conducted around 60 EHC Assessments this year for children under the school age. Richard Collins says he is unsure how many children go into Hackney schools and how many places have been filled so cannot give an exact percentage. A child does not need to be in nursery to agree an EHC assessment if the LA agrees this is required.

- 5. What is the percentage of girls and boys with EHCP's in Hackney? There is a lot of evidence coming out about masking in girls, in regards to neurodiversity. What are your thoughts on this?**

There are more boys than girls with EHC Plans (just over 66% are Male). In the EHC Team we are seeing a trend of more requests for girls in secondary requests which may suggest that girls mask more in primary and their needs become more prominent in secondary school.

- 6. My nursery's son submitted a EHCP in February but got rejected on the basis that he's under three. All his medical professionals have said that this shouldn't be the case because age doesn't matter. Can you explain why we are getting two contradictory views on this and what Hackney's policy is?**

The fact a child is under 3 would not be the main reason as there will be other reasons aside. Without knowing the case we are not able to comment further.

- 7. If my child can't access mainstream school either full time or at all, who is responsible for finding the right provision? Who decides what provision is right? How long does this take on average and what education will be given to them until this is sourced?**

This depends if the child has an EHC Plan or not. If they do not have an EHC Plan then it is the responsibility of the school they are on roll at to provide education. If the child has an EHC Plan and if there is medical evidence the child cannot attend then the Local Authority would provide support alongside the parents and school.

- 8. If my child needs to attend a specialist school but are told they are all full, how can I get them into a specialist school?**

This is a hard one. It's true that special schools are oversubscribed and places are normally only available to a few every September, and this is the same nationwide. The pathway to request a special school comes either towards the end of the EHC Assessment or via an Annual Review. The Local Authority will consider any requests and, if a place is not provided the parents do get the right of appeal which they can take up should they wish.

- 9. Who decides which child is given a place in a special school and how is that decision taken?**

The final decision on placement lies with the EHC Team. This is done in consultation with special schools who consider (i) available vacancies (ii) the child's profile and what they need to take this placement as special schools have different ability classes and if there is a vacancy they have to fit in with the needs of the classroom.

- 10. Why has it become so much harder to get a child's needs recognised at the right level in recent years - with the support level granted getting lower and lower for the same level of need?**

All children with EHC Plans have a set allocation of funding, these are determined through detailed proformas of where a child is

academically, and what support is required as stated in the EHC Plan (Section E and F) to meet their needs.

**11. How can we expect the schools to provide the level of dedicated service prescribed in the EHCP when the school is struggling to have a single TA in a classroom?**

The funding in the EHC plan is designed to help support the school in identifying the right support for the child. This can be via a dedicated TA or other support as deemed suitable. Schools can also request additional funding should they feel more is needed in the EHC Plan to meet a child's needs.

**12. How does the council see the future of children with EHCPs in secondary schools and beyond?**

If the trajectory continues, EHC Plans slightly increase every year. However this is affected by housing and other economic issues such as the cost of living in Hackney and is hard to get a true idea. The Government is also looking at EHC Plans and support to schools so depending on what they decide will also have an impact on the amount of EHC Plans in the SEN system.