



EHCP SUPPORT SERIES

Chapter 7

When the EHCP Doesn't Reflect My Child's Needs

What you can do when important needs are missing, provision is unclear, or the plan does not match the evidence.

The key idea

A disagreement does not have to begin with a formal appeal. Start by identifying exactly what is inaccurate, missing or unclear, connect it to the evidence, and record the change you are asking for.



What Doesn't Feel Right?

Turn a general concern into something you can clearly explain.

Sometimes a plan feels wrong as a whole. Breaking that feeling into specific issues can make it easier to decide what to raise and what evidence supports your concern.

Common issues to look for

Need missing — A significant special educational need is absent or described too narrowly.

Need inaccurate — The wording does not reflect how the difficulty presents or affects education.

Provision vague — Support is described without enough detail to understand what will happen.

Evidence lost — A professional recommendation has been omitted or substantially weakened.

Sections disconnect — A need appears in Section B but there is no clear corresponding provision in Section F.

Parent/Carer Note

You do not need to disagree with every part of the plan. It can help to identify what is accurate as well as what needs changing, so your comments stay focused.



Write the Concern Clearly

Show what is wrong, what supports your view and what you want changed.

A useful amendment request is usually easier to follow when it links the current wording, the evidence and the change being requested.

A simple structure

- 1 — Identify the section and wording you are concerned about.
- 2 — Explain what is inaccurate, missing or unclear.
- 3 — Point to the evidence that supports your concern.
- 4 — State the wording or type of change you are requesting.

Example

"Section B describes Leo as having 'some difficulty with change'. The Occupational Therapy report dated 4 June describes significant distress, shutdown and inability to access learning following unexpected transitions. Please amend Section B so the level and educational impact of this need are accurately reflected."

In Practice

Referencing the report, date and relevant page can make your requested amendment easier to trace. Keep a copy of what you send and any response you receive.



When Provision Is the Problem

Section F should tell you what special educational provision is required.

If the need is described accurately but the support is missing or vague, focus your comments on what the evidence says is required and whether Section F captures that provision clearly.

Study Note

The SEND Code of Practice says Section F provision should be detailed and specific and should normally be quantified, for example by type, hours and frequency of support, where appropriate (Department for Education and Department of Health, 2015).

Compare the wording

Less clear — Regular opportunities for sensory breaks.

Clearer — Ava will have access to a low-arousal space for a 10-minute sensory regulation break after morning registration and lunch, with additional access following agreed signs of overload.

Question to Ask

Could a new member of staff read Section F and understand what must be provided, how often and in what circumstances? If not, identify what detail is missing.



Raising Concerns With the Local Authority

Keep the issue specific, evidenced and recorded.

If you are commenting on a draft, responding after a review, or raising concerns about an existing plan, written communication can help create a clear record of the issue and the response.

Useful things to include

- The section or wording you are asking the local authority to reconsider.
- A short explanation of why it does not reflect need or evidence.
- The evidence you are relying on, with dates or page references where useful.
- The amendment or clarification you are requesting.
- Any relevant deadline, decision letter or review outcome.

Keep It Manageable

A numbered list or simple table can be easier to work through than one long letter. Separate each issue so it is clear which section, evidence and requested change belong together.



Mediation and the SEND Tribunal

Some disagreements carry a formal right of appeal.

The First-tier Tribunal (Special Educational Needs and Disability) can hear appeals about certain local-authority decisions concerning EHC needs assessments and EHC plans, including disputes about the educational sections of a plan.

Key Fact

In most cases, a parent or young person must consider mediation before appealing and obtain a mediation certificate. An appeal only about the school or other institution in Section I does not require mediation advice first (GOV.UK, 2026).

Examples of appealable EHC plan issues

B — How the child or young person's special educational needs are described.

F — The special educational provision specified in the plan.

I — The school or other institution named, or where no institution is named.

Important

Formal rights depend on the decision the local authority has made and the decision letter you have received. Check the letter and current tribunal guidance rather than assuming every disagreement follows the same route.



Watch the Deadline

Do not let ongoing discussions make an appeal deadline disappear.

If a decision carries a right of appeal, the decision letter should explain that right and provide information about mediation. Keep the letter and note its date.

Key Fact

For an EHC plan appeal, the tribunal must usually receive the appeal within two months of the date on the local authority's decision letter or one month from the date of the mediation certificate, whichever is later (GOV.UK, 2026).

Practical checklist

- Keep the decision letter and mediation information.
- Record the appeal deadline in more than one place.
- Keep copies of your evidence and correspondence.
- Seek advice early if you are unsure which decision or deadline applies.

In Practice

You can continue trying to resolve disagreements while protecting a formal deadline. SENDIASS or specialist SEND advice can help you understand the route that applies to your circumstances.



My Concerns and Requested Changes

Use this page to organise one issue at a time.

Section / page I am concerned about

What is inaccurate, missing or unclear?

What evidence supports my concern?

What change am I asking for?

Response / next step



References & Further Support

References

Department for Education and Department of Health (2015) Special educational needs and disability code of practice: 0 to 25 years. London: Department for Education.

Great Britain (2014) Children and Families Act 2014. London: The Stationery Office. See Part 3, including sections 51–55.

HM Courts & Tribunals Service (2026) Appeal an education, health and care (EHC) plan decision. GOV.UK. Current guidance accessed 23 September 2026.

Further support

- SENDIASS — free and impartial SEND information, advice and support. Find your local service through your council or Local Offer.
- GOV.UK — current guidance on appealing an EHC plan decision, mediation and SEND Tribunal forms.
- IPSEA — independent information and advice about SEND law and EHC plans.

Important

This guide provides general information about the SEND and EHCP system in England. It is not individual legal advice. If you are considering mediation or an appeal, check current guidance and seek advice about your own circumstances.