

EHCP Statutory Timeframes Guide (England)

This guide breaks down the key steps and legal deadlines for the **Education, Health and Care (EHC) needs assessment process**.

Step 1: Requesting an EHC Needs Assessment

Timeframe: Day 0 (Request submitted)

A request can be made by:

- A parent or carer
- A young person over 16
- A school or early years setting

Deadline: Within 6 weeks

- The **local authority (LA)** must decide **whether to carry out an EHC needs assessment**.
- You will receive a decision **by the end of Week 6**.

Step 2: EHC Needs Assessment

Timeframe: Weeks 6–16 (10 weeks)

If the LA agrees to assess:

- They will request **advice and information** from:
 - Educational psychologist
 - School/setting
 - Medical professionals
 - Social care
 - Parents/young person
 - Any other relevant professionals (e.g. SALT, OT, CAMHS)
- You have **15 days** to give your views and suggest any professionals to be consulted.

Step 3: Decision on Whether to Issue an EHCP

Timeframe: By Week 16

After completing the assessment, the LA decides:

- Whether to issue an EHCP or not to issue one

Deadline: By end of Week 16

- You must be informed in writing of the decision.

Step 4: Draft EHCP

Timeframe: Weeks 16–20

If the LA agrees to issue an EHCP:

- A **draft plan** must be sent to you.
- You have **15 days** to:
 - Comment on the draft
 - Request a particular school or setting

The LA must consult with your preferred school/setting.

Step 5: Final EHCP Issued

Timeframe: By Week 20

Deadline: 20 weeks from initial request

- The LA must issue the **final EHCP** by the **end of Week 20**.

What If the LA Refuses?

- If the LA refuses to **assess** or **issue a plan**, you have the **right to appeal** to the **SEND Tribunal**.
- You may also request **mediation** before appealing.

Notes:

- These timeframes are **legally binding** (SEND Regs 2014).
- Delays should be challenged unless there are **exceptional circumstances**.
- School holidays **do not pause** the 20-week clock.