

THE 7 DAY EHCP AUDIT CHALLENGE

Discover the Hidden Problems in Your
Child's EHCP-Just 15 Minutes a Day for
One Week



*BY KATE DAINTY AT THE SEN
ADVOCATE*

THE 7 DAY EHCP AUDIT CHALLENGE



COPYRIGHT NOTICE

COPYRIGHT © 2025 THE SEN ADVOCATE

"All rights reserved. The use of any part of this publication, reproduced, transmitted in any form or by any means electronic, mechanical, photocopying, recording or otherwise, or stored in a retrieval system without the prior written consent of the publisher—or in the case of photocopying or other reprographic copying, license from the Copyright Licensing agency—is an infringement of the copyright law."



LEGAL DISCLAIMER

Important Notice: Educational Information Only

This book is intended for educational and informational purposes only. It provides general information about Special Educational Needs and Disabilities (SEND) law in England as it applies under the Children and Families Act 2014, the Education Act 1996, the Equality Act 2010, and related legislation and regulations.

This book does not constitute legal advice.

The information contained in this book:

- Should not be relied upon as a substitute for professional legal advice tailored to your specific circumstances
- Does not create a solicitor-client or attorney-client relationship between the author, The SEN Advocate, and any reader
- May not reflect the most recent changes in legislation, case law, regulations, or guidance
- Represents general principles and may not apply to your individual situation

Every case is unique. The application of SEND law depends on the specific facts and circumstances of each child or young person, and outcomes can vary significantly based on individual details.

When to seek professional legal advice:

You should consult a qualified solicitor or legal advisor specialising in education law if:

- You are considering bringing an appeal to the SEND Tribunal
- You need advice specific to your child's circumstances
- You are facing legal proceedings or formal complaints
- You require representation at a tribunal hearing
- Your situation involves complex legal issues

Legal aid may be available to help cover the costs of professional legal advice for SEND Tribunal appeals.

Information about eligibility for legal aid can be found through the Legal Aid Agency or organisations such as IPSEA (Independent Provider of Special Education Advice).

No guarantees: While this book aims to provide accurate and helpful information based on current SEND law, no guarantee is made regarding specific outcomes or results. The law is subject to change through new legislation, regulations, and case law decisions.

Limitation of liability: The author and publisher accept no responsibility for any loss, damage, or inconvenience arising from the use of information contained in this book. Readers use this information at their own risk.

Currency of information: SEND law and guidance evolve over time. Readers should verify that they are working with the most current version of relevant legislation, regulations, and statutory guidance, including:

- The Children and Families Act 2014
- The Special Educational Needs and Disability Regulations 2014
- The SEND Code of Practice 2015
- SEND Tribunal Practice Directions and Guidance

Always check the latest versions of legal documents and seek professional advice before taking action on any legal matter.

By reading and using this book, you acknowledge that you understand and accept these limitations.





WELCOME

Most EHCPs are inadequate. But parents don't realize it until it's too late. You finally got the EHCP. You assumed it would fix everything. But months later, your child is still struggling. The provision isn't being delivered. Progress isn't happening and when you challenge it, the school says 'we're doing what the plan says.'

The problem? Your EHCP is probably vague, unenforceable, and full of loopholes that let schools off the hook.

This 7-day challenge will help you spot exactly what's wrong – and what to do about it.

Each day for 7 days, you'll audit one specific section of your child's EHCP. Each audit takes just 15 minutes.

You'll need:

- Your child's current EHCP
- A highlighter or pen
- A notebook for your findings
- 15 minutes of uninterrupted time each day

By Day 7, you'll have a complete action plan for strengthening your child's EHCP

Kate Dainty





DAY 1

DAY 1: SECTION B - SPECIAL EDUCATIONAL NEEDS

Today's Mission:

Find out if Section B accurately describes ALL your child's current needs - or if critical needs are missing.

What to Look For

Ask yourself these questions as you read Section B:

- Are ALL diagnosed conditions mentioned?
- Are specific difficulties described (not just labels)?
- Does it explain how needs affect learning?
- Are communication needs detailed?
- Are social/emotional needs included?
- Are sensory needs described?
- Does it mention anxiety/mental health (if relevant)?

RED FLAG: If Section B just lists diagnoses without explaining how they affect your child's learning, it's inadequate.

Common Problems

- Too vague: 'Has difficulties with literacy' vs. 'Has severe dyslexia affecting phonics, spelling, reading comprehension, and written expression'
- Outdated: Describes needs from 2 years ago, not current presentation
- Missing needs: Focuses on academic needs but ignores social/emotional difficulties

TODAY'S ACTION: In your notebook, list ANY needs that are missing or poorly described.





DAY 2

DAY 2: SECTION F - SPECIAL EDUCATIONAL PROVISION

Today's Mission:

Check if Section F is specific and enforceable - or full of wiggle room that lets schools avoid delivering support.

The Specificity Test

For EACH piece of provision in Section F, check if it answers ALL these questions:

- WHAT?** (Exactly what support/intervention)
- HOW MUCH?** (Hours, sessions, frequency)
- HOW OFTEN?** (Daily, weekly, per term)
- WHO?** (Qualified teacher, TA, therapist)
- WHERE?** (1:1, small group, in class)

If provision doesn't answer all 5 questions, it's too vague to enforce.

Weasel Words to Watch For

These phrases let schools off the hook:

- 'Access to...' - Means nothing. Access doesn't guarantee delivery.
- 'As appropriate...' - Who decides what's appropriate? When?
- 'Support with...' - How much support? From whom?
- 'Regular...' - How regular? Daily? Weekly? Monthly?



DAY 2

DAY 2: SECTION F - SPECIAL EDUCATIONAL PROVISION

BAD (Too Vague)	GOOD (Specific)
Access to speech and language therapy	2 x 45-minute sessions per week of 1:1 speech and language therapy delivered by a qualified SLT
Small group teaching	Daily literacy intervention in groups of no more than 4 pupils, for 30 minutes, using the Read Write Inc. program, delivered by a trained TA
Support to manage anxiety	Access to designated safe space with named adult for 15-minute check-ins each morning and as needed throughout the day

TODAY'S ACTION: Highlight every vague piece of provision in Section F. Count how many don't answer all 5 questions.



DAY 3

DAY 3: THE MATCHING TEST

Today's Mission:

Check if Section F provision actually MATCHES Section B needs - or if there are gaps where needs have no corresponding provision.

How to Do The Matching Test

Step 1: Create a two-column list:

- Column 1: Every need from Section B
- Column 2: Provision from Section F that addresses it

Step 2: Look for gaps - needs in column 1 with nothing in column 2.

EVERY need in Section B must have corresponding provision in Section F. No exceptions.

Common Gaps

- Social communication needs identified in Section B but no social skills intervention in Section F
- Sensory needs described but no sensory breaks, equipment, or OT support specified
- Anxiety mentioned but no counseling, safe space, or emotional regulation support
- Physical difficulties noted but no physiotherapy or movement breaks

TODAY'S ACTION: List every need that has NO provision. These are your biggest EHCP gaps.



DAY 4

DAY 4: OUTCOMES - ARE THEY ACHIEVABLE?

Today's Mission:

Check if the outcomes in Section D are realistic given the provision in Section F.

The Reality Check

For each outcome, ask:

- Is it measurable? (Can you tell if it's achieved?)
- Is there provision in Section F to support it?
- Is the timeframe realistic?
- Does it reflect your child's actual aspirations?

If outcomes are set too high with inadequate provision, your child is being set up to fail.

TODAY'S ACTION: Note outcomes that seem unrealistic given the provision specified.



DAY 5

DAY 5: SECTION I - IS THE PLACEMENT RIGHT?

Today's Mission:

Assess if the named placement can actually deliver everything in Section F.

Critical Questions

- Does the school have specialist staff for your child's needs?
- Can they deliver ALL the provision in Section F?
- Is your child making progress there?
- Are they actually DELIVERING the provision?
- Is placement breakdown happening (exclusions, part-time timetable)?

TODAY'S ACTION: If placement isn't working, start researching alternatives NOW.



DAY 6

DAY 6: THE DELIVERY CHECK

Today's Mission:

Check if provision is actually being delivered as the EHCP says it should be.

Evidence Gathering

Ask the school for:

- Timetable showing when provision is delivered
- Records of therapy sessions
- Evidence of interventions being used
- Qualifications of staff delivering provision

If they can't provide evidence, the provision probably isn't happening.

TODAY'S ACTION: Email school requesting evidence



DAY 7

DAY 7: CREATE YOUR ACTION PLAN

Today's Mission:

Pull everything together into a strategic action plan.

Review Your Findings

Look back at your notes from Days 1-6 and categorize problems:

Category 1: Missing Needs

Needs that should be in Section B but aren't.

Category 2: Vague Provision

Provision in Section F that needs to be more specific.

Category 3: Provision Gaps

Needs in Section B with no matching provision in Section F.

Category 4: Delivery Failures

Provision that's specified but not being delivered.

Your Next Steps

If you found problems (most parents do), you have three options:

Option 1: Request Annual Review

If the annual review is coming up anyway, prepare thoroughly to request amendments. Use this audit as your evidence.





DAY 7

DAY 7: CREATE YOUR ACTION PLAN

Option 2: Request Emergency Review

If provision isn't being delivered or placement is breaking down, request an emergency review NOW.

Option 3: Build Tribunal Case

If the LA refuses needed amendments, prepare for tribunal appeal. This audit is the foundation of your case.

What Happens Next?

You've completed the audit. You know what's wrong. Now comes the hard part: fixing it.

Most parents get stuck here. They know the EHCP is inadequate but don't know:

- **How to request specific amendments**
- **How to prepare for annual reviews**
- **What to do when the LA refuses**
- **How to appeal to tribunal**

**That's Where The SEN Advocate Can Help. Get in touch today at
www.thesenadvocate.com**

