



The Complete EHCP Evidence Checklist & Parent's Statement Guide

Everything you need to build an unassailable case for your child's Education, Health and Care Plan. Written by SEND specialists, grounded in the Children and Families Act 2014.

250%	75%	20
increase in EHCP assessments since 2014	of parents dissatisfied with the process	weeks: the legal deadline for your EHCP

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Free resource from EHCP Expert -- AI-powered EHCP support for UK families

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1. Understanding the EHCP Process

An Education, Health and Care Plan (EHCP) is a legally binding document that sets out your child's special educational needs, the support they require, and the outcomes they should achieve. It covers children and young people from birth to 25 years old.

The 6 Key Stages

Stage 1: Request for Assessment (Weeks 0-6)

You, the school, or a professional can request an EHC needs assessment from your local authority. The LA has 6 weeks to decide whether to assess.

Stage 2: Evidence Gathering (Weeks 6-16)

The LA gathers evidence from you, school, health professionals, educational psychologists, and others. This is where YOUR evidence is critical.

Stage 3: Decision to Issue (Week 16)

The LA decides whether to issue an EHCP based on the evidence gathered. They must inform you of this decision.

Stage 4: Draft EHCP (Weeks 16-18)

If issuing, the LA sends you a draft EHCP. You have 15 calendar days to review, comment, and request changes.

Stage 5: Final EHCP (Week 20)

The LA must issue the final EHCP within 20 weeks of the original request. Many LAs miss this deadline.

Stage 6: Implementation & Reviews

The plan is implemented and must be reviewed annually. You can request amendments at any time if needs change.

*** Important: The 20-Week Deadline**

Only 51% of EHCPs are issued within the legal 20-week deadline. Some councils meet this target in fewer than 5% of cases. If your LA misses the deadline, this is a breach of their legal duty -- and you have grounds to escalate. Document every date and communication.

2. The Complete Evidence Checklist

Strong evidence is the single most important factor in securing your child's EHCP. The more thorough and organised your evidence, the harder it is for the LA to refuse. Use this checklist to track what you've gathered.

A. School Records & SEN Documentation

- Current SEN Support Plan / Individual Education Plan (IEP)
- School's SEN register confirmation (your child is listed)
- Records of graduated approach: Assess, Plan, Do, Review cycles
- Teacher assessments and progress data (compare to age-expected levels)
- Attendance records (include any part-time timetables / exclusions)
- Records of interventions tried and their outcomes
- Any Behaviour Support Plans or risk assessments
- Annual school reports with teacher comments
- SENCO correspondence and meeting notes
- Any evidence of school requesting additional funding (top-up funding, EHAF)

* Pro Tip: Request Everything in Writing

Send an email to the SENCO asking for copies of all SEN documentation. Under the Data Protection Act 2018, the school must provide your child's records. Put 'Subject Access Request' in the email subject line.

B. Professional Reports & Assessments

- Educational Psychologist (EP) report -- the most influential piece of evidence
- Speech and Language Therapy (SALT) assessment
- Occupational Therapy (OT) assessment
- Physiotherapy reports (if applicable)
- CAMHS / clinical psychologist reports
- Paediatric consultant reports or letters
- Diagnosis letters (autism, ADHD, dyslexia, etc.)
- Hearing or vision assessment results
- Any private specialist reports you've commissioned

Can't Afford a Private EP Report?

You can request that the LA commissions an Educational Psychology assessment as part of the EHC needs assessment. Under s.36(7) of the Children and Families Act 2014, the LA must seek advice from an educational psychologist. However, having your own independent report gives you much stronger leverage.

C. Health & Medical Evidence

- GP letters confirming diagnoses and conditions
- Hospital discharge summaries and clinic letters
- Medication records and side effects documentation
- Referral letters to specialist services
- Waiting list confirmation letters (shows unmet need)
- Therapy session records and progress notes
- Mental health assessments or reports
- Any sensory assessments (hearing, vision, sensory profile)

D. Your Evidence as a Parent

Never underestimate the power of your own evidence. You know your child better than anyone. The LA is legally required to consider parental views (s.19 CFA 2014).

- Diary / log of daily challenges (morning routines, homework, meltdowns)
- Photographs or videos showing difficulties (sensory overload, distress)
- Screenshots of messages from school about incidents
- Records of your child's own views (what they find hard, what helps)
- A timeline of concerns, referrals, and key events
- Letters/emails to the school requesting support
- Evidence of impact on family life (siblings, your own wellbeing)
- Statements from family members, childminders, or after-school club leaders
- Social care involvement or Early Help assessments
- Any evidence of needs outside of school (difficulty with friendships, community activities)

* The 'Typical Day' Exercise

Write out a detailed account of a typical difficult day for your child, from waking up to bedtime. Include specific examples: 'At 7:30am, getting dressed takes 45 minutes because of sensory issues with clothing seams. I have to lay out 3 different outfits before one is tolerated.' This kind of detail is incredibly powerful evidence.

E. Correspondence & Communications Log

- All emails and letters to/from the local authority SEND team
- All emails and letters to/from the school about SEN concerns
- Records of phone calls (date, who you spoke to, what was said)
- Meeting minutes from any SEN reviews or multi-agency meetings
- Complaint letters you've sent (and any responses)
- Any IPSEA, SENDIASS, or Citizens Advice correspondence
- Freedom of Information requests and responses

* Golden Rule: Get Everything in Writing

If it's not written down, it didn't happen. After every phone call, send a follow-up email: 'Further to our conversation today, I am writing to confirm that you said...' This creates a paper trail that protects you at every stage.

3. Writing Your Parent's Statement

Your parent's statement (also called parental views or parental advice) is one of the most important documents in the EHCP process. It's your chance to describe your child's needs in your own words -- and the LA is legally required to consider it.

The 5 Golden Rules

- 1. Be specific, not general.** Don't say 'my child struggles at school.' Say 'my child reads at a level 2 years below their chronological age and requires 1:1 support to access the Year 5 curriculum.'
- 2. Describe impact, not just diagnosis.** A diagnosis alone doesn't secure provision. Describe how the condition affects daily functioning: learning, friendships, emotional regulation, independence.
- 3. Use professional language where possible.** Mirror the terminology used in professional reports. If the EP says 'significant difficulties with working memory,' use those exact words.
- 4. Include what works (and what doesn't).** Show you understand your child's needs by describing strategies that help and interventions that have failed.
- 5. State what you want clearly.** Be explicit about the provision and placement you believe your child needs. Name specific schools or units if relevant.

* Language That Works vs Language That Doesn't

Weak: "He doesn't like school and gets upset." Strong: "He experiences acute anxiety on school mornings, resulting in school refusal averaging 3 days per week since September 2024. His EP assessment (Dr Smith, March 2025) identifies generalised anxiety disorder with a need for a specialist therapeutic approach not available in mainstream settings."

4. Parent's Statement Template

Use this template as a starting structure. Replace the [bracketed text] with your child's specific details. Your statement should typically be 3-6 pages long.

Section A: About Your Child

[Child's name] is [age] years old and attends [school name] in Year [X].
[He/She/They] was diagnosed with [condition(s)] on [date] by [professional].
[Child's name] is a [positive qualities -- e.g., 'kind, creative, and determined child who loves animals and drawing'].
Despite [his/her/their] strengths, [he/she/they] faces significant challenges in [list key areas: learning, social interaction, emotional regulation, sensory processing, communication, independence].

Section B: Educational Needs

[Child's name]'s current attainment in literacy is [level], which is [X years] below age-expected standards. In numeracy, [he/she/they] is working at [level].
[He/She/They] requires [specific support] to access the curriculum, including [1:1 support / small group teaching / modified resources / visual timetable / etc.].
The school has implemented the following interventions: [list interventions and outcomes].
Despite these interventions, [child's name] continues to [describe ongoing difficulties].

Section C: Health and Wellbeing Needs

[Child's name]'s [condition] affects [his/her/their] daily life in the following ways: [specific examples].
[He/She/They] currently receives / is on the waiting list for: [therapies, e.g., SALT, OT, CAMHS].
Medication: [details if applicable, including side effects that affect learning].
[His/Her/Their] mental health is affected by [anxiety, low self-esteem, social isolation -- with specific examples].

Section D: Social and Emotional Needs

[Child's name] finds it difficult to [make/maintain friendships, regulate emotions, cope with transitions, etc.].
At home, the impact includes [specific examples: meltdowns after school, difficulty sleeping, impact on siblings].
[He/She/They] has expressed [direct quotes from your child about how they feel, what they find hard].

Section E: What Your Child Needs

Based on the evidence gathered, we believe [child's name] needs:

[Specific provision 1, e.g., '20 hours per week of 1:1 specialist teaching assistant support']

[Specific provision 2, e.g., 'Weekly Speech and Language Therapy sessions (minimum 45 minutes)']

[Specific provision 3, e.g., 'Access to a sensory room and a personalised sensory diet']

[Specific provision 4, e.g., 'Placement at [named school/unit] which can meet all identified needs']

Section F: Your Preferred Placement

We believe [child's name]'s needs can best be met at [school/setting name].

This is because [reasons -- link to professional recommendations and evidence].

Under Section 38(2) of the Children and Families Act 2014, we have the right to request this placement.

5. Common Mistakes to Avoid

X Being too emotional without evidence

It's natural to be emotional -- this is your child. But pair every emotional statement with evidence. 'I'm worried about my child' becomes 'I'm worried because the EP report shows his working memory is in the 2nd percentile.'

X Accepting the school's word that 'they're fine'

If your child is masking at school but struggling at home, that IS evidence of unmet need. Document the home difficulties in detail and get this recognised by professionals.

X Not keeping a paper trail

Every conversation, every promise, every meeting -- follow up in writing. A verbal agreement is worth nothing at tribunal.

X Asking for too little

Parents often under-ask for fear of seeming demanding. Be bold. Ask for what your child actually needs, supported by professional evidence. You can always negotiate down; you can't negotiate up from a low starting point.

X Missing the 15-day window on the draft EHCP

When you receive the draft EHCP, you have only 15 calendar days to respond with comments. Don't let this deadline pass -- set a reminder the day you receive it.

X Not naming a preferred school

Under s.38(2) CFA 2014, you have the right to request a specific school or setting. If you don't name one, the LA will choose for you -- and it may not be the right fit.

X Going it alone

Free support exists. Contact your local SENDIASS (Special Educational Needs and Disabilities Information Advice and Support Service) -- every LA must provide one. And tools like EHCP Expert can help you build your case with AI-powered guidance.

6. Know Your Legal Rights

Knowledge is power. These are the key legal provisions that protect your child's right to an EHCP.

Children and Families Act 2014 (CFA)

Section 36 -- Your right to request an EHC needs assessment. The threshold is low: the LA must assess if the child 'may' have SEN and 'may' need an EHCP.

Section 37 -- The LA must issue an EHCP if the child has SEN and requires special educational provision beyond what the school can provide.

Section 38 -- The content of the EHCP. Provision must be specific, detailed, and quantified (not vague promises).

Section 39 -- Your right to choose a school placement. The LA can only refuse if it's incompatible with the efficient education of others and there are no reasonable steps to prevent that incompatibility.

Section 51 -- Your right to appeal to the SEND Tribunal against any decision about your child's EHCP.

SEND Code of Practice 2015

Chapter 9 -- Detailed guidance on the EHC needs assessment and plan process.

Paragraph 9.14 -- The LA must consider the views, wishes, and feelings of the child and their parents.

Paragraph 9.69 -- Provision in the EHCP must be specific enough to be enforceable.

Key Case Law

R (MH) v SENDIST [2004] -- Established that the threshold for assessment is deliberately low. The child 'may' have SEN is enough.

R v Secretary of State ex p E [1992] -- Provision must be specified with sufficient detail and clarity.

Buckinghamshire CC v SJ [2016] -- The LA must consider ALL available evidence, not just evidence it has commissioned.

7. What to Do If You're Refused

A refusal is not the end. Many families succeed on appeal. The SEND Tribunal overturns the majority of LA decisions that reach hearing.

Your Options After a Refusal

1. Request the LA's reasons in writing

Under the CFA 2014, the LA must give you written reasons for their decision. Request these immediately -- they often reveal weaknesses in their argument.

2. Contact your local SENDIASS

Your free, impartial SEND advice service. They can help you understand the decision and your options.

3. Consider mediation

You can request mediation through an approved provider. This is free and can resolve disputes without tribunal. You must obtain a mediation certificate before appealing to tribunal (even if you choose not to mediate).

4. Appeal to the SEND Tribunal

You have 2 months from the decision (or 1 month from the mediation certificate) to lodge an appeal. The tribunal is free and parents frequently win -- over 90% of cases that reach tribunal are decided in favour of families.

5. Gather additional evidence

A refusal often means your evidence wasn't strong enough. Commission private assessments if you can afford them, or use this checklist to strengthen your case.

* Over 90% Success Rate at Tribunal

Don't be intimidated by the idea of tribunal. The SEND Tribunal is relatively informal, free to use, and statistics show that over 90% of cases that reach a hearing are decided in favour of the family. The LA knows this -- many settle before the hearing.

8. What EHCP Expert Can Do For You

You don't have to do this alone. EHCP Expert is an AI-powered platform built specifically for UK families navigating the EHCP process. Here's how we help:

✓ AI-Powered Letter Generation

Generate legally-referenced letters for any stage of the EHCP process -- assessment requests, appeal letters, draft EHCP challenges, tribunal preparation, and more. Every letter cites the correct legislation and case law.

✓ Expert EHCP Chatbot

Ask any question about the EHCP process and get instant, expert answers grounded in UK SEND law. Available 24/7 -- no waiting for callbacks or appointments.

✓ Case Tracking

Keep all your EHCP documentation, letters, and correspondence organised in one secure place. Never miss a deadline or lose an important document again.

✓ 200+ Local Authority Guides

Find specific guidance for your local authority area, including assessment rates, tribunal statistics, and local SENDIASS contact details.

Ready to Fight for Your Child's EHCP?

Visit EHCP Expert to start building your case today. Our AI tools will help you generate professional letters, understand your rights, and navigate the system with confidence.

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