

To: All SEND Parents/Carers

Date: 7 May 2020

Dear Parents/Carers

**Statement from Brighton & Hove City Council in response to EHCP Temporary Law Changes**

**Education, Health and Care Needs Assessments and Plans**

On 1 May 2020 under the Coronavirus Act 2020, temporary modifications have been made to the law regarding Education, Health and Care (EHC) assessments and plans:

- Local authorities and health commissioning bodies (eg Clinical Commissioning Groups (CCGs)) must now use their reasonable endeavours to secure the provision set out within a child or young person's EHC plan. This legal change will be in force from 1 to 31 May 2020 and may be extended.
- Where a reason relating to the incident or transmission of coronavirus applies, the usual timescales in regulations for various EHC processes will be replaced by requirements on local authorities, health care professionals and others to act as soon as reasonably practicable. These changes will be in force from 1 May to 25 September 2020 and will be kept under review.

We want to reassure you that supporting the most vulnerable children, young people and their families in these difficult circumstances is a priority for all across education, health and care services and we are doing everything we can to ensure we continue to deliver normal services. The SEND Team have been working from home, working in different ways and working in new roles to continue to progress EHC needs assessments, support annual reviews and amend EHC Plans within the statutory timeframes. These temporary changes to the law do not affect our commitment to you. However, if a related incident of Covid-19 does impact upon a deadline being met, we will advise the young people and their family directly.

Where provision as set out in your EHC plan is not available, the Local Authority will seek to support the needs of the child or young person in an alternative way. With regards to education and training, the majority of children and young people will be accessing a learning offer from their current education setting. For those children and young people with EHC Plans, some learning will need to be differentiated and some additional interventions may be required to support the child or young person. These may be offered

virtually rather than face to face. Each case will be considered individually and if despite reasonable endeavours (best efforts) this cannot be delivered, we will advise the young person or family.

If you would like to discuss this further please contact the SEND Caseworker for your child via email or you can send an email to [SEN.Team@brighton-hove.gov.uk](mailto:SEN.Team@brighton-hove.gov.uk)

Alternatively, you can contact Amaze's SENDIASS Helpline on 01273 772289 or email [sendiass@amazesussex.org.uk](mailto:sendiass@amazesussex.org.uk)

Yours sincerely

A handwritten signature in black ink, appearing to read 'Georgina Clarke-Green', written over a light grey grid background.

Georgina Clarke-Green  
Assistant Director  
Health, SEN and Disability