

Template: Questions to Ask at a Touch Point Meeting

When the Local Authority Has Refused to Issue an EHC Plan

This meeting is your opportunity to understand how the decision was made – and to respond with informed questions and evidence. Not all decisions need to be appealed, but you *do* have the right to ask for clear reasoning and to advocate for your child's needs.

Use this guide to help structure your conversation.

1. Understanding the Decision

- a) Can you explain clearly why the Local Authority has decided not to issue an EHC plan?
- b) What evidence did the panel use to reach this decision?
- c) Did the panel fully consider the information in all submitted reports (e.g. Educational Psychologist, SALT, OT)?
- d) Did they apply the legal test in full (Code of Practice 9.55) – that is:

Whether the special educational provision required to meet the needs can reasonably be provided from within the resources normally available to a mainstream setting?

- e) Did they seek clarification from the school about what is *ordinarily available* provision?
- f) Has the panel accepted that the child/young person has SEN? If not, why?

2. Challenging Gaps or Assumptions

- a) The reports show my child has [describe need]. How does the LA propose that the current setting can meet these needs without an EHCP?
- b) The LA's letter mentions adjustments or provision that should be made in school. Have these already been tried and reviewed through the *graduated approach*?
- c) Has progress been evaluated in light of all four areas of need?
(*Communication & Interaction, Cognition & Learning, SEMH, Sensory/Physical*)
- d) Has the setting shown clear, measurable progress using SEN Support interventions?
- e) If the decision relies on future provision being made, how is this being monitored and held accountable?
- f) What are the expected outcomes for my child, and how will these be reviewed?

3. Appeal and Mediation

- a) Would the LA reconsider their decision if new information becomes available? (e.g. a recent diagnosis or updated assessment)
- b) Will the LA provide a written summary of the meeting and how my concerns will be addressed?

4. School Support Without a Plan

- a) What support is the school expected to provide now?
- b) Are there any external services (e.g. Autism Team, SEMH advisory teacher, EP service) that can be accessed without a plan?
- c) Can we agree an action plan between the setting and LA to review progress and support?
- d) Will there be another opportunity to request an EHCNA if needs continue or increase?

5. Your Rights and Records

- a) Will I receive copies of all the reports submitted during the assessment?
- b) Will I be provided with a copy of the LA's panel notes or decision-making rationale?
- c) Can you confirm how long I have to request mediation or lodge an appeal?

Helpful Tips

- **Bring a printed version of this template and your child's key documents (e.g. EP report, school support plans).**
- **Make notes during the meeting or ask to record it.**
- **You are entitled to bring someone with you – a partner, friend, or advocate.**

Still Unsure? SENDIASS can help you:

- Review the LA's decision
- Understand the legal test for issuing an EHCP
- Decide whether mediation or appeal is appropriate
- Support you through the next steps

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