***Complaining when the special educational provision in an EHC plan is not being made: Model letter 6***

***It is important that you tell the LA as soon as possible when provision is not being made.***

***All of the parts of this letter in bold will need to be changed or deleted so that they are relevant to your situation.***

***\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_***

**[Your address and contact details]**

Director of Children’s Services **[or other title if different]**

**[Name of Local Authority]**

**[Address of LA]**

***[If you know the email address of the Director also send by email and add here:]***

And by email to: **[insert email address]**

**[Date]**

For the attention of **[insert name of the Director of Children’s Services]**

Dear **[Name]**,

**[Child or young person’s name], DoB [date of birth]: Complaint regarding failure to make provision specified in an EHC plan**

I am writing as the parent of the above **[child/young person]**, who has an EHC plan and attends **[name of school or college]**.

Under Section F, the EHC plan specifies the special educational provision **[child or young person’s name]** should receive and I understand that you have a legal duty to “secure” this provision under s.42(2) Children and Families Act 2014.

You are in breach of this legal duty, on the grounds that the following provision is currently not being made:

***[Insert details of the provision set out in the EHC plan which is not being made; how long this has been happening; and any reasons given by the school/college as to why it is not being made.]***

Bearing in mind the injustice to **[child or young person’s name]** that this failure to secure provision will cause, it is not appropriate to apply the usual complaints process timescales. Therefore, please reply to this letter as soon as possible, and in any event within 5 working days of receiving it, confirming the steps that you will take to ensure that the special educational provision specified in **[child or young person’s name]**’s EHC plan will, in fact, be made.

I look forward to an early reply and trust that it will not be necessary to take this matter further.

Yours sincerely,

**[Your name]**

**[Or if on behalf of a young person:]**

**[Your name]** on behalf of **[name of young person]**