If Your Child Has an EHC Plan and Has Been Excluded

An Education, Health and Care (EHC) plan is a legal document. Your local authority (LA) **must make sure** the support in Section F of the plan is provided—even if your child has been excluded from school.

**This guidance mostly applies to:**

* Maintained schools
* Academies (not 16–19 academies or free schools)
* Alternative provision academies
* Pupil referral units (PRUs)

**Steps to Take if Your Child Has Been Excluded**

1. Check if the EHC plan is being followed.
	* If the support in Section F isn’t being provided, tell your local authority.
	* You can use our template letter to report this.
2. Is the support right and enough?
	* If not, ask the local authority for an *early Annual Review* of the EHC plan.
	* This is your chance to ask for changes or clearer wording.
3. Does the plan need updating with new information?
	* If so, ask for an *EHC re-assessment*.
4. If your child is permanently excluded, your LA must:
	* Provide full-time, suitable alternative education
	* Help name a new school in the EHC plan

**For pupils with an EHC plan at maintained schools, academies, or PRUs:**

1. Check the 2024 statutory guidance.
	* It includes what schools must do when a child with an EHC plan is excluded.
2. Permanent exclusion:
	* You can ask for a SEN expert to be at the Independent Review Panel.
3. Suspension or exclusion over 5 school days:
	* Your child must get suitable, alternative education from Day 6 onwards.
4. During the first 5 days of any exclusion:
	* Make sure your child is not in a public place during school hours without good reason—this could lead to a fixed penalty notice.

**Getting Alternative Education in Place**

**Suspensions over 5 days:**

* Your child must get education that meets their **special educational needs**.
* The **school** is responsible for arranging this.
(Unless your child was excluded from a PRU—in that case, the **local authority** is responsible.)

**Permanent exclusion:**

* The local authority must provide **full-time, suitable education** from Day 6.
* It must still meet your child’s needs as set out in the EHC plan.
* Write to the **Director of Children’s Services** as soon as you’re told about the exclusion.
* Use our template letter and **keep a copy** for your records.

Even when excluded, your child’s EHC plan remains in force. The LA must ensure the support in Section F is delivered in any new or temporary education setting. They should help plan the next steps for your child’s education.