## Template letter to complain about a delay in issuing a proposed amended EHC plan after an annual review

[POSTAL OR EMAIL ADDRESS OF DIRECTOR OF CHILDREN’S SERVICES AT YOUR LOCAL AUTHORITY]

[YOUR POSTAL OR EMAIL ADDRESS FOR THEIR RESPONSE]

Date: [DATE YOU SEND THE LETTER OR EMAIL]

Dear Sir/Madam,

**Stage 1 Complaint: Failure to issue a draft EHC plan for [INSERT NAME OF CHILD]**

I am writing as the parent of [INSERT NAME OF CHILD]. [INSERT NAME OF CHILD]’s annual review took place on [INSERT DATE OF ANNUAL REVIEW].

The case of R (L, M and P) v Devon County Council (2022) makes it clear that local authorities must notify the parent of the decision to amend the EHC plan and what the proposed changes are within 4 weeks of the annual review. The final EHC plan must be issued as soon as practicable and within a further 8 weeks maximum.

[INSERT NAME OF CHILD]’s annual review took place on [INSERT DATE OF ANNUAL REVIEW]. Therefore, [INSERT NAME OF LOCAL AUTHORITY] should have issued a decision by [INSERT DATE 4 WEEKS LATER THAN ANNUAL REVIEW] and issued the final EHC plan by [INSERT DATE 12 WEEKS LATER THAN ANNUAL REVIEW]. This has not happened, so [INSERT NAME OF LOCAL AUTHORITY] is in breach of its legal duty.

In light of the above, [INSERT NAME OF LOCAL AUTHORITY] must issue the draft EHCP for [INSERT CHILD’S NAME] as soon as possible. As per your complaints policy, please respond to my Stage 1 complaint within [INSERT NUMBER OF DAYS LISTED IN COMPLAINTS POLICY].

I look forward to hearing from you.

Yours faithfully,

[INSERT YOUR NAME]