



SEND: Entitlement to Education, Health and Care Plans (EHCPs) for 19– to 25–Year–Olds

RANi Need to Know Guides | Young person post 16 Advisory sheet 1

Updated: April 2025

A guide for Parents, Carers and Young persons

Education, Health and Care (EHC) plans don't automatically end when a young person turns 19. Some young people will need support into their early 20s to help them achieve the outcomes set out in their plan, particularly around **education, training, employment, independence, health and community participation**.

This guide explains:

- When and why an EHCP can continue after 19
 - When it can be stopped
 - The law, rights, and how to challenge decisions
-

Disclaimer: This resource is intended to provide general information and should not be considered legal advice. While RANi strives to ensure the content is accurate and current at the time of publication, we cannot accept responsibility for any loss, damage, or inconvenience that may result from using or relying on the information provided.

Legal Background

The **Children and Families Act 2014**, specifically **Section 36(10)** and **Section 45**, makes it clear that EHCPs can continue up to the age of 25 **if the young person is still in education or training and the plan continues to be necessary**.

Who Can Keep an EHCP After Age 19?

You can continue to have an EHC plan if:

- You are aged 19 to 25
- You **remain in education or training** (e.g., college, sixth form, supported internship, apprenticeship, or other funded study)
- The EHCP is still **necessary to support your SEN** and to help you achieve your outcomes

This includes young people with:

- Learning disabilities
- Autism, ADHD, or other neurodivergence
- Physical or sensory impairments
- Mental health conditions that affect learning

You **do not** have to be in a traditional academic setting — it can be any form of education or training with meaningful outcomes.

Disclaimer: This resource is intended to provide general information and should not be considered legal advice. While RANi strives to ensure the content is accurate and current at the time of publication, we cannot accept responsibility for any loss, damage, or inconvenience that may result from using or relying on the information provided.

When Can a Local Authority Stop an EHCP After Age 19?

The local authority **can only cease the EHCP** if:

1. **The young person no longer requires the special educational provision in the plan, or**
2. **The young person is no longer in education or training**

Ceasing the plan must be based on evidence — not simply age, cost, or assumptions.

They cannot stop the EHCP just because:

- You've turned 19 or finished school
 - You are in a supported internship
 - You're not ready for employment
 - They think you should "move on"
-

How Long Can an EHCP Last?

An EHCP can legally stay in place **until the age of 25, but only if needed** and if the young person remains in education or training.

The aim of continued support should be to:

- Prepare the young person for **independent adulthood**
- Develop **life and employment skills**
- Support **health and social care** integration

Disclaimer: This resource is intended to provide general information and should not be considered legal advice. While RANi strives to ensure the content is accurate and current at the time of publication, we cannot accept responsibility for any loss, damage, or inconvenience that may result from using or relying on the information provided.

Many young people make significant progress between 19 and 25 when the right provision is in place.

What Happens at Age 19?

Annual Review

There **must be an Annual Review** of the EHCP in the year the young person turns 19.

This review must:

- Assess whether the EHCP is still necessary
- Consider the young person's progress towards their outcomes
- Be person-centred and include the views of the young person
- Involve education, health, and care professionals

The local authority **must notify you in writing** within 4 weeks of the review meeting to say whether it will:

- Maintain the EHCP
 - Amend it
 - Cease to maintain it
-

Examples of Education/Training That Can Be Covered

- Further education at college or sixth form

Disclaimer: This resource is intended to provide general information and should not be considered legal advice. While RANi strives to ensure the content is accurate and current at the time of publication, we cannot accept responsibility for any loss, damage, or inconvenience that may result from using or relying on the information provided.

- Foundation learning
- Supported internships
- Traineeships
- Apprenticeships (in some cases)
- Bespoke educational programmes
- Specialist post-19 placements

The key question is: *Is it education or training, and is special educational provision still required to help meet the outcomes?*

If the Local Authority Wants to Cease the Plan

If the LA decides to cease the EHCP:

- They must inform you in writing
- They must explain your **right of appeal**
- The EHCP remains in force **until the appeal is resolved**

You can:

- **Appeal to the SEND Tribunal**
- Request **mediation** or dispute resolution
- Ask for legal help from **SENDIASS**

Disclaimer: This resource is intended to provide general information and should not be considered legal advice. While RANi strives to ensure the content is accurate and current at the time of publication, we cannot accept responsibility for any loss, damage, or inconvenience that may result from using or relying on the information provided.

Common Myths and Realities

Myth	Reality
“EHCPs end at 18”	False – they can continue to 25 if needed
“EHCPs only apply in school”	False – they apply in colleges, training and supported internships
“You need a job lined up to leave education”	No – EHCPs should support a proper transition
“You can’t get an EHCP if you didn’t have one earlier”	Wrong – you can request one at any age up to 25

Tips for Families and Young People

- **Start early:** Plan the post-19 pathway from age 16 or during Year 11.
- Make sure outcomes in the EHCP are **ambitious, clear and measurable**.
- Request a **re-assessment** if needs or circumstances have changed.
- Include **Preparation for Adulthood** outcomes from Year 9 onward.
- Don’t be rushed out of education – **transition must be right, not fast**.

Disclaimer: This resource is intended to provide general information and should not be considered legal advice. While RANi strives to ensure the content is accurate and current at the time of publication, we cannot accept responsibility for any loss, damage, or inconvenience that may result from using or relying on the information provided.

Support and Resources

You can get further support from:

- **RANi** – Help with advice, support and impartial information
- **Local Offer** - Help with advice, support and impartial information
- **SENDIASS** – Local impartial information and advice service for parents and young people www.iasmanchester.org
- **IPSEA** – Independent Provider of Special Education Advice: www.ipsea.org.uk
- **Contact** – A national charity supporting families with disabled children: www.contact.org.uk

If you'd like help preparing your request or understanding your appeal options, RANi can provide guidance and templates.

Remember:

Always keep a copy of all correspondence you send, along with proof of postage or delivery. If you send documents by post, we recommend using a **signed-for** service. If sending by email, request a **read receipt** if possible.

Get in Touch

If you need more information or have a question, we're here to help.

Email us: info@rani.org.uk

Please include:

- Your name
- Your child's name
- Your child's date of birth
- Your query

Or, if you prefer, you can fill out our online **contact form** and we'll get back to you as soon as possible.

Disclaimer: This resource is intended to provide general information and should not be considered legal advice. While RANi strives to ensure the content is accurate and current at the time of publication, we cannot accept responsibility for any loss, damage, or inconvenience that may result from using or relying on the information provided.

Disclaimer: This resource is intended to provide general information and should not be considered legal advice. While RANi strives to ensure the content is accurate and current at the time of publication, we cannot accept responsibility for any loss, damage, or inconvenience that may result from using or relying on the information provided.