



Reviewing an Education Health and Care Plan (EHCP) - Annual Review



A brief guide for parents/carers and young people.

WHAT IS AN ANNUAL REVIEW ?

The annual review is a formal process looking at (reviewing) the EHCP, specifically the needs, provision, placement and outcomes. The meeting is not the review, it is just a part of the review process.

An EHCP must be reviewed at least once a year and the first review of the plan must be held within 12 months of the plan being finalised. Any further reviews must be held within 12 months of the previous review. For children under 5, the review should take place every 3-6 months.

This ensures that the EHCP stays up to date and continues to provide the support the child or young person needs. The review must focus on progress towards achieving the outcomes or goals set out in their EHCP and must also consider whether these outcomes remain appropriate. From year 9 onwards, the EHCP should focus on preparing for adulthood.

Parents and YP should see annual reviews as an opportunity to get things changed that are not working as expected, to add in any new concerns or needs, update their aspirations and, if necessary, the outcomes.

The annual review is a legal process which means certain things need to happen before and after the annual review meeting takes place.

Each term the Local Authority must notify schools and colleges which of their pupils' EHCPs need to be reviewed in the coming term.



BEFORE THE MEETING

At least two weeks before the meeting the place of learning must invite:

- the parent/carer or young person
- A relevant teacher who may be the class teacher or form/year tutor, the SENCO, or some other person responsible for the provision of their education
- EHCP Coordinator
- Health care professional
- Social Care professional

The place of learning may also invite anyone else that is relevant to the child/young person.

Although these people must be invited, attendance isn't compulsory. The place of learning should try to ensure that the date of the meeting is convenient for you and for the people it is important to have there.

Within the same time frame, the place of learning must request updated information and advice about the child/YP. This must be requested from:

You (the school/college may give you a form to use or you can find it on the Local Offer)

Child/YP

Any professionals involved with the child/YP

Teachers/tutors (including school assessments/observations)

The information in the reports should detail the child/YPs progress, if the special educational provision is working and any new needs or provision identified.

This information and advice will then go to make amendments to the EHCP.

WHAT HAPPENS AT THE REVIEW MEETING?

The review meeting must focus on progress made towards achieving the outcomes set out in the EHCP, what changes might need to be made to the support that is provided to help them achieve those outcomes, or whether changes are needed to the outcomes themselves.

The Annual Review meeting must enable full involvement of you and your child/YP.

Whilst at the meeting you and your child or YP should be given the opportunity and support to discuss any changes you believe are required and raise any issues you may have.



The EHCP must be looked at to see if it still meets the needs of the child/YP. The meeting will normally include the following:

- The extent to which the outcomes in the EHCP have been met
- Discussion around medium and long term outcomes and if they are still appropriate
- Checking the support detailed in the plan is still appropriate
- Any further support required and who will be responsible for this
- Whether the EHCP needs amending or is no longer needed
- Review or request a personal budget
- For young people over 18 the LA must consider if the training or educational outcomes have been achieved
- From year 9 onwards there must be a focus on preparing for adulthood

If you do not agree with what is being suggested at the meeting, try to make that clear and contact your EHCP Coordinator after the meeting to make sure they are aware of your views.



WHAT HAPPENS NEXT?

Within two weeks, the school must send the completed annual review paperwork, including the details of what was discussed at the meeting, and send it to the LA and everyone else invited to the meeting. The report must set out recommendations on any amendments or changes required to the EHCP and should refer to any differences between the school's recommendations and those of others attending the meeting.

Within four weeks of the meeting, the LA must write to you to let you know their decision which can be one of the following:

- Keep the EHCP as it is (maintain)
- Amend or change it
- Cease to maintain it, and the reasons why

Their letter must also tell you about your right to appeal that decision and the time limits for doing so, the requirement for you to consider mediation, should you wish to appeal, and the contact information for the mediation service and Norfolk SENDIASS.

This is the end of the annual review process.



WHAT HAPPENS WHEN THE LOCAL AUTHORITY PROPOSE TO AMEND THE EHCP?

- If the LA decide to amend the EHCP following the Annual Review meeting, they must send the decision letter and a copy of the draft EHCP with notice of proposed amendments, including the evidence that supports those amendments, to the parent/carer or young person within four weeks of the meeting.
- You then have 15 days to make comments on these changes, including requesting a particular school or other institution to be named in the EHCP. You can ask for a meeting with your EHCP Coordinator to discuss the changes
- LA's must send the parent/carer or young person the final amended EHCP within a maximum of 12 weeks of the annual review meeting.
- If the LA decides not to make the changes or amendments they must inform you, giving reasons, within 8 weeks
- The LA must tell you about your right to appeal that decision and the time limits for doing so, the requirement for you to consider mediation should you wish to appeal and the contact information for Kids Mediation Service and Norfolk SENDIASS



WHAT HAPPENS IF THE LOCAL AUTHORITY PROPOSE TO CEASE THE EHCP?

The LA must inform and consult the child's parent (or the YP) and the school or other institution that is named in the plan

If, following the consultation, the LA decides to cease to maintain the EHCP, it must notify the child's parent or the YP, the institution named in the EHCP and the responsible ICB. They must also tell you about your right to appeal that decision and the time limits for doing so, the requirement for you to consider mediation should you wish to appeal and the contact information for Kids Mediation service and Norfolk SENDIASS.

Support should not be withdrawn before the end of the current academic year and if the child's parent or the YP disagrees with the decision, the LA must continue to maintain the EHCP until the time has passed for bringing the appeal or until an appeal is concluded



REVIEWS BEFORE TRANSITION TO ANOTHER PHASE OF EDUCATION

LAs have a legal duty to review and amend an EHCP when a child or young person transfers from one phase of education to another. Phase transfer is the moving between stages of education:

- early years education to school
- infant to junior school
- primary to middle school
- primary to secondary school
- middle to secondary school
- secondary school to a post 16 institution

For those transferring from secondary school to a post-16 institution, the EHCP must be reviewed and amended by 31 March in the year of transfer; for all other phases of transfer, the deadline is 15 February in the year of transfer.

Discussions around phase transfer, including the review of the EHCP, should begin in the autumn term the year before the transfer takes place.



ANNUAL REVIEWS FROM YEAR 9 (AGED 14) ONWARDS



WHAT IS A TRANSITION PLAN?

From Year 9 onwards Annual Reviews must include a focus on preparing for adulthood, including employment, independent living and participation in society.

When a child is in Year 9, a transition plan will be drawn up as part of the Annual Review.

The plan helps children and YP think about their future, including GCSE options or alternatives and what they would like to do once they are 16 and beyond. This transition plan also looks at the child's/YP's aspirations and needs as adult life approaches and must be built into the EHCP. The transition plan is updated at each annual review meeting until they are 25 (if they still have an EHCP).



The review must include:

- Higher education and/or employment – exploring different employment options, such as support for becoming self-employed and help from supported employment agencies
- Independent living - young people having choice, freedom and control over their lives, their support, and their accommodation and living arrangements, including supported living
- Participating in society - having friends and supportive relationships, and participating in and contributing to the local community
- Being as healthy as possible in adult life



WHO WILL BE INVOLVED?

- **The school**, who will provide information about the learning programme of support. Schools also have a duty to provide independent and impartial careers guidance to children/YP
- **Children and YP** will be able to say what they feel their needs are and what they would like to do after leaving school. Their views, wishes and feelings should be recorded
- **Parents and family** will be able to give their views on what they would like for the child/YP after they leave school. They can also discuss what practical help may be needed and how they can support them in developing the personal and social skills needed in adult life, including the possibility of a personal budget
- **Social Care**, so that arrangements can be made for any assessment under the Disabled Persons Act 1986 and/or the Care Act 2014
- **Health Service** who will provide advice on the services that are likely to be required
- **A Post-16 institution representative** should be invited, especially if your child/YP has expressed a desire to attend a particular college



WHAT HAPPENS NEXT?

All 16–19-year-old YP will be expected, but not required, to be in some form of education or training full or part time. This can continue until the age of 25 for those with an EHCP and should continue to address their needs and aspirations.

This does not mean YP have to stay at school, they could:

- Attend full or part time education at college
- Take up an apprenticeship
- Take a Traineeship or Supported Internship which involves work experience and study
- Go to work (the EHCP will then cease)
- Attend university (the EHCP will then cease)

REQUESTING AN EARLY REVIEW

Parent/carers and young people can request an early review at any time, as long as there is good reason for example:

- If a child/YP is receiving fixed term suspensions and is at risk of permanent exclusion
- If it is felt that the needs and/or provision within the EHCP have changed significantly and they are no longer accurately described
- If the placement is breaking down and an alternative needs to be sought

The Local Authority do not have to agree to an early review of the EHCP and there is no way to appeal this decision



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information in
another format
please contact us.



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