

Annual Review of an Education Health and Care Plan (EHCP)

Guidance for Parents

If your child or Young Person has an EHCP they **must** be reviewed at least once a year. This is called the annual review. The Local Authority asks the education setting to co-ordinate and hold the annual review on its behalf and schools should arrange the meeting. The setting's Special Educational Needs Co-ordinator (SENCO) will usually take on this role.

If a child or young person does not attend a school or setting the local authority will arrange the review.

For children under the age of 5 it is recommended that their EHC plan will be reviewed every 6 months. The review process for them may not always have the full involvement of wider professionals as outlined below, although families must be consulted of any recommendations for changes.

Reviews should be arranged to be held every year (within 12 months from the date of issue of the final or previous review, not the date of the amended plan.) If you are nearing your annual review date and you still haven't heard anything, speak to your school SENCO or the Inclusion service.

Purpose of a review

The main purpose of the review is to assess the child or young person's progress towards achieving the outcomes specified in the EHC plan. The review should also decide whether the plan and targets are still right.

There may or may not be a Local Authority officer present.

Reviews must consider the views, wishes and feelings of children, young people and parents.

Interim / emergency review

If you believe, there's an urgent need to change the EHCP you can ask for an **early review** at any time. These may be called interim or emergency reviews.

Reasons to ask for an emergency review could be.

- your child or young person's education, health or social care needs have changed, or are no longer accurately described in the EHCP
- the education, health, or social care provision in the EHCP is no longer meeting your child or young person's needs
- your child or young person has been excluded from school or is considered to be at risk of exclusion.

If your child or young person attends school, speak to the SENCO. If your child does not attend an educational setting speak to your SENDCO in the SEND team.

Phase transfer reviews

If your child or young person is moving on to a different phase of education, for example, nursery to reception; first school to middle school; primary school to secondary school. it is called a **Phased Transfer** and the EHCP must be reviewed and amended.

- These reviews will have a deadline in the spring term so that there is enough time to communicate with their new education setting. This may mean that an annual review meeting will happen earlier than expected, to make sure there is enough time to have the plan finalised by the statutory deadline.
- After the review, the EHCP should state that the child or young person will continue to attend their current setting until the end of the academic year. In Section I, it will name the setting they will attend from the start of the next academic year.

Moving area

If you're **moving area or changing schools** for any reason other than a phase transfer- i.e., you are relocating to a new area or you're considering moving to a special school- then this will also require a change to the EHCP and a review. In these circumstances, the Local Authority (Lancashire County Council) need to consult with the new school so that they can be named in the EHCP. You should contact your SEND Case manager (or inclusion team) to discuss this.

What is the Process?



The Annual Review is a 5-step process.

Step one: Requesting information and advice.

Before the review, parents and professionals included in the EHCP, and the educational setting the child or young person attends- should have an opportunity to share their thoughts about progress, aspirations and changes needed to the plan. Parents, child, or young person will be invited and generally you should be given 8 weeks' notice to attend the review meeting, usually held at the school or educational setting.

Ideally the school should contact you as the parent to confirm who needs to be invited to the EHCP review. Think about anyone you would like to invite to either attend the review or provide any updated information about your child. This might include the current health professionals involved with your child and any social care staff who might be supporting your child. The school or setting **must** then seek advice and information about the child or young person from all of those invited to attend.

You will be invited to send in your views in advance of the meeting. You will be sent a form to help you to capture your views and should complete this within 4 weeks to allow school time to compile all of the forms for the review.

Step 2: Confirming the invites / distributing reports

The school **must** circulate the reports received at least **two weeks** before the date of the meeting to give all attendees time to read, digest and prepare thoughts ahead of the meeting. If you don't feel you have had enough time to prepare adequately speak to your SENCO about changing the date

Preparing for the Review

- Write down some notes with questions you'd like to ask or points you'd like to raise. This will ensure that everything you want to discuss is covered.
- Considering taking someone along with you to the meeting for support. Representatives from SENDIASS can attend meetings with parents or young people. Alternatively, you may wish to take a family member with you for support.

Checking through current EHC plan - It may be helpful to go through your current EHC Plan section by section and make notes as you go along.

Remember the annual review **must** focus on reviewing outcomes (section E of your EHC Plan) so you may want to look at these and consider whether you feel your child or young person has met these outcomes, is on track to meet outcomes or if you feel they are not achievable.

Section A - **Views, interests and aspirations** – These should always be checked to reflect your child's changing dreams, aspirations, new experiences, skills and interests.

Section B **Special educational needs ("SEN")** - New needs may have emerged or existing needs changed and/or are having an impact on other areas of their life (in or out of school). You may not feel your child's needs are described accurately or be a true representation of who they are.

Section C - **Health Care Needs** - There may be a new diagnosis or ongoing investigations. health conditions included may have stabilised or improved. Alternatively, what had previously been reported, as a relatively stable health condition may now be less so.

Section D **Social Care Needs** - Change of circumstances may have occurred or a more up to date assessment has been completed to be included, or you may want a fresh Early Help Assessment

Section E **Outcomes** - Outcomes are expected to last for 2 to 3 years but they still need to be reviewed to check they are still relevant or changed.

Section F **Provision** - There should be provision to match each need included in B. Perhaps some of the provision did not occur or hasn't been as effective as expected or perhaps there's an alternative approach that could be tried.

Section G **Health care provision** - Anything included here requires agreement by the local authority from the Clinical Commissioning Group (CCG). Any health provision, such as Speech and Language Therapy, which educates or trains, must be included in Section F.

Sections H1 & 2 **Social Care provision** - Any provision included here will depend on what needs, if any have been included in Section D it must be reviewed and may have already changed since it was originally included.

Section I **name of the school or other institution** - the suitability of the school (or placement) may be discussed. You may want to ask for a different school or type of school if you believe it will provide a better match for your child's needs.

Section J Any **Personal Budget (PB)** already in place should be reviewed particularly where provision has been amended. This is also an opportunity to request a PB if the parent/YP would like one.

Who will be invited?

The following people must be invited, with at least two weeks' notice:

- The child's parent
- The child / young person.
- The head or the principal of the school.
- A healthcare professional identified by the responsible commissioning body.
- Any social services officials involved
- Any other relevant practitioner involved in providing advice for the EHC plan.

The views of the child should be heard from the start, they should, if possible, attend all or part of the meeting.

Step 3 The Annual Review Meeting

In the meeting, the current Education, Health, Care plan will be looked at to make sure that it still represents the child's or young person's needs and that the outcomes and provisions are still relevant to meet the needs. Any changes that are required will need to be captured on the annual review report and will need to be evidenced. Families can also use the annual review meeting to request a personal budget for their child or young person. An annual review is not a decision-making meeting so you will not be asked to make any decisions before or during the meeting, but you will share your views, and these will form part of the annual review paperwork. It can only make recommendations to the Local Authority who will then make a final decision based on the annual review paperwork. Take lots of notes during the meeting so you can keep a record of what was discussed or agreed.

The Annual Review meeting should be held in the style of a Person-Centred Planning Meeting with your child at the heart. It must support you and your child to be fully involved.

The SEND Code of Practice says:

Reviews must be undertaken in partnership with the child and their parent or the young person, and must take account of their views, wishes and feelings, including their right to request a Personal Budget. (SEND Code 9.168)

The child or young person's aspirations and outcomes and the provision to support them should be discussed and reviewed during the meeting and any progress recorded.

The review meeting must focus on progress towards the **outcomes** laid out in the plan, whether they remain appropriate and what changes might be needed. At the review everyone present should consider, in line with any reports that have also been received, the level of progress made towards achieving the outcomes and whether the provision set out in Section F is adequate in enabling the child or young person to achieve their outcomes.

- Where everyone agrees that an outcome has been achieved the setting should record this.
- Any recommendations for new outcomes should be considered with the parents and/or young person along with any actions taken by the setting. After hearing everyone's views and reviewing any reports received, new **outcomes** may be agreed for the coming year.
- Outcomes should always enable children and young people to move towards the long-term aspirations of employment or higher education, independent living and community participation. They should be person centred and consider both what is important to the child or young person **and** what is important for them.
- The outcomes are the benefit made to an individual as a result of an intervention. They should be specific enough to measure whether it has been successfully achieved for example "James can add and subtract 2 single digit number 8/10 times".
- Recommendations should be submitted to the Local Authority within the report of the meeting and must include any difference of opinion between the school, parents and young people or other agencies.

Short Term targets should be reviewed, and new targets set for the coming year. Targets should be Specific, Measurable, Achievable, Relevant and Time-bound. Make sure you are happy with the new targets, and who is doing it and how often, and when and how the targets will be reviewed

Provision - you will seek to ensure the SEND provision made is appropriate to ensure your child is making good progress. Make sure you understand how your child is performing compared to their peers, so you know if your child is catching up or if the gap is getting wider. Whatever system your school is Ask if there are any other agencies that might be able to offer help or guidance. This can vary depending on where you live, but it is worth asking. Many Special Schools offer outreach to local mainstream schools – would this help?

- Equally, if your child is in a Special School would up to date information from an Education Psychologist or Speech Therapist be useful?
- Ask school how they feel things are going? Do they have enough support? Would a higher level of adult supervision help? Are they getting reports/ targets from outside agencies?
- Is there anything you could be doing at home to help? You want to work in partnership with the school and as parents you can help chase appointments/ reports/ case officers etc
- You don't just have to talk about academic progress or difficulties. If something is happening at home, you can talk about this too. It fills in the whole picture of your child and school may be able to suggest something to help. Equally, you may well be able to give the school support or ideas to try with things they are finding tricky. This is about sharing ideas.
- **Review the Health and Social Care Advice and Provisions** – is the right support in place. You may wish to schedule an Early Help Assessment with the school.
- Many annual review meetings are only an hour. If you feel you have lots of questions or would like to spend more time discussing issues you can always ask if you could book another meeting.
- **Review the Aspirations** AND above all do remember to celebrate the progress and success of the last year. There is so much paperwork and information to go through, it can easily get forgotten that you are also there to look at all the great things that have happened, not just the bits you feel aren't working!

What will happen after the meeting?

After the meeting a report of what happened must be prepared and circulated to everyone who attended or submitted information to be discussed if they were not able to attend.

Step 4 Sending out the Report

Within **2 weeks** of your meeting, you should receive a written report. If you think something is incorrect or missing, you should contact the person who chaired the meeting to discuss.

The report should detail where there have been differences in views.

The report should include copies of all Advices received at Step 1 of the process.

Step 5 The Local Authority Notifies Parents of Decision

Within **4 weeks** of the review meeting, we'll let you know of our decision to either:

- Maintain the EHCP
- Amend the EHCP
- Cease the EHCP

If the decision is to maintain the plan as it is the family, child or young person will be informed of this decision in writing within 4 weeks of the meeting and a new version of the plan will be dated and issued. In this situation the report will be included within the Appendices, so the detail of the report is included. Following the guidance in the SEND Code of Practice 2015 that 'not all plans are expected to be amended on a very frequent basis', the local authority may decide to maintain the plan in its current form, despite the annual review report recommending that amendments need to be made. Due to the very high number of EHCPs in circulation the SEND Team has to prioritise which plans to amend post annual review, and will focus on those where there are significant changes to SEND, Health or change in circumstances, change of placement or phased transfer

If the decision is to amend the plan

Once sharing their decision to agree to amend the plan, the local authority will create a revised plan called an 'Amendment Notice' and send it to families and the child or young person for their comments as soon as possible. New sections to be added to the plan will be written in bold, and strikethrough will be used to show sections that are to be removed.

If the local authority is proposing changes to the plan, the SEND Case Manager will share these changes with you. You can request a meeting with your SEND Case Manager to discuss these changes.

The amended plan will be sent out as soon as possible and within 8 weeks of the amendment notice. You have 15 days to respond to the proposals, from the date you receive the amended EHC plan.

If you are not happy with the amended plan you can discuss your concerns with your SEND Case Manager, the Designated Clinical Officer or any of the impartial services. If you can't resolve your concerns, you still have the right to appeal.

If the decision is to cease the plan

The annual review process may result in the decision that the child or young person no longer needs an EHC plan, because special educational provision is no longer needed. When deciding whether young people aged 19 or over require special educational provision, the local authority must take account of whether the education or training outcomes specified in the EHC plan have been achieved.

You'll then have **15 days** to:

- consider and comment on the draft EHCP
- request for a meeting with your EHC Coordinator to discuss
- ask for a particular school or other institution to be named in the final EHCP.

If the decision is to end the EHCP

If the decision is to end the EHCP, we'll provide you with information about mediation, your right to appeal and the time limits for doing so.

All of these steps, not just the meeting, must be followed in order for an annual review to be completed.

Preparing For Adulthood

Once your child reaches year 9, annual review becomes an opportunity to discuss what they would like to achieve as they grow up.

The focus of the review should become more about how they will be supported to learn the skills they need for adulthood, and the provisions in the plan that can help them to do that.

If your child hasn't attended reviews in the past, you might like to think about how they could be involved in the meetings, and how they can share their views on their dreams, wishes and aspirations for adulthood.

You might hear the term "transition planning" around this time, and annual reviews from this point should be thinking about how to help your young person to successfully move into adulthood as independently as their needs allow; including thinking about what they want to be able to do when they leave post-16 education.

For Young people with Learning difficulties and/or disabilities (LDD) and attends a special school, a Personal Adviser

Some young people with EHCPs may need longer in education or training in order to achieve their outcomes and make an effective transition into adulthood. This is something we'll take into consideration at annual reviews for young people aged 19-25.

Gathering of information

School will gather advice and information before the meeting from everyone who will be invited to the review meeting. This information should be circulated with at least two weeks' notice to all concerned in advance of the review meeting.

They must also write to the parent and their child, inviting them to share their views wishes and feelings.

Further information:

Lancashire SENDIAS have a leaflet which may help you to prepare for your annual review:

<https://lancssendias.org.uk/information-and-advice/annual-reviews-for-education-health-and-care-plans/>

<https://lancssendias.org.uk/information-and-advice/making-meetings-matter/>

Lancashire Local Offer: <https://www.lancashire.gov.uk/children-education-families/special-educational-needs-and-disabilities/>

IPSEA are an Independent Provider of Special education Advice; there is information available on their website about Annual reviews, including a checklist, which you might find useful: <https://www.ipsea.org.uk/the-annual-review-process>

The Council for Disabled Children have EHCP Annual Review guidance

<https://councilfordisabledchildren.org.uk/about-us-0/networks/information-advice-and-support-programme/useful-resources-publications/what-0>



What to Expect and When
SEND Annual Review Process and Timescales – Standard Process
Guidance for all professionals, parents/carers, and young people

What will happen?	How will this happen?	When should this happen?	Who will do this?
Termly Assess/Plan/Do Review (APDR)	School to schedule and hold meeting Update the EHCP Implementation plan	One term after Final EHCP is issued	The SENCO or class teacher
Termly Assess/Plan/Do Review (APDR)	As above. Dependent on date of issue of the EHCP, the second ADPR may not be necessary if the Annual Review Meeting is held in the second term since issue.	Two terms after Final EHCP is issued	The SENCO or class teacher
Discuss with young person/parent/carer who to invite to the Annual Review meeting	Either at the APDR meeting or 8 weeks before the planned date of the Annual Review meeting	8 weeks prior to the annual review	SENCO/Teacher with young person and parent/carer
Invites and requests for updated reports/advice to chosen attendees	School to send out via email or letter	7 weeks prior to the annual review	SENCO/Teacher
If needed, professionals/therapists will meet with child/young person and family. Produce AR report and return to setting by 3 weeks before AR meeting date	As required by the individual needs of the child/young person	Between 7 and 4 weeks prior to the annual review	Any health, care or education professional involved in supporting the child/young person
Collate all reports and school evidence	Ensure that all reports and advice are received and correct	3 weeks prior to annual review	SENCO/Teacher
Send out all reports and advice to Annual Review attendees	School to send via secure email	2 weeks prior to annual review	SENCO/Teacher

What will happen?	How will this happen?	When should this happen?	Who will do this?
Upload any documents to Liquid Logic received from school		2 weeks prior to annual review	SEND BSO
Annual Review Meeting held	All invited to attend or ensure up to date reports and advice are submitted. Co-produce any new outcomes.	10 month Anniversary of the Final EHCP or 12 months since last review meeting date	All agreed as relevant between young person/parent/carer and school
Annual review paperwork completed	All reports, discussions and actions from meeting to be recorded in LA paperwork	1 week after the annual review	SENCO/Teacher
Copies of all annual review paperwork sent to local authority	Summary completed and sent with copies of up to date reports and advice	2 weeks after the annual review	SENCO/Teacher
Read and review Annual Review paperwork and take any required actions such as provide information or prepare for SEND Panel or start consultation process		2 weeks after the annual review	SEND Keyworker
Send Intent to Maintain (1), Cease (2) or Amend (3) letter to parent/carer and young person		Maximum of 4 weeks after review meeting	SEND BSO
Process ends here if Intent to Maintain letter (1) is issued. Transfer to appeals process if required.			
Issue second cease letter if needed		Maximum of 6 weeks since review meeting and 15 days since first cease letter	SEND BSO
Process ends here if First and Second Cease Letters (2) have been issued. Transfer to appeals process if required.			
Amend EHCP in line with information	Information is input into Liquid Logic for	As soon as possible.	SEND Keyworker

What will happen?	How will this happen?	When should this happen?	Who will do this?
received through the annual review meeting	any proposed changes	Aiming for maximum of 6 weeks since review meeting. MUST be a maximum of 8 weeks from the date of the Intent to Amend Letter.	SEND BSO
Issue Amended EHCP to parent/carers and young person and a copy sent to school and contributors	Following request from SEND Keyworker		
Response to proposed amendments with representations		Within 15 days of receiving the amended EHCP	Parent/carer and child/young person
Make further changes as required to EHCP			SEND Keyworker
Issued Final EHCP		Maximum of 12 months since previous EHCP issue date	SEND BSO
End of Process for Amendments (3). Transfer to appeals process if required.			

The above process assumes the standard timeline for holding an Annual Review Meeting is being upheld. If the timeframes are being adjusted to allow for transition year groups or urgent annual reviews being held some adjustments will be required.

If an urgent review is being held due to a placement breakdown, then the time afforded to planning and information gathering prior to the review may be reduced.

Following an Annual Review meeting, the next Annual Review meeting is due within 12 months of the meeting date (whether this has been a standard or urgent review).