

MIDDLESBROUGH COUNCIL

Guidance for Education, Health & Care Plan [EHCP]

Annual Reviews

August 2019

CONTENTS

- 1. Introduction**
- 2. Guidance on reviewing Education, Health and Care [EHC] Plans**
- 3. List of EHC Annual Review Reports**
- 4. References**
- 5. Useful Contacts**

GUIDANCE

1. Introduction

This document has been prepared to reflect the changes to the legislation governing Special Educational Needs. It has been updated in light of the new SEND Code of Practice [0-25 years], which was implemented in September 2014.

In January 2015 the Department for Education published an updated version of the Special Educational Needs and Disability Code of Practice: [0-25] [CoP] outlining the government's vision for children with special educational needs and disability [SEND] and the new system for meeting those needs in educational settings:

“Our vision for children with special educational needs and disabilities is the same as for all children and young people – that they will achieve well in their early years, at school and in college, and will lead happy and fulfilled lives.”

[Pg. 11 SEND CoP 2015 0-25 Years]

2. Reviewing an Education, Health and Care [EHC] Plan

Education, Health and Care [EHC] Plans should be used to actively monitor children and young people's progress towards their outcomes and longer term aspirations. They **must** be reviewed, as a minimum, every 12 months. Reviews **must** focus on the child or young person's progress towards the outcomes as specified in their current EHC plan. The review **must** also consider whether the outcomes in the EHC plan and any supporting targets are still appropriate.

EHCP Annual Reviews are a process and not just a meeting, they should:

- *Gather and assess information so it can be used by educational settings to support the child or young person's progress and their access to teaching and learning;*
- *Review special educational provision made for the child or young person to ensure its effectiveness relating to access to teaching and learning and good progress;*
- *Review the health and social care provision made for the child or young person and its effectiveness in ensuring good progress towards outcomes;*
- *Consider the continuing appropriateness of the EHC plan in light of the child or young person's progress during the previous year or changed circumstances and whether changes are required inclusive of outcomes, enhance provision, change of educational establishment or whether an EHC plan should be discontinued;*
- *Set new interim targets for the coming year and where appropriate, agree new outcomes;*
- *Review any interim targets set by the educational setting.*

[Pg. 194 SEND CoP 2015 0-25 years]

Education, Health and Care [EHC] plans must be reviewed within 12 months of the date the plan was issued and then within 12 months of any previous review. Any decision following a review meeting must be notified to the child's parent/carer or young person within 4 weeks of the review meeting. Consideration needs to be given for children under 5 years of age as to

review their EHC plan every 3 to 6 months to ensure provision continues to be appropriate. Each review must be undertaken in partnership with the child and their parent or carer, or the young person, taking account of their views, wishes and feelings, including their right to discuss a Personal Budget. [Pg.196 SEND CoP 2015 0-25 years]

All EHCPs must now be updated by the setting using Tracked-Changes – this is following numerous requests from settings asking for this to be implemented. Any reviews not following this process will be returned to settings. You will also have to complete a Quality Assurance document to ensure that the updated EHCP contains the required information.

There is no statutory requirement for EP involvement during the Annual Review process. In some circumstances, however, such as possible changes in the level or type of provision a child requires, EP involvement may be appropriate. Where a setting is considering EP involvement in an annual review, they should contact the SEND Assessment Team to discuss this in plenty of time, ahead of the Annual Review meeting. As the LA wants to ensure a consistent approach, the LA Educational Psychology Service would complete any contributions that are agreed.

When proposing Outcomes for consideration they should be linked to a 'Preparing for Adulthood' (PfA) theme;

- Employment,
- Friends, Relationships & Community
- Independent Living
- Good Health

Even from a very early age a child's outcome can be linked to one of these themes, such as:

- 'By the end of the Early Years Foundation stage Billy will be able to follow simple 2 word level instructions' – this would link with the Employment theme, or;
- 'By the end of the Early Years Foundation Stage Emily will be able to feed herself independently' – this would link to the Independent Living theme.

It is recommended that you download the 'PfA Outcomes Tool' for further information and guidance regarding linking outcomes to one of the PfA themes. The tool can be downloaded at:

<https://www.preparingforadulthood.org.uk/downloads/education-health-and-care-planning/pfa-outcomes-tool.htm>

A PfA Outcomes Tool has been included in the Annual Review Pack as an appendix. Middlesbrough Council may request that the educational setting convenes and holds a review on the local authority's behalf. In most cases a review will be held at the child or young person's educational setting although other venues for reviews may also be required.

Please note that any recommendations made at a review in respect of amendments to the EHCP, including outcomes, provision and the setting to meet needs, will be subject to consideration and approval by the local authority and parents and young people must be advised of this if a SEN Officer is not present at the review meeting. Please see below: the annual review guidance for educational settings to follow [early years, schools, colleges' and post 16 institutions]:

Stage 1

Education, Health and Care Plan [EHCP]
Annual Review date set by LA SEND team
and setting. Settings notified of targeted
categories/year groups/agreed with
parents/carers and professionals
involved.



Continued overleaf

Stage 2

Meet with the child/young person to gather their views; invite them to the meeting and/or help them to complete a 'Young person's views' Proforma [EHC_AR4]

Where a young person in an educational setting is in year 9 or above; the completion of a Preparing for Adulthood Plan [attached as an appendix to EHC_AR2 form] will be required with outcomes focusing on a clear pathway e.g. aspirations; post 16 opportunities, employment, training, F.E and promoting

Stage 3

Send letter of invite to parent/carer [EHC_AR6] along with parental views form [EHC_AR3] or support parent to complete form. Obtain consent to share from parents and professionals. Send letter of invite to professional(s) involved [EHC_AR7] with report proforma [EHC_AR5] for completion, which should be returned to you.

**Updates should be sought from all involved professionals, this will enable appropriate provision to be included.*

Stage 4

Complete [EHC_AR2] Education Report prior to annual review

Stage 5

At the annual review; share reports with attendees and complete [EHC_AR1] EHCP Annual Review Record Sheet. If not obtained already, where necessary, obtain consent to share from parents and professionals **and make tracked-change** amendments to the EHCP.

Stage 6

Complete the 'Quality Assurance' form, where you will check the EHCP, before sending all completed paperwork, consent form [EHC_AR8], reports and the EHCP with tracked changes to the SEND Assessment Team 0-25.

sen@middlesbrough.gov.uk

This MUST be done electronically.

Stage 7

Where a decision has been agreed to cease an Education, Health & Care Plan this will be confirmed in writing

Please be aware that, as requested by settings, settings will be expected to complete 'tracked changes' to the EHCP as detailed above. Please contact the SEND Assessment Team for a Word version of the EHCP, if one is needed. If the tracked change function is not used, the submission will be returned to the setting.

The LA have been working to make the Annual Review process as efficient as possible to ensure EHCP's are updated in a timely manner. To ensure that the process is as efficient as possible all advice should be provided, typed, on the templates provided. It can take several hours trying to decipher handwriting, which is not efficient.

Where updated advice is not provided from a specific agency, such as health or social care, section B or C (Health Needs or Social Care needs), should not be amended either. Only where updated advice is provided should sections be amended by settings. If there is no written update the information within the plan should not be amended

If settings require any support on who to ask for updated advice please contact the SEND Team Duty line to speak to an officer who will try to advise you.

3. Annual review reports

- EHC_AR1. EHCP annual review record sheet for settings to complete.
- EHC_AR2. Education report for educational settings to complete (including preparation for adulthood form as an appendix)
- EHC_AR3. Parent/ Carers Views form for parent(s) or carers to complete.
- EHC_AR4. Child or Young Persons' Views to be completed by young person with support, where necessary. **Please be aware that you can send ANY form of views in, these are just an idea.**
- EHC_AR5. Professionals Report form for completion by health, social care and other (a) (b) (c) agencies actively involved with the child young person.
- EHC_AR6. Sample letter for parent(s), carer(s)
- EHC_AR7. Sample letter for agencies
- EHC_AR8. Consent to share form
- PfA Outcomes Tool
- EHCP Quality Assurance form

4. References

Source: Special Education Needs and/or disability Code of Practice [0-25 years] January 2015 <https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>

Source: The Children and Families Act 2014

<http://www.legislation.gov.uk/ukpga/2014/6/part/3/enacted>

http://legislation.gov.uk/ukpga/2014/6/pdfs/ukpga_2014006_en.pdf

Preparation for adulthood themes

<https://www.preparingforadulthood.org.uk/>

5. Useful Contacts

Middlesbrough Council,
Children's Services, SEND and Vulnerable Learners Dept,
SEND Assessment Team 0-25,
3rd Floor, Middlesbrough House,
PO Box 500,
Middlesbrough.
TS1 9FT

Email: sen@middlesbrough.gov.uk

SEND Team Duty line: (01642) 201831

David Ball	Head of SEND 0-25	(01642) 201828
Stewart Marron	Deputy Head of SEND 0-25 (14-25 Team Lead)	(01642) 201830
Janette Lyall	SEND Case Officer (14-25)	(01642) 201834
Shaun Hardy	SEND Specialist Careers Advisor	(01642) 729394
Zahid Din	SEND Specialist Careers Advisor	(01642) 727956
Terry Agar	Senior SEND Case Officer (0-13 Team Lead)	(01642) 729228
Zena O'Connor	SEND Case Officer (0-13)	(01642) 201833
Susan Bury	SEND Case Officer (0-13)	(01642) 729229
Kay Moir	SEND Case Officer (0-13)	(01642) 729221
Emma Sweeney	SEND Case Officer (0-13)	(01642) 729224
Juliet Lynam	SEND Review Officer	(01642) 727774
Laura Taylor	SEND Co-ordination Officer	(01642) 729398
Laura Waite	SEND Admin Officer	(01642) 728677
Zoe Reed	SEND Admin Officer	(01642) 201831
Megan Lakey	SEND Admin Officer	(01642) 726655

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Hemlington
Middlesbrough
TS8 9JH

(01642) 579160

Health

(01642) 352025

Parents4Change

(01642) 200526

Impartial Information, Advice and Support Service
SENDIASS @ MAIN
16 High Force Road
Riverside Park
Middlesbrough
TS2 1RH

(01642) 608012

(07939) 152653

Email: MAIN_SENDIASSMiddlesbrough@iammain.org.uk

Website: www.iammain.org.uk/sendiaass-middlesbrough

Access to an Independent Mediation Service is also available. For more information on who provides this service and how to access it, please contact the SEND Assessment Team.