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## Practical advice for those tasked with organising an EHC plan review

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## Timeline summary

## EHC plan review preparation check-list
General information

Purpose of the Education, Health and Care (EHC) plan review

The organiser of the review meeting should ensure that the EHC plan review fulfils the need to:

- gather and assess information to support the C/YP’s progress and their access to teaching and learning
- actively monitor the C/YP’s progress towards achieving the specified outcomes and their longer term aspirations; review previous interim targets and set new ones for the coming year
- review all the provision (educational, health and social care) to ensure good progress towards outcomes
- consider the continuing appropriateness of the EHC plan in the light of progress or changed circumstances, including whether changes are required to outcomes and provision
- consider whether the EHC plan should be discontinued

Hence, reviews of an EHC plan must focus on:

- the child or young person’s progress towards the outcomes in the EHC plan
- changes to be made to the support that is provided, to help achieve the outcomes
- whether changes are needed to the outcomes themselves

Parents/carers and children/young people should be supported to engage fully in the review meeting, to facilitate them to express their views, wishes and feelings.

Young people making their own decisions

After compulsory school age (the end of the academic year in which they turn 16) the right to make requests and decisions within the EHC process applies to them directly, rather than to their parents. Between the ages of 16 and 25, it is the young person who can make representations about the content of their plan, request a particular/type of educational setting, and appeal to the First-tier Tribunal. Parents can continue to support young people in making decisions, or act on their behalf, provided that the young person is happy for them to do so.

Disclosure of an EHC plan

A child or young person’s EHC plan must be kept securely so that unauthorised persons cannot access it. The EHC plan must not be disclosed or shared without consent of the child or young person themselves except for specified purposes or in the interests of the child or young person. If a child or young person does not have sufficient age or understanding to allow him/her to consent to such disclosure, the child or young person’s parent/carer may give consent on the child’s behalf. A list of possible specified purposes can be found in part 9.211 of the SEND Code of Practice 2015.

Specific circumstances

EHC plan reviews for children under the age of 5

Settings should consider reviewing an EHC plan for a child under five at least every six months to ensure that the provision continues to be appropriate. Such reviews are sometimes referred to as ‘interim reviews’. They complement the ‘EHC plan review’, and may be streamlined, e.g. not necessarily requiring the attendance of the full range of professionals, depending on the needs of the child.
EHC plan reviews from Year 9 onwards

All reviews taking place in Year 9 (and onwards) must include a focus on preparing for adulthood, i.e. employment, independent living, good health and friends, relationships and community. Transition planning must be built into the EHC plan and, where relevant, should include effective planning for young people moving from children’s to adult care and health services. It is particularly important in these reviews to seek and to record the views, wishes and feelings of the child or young person. Review meetings taking place from Year 9 should have a particular focus on considering options and choices for the next phase of education. The review meeting organiser should invite representatives of post-16 institutions to these meetings, particularly where the child or young person has expressed a desire to attend a particular institution.

As the young person is nearing the end of their time in formal education and the plan is likely to be ceased within the next 12 months, the EHC plan review should consider good exit planning. Support, provision and outcomes should be agreed that will ensure the young person makes a smooth transition to whatever they will be doing next, e.g. moving on to higher education, employment, independent living or adult care.

For further helpful guidance on preparing for adulthood see:
- www.preparingforadulthood.org.uk

EHC plan reviews for Children Looked After (CLA)

A ‘Child Looked After’ refers to a child or young person who is in care to a local authority. This will include children/young people who have care orders (full/interim), those who are placed at home with parents or in foster care/residential home and those accommodated under Section 20 of the Children Act (1989).

Where possible, the EHC plan review for Children Looked After should coincide with one of the reviews of their ‘care plan’ and, in particular, the Personal Education Plan (PEP) element of the care plan. The person with responsibility for organising the review will need to liaise closely with relevant professionals from social care. A combined meeting will take longer and attendees should be advised of the expected meeting length.

Arranging an EHC plan review meeting

Setting the date

An EHC plan review must be held within 12 months of the date when the EHC plan was issued, and then within 12 months of any review. It is important to maximise the opportunity for invitees to attend the EHC plan review. Setting a date well in advance, and in discussion with key attendees, is good practice. It is important for school SENCOs to discuss, at Springboard meetings, which EHC plan reviews are due in that term, to determine whether a professional from the education support services should be involved in the review.

The review organiser must give at least 2 weeks’ notice of the date of the review meeting (Nottinghamshire recommends 8 weeks’ notice) to all those who need to be invited to contribute to the review (listed below under the heading of ‘Who to invite to an EHC plan review’). The organiser must also seek advice and information about the child/young person from all those invited (Nottinghamshire recommends that the organiser sends the relevant pro-forma to professionals, parents and the young person along with the invitation to the meeting, and asks for the advice and information to be returned at least 3 weeks in advance of the meeting). The organiser must then circulate, to those invited, all the advice and information (including the setting’s own advice and information) at least 2 weeks in advance of the meeting (so that everyone has the opportunity to read and respond to others’ information before the meeting).
For a CYP who has moved from another LA, Nottinghamshire will immediately become responsible for the old authority’s EHC plan (as if it was prepared in Nottinghamshire). It should be reviewed within 12 months of the plan being made or being previously reviewed by the old authority, or within 3 months of the plan being transferred to Nottinghamshire (whichever is the later), although an earlier review can be called if necessary. The EHC plan will be changed into a Nottinghamshire format during the review process.

Convening an early or additional EHC plan review

It may be appropriate to convene an additional or early EHC plan review under the following circumstances:
- the child or young person is under the age of 5
- a child or young person’s plan needs significant amendments and/or the suitability of the provision being made for them needs to be reviewed
- there is concern about the progress a young person is making and whether the provision in place, or placement named in the plan, is appropriate
- the placement named in the plan is at risk
- transition between two different settings is forthcoming and must be planned
- when a young person has arrived in the LA from another LA

Focusing on a transition to a new phase of education or on preparing for adulthood (PfA)

The setting’s review organiser should consult the list of children/young people who require an EHC plan review in the upcoming term (this list is sent to the setting by the local authority before the beginning of each term). The review organiser should ensure that they are aware which reviews must focus on transition (from one setting to another) and on PfA (Year 9 onwards), and this should be highlighted in invitations.

Who to invite to an EHC plan review

The following people must be invited to the review meeting:
- the child’s parent/carer or the young person themselves
- a representative from each education setting the child or young person attends
- a local authority caseworker from the Integrated Children’s Disability Service Assessment Team
- the child/youth person’s link health service representative (e.g. current community paediatrician)
- the child/youth person’s social care representative, including professionals from Early Help Services, Targeted Early Help Services (e.g. case worker within the Family Service), and Specialist Services (e.g. current social worker)

When inviting a representative from ICDS, it is important to state any reasons where attendance is particularly needed, for example in the following circumstances:
- significant amendments to the contents of the plan are to be requested
- there is significant concern about the progress a young person is making and the suitability of the provision needs to be reviewed
- the placement named in the plan is at risk

Others relevant to the review should also be invited to contribute a report and attend the meeting, e.g.:
- education support services who have been involved during the past year (EPS, SFSS, PDSS, PSED)
- staff from future schools/settings, or possible future schools/settings, to allow for transition planning
- named health professionals who are actively involved
- named social care professionals who are actively involved
- the LA special transport unit, where a young person has complex transport needs
- youth offending team
- job coaches
Making the meeting accessible to families

All parents/carers should be offered information and support to prepare for this type of meeting ahead of the meeting itself, e.g. regarding what the purpose of the meeting is, what will happen during the meeting, when they may be asked for their views, which parts of the meeting their child could be included in, what the outcomes of the meeting could be, who will be there and what their roles are. The review organiser should check that the family has received the ‘Information for parents/carers’ leaflet, which provides a summary of the EHC plan review process. The meeting should be made fully accessible to the child/young person and their family, with adjustments made as appropriate, e.g. when a child and/or their family:

- are not fluent English speakers; it may be necessary to have review correspondence and documentation translated into their first language and/or an interpreter arranged to help the family prepare for the meeting and support them at the meeting itself
- have disabilities (e.g. visual impairment, profound deafness, significant learning difficulties)

Where more than one local authority is involved (usually with Children Looked After)

The review organiser must ensure relevant personnel from each LA are involved in the review where possible, and must send full sets of EHC plan review paperwork to the involved local authority SEN departments.

Gathering the necessary advice and information

Which pages of the pro-forma are ‘compulsory’?

The Integrated Children’s Disability Service expects the review organiser to collate the following information and circulate it to all invitees at least 2 weeks in advance of the meeting:

- the front page - the child/young person’s details, relevant dates, attendance since the previous EHC plan review (either as a proportion or percentage), school/contact details
- the second page (with the exception of the ‘Key Questions’, which should be answered during the meeting) – dates of previous EHC plans and EHC plan reviews (to ensure that everyone is referring to the most recent EHC plan, and reviews are set within timelines), who has been invited to attend, additional support resources (in mainstream schools this will include the use of notional SEN budget/AFN/HLN - stating the number of hours supported by a teaching assistant, with a ratio of TA:pupils, as well as any other SEN provision)
- attainment data page - this page should be completed, even if the information is available within attached reports, as the information needs to be accessed easily by ICDS

Advice on using the review pro-formas

All the other pages are there to assist you to collate the information necessary for the review. You can do this in a different way if you prefer. The forms do not have page numbers; this is deliberate, so that review organisers can select the appropriate pro-formas. Some pages will not be necessary in some cases (e.g. the Special School and Key Stage 4/5 pages). Some review organisers may wish to order the pages differently (e.g. bringing the Outcomes and Attainments sheets further forward). Regardless of which optional pro-formas are used, the following information and advice must be collated:

- Curriculum reports: This could include recent annual/termly reports to parents/carers. The report must include progress towards the outcomes (identified in Section E of the EHC plan). If the child/young person is taught by more than one teacher, all those teachers should contribute (see the curriculum report pro-forma).
- Views of the young person: Many schools and services employ a range of different methods/tools to gather the views of young people. If a supporting service has recently done a piece of work to gain the young person's views you may wish to use this, checking that it includes information about education as well as about other relevant aspects of their life.
• **Views of the parents**

• **Educational professional's information and advice**: You need to seek written advice from professionals within the local authority support services who have been involved with the young person during the last year. You may also have received support from a Family SENCO, or commissioned an independent consultant to do some work with a young person. If this is the case, then you should seek their contribution too.

• **Health professional's views**: You need to seek written advice from health professionals who have been involved with the young person during the last year.

• **Social Care professional's views**: You need to seek written advice from social care professionals who have been involved with the young person and/or their family during the last year. This may be at a level below that of a social worker (e.g. Targeted Short Breaks Personalisation Officer.)

• **The views of any relevant professional or organisation not covered above**: You may need to seek written advice from others relevant to the review

**Attainment data page: compulsory pro-forma**

This part of the form should be pre-populated by the review organiser and distributed to all those invited to the review, a minimum of 2 weeks before the date of the meeting.

Provide a clear record of the child/young person’s previous attainment and current attainment (see National Curriculum assessment guidance). This information ensures that a young person’s academic progress is considered from one review to another. This also helps to inform whether the current provision is appropriate.

You can record attainment in the manner that best suits the young person in question, e.g. P Scales, PIVAT levels, B-Squared, Portage, EYFS reception baseline, phonics screening check; pre-key stage standards; end of Key Stage 1 teacher assessment; ongoing formative teacher assessment; periodic progress checks; summative assessments against the end of year outcomes; national tests at the end of Key Stage 2; AET progression framework. Given that settings are using different approaches to assessment and recording attainment/progress, it is essential that an explanation of the system is provided. Some schools provide a written guide for parents when issuing their EHC plan report, and this is a useful document to include within this EHC review paperwork so that LA officers can make sense of the data provided.

**Curriculum report page: optional pro-forma**

It is not compulsory to use this form to collate your curriculum report and you can use your own documents if you wish. The curriculum report, in whichever format, should be completed and distributed to all those invited to the review, a minimum of 2 weeks before the date of the meeting.

This pro-forma was created to support those organising EHC plan reviews in settings where a ‘subject based’ curriculum is followed and young people have a number of different teachers, e.g. secondary schools. You could complete your curriculum report under the following headings:

• English *(essential)*, broken down into reading, writing and speaking & listening as appropriate
• Maths *(essential)*
• Science *(essential)*
• PSHE or equivalent *(essential)*
• Foundation subjects *(desirable)*

Or you could complete it under the headings used within the EHC plan itself, i.e.:

• Cognition and learning
• Communication and interaction
• Social, emotional and mental health
• Sensory and physical
Key Stage Four/Five page: compulsory pro-forma in KS4-5

For young people in key stage 4 or 5, this part of the form should be pre-populated and sent out a minimum of 2 weeks before the date of the meeting.

This page should be completed in addition to a curriculum report.

This page can be discarded for young people who are not in these key stages.

The child/young person’s contribution pages: optional pro-forma

The young person’s views, in whichever format, should be completed and sent out a minimum of 2 weeks before the date of the meeting.

The young person’s views should be included in the EHC plan review paperwork. Please ensure the record of views (written, picture or photo) also includes the young person’s name, date of birth and the date on which the views were gathered. Where video or audio methods are used to record the contribution, a summary of what was said should be recorded on paper so it can be included in the documentation and circulated to all.

If a young person is to attend the review meeting itself (in full or in part), their views and comments should still be collected and shared ahead of the meeting.

There can be significant barriers to gaining views which are reflective of the child/young person, but it remains a priority. Advice/guidance can be sought from colleagues, e.g. family SENCO, SENCO colleagues, springboard, involved education professionals, SALT professionals.

Professional contribution pages: optional pro-formas

Professional views should be collected and sent out a minimum of 2 weeks before the date of the meeting.

The review organiser should send the relevant pro-forma to education, social care and health professionals (as listed above under the heading ‘Who to invite to an EHC plan review’), and ask them to either complete the form or include the prompted information within a report format of their choice. In order to separate each professional’s single-page report pro-forma from the entire form (so they do not receive the forms designed for other professionals or parents), the page will need to be copied and pasted into a new document.

Handwritten contributions are acceptable, as long as they are legible, and can be scanned if necessary to send electronically.

If an ICDS caseworker has accepted the invitation to attend the review meeting, they will not contribute a written report ahead of the meeting (but will take appropriate action during and following the meeting).

The parents'/carers’ contribution page: optional pro-forma

The parents'/carers’ views, in whichever format, should be collected and sent out a minimum of 2 weeks before the date of the meeting.

In order to separate the ‘Parents'/Carers’ Views’ single-page pro-forma from the entire form (so they do not receive the forms for professionals), the page will need to be copied and pasted into a new document.

It is advisable to offer parents/carers a structured method for contributing their views, even if you choose not to use the optional form. You should also be proactive in offering support to parents/carers to make their contribution.

EHC Plan Review Guidance

November 2018
Some parents/carers will prefer to submit their contribution electronically, and you should facilitate this as far as you can. Handwritten contributions are also acceptable, as long as they are legible and can be scanned if necessary to send electronically.

**General information for all those contributing to the review**

The SEND Code of Practice 2015 expects all contributors to review the content of the EHC plan before the meeting, and make any necessary recommendations based on their professional involvement since the last review (or since the EHC plan was issued if this is the first review). The review organiser must share all the recommendations with all invitees 2 weeks before the meeting itself (i.e. by distributing the contributing reports). This will provide the information necessary to complete the ‘EHC Plan Review’ page during the meeting, with the review organiser highlighting any differences of opinion.

All contributors will need to provide evidence to support any recommendations to amend the EHC plan. Where necessary (e.g. at the end of a key stage), contributors should recommend new outcomes, as well as interim targets for the coming year. (The similarities and differences between contributing reports should be highlighted during the review meeting). All contributors should be made aware that there is not an expectation that EHC plans will be amended on a frequent basis.

**What to discuss during the review meeting**

The person who chairs the meeting should ensure that the review of the EHC plan is thorough, and includes a review of and discussions about:

- the child/young person’s (C/YP’s) access to teaching and learning
- the C/YP’s achievement of the interim targets (set at the last EHC plan review), as well as academic attainment, and other relevant achievements
- the C/YP’s progress towards achieving the specified outcomes (plus other relevant progress information). If this is the CYP’s first EHC plan review, the outcomes written in the original plan should be reviewed. If this is a subsequent EHC plan review, the outcomes written in the original plan should be reviewed along with the interim targets from the previous year
- the extent to which the educational, health and social care provision is ensuring good progress towards outcomes
- what changes may need to be made to the support that is provided (to help achieve the outcomes)
- interim targets to be set for the coming year
- new outcomes, when previous ones have been achieved or are no longer appropriate
- transitioning into post-16 provision, work or adulthood, must be discussed at reviews in Year 9 and onwards

Reviews will generally be held at the education setting attended by the child or young person. Reviews are generally most effective when led by the education setting because, other than the family, they will generally know the child or young person best, have the closest contact with them and their family, and will have the clearest information about progress and next steps.

The EHC plan review meeting itself should be facilitated in a manner which supports the parents and the child/young person to take a full part. Settings can use any appropriate format for the meeting, e.g. a person centred planning approach, as long as the necessary documentation is completed. The documents generated can be added to the formal record of the meeting and the relevant pro-formas.
What to record during the review meeting

Record of those involved in the review

It is important to list, in the table provided, who has been invited, attended and provided a report to the review.

Minutes of the meeting

You must include minutes of the review meeting (there is an optional pro-forma to use if wanted). Typed meeting minutes, rather than handwritten, are very much preferred and encouraged.

These do not have to be verbatim but must record the following:

- **date, time** and **venue** of the meeting, the **young person’s name** and their **date of birth** and **year group**
- the name and role of the **person chairing** the meeting and the name and role of the **minute taker**
- everyone who attended the meeting and who sent apologies (names and roles). You may also need to record who was invited to contribute but did not respond. If the young person attends the meeting, include them on the list of attendees. If they only attended parts of the meeting, indicate which parts
- a **summary of the discussion** (including considerations about upcoming transitions and, during review meetings from Year 9 onwards, preparing for adulthood)
- a **summary of individual views, opinions, disagreements and advice**; refer to any difference between the setting’s recommendations and those of others attending the meeting
- a **clear list of actions**, who has agreed to take them and by when
- a transition plan, if one has been written (or this can be appended separately)

Following the review meeting the LA must decide and notify everyone involved whether it proposes to:

- maintain the EHC plan (i.e. keep it as it is)
- amend the EHC plan
- cease to maintain the EHC plan

Therefore, the review paperwork must provide sufficient information to the LA to enable an appropriate decision to be made. The review organiser should make it clear to everyone that the decision is made by the LA not the setting.

Advice on completing the compulsory pro-formas during the meeting

**Key Questions: compulsory pro-forma**

These questions are usually discussed and answered towards the end of an EHC plan review meeting. The questions are placed near the front of the review documentation so ICDS staff can find the key information quickly. Please answer the questions with a ‘yes’ or ‘no’, with any details recorded in subsequent parts of the form (e.g. the Critical Questions section).

**Critical Questions: compulsory pro-forma**

These questions are also usually discussed and answered towards the end of the meeting. They are placed at the front of the EHC plan review document because they are so important. You must record the answer to all of the questions at the review meeting, to facilitate the LA’s subsequent decision-making. Where further comment is needed, please record this briefly in the space provided. Further detail can be included in the meeting minutes but it is important that clear answers, with reasons, are recorded clearly on this page. It is the role of the setting to make recommendations to the local authority based on the evidence gathered.
**NB** Following the review meeting, the LA must decide and notify everyone involved whether it proposes to either maintain the EHC plan (i.e. keep it as it is), amend the EHC plan, or cease to maintain the EHC plan. The review paperwork must provide clear and sufficient information to enable the LA to make the appropriate decision. The answers to the ‘key questions’ and ‘critical questions’ need to facilitate the LA’s decision-making. The review organiser should make it clear, to everyone at the meeting, that the decision (either to maintain, amend or cease the EHC plan) is made by the LA and not by the setting.

<table>
<thead>
<tr>
<th>Critical Question 1</th>
<th>This includes significant changes, e.g. change of school, change in family circumstances, change in medical condition, social care intervention.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Critical Question 2</td>
<td>This question refers to transferring from one setting to another, NOT transition into adulthood.</td>
</tr>
<tr>
<td>Critical Question 3</td>
<td>This applies to young people who will be leaving education and moving into employment, further education or adult services (social care).</td>
</tr>
<tr>
<td>Critical Question 4</td>
<td>State whether amendments are recommended. Please provide details and supporting evidence in subsequent sections of the form.</td>
</tr>
<tr>
<td>Critical Question 5</td>
<td>Consider whether the provision being made in this setting is being effective in ensuring good progress towards identified outcomes? Note any necessary actions/next steps. If there are disagreements, make a note in this question and provide detail in the minutes.</td>
</tr>
<tr>
<td>Critical Question 6</td>
<td>Please see guidance (earlier in this document) on ‘Convening an early or additional EHC plan review’.</td>
</tr>
<tr>
<td>Critical Question 7</td>
<td>Please see guidance (later in this document) on ‘Ceasing an EHC plan’.</td>
</tr>
<tr>
<td>Critical Question 8</td>
<td>Please see Nottinghamshire County Council’s guidance literature on Personal Budgets and Direct Payments for further information.</td>
</tr>
<tr>
<td>Critical Question 9</td>
<td>Where the answer to any of the questions is yes, you will need to explain this in the meeting minutes. For example, if you state ‘yes’ building adaptations are needed, you will need to explain what these might be and why they are necessary. Please note: you are advising the LA of action that may need to be taken, not instructing the LA or guaranteeing anything to parents/carers. It should be made clear to meeting attendees that actions noted through the EHC plan review process are recommendations and may not always be adopted by the LA.</td>
</tr>
<tr>
<td>Critical Question 10</td>
<td>This allows you to capture any other issues.</td>
</tr>
</tbody>
</table>
EHC Plan Review page: compulsory pro-forma

If you do not have an electronic version of the EHC plan, you can request this from the business support team at ICDS. Where changes to the EHC plan are recommended during the meeting, the review organiser should annotate a copy of the plan itself, or append clear notes with clear references to the specific sections and wording within the plan. The review organiser must highlight any differences of opinion regarding suggested amendments. ICDS prefers to receive electronic annotations, completed as follows:

- **Strikethrough** should be used to indicate words which should be removed
- **Bold, italic, coloured text** (in a strong colour like red or blue) should be used to indicate additions
- All recommendations for amendments must be accompanied with explanatory evidence from within the reports submitted for the EHC plan review
- If you wish to make comments on any of your annotations, use an asterisk or reference number to indicate the annotation you want to comment on. Make your comment *in the same coloured italic text* beneath the relevant paragraph or section

The SEND Code of Practice 2015 is clear that there is not an expectation that EHC plans will be amended frequently. Nonetheless, suggested amendments should be detailed within the EHC plan review paperwork so that ICDS can make a judgement as to whether to issue an amended EHC plan. If an amended EHC plan is not issued, ICDS will retain a record of suggested amendments for their records.

Outcomes and interim targets page: compulsory pro-forma

The review organiser should pre-populate this form with the outcomes (listed in the current EHC plan) and interim targets (set at last year’s review), and distribute it to all those invited to the review a minimum of 2 weeks before the meeting. Ask contributors to suggest, within their review reports, interim targets for the coming year and new outcomes (if current outcomes have been achieved or are no longer appropriate). Please note that it is expected that outcomes on the EHC plan will be changed infrequently, e.g. towards the end of a Key Stage or a phase of education in order to prepare for the next stage or phase.

Any suggestions for new interim targets (and outcomes where relevant) can be discussed at the meeting itself. The setting of new interim targets and outcomes should be a ‘team effort’ by all involved with the young person, including their parents/carers and the young person themselves.

Interim targets should be achievable within the next year, associated with an identified outcome (to be achieved in a longer specified timeframe, e.g. end of the key stage).

EHC plan review attendance record: optional pro-forma

This optional form can be helpful to pass round at the review for the following:

- names and roles of attendees, with accurate spellings
- attendees contact details including accurately spelled email addresses

This format provides accessible and thorough contact details, which is useful for ICDS when there are actions required. This handwritten version can be scanned if an electronic copy is needed.

Head Teacher’s signature:

The head teacher, principal, director or manager of a setting should always check and sign the EHC plan review documents, even if there has been little or no involvement in the review process. This is because he/she is the person in the setting with responsibility for organising and completing the EHC plan review process. If the head teacher, principal, director or manager is not available to sign the documents within the statutory timelines, the signature of the person with delegated responsibility for the EHC plan review process
is acceptable. This is usually the SENCO but can sometimes be a deputy head teacher, an assistant head or a member of the senior leadership team.

**After the meeting**

A maximum of 2 weeks after the meeting, the person who organised the EHC plan review must prepare and send the report of the meeting (completed reports, pro-formas and minutes etc.) to everyone invited, including the LA (ICDS). The review paperwork must provide sufficient information for the LA to be able to propose whether to maintain, amend or cease the EHC plan. The report must clearly set out recommendations on any amendments to the EHC plan, and should refer to any difference between the education setting’s recommendations and those of others contributing to the review.

**The local authority’s decision following the review meeting**

Following the review meeting the LA must decide and notify the child’s parents or young person (copied to the education setting), whether it proposes to:

- maintain the EHC plan (i.e. keep it as it is)
- amend the EHC plan
- cease to maintain the EHC plan

**Maintaining an EHC plan**

If the LA agrees with a request to maintain the EHC plan with no amendments, a letter will be sent to confirm this decision.

If amendments have been requested in the EHC review documents, but the LA decides that it is not necessary to make amendments, a letter will be sent proposing the decision to maintain the EHC plan with no amendments. For example, the LA may propose to maintain without amendments if they are minor. The child’s parent or young person will be given 17 calendar days to comment or make representations about the proposal.

**Amending an EHC plan**

If the LA proposes to amend the EHC plan, the proposed amendments will be shared with the child’s parent or the young person, and they will be given 17 calendar days to comment or make representations about the proposed changes. This includes requesting a particular school or other institution to be named in the plan. The SEND Code of Practice 2015 is clear that it is not expected that EHC plans should need to be amended on a very frequent basis.

Following representations from the child’s parent or the young person, if the local authority decides to continue to make amendments, the amended EHC plan will be issued within 8 weeks of proposing the amendments, and will inform the parent or young person about how to resolve any disagreements.

**Ceasing an EHC plan**

The LA will cease to maintain an EHC plan if it determines that either:

- the young person no longer requires the special educational provision specified in their EHC plan (for a young person aged 19 or over, regard is made to whether the education or training outcomes specified in the plan have been achieved), or
- the LA is no longer responsible for the child or young person (either because s/he is 16 or over and will leave education to take up employment; s/he is 18 or over and will leave education and no longer wishes to engage in learning; s/he will enter higher education; or s/he has moved to another LA)
Information about disagreement resolution services, mediation and appeals is available on the Local Offer website www.nottinghamshire.sendlocaloffer.org.uk - click on the pink ‘Education’ tab; under the ‘Related Advice’ heading, there is a link - ‘How to Resolve a Disagreement’. This page contains information about Disagreement Resolution Services, Mediation and appeals to the First-tier Tribunal, as well as associated downloads and external links.

Appendix

Practical advice for those tasked with organising an EHC plan review

Please note: statutory timelines can be found in the SEND Code of Practice (2015), sections 9.166 – 9.217

The guidelines below form ‘good practice’ guidance which it is advisable to follow, so that the EHC plan review is thorough and the meeting well attended.

As soon as possible:

- note the date of the EHC plan reviews needed in your school and check against the list of upcoming reviews supplied by the LA, highlighting those which must focus on transition (from one setting to another) and on preparation for adulthood (Year 9 onwards)
- consider any special arrangements that may be needed in order to fully include parents/carers and the child/young person in the process
- set a date for the EHC plan review meeting, ideally in discussion with key partners; allowing for a minimum of 8 weeks preparation time beforehand where possible
- write to everyone you wish to contribute to the review process and attend the review meeting, informing them of the date of the meeting and any timelines relating to submission of reports. Pro-formas to be completed can be included at this point, or later on
- request a response regarding whether they are able to attend; telephone, email or return slip

8 weeks before the EHC plan review meeting date:

- write again to everyone you wish to contribute to the EHC plan review (including parents and carers); be very clear about when you need the reports back, as the statutory timelines do not allow for people to bring documentation on the day; allow time to chase this up
- the deadline you set should allow for the fact that all documents will need to be circulated at least 2 weeks before the date of the meeting
- include copies of pro-formas for completion at this point, if you have not already done so (please note: most of these pro-formas are not compulsory)
- begin to put together your review paperwork; completing the forms, collecting curriculum reports from teachers etc
- work with the child/young person on their contribution, seeking advice from relevant professionals and services if you need support with how to best do this
- ensure that attendees are familiar with the content of the EHC plan; you may wish to arrange to look through the EHC plan with people who should have a say on the content, particularly parents/carers and young people, in order to identify ahead of the meeting any recommendations for amendments

At least 2 weeks before the date of the EHC plan review meeting:

Share the following documentation with everyone who has confirmed attendance at the review meeting:

EHC Plan Review Guidance

November 2018
- the EHC plan review forms completed as fully they can be ahead of the meeting
- the curriculum report(s)
- professional reports
- the parent/carer’s views
- the child/young person’s contributions
- an indication of any changes to the EHC plan that are being recommended; these should be clearly marked and differences of opinion between contributing individuals must also be highlighted and made explicit

The meeting takes place . . . . . and then . . .

Within 2 weeks of the EHC plan review meeting:
You must send/give a full set of completed EHC plan review paperwork and, where amendments to the EHC plan are recommended, an annotated EHC plan or clear notes on how it should be amended, to the following:
- Integrated Children’s Disability Service, Nottinghamshire County Council, at Meadow House for young people who live in Nottinghamshire. If the young person resides in another local authority, send it the relevant LA’s SEN team instead (you may have used their paperwork anyway)
- The parents of (or those with parental responsibility for) a child of compulsory school age (until the end of the academic year in which they turn 16). This may involve 2 addresses if parents are separated. If the child/young person is ‘Looked After’, you should send it to the social worker who is the corporate parent. You will need to be clear who has legal parental responsibility and the social worker will have this information. You can also ascertain this information from documents such as the LAC review, child protection plan and CIN plan. It is crucial to be accurate to ensure:
  - parents who must not know where their child/young person lives or attends school are not sent information which would compromise this confidentiality
  - parents who have the right to receive information about their child do so
- the young person themselves (from the end of the academic year in which they turn 16). Consideration should also be given to whether parts, or all, of the documentation can be shared with a young person of compulsory school age
- everyone who attended the review meeting
- the people who sent their apologies for the review meeting but made contributions. You will need to consider whether you should also send the documentation to people who sent their apologies to the meeting but did not make a contribution, and also consider those you invited but did not respond

An EHC plan must be reviewed as a minimum every 12 months. It is therefore helpful to plan to hold the review meeting slightly early to ensure that statutory timeframes are met. If an exceptional circumstance means that the scheduled review meeting is postponed, a representative from the school must contact the relevant officer at the Integrated Children’s Disability Service to discuss this.

When to review an EHC when a transition is anticipated

An EHC plan must be reviewed and amended in sufficient time prior to a child/young person moving into school or between key phases if education. The review and amendments must be completed by 15th February in the calendar year of the transfer. For young people moving from secondary school to a post-16 institution, the review and amendments to the EHC plan, including naming the institution, must be completed by 31st March in the calendar year of the transfer.

Which schools are required to convene and hold an EHC plan review on the local authority’s behalf?

The LA can require the following types of school or setting to convene and hold the meeting on the authority’s behalf:
- maintained schools
- maintained nursery schools
Timeline Summary

- Identify when the EHC plan review is due and set the date, allowing approximately 8 weeks preparation time.
- Write out to everyone you wish to be involved in the review process and inform them of the date and time of the meeting. Enclose relevant pro-formas for completion.
- Ask invitees to confirm attendance or send apologies, and ask for completed pro-formas and reports to be returned to the review organiser at least 3 weeks before the meeting.
- Liaise with parents/carers about how they wish to make their contribution.
ASAP (e.g. 8 weeks before the meeting):

**At least 3 weeks before the meeting**

- Start to put together the review paperwork; by collating the completed forms, reports, and working with the young person to get their views.
- Send reminders for reports to be returned where necessary.
- Consider whether the content of the EHC plan needs amending, involving relevant staff.

**At least 2 weeks before the meeting**

- Complete/collate and send all paperwork to everyone who has confirmed attendance at the review, i.e. reports received and part-completed review documents.

**EHC review date**

**EHC plan review takes place**

**Within 2 weeks after the review**

- Put together a complete pack of review documentation: forms, written reports and contributions, pupil and parent/carer contributions, outcomes reviewed and interim targets set, curriculum report, meeting minutes and annotated EHC plan where required.
- Send a full set of review documentation to ICDS (and other relevant LA where involved).
- Send a full set of review documentation to everyone who attended the review meeting and other relevant professionals.

**Within 4 weeks after the review**

- The LA will consider the recommendations of the review meeting, and will notify the parents/carers and/or the young person of the LA’s proposals (to maintain, amend or cease), providing 17 calendar days for them to make a response.
- Where the LA proposes to make amendments, the proposed amendments will be shared with parents/carers and/or the young person, and their responses will be considered before final amendments are issued.

**Within 12 weeks after the review**

- The LA will issue a final decision about whether to maintain, amend or cease the EHC plan.
- Parents/carers, or the young person if beyond statutory school age, will be given their right of appeal about the LA’s decision.
# EHC plan review preparation check-list (optional)

Name of child/young person:

Date of Review meeting:

<table>
<thead>
<tr>
<th>What needs to be done</th>
<th>Completed/received (tick)</th>
<th>Date completed</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Starting the review process:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Date set</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Invitations sent out and responses requested.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Any special requirements to facilitate attendees’ access received and planned for.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Document Collation:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Contributions in writing requested, pro-formas circulated where appropriate and submission date set.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pre-populate EHC plan review forms as far as possible.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Collate curriculum report and collect attainment data.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gather young person’s views.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Review content of current EHC plan and annotate any changes needed from SENCO viewpoint.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Review the outcomes listed on EHC plan as well as the interim targets set at the last EHC plan review (where this is not the first review). Collate evidence to demonstrate progress towards these outcomes/targets Make a note of suggested new interim targets for the coming year.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Written contributions requested:

(List names and roles here)

- Parents/carers

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### Set of documents sent out to everyone expected to attend review (2 weeks before meeting)

- Minute taker identified

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### After the meeting:

- Complete meeting minutes

- Ensure all documents are present and compulsory elements of the EHC plan review forms fully completed

- Set of documents copied in full and sent out to all attendees and those who sent apologies

- Full set of documents sent to Nottinghamshire County Council, ICDS