Annual Reviews of Education, Health and Care (EHC) Plans

Guidance for professionals

This guidance is to help professionals involved in the Annual Review process work together to ensure that meetings and associated paperwork are managed effectively.

This document has been produced by the Royal Borough of Windsor and Maidenhead’s Children and Young People Disability Service. Please call 01628 685878 or you have any queries about completing this paperwork or email CYPDS@rbwm.gov.uk

Further information about the Annual Review requirements is available in the Special Educational Needs and Disability Code of Practice. You can also find further information in the EHC section of the Royal Borough’s Local Offer website.

The Purpose of the Annual Review

It is the Local Authority’s statutory duty to complete an Annual Review for every child or young person with an Education, Health and Care (EHC) Plan.

The main focus of the Annual Review must be on the child or young person’s progress towards achieving the outcomes specified in the EHC plan and their longer term aspirations. The meeting should also consider whether these outcomes and supporting targets remain appropriate.

Reviews are 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.

The Review should:

- check that relevant personal information and contact details for the child/family is up to date.
- check if there have been any changes in circumstances or needs.
- identify and celebrate successes over the last year.
- gather and assess information so that it can be used by early years settings, schools or colleges to support the child or young person’s progress and their access to teaching and learning.
- review the special educational provision made for the child or young person to ensure it is being effective in ensuring access to teaching and learning and good progress towards the outcomes specified in the plan.
- 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 the light of the child or young person’s progress during the previous year, or changed circumstances, and whether changes are required including any changes to outcomes, enhanced
provision, change of educational establishment or whether the EHC plan should be discontinued.

- review any interim targets set by the early years provider, school or college or other education provider.
- set new interim targets for the coming year and where appropriate, agree new outcomes.

The Review of the EHC plan should also include the review of any existing Personal Budget arrangements where relevant.

Where a child or young person uses home-school transport, the appropriateness of these arrangements should also be reviewed.

Note: During the year the educational setting will monitor progress towards outcomes specified in the EHC Plan. Smaller steps helping to achieve the outcomes will be regularly monitored. The frequency of these reviews will be agreed for individual children/young people and will depend on their individual circumstances.

When Annual Reviews should take place

The first Review must be held within 12 months of the date when the EHC Plan was issued, and then within 12 months of any previous Review.

If the child is under the age of 5, a Review should be carried out at least every 6 months. In some circumstances Reviews might have to be carried out earlier if there is a significant change in needs.

The timing of the Annual Review meeting will be different for each child/young person and can be at any time in the school year. There are times when Annual Reviews will need to be scheduled at a specific time in order to ensure adequate time to prepare for planned changes such as transfer to another school (phase transfer).

- For children and young people moving to a new school, the Annual Review and any amendments to the Plan must be completed by 15th February in the year of the transfer.
- For young people moving from secondary school to a post-16 institution or apprenticeship, these must be completed by 31st March in the year of the transfer.

For looked after children, the Annual Review should, if possible and appropriate, coincide with one of the Reviews in their Care Plan and, in particular, the Personal Education Plan (PEP) element of the Care Plan.

The Review process
1. Preparing for the meeting:

The Children and Young People Disability Service will provide a list of children and young people requiring a Review of their EHC plan that term to all educational settings at least two weeks before the start of each term.
In the majority of cases, the child or young person’s school/setting/college will then be responsible for organising and co-ordinating the meeting.

The school/setting should set the date for the Review meeting and inform the Children and Young People Disability Service (CYPDS) by emailing CYPDS@rbwm.gov.uk. CYPDS will send reminders to schools/settings if a date for a Review has not been received.

Invitations to the Review should be sent to the child’s parent(s) or, in the case of a young person over compulsory school age, to the young person themselves, as well as to all relevant professionals. If the attendance of a particular person is essential, it is helpful to contact the person before the date is set. Attendees must be given at least two weeks’ notice of the date of the meeting.

A leaflet for families to explain what they can expect from an Annual Review meeting has been produced for schools/settings to send to families. (This can be found on the Local Offer at the following link).

The following people must be invited to attend the Annual Review meeting:
- The child/young person
- The child’s parents/ carers (if the child is looked after by the local authority the child’s social worker and the residential care worker or foster parents should be invited, as appropriate)
- a representative of the school or other institution attended
- a Local Authority SEN officer
- a health service representative
- a Local Authority social care representative

Any other person who the child/young person, parent, education setting or Local Authority considers appropriate can also be invited. This may include, for example, a representative from the receiving school for phase transfers, youth offending teams and job coaches.

Parents and young people may also invite a friend, relative, adviser or independent person to attend with them. Parents and young people can contact the Information, Advice and Support (IAS) Service if they would like an impartial person to attend the meeting with them to help them express their views and participate fully in the meeting. IAS can be contacted on 01628 683182 or IAS@rbwm.gov.uk. Interpretation and translation services should also be made available as required. If you need help in arranging such services, please contact the Children and Young People Disability Service for assistance.

As Annual Review meetings taking place from Year 9 onwards have a particular focus on preparing for adulthood, the Review meeting organiser should invite representatives of post-16 institutions, particularly where the child or young person has expressed a desire to attend a particular institution. A careers advice service representative should also be invited to attend.

Please note that Assessment Co-ordinators in the Children and Young People Disability Service may not be able to attend all Annual Reviews. It would be helpful if you could indicate if there are particular issues that require their attendance.

The school/setting (or, for children and young people attending another institution, the local authority) must seek advice and information about the child or young person prior to the meeting from all parties invited. The school/setting must then send any advice and information gathered to all those invited at least two weeks before the meeting. It may be
helpful to prepare a draft version of the Review report and to circulate this with the other reports received making it clear that this is to be discussed and completed at the Review meeting.

Educational staff and other professionals involved with the child/young person should complete a report to provide analysis, evaluation and investigation into the success of the provision put in place. If needed, additional assessments or observations may have to be carried out.

Templates for capturing young people’s and parental views and aspirations have been developed for schools to use. (These can be found on the Local Offer at the following link). There are two versions – one for children in Year 8 and below, and one for those in Year 9 and above. It is acknowledged that these may not be accessible for all children and young people and may need to be adapted, or support may need to be provided to complete these. These templates could be completed at home or at school. Parents, children and young people should be made aware that impartial support is available to children and young people through the IAS Service, to help them prepare for and participate in the Annual Review.

2. The Annual Review Meeting

The meeting is usually chaired by the school/setting. All present at the meeting, especially the child/young person and the parents/carers should be given opportunities to express their views and also feel able to ask any questions about the reports or comments made. Person Centred Planning approaches recommend that the voice of the child/young person should be considered first in the meeting. Other aspects of the meeting can then be discussed within the context of the child/young person’s wishes.

Please note that where the young person has mental capacity to do so, the decision making in respect of their EHC Plan transfers from the parent to the young person after compulsory school age (i.e. the end of the academic year in which they turn 16). Further information on Mental Capacity is available in Annex 1 of the SEND Code of Practice. It is important to note that Mental Capacity does not describe a general state, but must be appraised on a decision-by decision basis. That is to say, a young person may have the capacity to understand and make some decisions, but not others.

The Year 9 Review and onwards

All Annual Reviews from Year 9 onwards should have a particular focus on preparing the young person’s transition to adulthood including options and choices for the next phase of education, employment, independent living and participation in society.

It is particularly important in these Reviews to seek and to record the views, wishes and feelings of the child or young person. These should be recorded in Section 8 of the Annual Review meeting report along with the transition support needed from different agencies. The transition planning will then be built into the amended EHC Plan.

As the young person is nearing the end of their time in formal education or training, and the Plan is therefore likely to be ceased within the next 12 months, the Review should consider good exit planning to ensure the young person is supported to make a smooth transition to whatever they will be doing next.
3. After the Review meeting

The Educational Setting

The report of the Annual Review meeting should be completed by the school/setting as soon as possible and emailed to the Children and Young People Disability Service and all invited parties within 2 weeks of the meeting. (This can be found on the Local Offer at the following link). Please ensure the document is password protected and forward the password separately. The paperwork should be fully completed, signed and dated. It is expected that the report template provided to schools should be used to record the Annual Review meeting and its recommendations so that all the required information is available to the Local Authority.

The report must set out recommendations from the meeting on any amendments required to the EHC Plan. Please note the SEND Code of Practice: 0-25 years states that “EHC Plans are not expected to be amended on a very frequent basis” (Para 9.193). It is expected that EHC Plans will only be amended where there are significant changes, which impact on SEN needs, outcomes and provision. Please note that changes to these sections must be supported by written evidence.

All relevant documents that have informed or been discussed at the Review should be attached including:

- The views of parents/carers and the young person
- Reports gathered from professionals including written evidence of changes to SEN needs, outcomes and provision
- Academic report from the School
- Individual Education Plan or SEN Support Plan
- Provision Map
- A copy of the Personal Education Plan for children who are looked after

The Local Authority

The Local Authority will consider the Annual Review Report and decide whether it proposes to keep the EHC Plan in its current form, amend it, or cease to maintain it.

Within 4 weeks of the Review meeting, the Authority will send a letter (amendment notice) to the parents/carers, or the young person, copied to the educational setting giving its decision following the Annual Review. If the Authority decides not to amend the Plan or to cease it, parents and young people have the right to appeal the decision and will be given information about this and the time limits for doing so.

If the Authority is going to amend the EHC Plan, these changes will be sent to young person, parents/carers and education setting. Families will have 15 calendar days to send in any comments or meet with the Local Authority to discuss this.

The Local Authority will then send the family and school/setting the amended EHC plan within 8 weeks of the date of the amendment notice.

The next Annual Review will then take place within 12 months of the previous Review.
### Summary of the Annual Review Timeline

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<thead>
<tr>
<th>Activity</th>
<th>Comments/timescales</th>
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<tbody>
<tr>
<td>Date set for the meeting and checked with parents/young person. Children and Young People Disability Service informed</td>
<td>Recommend 4-6 weeks before meeting</td>
</tr>
<tr>
<td>Invitations sent out (by the education setting) ADvice from all parties is sought (by the education setting)</td>
<td>Recommend 4-6 weeks before (and must be at least 2 weeks before)</td>
</tr>
<tr>
<td>Reports circulated by the education setting before the Annual Review meeting</td>
<td>At least 2 weeks before the meeting date</td>
</tr>
<tr>
<td>Annual Review meeting</td>
<td>Arranged within 12 months of the date of issue of the EHC plan or within 12 months of the previous Review</td>
</tr>
<tr>
<td>Annual Review report submitted by the education setting to the Children and Young People Disability Service and all parties who were invited to the meeting</td>
<td>Within 2 weeks of the meeting date</td>
</tr>
<tr>
<td>Parents informed about the local authority decision to amend/ not amend/ cease the Plan (this is the amendment notice)</td>
<td>4 weeks after the date of the review meeting</td>
</tr>
<tr>
<td>If amendments agreed, amended draft EHC Plan issued</td>
<td>Parents have 15 days to consider and/or request a meeting with the Local Authority</td>
</tr>
<tr>
<td>Final amendments agreed, final amended EHC Plan issued to family</td>
<td>8 weeks from the date of the amendment notice</td>
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### Types of Reviews

<table>
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<tr>
<th>Type of EHC Plan Reviews – age 0-5</th>
<th>Comments/timescales</th>
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<tr>
<td>Reviews should take place at least every 6 months, as appropriate.</td>
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| Transfer between phases of education:                                  | Final EHC Plan/ amended final EHCP must be issued by 15th February in the calendar year of the transfer. |
| Early years setting – infants or primary school                        |                                                                                     |
| Infant school – junior school                                          |                                                                                     |
| First school – middle school                                           |                                                                                     |
| Primary school – secondary school                                      |                                                                                     |
| Middle school – upper school                                           |                                                                                     |

| Transfer from secondary school to post 16 institution, apprenticeship | Final EHC Plan/Amended EHC Plan must be issued by 31st March in the calendar year of the transfer. In some cases, young people may not meet the entry requirements for their chosen course or change their minds about what they want to do after the 31st March. Where this is the case the local authority should review the EHC Plan with the young person as soon as possible, to ensure that alternative options are agreed. |

Document publication date: April 2016  Planned review date: April 2017