Annual reviews
for children with statements of Special Educational Needs

Wandsworth Parent Partnership Service
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What is an annual review?

If the Local Authority (LA) writes and issues a statement of special educational needs for your child, the LA must regularly check your child’s progress and make sure that the statement continues to meet their special educational needs (SEN).

The LA must review your child’s statement at least once a year, but they can review it more often if they think it is necessary.

For example, for children who are under 5 it is recommended that reviews are held every 6 months although there is no legal requirement to do so.

The annual review should focus on what your child has achieved and any difficulties they may experience in their learning.

The annual review is a chance for you, the school and the professionals involved to say if they think the support your child is getting for their SEN is working and whether any changes need to be made to their statement.

The annual review process

The annual review is in 4 parts

1. Collecting information
2. Holding an annual review meeting
3. The Headteacher’s report of the annual review meeting to the LA
4. The LA review of the statement

Timetable

At least two weeks before the beginning of each term, the LA must write to Headteachers with the names of pupils whose statements will need to be reviewed that term.

The Headteacher or the person on behalf of the Headteacher (usually the SENCO) must ask for a report (written advice) from:

• You
• Anyone the LA wants to ask
• Anyone the Headteacher considers appropriate

Please note: The LA, or the Headteacher on the LA's behalf, must inform Social Care (social services) and the Health Service about the annual review. They must respond with a report (unless exceptions apply) if requested by the Headteacher.

The reports should have information on:

• Your child’s progress (how your child has got on with meeting the targets set when his/her statement was written or set at the last annual review. These targets are usually written on an Individual Action Plan (IEP)

• How the national curriculum* or an alternative to it has been used

• Whether the statement is still appropriate. Does the information about your child need to be amended (changed) or does the statement need to cease (stop)?

• Any transition plan (usually for children who are moving from nursery to reception or primary to secondary school or young people in Year 9).

* National curriculum: The National Curriculum sets out the stages and core subjects your child will be taught during their time at school. Children aged five to 16 in ‘maintained’ or state schools must be taught the National Curriculum.
Writing your views for your child’s annual review

It will be helpful for you to have copies of your child’s IEPs/provision maps; a copy of your child’s most recent school report and results from any national or school test your child has taken. This information will help you give and write your views for your child’s annual review.

You can ask the school to provide you with this information (although some of this information may not be available, for example, because of your child’s age).

To help you write your views please refer to pages 9-13 in the ACE (Advisory Centre for Education) booklet ‘My Child in School “Understanding Annual Reviews” a practical guide to parents legal rights’. You can get a copy of this booklet from the Wandsworth PPS.

Who should attend the annual review meeting?

The Headteacher must invite

• You

• Appropriate members of staff from the early years setting/school

• Someone from the LA who looks at the statement

• Anyone else the Headteacher or the LA feels is appropriate

For more information on who can be invited to an annual review meeting, please refer to page 5 in the ACE (Advisory Centre for Education) booklet ‘My Child in School “Understanding Annual Reviews” a practical guide to parents legal rights’. You can get a copy of this booklet from the Wandsworth PPS.

Important:

If you think another professional (for example, an independent professional who knows your child) should be involved in your child’s annual review and the Headteacher has not asked for a report from them. You can request that the Headteacher (or the teacher who is acting on the Headteacher’s behalf) do this. If the Headteacher agrees to your request to write to the professional who knows your child, this person should then be invited to the review meeting.

Your child

Where possible your child should be involved in taking part in the annual review process. For example, attending all or part of the annual review meeting.

Where possible, your child should be asked to give their views on

• Their progress over the last year

• What difficulties they feel they have experienced

• What they are hoping to achieve in the future

Your child’s school or you can help your child to write down or express his/her views.

Before the annual review meeting

At least two weeks before the meeting the Head teacher must send copies of any reports that have been received from those who were invited to the annual review meeting and invite comments from anyone who has said they are not coming to the meeting. (Very often the class teacher, parents and SENCO are present at the annual review meeting).

Important

It is important to check that you receive the written reports from the Headteacher at least two weeks before your child’s annual review meeting.

If you do not receive the reports at least two weeks before the meeting, you may want to ask the Headteacher to change the annual review meeting date to give you the time to look through these reports.

Important:

If you think another professional (for example, an independent professional who knows your child) should be involved in your child’s annual review and the Headteacher has not asked for a report from them. You can request that the Headteacher (or the teacher who is acting on the Headteacher’s behalf) do this. If the Headteacher agrees to your request to write to the professional who knows your child, this person should then be invited to the review meeting.
The annual review meeting

At the meeting the information on the written reports, setting new targets for the coming year will be discussed, and all present must consider if there are any significant changes to your child's SEN.

The meeting may recommend changes to the statement if

- There is significant new evidence about your child’s SEN not already in their statement,
- There are some significant SEN recorded in your child’s statement that are longer present,
- Different help or new targets are required to meet your child’s changing needs, or
- You and/or the school think your child should change school.

Important

An annual review meeting can go ahead if you decide not to attend however it is important to try and give your views about your child’s progress for the annual review process and to attend the annual review meeting.

If you can not make the date or time the early years setting/school has set for the meeting please tell the Headteacher as soon as possible and ask that it is changed.

If you do not respond to the requests to give your views in writing or attend the review meeting, this should be recorded in the annual review report together with any reason you give for this.

After the annual review meeting

No later than 10 school days after the meeting or at the end of the school term (whichever is earlier) the Headteacher must send an annual report to the LA, copies to parents and others involved in the review, and to anyone else whom the LA or Headteacher consider it appropriate to send a copy to.

The report must summarise the meeting’s conclusions and recommendations.

Wandsworth LA expects schools to fill in a Wandsworth Children’s Services “Annual Review of a Pupil with a Statement of SEN Report Form” (there are separate forms for children who are under the age of five and those who are five years old or older).

On the Wandsworth form there is a section on “Parent Views” and “Your Child’s Views”. Written reports that were received for the annual review should be attached to the form as well.

If there is disagreement about the recommendations in the Headteachers report this should be written in the report. You can send your views separately to the LA if you are unhappy with the way these are expressed in the annual review report.
The LA reviews the statement

The LA must consider the report sent in by the Headteacher and the recommendations made.

The LA must decide whether:
- To amend (change) the statement;
- To cease (stop) the statement; or
- The statement stays the same.

Once the LA makes a decision, they must within one week of making a decision send a copy of their decision to you and your child’s Headteacher.

Important:
There is no timescale placed on the LA to make a decision about the recommendations in the Headteacher’s report, so you may find that there is a delay at this point.

However the decision needs to be made within one year of when your child’s statement was issued or of the previous decision being made.

What if the LA does not agree to amend my child’s statement after an annual review?

If the LA decides not to amend a statement following an annual review and a clear request was made by you for changes to Parts 2, 3 and/ or 4 during the annual review process, then you have a right of appeal to the Special Education Needs and Disability (SEND) Tribunal following the LA decision after an annual review.

Important:
If you want amendments (changes) made to your child’s statement it is important to be clear about what you want to have changed. You should do this in writing and explain the changes you want at the annual review meeting. You should also collect as much evidence (from the school and professionals’ reports) as possible to support the changes you are asking for.

Please refer to Pages 11-12 in the ACE (Advisory Centre for Education) booklet ‘My Child in School “Understanding Annual Reviews” a practical guide to parents legal rights’.

Moving to secondary school

If your child is moving to secondary school then the LA must amend his/her statement to name a new school (secondary) before February 15th of the year your child will go to secondary school.

Secondary transfer should be discussed at the Year 5 Annual Review (in Wandsworth LA, these are usually held in the Summer Term). If it is not possible to hold the annual review in the Summer term then one should be held in the autumn term in Year 6.

For more information on secondary transfer please read the Wandsworth Parent Partnership Service parent information booklet:
- Secondary transfer
Annual reviews for young people after year 9

The process for reviewing a young person’s statement in year 9 is the same as that for a younger pupil.

In addition there must be:

- a focus on post 16 options
- advice sought from a Connexions adviser who must be invited to the review meeting (which a representative from Connexions must attend) and
- a transition plan drawn up by the Headteacher in consultation with the Connexions adviser covering post 16 options as well support in Key Stage 4 for your child.

Years 10 and 11 Annual Reviews

In addition:

- review and update the transition plan written in Year 9, and
- carry out a Section 139 Assessment in Year 11 if your child is leaving school.

Please refer to Pages 7-8 in the ACE (Advisory Centre for Education) booklet My Child in School “Understanding Annual Reviews” a practical guide to parents legal rights for more information on annual reviews for children in Year 9, 10 and 11.

Emergency/interim annual reviews

The LA can agree to bring forward an annual review and you can ask for an annual review at any time however the LA does not have to agree to it.

Emergency annual reviews may be called for the following reasons,

- where a pupil is at risk of exclusion or permanent exclusion
- where a child is under five years old;
- when there is a sudden or rapid change in a child’s health or development; or
- where there was a recommendation from a previous annual review to hold an interim review, for example, if there was disagreement at the previous review meeting between parents and professionals then an interim review may resolve the issue.
Further information and support

The Wandsworth Parent Partnership Service may be able to support you

- to prepare for an annual review meeting
- to give your views for your child’s annual review,
- by attending an annual review meeting with you
- explain how you can appeal to the Special Educational Needs and Disability (SEND) tribunal.

Please contact the Wandsworth Parent Partnership Service if you would like to talk about and or have questions about the information on this booklet.

You can contact us by:

Phone: 020 871 8065

or

Email: cspps@wandsworth.gov.uk

For more information on the work of the Wandsworth PPS and other parent information booklets published by us, please visit our website at www.wandsworth.gov.uk/PPS

Useful organisations

Coram Children’s Legal Centre
Coram Children’s Legal Centre “Special Educational Needs” Factsheet
Child Law Advice Law Line: 0808 8020 008
Community Legal Advice: 0845 345 4345
Websites www.childrenslegalcentre.com
www.lawstuff.org.uk

www.childrenslegalcentre.com
www.lawstuff.org.uk
How to contact us:

You can contact us
by phone on:
(020) 8871 8065
by email at: cspps@wandsworth.gov.uk
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The Parent Partnership Service
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For more information on the work of the Wandsworth PPS please visit our website at:
www.wandsworth.gov.uk/pps