

EHC Plan Annual/Interim Review Process

What is the purpose of the review?

- **SEND Code of Practice Jan 2015:**

9.166 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 by the local authority as a minimum every 12 months. Reviews **must** focus on the child or young person's progress towards achieving the outcomes specified in the EHC plan. The review **must** also consider whether these outcomes and supporting targets remain appropriate.

What is the purpose of the review?

9.167 Reviews should also:

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

Preparation for the review

In preparation for the Annual Review schools should:

- Six weeks before:
 - invite professionals and parents,
 - request reports from all professionals supporting,
 - ask parents and child/young person to update their views (section A)
 - Collect school evidence

- 4 weeks before:
 - Update sections a, b, c & d

- Two weeks before, circulate:
 - updated Section A, B, C, D
 - Review/progress towards of outcomes using the EHCP annual review of outcomes template.
 - professionals' reports
 - parents and child/young person views (templates)
 - Attainment/progress data

During the review

➤ **At the Annual Review, you should:**

- Agree amendments to Section B, C and D as relevant
- Discuss progress towards outcomes. Agree new SMART outcomes (section E), if appropriate, showing regard for parent and child/young person views (please note that you are now required to provide a baseline of where the child/YP is currently at in relation to the new short-term outcome – please put the relevant letter next to the outcome e.g. Emerging (E) Developing (D))
- Amend section F regarding specific provision (who, what, when) to support the child/young person
- discuss the Preparation for Adulthood form (from year 9)

Amending the EHC Plan

- You should have an electronic Microsoft Word version of the EHC plan, please contact your SEN Officer if this is not the case. We would expect that amendments, agreed at the Annual Review, are recorded within the document using a standardised format shown here:

Italic type and Blue – additions
strikethrough – deletions

- it is important that the review of outcomes is reflected in the proposed changes within Sections B and F
- Please note these are recommendations from the Annual Review for Central Bedfordshire SEND Team to consider; **this does not necessarily mean that these amendments will be made to the EHC plan.**

After the review

- The Annual Review paperwork and proposed changes on the EHC plan should be forwarded, to the SEND Team via Any comms within 2 weeks.
- Within 4 weeks of the Annual Review meeting, the Local Authority will advise if it proposes to cease the EHC plan or amend the EHC Plan or not.
- Please speak to your SEN Officer if you think their attendance at an Annual Review would be useful.
- Parents have the rights to SEND Tribunal following an Annual Review

Annual Review form

Children aged 0-5years

SEND Code of Practice

- 9.178 Local authorities should consider reviewing an EHC plan for a child under five at least every three to six months to ensure that the provision continues to be appropriate. Such reviews would complement the duty to carry out a review at least annually but may be streamlined and not necessarily require the attendance of the full range of professionals, depending on the needs of the child. The child's parent **must** be fully consulted on any proposed changes to the EHC plan and made aware of their right to appeal to the Tribunal.

Phase transfers

- What is Phase transfer and what preparation might be needed?

SEND Code of Practice

- 9.179 An EHC plan **must** be reviewed and amended in sufficient time prior to a child or young person moving between key phases of education, to allow for planning for and, where necessary, commissioning of support and provision at the new institution. The review and any amendments **must** be completed by 15 February in the calendar year of the transfer at the latest for transfers into or between schools. The key transfers are:
 - early years provider to school
 - infant school to junior school
 - *Lower* school to middle school
 - primary school to secondary school, and
 - middle school to *upper* school
- 9.180 For young people moving from secondary school to a post-16 institution or apprenticeship, the review and any amendments to the EHC plan – including specifying the post-16 provision and naming the institution – **must** be completed by the 31 March in the calendar year of the transfer.

Preparing for Adulthood

- What is important to consider when preparing for adulthood?

SEND Code of Practice

- 9.184 All reviews taking place from Year 9 at the latest and onwards **must** include a focus on preparing for adulthood, including employment, independent living and participation in society. This 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. The review meeting organiser should invite representatives of post-16 institutions to these review meetings, particularly where the child or young person has expressed a desire to attend a particular institution. Review meetings taking place in Year 9 should have a particular focus on considering options and choices for the next phase of education.
- 9.185 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 annual review should consider good exit planning. Support, provision and outcomes should be agreed that will ensure the young person is supported to make a smooth transition to whatever they will be doing next – for example, moving on to higher education, employment, independent living or adult care. For further guidance on preparing for adulthood reviews, see Chapter 8, Preparing for adulthood from the earliest years.

Ceasing an EHC plan

- When is it appropriate to cease an EHC plan?

SEND Code of Practice

- 9.199 A local authority may cease to maintain an EHC plan only if it determines that it is no longer necessary for the plan to be maintained, or if it is no longer responsible for the child or young person. As set out in the Introduction (paragraph xi.), the legal definition of when a child or young person requires an EHC plan remains the same as that for a statement under the Education Act 1996.
- 9.200 The circumstances where a local authority may determine that it is no longer necessary for the EHC plan to be maintained include where the child or young person no longer requires the special educational provision specified in the EHC plan. When deciding whether a young person aged 19 or over no longer needs the special educational provision specified in the EHC plan, a local authority **must** take account of whether the education or training outcomes specified in the EHC plan have been achieved. Local authorities **must not** cease to maintain the EHC plan simply because the young person is aged 19 or over.
- 9.201 The circumstances where a local authority is no longer responsible for the child or young person include where any of the following conditions apply (subject to paragraphs 9.202 and 9.203 below:
 - A young person aged 16 or over leaves education to take up paid employment (including employment with training but excluding apprenticeships)
 - The young person enters higher education
 - A young person aged 18 or over leaves education and no longer wishes to engage in further learning
 - The child or young person has moved to another local authority area

Useful information

- Parent and Young person Partnership – annual review leaflet

<http://www.centralbedfordshire.gov.uk/children/sen-disability/send-partnership/newsletters.aspx>

- Fact sheet: Annual Review Process published by the Council for Disabled Children

https://councilfordisabledchildren.org.uk/sites/default/files/uploads/documents/independent_support/ARfactsheets.general.cleancopy.FINAL.pdf