

**Families Directorate**

Children’s Strategic Director: Heather Flinders

**SEND SERVICE, Wood Street, Health Centre, 6 Linford Road, Walthamstow, London E17 3LA**

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|  | Ask for:Direct dial: Email:Our ref:Date: |  |

**Education, Health and Care Plan (EHCP) Annual Review Decision Letter**

**‘Cease to Maintain’ Notice**

Dear

**Re: (name’s) EHCP Annual Review (date)**

Within four weeks of the annual review meeting, the local authority must make a decision about the recommendations in the annual review report sent by (education setting’s name) and notify you of this.

The decision must be one of the following:

To cease (end) the EHCP.

To leave the EHCP as it is.

To make amendments (changes) to the EHCP

Following the completion of (name’s) EHCP Annual Review and having consulted with yourself as well as the head teacher of (education setting), the local authority has decided to issue a ‘cease to maintain notice’ – this is a notice in writing to the parent or young person, that we legally have to do , which sets out the reasons why we have decided to cease(end) (name’s) EHCP

We have decided this because…………..

The local authority's written decision concludes the review process.

**The Appeal’s Process & Mediation**

If you are not happy with the decision that has been made about (name’s) EHCP, you have the right to appeal to the SEND Tribunal.

Before you appeal, you may wish to contact the SEN team to discuss your concerns first.

If you still are not happy, you can then appeal the decision.

Before starting an appeal, you must contact the local disagreement resolution and mediation service, which is available through Global Mediation.

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Mediation involves a meeting between you, the Local Authority and the independent mediator, (Global Mediation), who will try to help you reach agreement on the points of dispute. This gives you an opportunity to discuss [CHILD]’s case before going to appeal and may be helpful. They will then give you a certificate to show you have contacted them.

**You will need this certificate before you can appeal this particular decision, even if you do not go through the formal mediation.** (The only reason you would not need a certificate is if the dispute with the LA is around the naming of a provision in section I of an EHCP)

You have 2 months from the date of the final plan or 30 days from the date on the mediation certificate (whichever is greater) to lodge an appeal.

Using mediation does not affect your right of appeal to the SENDIST Tribunal

Further details about mediation can be obtained from:

Global Mediation: 0800 064 4488 or 020 8441 1355

[Global-Mediation-Sen-Leaflets-web.pdf (globalmediation.co.uk)](https://www.globalmediation.co.uk/wp-content/uploads/2019/05/Global-Mediation-Sen-Leaflets-web.pdf?fbclid=IwAR2BWQOawuSxWdmI1dl_ut-pwxrvLQG_Z6mzdOtiWYg4yB4L1ws5-732FOA)

**SEND First Tier Tribunal**

If you do decide to appeal the Local Authority’s decision about the EHC Plan, and you have your mediation certificate, you will need to contact:

The First Tier Tribunal (Special Educational Needs and Disability)

sendistqueries@hmcts.gsi.gov.uk

Help Line: 01325 289350.

HM Courts & Tribunals Service

Special Educational Needs & Disability Tribunal

1st Floor, Darlington Magistrates’ Court

Parkgate, Darlington, DL1 1RU

More information about the SEND First Tier tribunal can be found here:

<https://www.gov.uk/courts-tribunals/first-tier-tribunal-special-educational-needs-and-disability>

**SENDIASS**

If you require support understanding the appeals process, [Waltham Forest SEND Information, Advice and Support Service (SENDIASS)](https://www.walthamforestsendiass.org.uk/) will be able to help with this.

Call: 020 3233 0251

Email: wfsendiass@citizensadvicewalthamforest.org.uk

Yours sincerely