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Person Centred Annual EHCP Reviews

**Easy Read Guidance**



# What is an Annual Review?

# Where a child or young person has an EHC plan, it must be reviewed at least once a year by the local authority. This is to ensure it stays up-to-date and continues to provide the support a child or young person needs.

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# In this document we have suggested some actions for parent/carers to take which may help you to prepare for the annual review meeting.

# An Annual Review:

* is a chance to celebrate the progress and achievements of your

 child/young person over the past year

* gives the child/young person, yourself, and professionalsworking with

 your child, the chance to share their views, wishesand feelings about

 the EHC plan.

* must look at all the sections in the EHC and update them where needed
* will check your child's/young person’s progress against their agreed outcomes, and updatethe outcomes, if needed.
* For children/young people aged in Year 9, outcomes need be changed to focus on preparation for adulthood (i.e. employment/higher education, independent living skills, community involvement and staying healthy.
* set new steps to achieve outcomes and the provision required
* will consider the appropriateness of the school/college for the child/young person
* will decide whether a plan should be updated, remain unchanged or ceased
* must not simply focus on how things have gone in the past year in school/college

## Note:

## There are circumstances when reviews have special timings due to transitions from different school/college phases (see page 6)

## There are circumstances when you can call for additional reviews throughout the year (see page 6)

**Timeline for Annual Review (AR) Process**

Annual Review anniversary

LA decision

Meeting report to LA & invitees

Annual review meeting

All advice circulated

Chase advice not received

Send invites request updated advice

Set Review date

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Beginning academic year

At least 2 weeks before AR Meeting

AR & decision about EHCP completed

Within 4 weeks of AR Meeting

2 weeks before AR Meeting

3 weeks before AR Meeting

Within 2 weeks of AR Meeting

4 weeks before anniversary of the last AR

At least 6 weeks before anniversary of the AR

# Annual Review Checklist

Step 1: Within 12 months of the last EHCP review or the EHCP being written (at the beginning of

every school term-Autumn, Spring, Summer)

## School/Setting and the SEND Officer sets the date of the annual review. SEND will Inform CCG/health partners of the Annual Reviews to occur in that term

Actions:

* Make a note of this date
* Chase up with the SENCO/SEND Officer if you do not have this date
* Find out who your SEND Officer is if you do not already know
* Make sure you have a copy of your child/young person’s current EHCP. Contact your SEND Officer or the SEND Team Front Door Business Support if you do not have it.
* Start preparing for the review in advance of the meeting. Think about what is working well for your child/young person and what could be better and any changes you think need to be made for them to progress well
* Ask the school/setting for a list of professionals working with your child/young person so that you know who should be providing reports for the annual review

 Step 2: At least 2 weeks before the annual review

## School/Setting asks for reports from any professionals working with the child/young person. Parent/carer and the child/young person (if possible) will be asked for their views

Actions:

* Check with school/setting that they have asked for updated reports from anyone involved in your child’s care e.g. Speech & Language therapist, Occupational therapist, Educational Psychologist, Paediatrician
* Make a note of any changes you would like to make to the EHC plan so that they can be addressed at the meeting
* Complete any paperwork you are sent by the school/setting. If your child/young person can, they should also share their views. These can be written or drawn
* Contact your child/ young person’s school/setting or SENDIASS if you need help understanding the paperwork
* Let school know if there are any professionals working with your child/young person

 that you feel should be at the meeting

 Step 3: 2 weeks before the annual review

## School/Setting will send parent/carer an invite to the annual review and any reports they have received

Actions:

* Check all reports are included and inform school/setting about missing reports. School/Setting are responsible for requesting missing reports from professionals
* Read through the reports and make notes of anything you may wish to ask questions about
* Make a list of any changes you would like to make to the EHCP.
* Ideally the child/ young person should be present and have an active role in the meeting. Let your school/setting know, if you feel that it would be too stressful for them to attend.
* If you need support at the meeting this is a good time to organise it with a friend, family member or SENDIASS

# Annual Review Checklist

[Step 4: 4 wee](http://www.gloucestercitynews.net/clearysnotebook/2012/10/westville-church120-years-youngthe-westville-baptist-church-summit-avenue-and-route-130-celebrated-120-years-of-service-to.html)ks before the anniversary of your last annual review or the date your EHC plan was finalised

## The annual review will take place. This can take place virtually e.g. through teleconference during times of Covid pandemic.

Actions:

* To make the most of this process and achieve a successful result, it is important that the meeting is done in partnership between the education setting, health and education professionals, parent and child and young person.
* Take any reports you have in case you need to refer to them
* Make sure that each section of the EHCP is reviewed and amended where needed
* Ask for a Personal Budget if you want to organise some of the provision in the plan yourself
* If you need support at the meeting, take a family member, friend or SENDIASS advisor with you

**Note: this meeting should not just be a review of how your child has done at school over the past year.**

Step 5: Within 2 weeks of the annual review taking place

## School/Setting must send a report to the local authority and all who attended the meeting.

##  It should outline the child/young person’s progress made towards outcomes, any views and recommendations made about changes to the outcomes or provision and should include all reports sent before the review.

 **Actions:**

* Check with the SENCO if you have not received this report within 2 weeks
* Read the report and check that any amendments agreed at the review are included
* Contact your SEND Officer if you want to submit any further requests for changes following the meeting. Escalate to the SEND Team Lead if you do not receive a response within 48 hours

Step 6: 4 weeks after the annual review has taken place

## The local authority has a duty to decide whether to:

* Keep the EHCP unchanged
* Amend the EHCP
* Cease the EHCP

**They must let the parent/carer/young person know what they have decided with a ‘notice of decision’. The SEND Officer is responsible for sending out the notice.**

Actions:

* Contact your SEND Officer if the ‘notice of decision’ has not been received 3 weeks after the meeting
* If you are not happy with the decision, contact your SEND Officer.
* If you agree with a decision to cease a plan and you think it is better for your child to finish formal education, check out the options for them- e.g. employment opportunities, apprenticeships, adult social care services
* Talk to SENDIASS if you are unsure about anything that you have been told.
* You can appeal any decision and go to the Special Educational Needs and Disability First Tier Tribunal (SENDIST) within 2 months of the decision you wish to challenge

# What Happens Next?

 If the decision is made to keep the EHCP unchanged or to cease the EHCP

## The LA must give the parent/carer/ young person information about mediation and the right to appeal to the First Tier Tribunal (SENDIST)- (see page 7)

Action:

* Contact SENDIASS if you are not happy with the decision so you can start the appeals process

 If the decision is made to amend the EHCP

* **The LA must send the parent/carer/young person a copy of the unchanged version of the EHCP along with a notice outlining the proposed amendments including the supporting evidence for the proposed changes. This must take place without delay and no later than 4 weeks (this is not statutory but a local indicator) from the decision to amend letter**

Actions:

* Contact your SEND Officer if you have not received the amendments within 3 weeks of the decision to amend to find out when they will be ready to review.

Once the parent/carer/young person receive the amendments:

**They have at least 15 calendar days to respond with their views which could include naming a school. They should also be informed of their right to meet with the Local Authority to discuss the proposed changes**

Actions:

* Make a note of the date you received the amendments and the date you must respond by. You have 15 days to respond
* Read through the amendments and make notes about any you do not agree with
* If you would like to discuss anything with the local authority, contact your SEND Officer

Within 8 weeks of informing parent/carer/young person of the proposed changes

## The LA must either issue an amended EHCP or inform the parent/ carer/young person they will no longer be amending it and provide information about mediation and the right to appeal.

Actions:

* Make a note of the date you should receive your amended plan
* Contact your SEND Officer if you have not received the amended plan 7 weeks after receiving the proposed changes
* Once you receive the amended plan, read through it to check that all the expected changes have been included
* Contact your SEND Officer or SENDIASS if you need information about mediation and you have not received it.
* If your young person is in Year 9 or above and has a learning disability, you can give the EHCP

to your GP and request a learning disability health check. They are entitled to an annual

check from their GP from this age.

Step 7: Final step

 ☐ **SEND Officer will upload the final EHCP onto Mosaic, the Local Authority browser, send a copy to parent/carer or Young person and will also send to the generic health email address**.

#  Appealing a Decision: Mediation and Tribunal

## Before you appeal a decision:

* You must consider mediation before you appeal to the tribunal. Mediation is a less formal way of working out a solution to your problem.
* The local authority will have sent you a letter giving their decision about the Education,

Health and Care (EHC) plan. The letter will tell you how to contact a mediation service.

* A mediation adviser will explain how mediation works. If you want to go ahead, they will bring you and the local authority together to discuss the problem.
* At the end they will give you a mediation certificate, which you will need if you still want to appeal.
* If you do not want mediation, you still need to contact the mediation service to get a mediation certificate so that you can appeal.

Action:

* Contact your SEND Officer or SENDIASS to get details of the local mediation service if

 you do not receive the information from the local authority

* **First-tier Tribunal (Special Educational Needs and Disability) (the “SEND Tribunal”).**

The tribunal is responsible for handling appeals against Local Authority decisions regarding special educational needs.

## You can bring an appeal to the SEND Tribunal if the Local Authority:

* refuses to carry out an EHC needs assessment or a re-assessment.
* refuses to issue an EHC Plan.
* issues or amends an EHC Plan but you disagree with any or all of Section B (special educational needs), Section F (special educational provision) or Section I (placement).
* decides not to amend an EHC Plan after an annual review.
* decides to cease to maintain the EHC Plan at any point.

## Note: From April 2018, parents and young people have also had the right to appeal against the health and social care sections of the plan (Sections C, D, G and H).

## 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>

Action:

* Contact SENDIASS for support with an appeal to the SEND First Tier Tribunal

# Things to Note from the SEND Code of Practice

**Special Timings**

**Where:**

* **a child is under 5, additional reviews should take place at least every three to six months. (CoP 9.178)**
* **a child is moving from early years provider to school, infant to junior school, or from primary to secondary school, the full annual review process must be completed by the LA before 15th February in the calendar year of the child’s transfer (CoP 9.179)**
* **a young person is moving from secondary school to a Post 16 or Post 19 setting, the full annual review process must be completed by the LA before 31st March in the calendar year of the transfer to the setting (CoP 9.180)**
* **EHCPS are not expected to require frequent changes and updates (CoP 9.193).**
* **When they do need amending, there should be supporting evidence to inform any changes.**
* **The LA can refuse a request for a re-assessment if less than 6 months have passed since the last EHC needs assessment , or it thinks that a further EHC needs assessment is not necessary ,for example, because it considers that the child/young person’s needs have not changed significantly.(CoP 9.188)**

**Special Reviews**

1. **You can ask your child’s school/setting for an informal review at any time. You do not have to wait until the annual review to talk about things like:**
* **how the school/setting is carrying out the EHC plan**
* **any concerns about your child/young person's progress**

 **2. You or the school/setting can ask for an early EHCP review. Some parent/carers call this an ‘emergency’ review.**

**The school/setting should contact you if they think your child/young person’s EHCP needs reviewing.**

**You or the school/setting can ask for an early review if:**

* **your child/young person’s special educational needs change significantly and the description in the EHC plan is no longer accurate**
* **the provision in your child/young person’s EHC plan no longer meets their needs**
* **your child/young person has been excluded or is at risk of exclusion from school/setting**
* **there is a problem and it seems the school/setting may not be meeting your child/young person's needs.**

# Annual Review Information, Advice and Support

**Waltham Forest SENDIASS** (Special Educational Needs and Disabilities Information Advice and Support Service)

Waltham Forest SENDIASS (Special Educational Needs and Disabilities Information Advice and Support Service) provides a confidential service aiming to help parents/carers, children, young people and professional staff to work together to provide the best possible support to children and young people with SEND.

Waltham Forest SENDIASS helps parents and young people by:

* Promoting good working relationships between children, young people, parents, education settings and the local authority (Council), whilst seeking to empower parents to play an active and informed role in their child’s education.
* Supporting with attending meetings with schools and with the local authority
* Help with communicating with professionals (letter writing, emails, phone calls)
* Supporting parents to achieve positive outcomes at meetings and reviews about you or your child
* Help to understand reports by professionals
* Advice on SEN systems, procedures and processes
* Support and advice with post 16 options
* Support with appeals

 For further information or arrange a call back with an advisor please visit

 https://[www.walthamforestsendiass.org.uk/](http://www.walthamforestsendiass.org.uk/)

 Call: 020 3233 0251

 Email: wfsendiass@citizensadvicewalthamforest.org.uk

# Further Information

**Waltham Forest Local Offer**

<https://www.walthamforest.gov.uk/service-categories/local-offer>

**SEND Code of Practice 0-25**

Guidance on the special educational needs and disability (SEND) system for children and young people aged 0 to 25, from 1 September 2014. <https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>

## Young Person’s Guide to an EHCP Annual Review

<https://councilfordisabledchildren.org.uk/sites/default/files/field/attachemnt/CYP.4pp.HI-RES.pdf>

## Council for Disabled Children- Animation about Annual EHC Reviews

<https://www.youtube.com/watch?v=q4w_bnGMHvQ>

**Ipsea EHCP Checklist**

<https://www.ipsea.org.uk/Handlers/Download.ashx?IDMF=afd8d11f-5f75-44e0-8f90-e2e7385e55f0>

**Post 14 Learning Disability Annual Health Checks**

<https://www.nhs.uk/conditions/learning-disabilities/annual-health-checks/>

**Preparing for Adulthood Year 9 Annual Review Guide**

<https://www.preparingforadulthood.org.uk/SiteAssets/Downloads/zuix00j2637369911529053456.pdf>

**Final Annual Review Guide**

<https://www.preparingforadulthood.org.uk/downloads/education-health-and-care-planning/final-annual-review-guide.htm>

**Waltham Forest SEND Team Front Door**

020 8496-6503 or 0208 496 6595

Wood St Health Centre

6 Linford Road E17 3LA