

EHC Plan Annual Reviews

EHC Plans must be reviewed at least annually in line with the SEND Code of Practice and this is done via an annual review meeting. The annual review meeting is designed to discuss the progress that the child or young person is making towards the outcomes outlined in their EHC Plan and if those outcomes remain appropriate. It should also review if the education provision outlined in the plan is effective in supporting the child or young person to make progress. Health provision and social care provision (where part of the EHC plan) will also be reviewed.

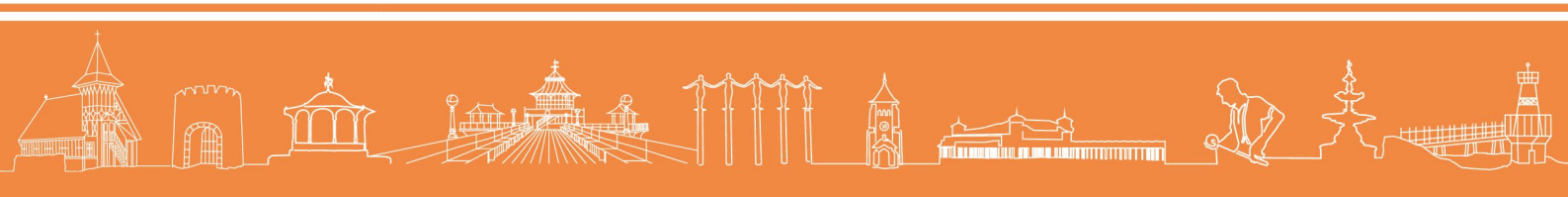
Annual Reviews should be person centred, focussed on the child or young person and their family, ensuring that the pupil or student is given opportunity to present their views, as well as those of the family.

When do Annual Reviews take place?

Upon the issue of a final EHC Plan following an Education Health and Care Needs Assessment, the annual review process must be completed within 12 months of when the final plan was issued. The annual review process is considered to be completed at the point the Local Authority issues a decision letter to say if an EHC Plan will be maintained, amended or potentially ceased, following the annual review meeting. After the first annual review meeting has been held, the next meeting will be due so the whole process concludes within 12 months of the previous review.

There are some circumstances when there will be a variation from this, such as if a child or young person is due to move from primary school to secondary school, or infant school to junior school, or primary/junior school to secondary school. In these circumstances, the Department for Education places a legal duty on the Local Authority to confirm the identified next setting by a key date. For infant to junior and primary to secondary school, this deadline is 15 February every year. For young people leaving year 11 or 6th form and post 16 and beyond, the deadline date is 31 March every year. In these situations, the Local Authority requires schools to hold phase transfer annual reviews by October half term for children with a 15 February deadline and by early January for young people moving into post 16.

Other situations where a review can be held sooner would be if the parents and/or school consider there to be serious concerns about the placement and wish to hold an early or emergency review. Another reason for holding a review meeting sooner would



be if a child or young person's health or social care situation has significantly changed and the EHC plan needs amending.

The statutory duty is for a minimum of one review every 12 months but this does not mean that education settings cannot hold reviews more often. In early years settings, there is duty to hold a EHCP reviews every 6 months. However it is not necessary for both reviews to be full formal EHCP reviews.

Who should be invited?

Parents and carers and the child or young person must always be invited to the annual review, along with the SEND Team and any other professionals involved in supporting the child or young person. For example, this could be a community paediatrician, a CAMHS worker, social worker, family support worker, early help worker, speech and language therapist, occupational therapist, physiotherapist. Where there is any provision in place to support a child or young person stated in their EHC plan, the professionals delivering that provision should be invited to the meeting and invited to contribute views ahead of the meeting.

A child or young person and their family can request for anyone else to be invited to support them at the meeting, such as an advocate, or an additional family member or family friend. For children and young people who are in a phase transfer situation (as described above) it is good practice to invite the SENCo from the likely next setting. It is helpful for the current education setting to discuss this with the family first. It is a good starting point for sharing information and good practice about the pupil or student with the next setting, and how they are best supported.

Before the meeting

The education setting will gather pupil/student views, parent views and professional views and share these as part of a draft annual review report at least 2 weeks before the meeting. In North Somerset, we are now starting to use the SEND Portal for reviews, which means families will be able to view information online on the Portal ahead of the meeting. The education setting will be able to provide information about the pupil/student's progress towards the outcomes in their EHC Plan, along with any comments and suggestions for changes. All parties involved and invited to the meeting via the SEND Portal, will be able to read this information ahead of the review meeting itself.

At the Annual Review Meeting

The meeting will ideally be held in person in the education setting but it can also be held virtually, or it might be held at a Council office if this is not possible or appropriate. The

meeting should be person centred and focus on the child or young person's progress towards their outcomes. There will be opportunity at the start of the meeting to check that everyone has had chance to read the draft review information and to raise any queries or concerns as a result. The meeting should then focus on the EHCP outcomes, which will in turn lead to discussions about what is going well, if there are any difficulties or barriers and if the plan needs to be amended to update the description of SEND, the outcomes or the provision to support the child or young person. There should be no surprises or new information when the report is issued after the meeting, as everything reported should have been discussed at the meeting. Everyone should be given an opportunity to express their views. If the pupil and/or family have not been able to share their views ahead of the annual review meeting, they should be captured during the meeting. The meeting should last for approximately one hour and for no longer than 90 minutes and stay focussed on the child/young person's progress and needs in relation to the EHC Plan and it is entirely separate from parents evening discussions.

What happens after the annual review meeting?

The education setting will finish adding in information to the annual review report from discussions held at the annual review meeting and submit the annual review report within 2 weeks after the meeting has taken place. It should be shared with parents and everyone invited to attend the annual review meeting (including professionals who were invited but were unable to attend). The annual review report must give clear recommendations about if the EHC Plan should be maintained as it is, amended, or ceased (if the child or young person has met all of their outcomes and in post 16 if all education and training outcomes have been met and/or the young person clearly states they no longer wish to be in education or training).

The Local Authority SEND Team must publish a decision about if the child or young person's EHC Plan will be maintained, amended or ceased, within 4 weeks of the annual review meeting having taken place. If the EHC Plan is being amended, a proposed amended plan will be published on the SEND Portal within 8 weeks of the meeting being held. Families will have opportunity to comment on the proposed amendments and their SEND Officer will liaise with families about this. Where there is a need for a change of education setting, the SEND Officer will consult with other education settings at the same time, including the parents preferred setting (where known).

A final amended EHC Plan will be issued following the consultation process and, where relevant, once a change of placement decision has been made. Families and young adults have a right of appeal once the final amended plan has been published.

Annual Review Process Timeline

