



## Preparing for an Education, Health and Care (EHC) Plan Annual Review

The EHC Plan Annual Review is a statutory process and a way of reviewing the needs, provision and outcomes specified in an EHC Plan, and deciding whether these need to change. The purpose is to ensure that the contents of the EHC Plan are still relevant and are helping your child/young person to make progress towards their aspirations and the outcomes in their plan.

For children under 5 years old this will happen every 6 months and for children aged over 5 years old the review will be held annually.

Phased Transfers where a child or young person is within 12 months of a transfer between phases of education, the **Local Authority (LA)** must review and amend, where necessary, the child or young person's EHC plan before:

- (a) 31<sup>st</sup> March in the calendar year of the child or young person's transfer from secondary school to a post-16 institution; and
- (b) 15<sup>th</sup> February in the calendar year of the child's transfer in any other case,

and where necessary amend the EHC plan so that it names the school, post-16 or other institution, or type of school or institution, which the child or young person will attend following that transfer.

### The Annual Review Process

It is important to remember, that the Annual Review is a process not an event so all of these steps must be followed in order for an EHC Plan Annual Review to be completed.

- An annual review meeting must be arranged and take place to discuss the EHC plan.
- Information must be gathered from parent/carers, children/young people and professionals about the EHC Plan and circulated at least two weeks before the meeting.
- After the meeting, a report must be prepared and circulated to everyone who attended or submitted information to be discussed within two weeks of the review meeting
- The EHC Plan must be reviewed by a **SEN Case Officer\*** from the LA.
- The LA must then decide whether it proposes to:
  - (a) continue to maintain the EHC plan in its current form;
  - (b) amend it; or
  - (c) cease to maintain it,and must notify the parent/carer and/or young person and the educational setting within four weeks of the review meeting.

Any LA 'decision' letter must include information about the parent/carer or young person's [right of appeal/mediation/send-tribunal](#).

\*SEN Case Officers are part of the Special Educational Needs (SEN) **Statutory Assessment Service** in Bexley. They are responsible for amending an EHC Plan to reflect a change in needs or provision and planning a change of placement if considered appropriate.

If you are unsure who your child/young person's SEN Case Officer is, you can find their contact details listed on the Bexley Local Offer: [Bexley local offer/Statutory assessment service and case officers](#)

## Arranging the Annual Review Meeting

Ultimately it is the LA's responsibility to ensure the EHC Plan is reviewed on an annual basis.

It is the educational settings (school/college) responsibility to organise the Annual Review Meeting.

If your child/young person is home educated or is not currently on an educational setting's role/register, it is the LA's responsibility.

If parent/carers or young people would like to see changes to the EHC Plan provision, they should make this known to their education setting and/or SEN Case Officer in advance and confirm who has been invited to attend the Annual Review meeting.

Educational settings can invite the SEN Case Officer to attend if appropriate. SEN Case Officers do not need to attend every Annual Review meeting; however, they will attend if there is a phased transfer due (ie nursery to school, primary to secondary or secondary to post 16).

They can invite professionals that have assessed or supported the child/young person. This can include professionals from health, social care and other LA services such as:

- parent/carer and/or young person
- LA SEN Case Officer
- health care professionals
- social care professionals
- early years provider
- other individuals relevant to the review (e.g. youth offending teams, Autism Advisory Service).

Although these people can be invited to attend, attendance is not compulsory but they can contribute a report in advance.

Meeting invites should be sent out as far in advance as possible. If you have received **less than two weeks' notice of the meeting date**, you should consider asking to postpone the meeting so the procedure can be carried out properly.

The legal requirements are set out in the [Special Educational Needs and Disability Regulations 2014](#) (the 'Regulations'), and there is also statutory guidance for LA's, schools and colleges in the [SEN and Disability Code of Practice](#) (the 'Code').

Meeting Invitations	SEN Regulations	Code of Practice
As soon as possible but at least two weeks before the meeting	Reg 20(2) and (3) or Reg 21(2) and (3)	Para 9.176

If the process is not followed, then the parent/carer or young person can [complain](#).

## Obtaining and circulating the paperwork for the Annual Review Meeting

Where the child or young person attends a school or other educational setting, this is done by the head teacher/Senco.

In all other circumstances, the LA is responsible for obtaining and circulating this information.

The person arranging the review meeting must obtain advice and information about the child or young person from the persons attending and/or contributing and must circulate it to those persons at least two weeks in advance of the review meeting.

The information and advice should provide details about the child or young person's progress and their access to teaching and learning, and consider whether the special educational provision currently being made is effective. Parent/carers, young people or professionals can make suggestions about changes that should be made to the EHC plan.

Having this information and advice gathered before the meeting is crucial where amendments to the EHC Plan are sought, and is one of the stages most often omitted or not properly complied with.

Again, if you have not received the required reports within two weeks of the meeting date, you should consider postponing the meeting.

<b>Obtaining and circulating the paperwork</b>	<b>SEN Regulations</b>	<b>Code of Practice</b>
As soon as possible but at least two weeks before the meeting	Reg 20(4) or Reg 21(4)	Para 9.167, 9.176, 9.177

## Preparing your paperwork for the Annual Review Meeting

Ensure you and your child/young person's views have been asked for. It may help to complete a new 'Section A' of the EHC Plan. It provides important information about you and your child/young person's views, wishes and aspirations. Annual Review Templates for each Key Stage with blank copies of 'Section A's' can be downloaded from the Bexley Local Offer: [Bexley local offer/Annual Reviews](#)

Ask for your child/young person to be included in the meeting if this is appropriate or consider what provisions have been made to try to obtain their views. Depending on their level of need, this may include PEC cards and Talking Mats.

Prepare your own notes for the review meeting and set out what you think needs to change, so you can be sure everything you want to discuss is covered.

You may wish to go through the current EHC Plan to:

- Go through any recent professional reports highlighting any new needs, outcome or provision that you think needs adding to the plan.
- If possible, make a copy of the plan and use highlighters to mark what you wish to discuss and amend.
- Ensure that the needs in section B are up to date.
- Consider whether you feel your child/young person has met the outcomes in section E. Are they still relevant and SMART – smart, measurable, achievable, realistic and timebound?
- Check the provision in section F is still adequate to meet the outcomes and is specific and quantified.
- Check there is provision in section F to meet every need in section B.
- Make a list of what is working well and what is not working well.
- Check that health and social care needs and provision are detailed and specific and are still adequate.
- When the child or young person is in or beyond year 9, the review meeting must consider what provision is required to assist the child or young person in preparation for adulthood and independent living. Consider the child/young person's future needs and aspirations.
- Make a note of any changes you feel are needed and any questions you want to ask.

## At the Annual Review Meeting

Be prepared – consider childcare and travel arrangements, make sure you have your notes, a pen and pad and someone with you for support if needed. Allow enough time and avoid any distractions.

Speak up regarding your views and your child's views. Explain what you think has been working well and what has not been working well, your hopes and aspirations for your child and ensure your child's views on what is important to them and what they want to achieve are heard.

Listen to the views of others in the meeting but feel confident to speak up and challenge anything you do not feel is right or if you want more clarification on something. Work together to try to resolve any issues not agreed upon.

Raise any issues you have prepared in relation to needs, outcomes and provisions that you feel may need changing.

Check there is a plan for suggested provision going forward and that any changes needed to the outcomes and provision of the plan have been discussed and your views obtained.

Consider progress towards outcomes	SEN Regulations	Code of Practice
The outcomes may require changing. If they have been achieved, or if they need to be changed, the LA should amend the EHC plan with new outcomes.	Reg 19(b), Reg 20(5), Reg 21(5)	Para 9.166, 9.167, 9.168, 9.176

If child is in year 9 onwards ensure the meeting has considered preparing for adulthood in the outcomes and provision. Chapters 8 and 9 of the Code have useful details on the kinds of planning for adulthood that schools, FE settings and LA's must undertake.

Consider provision for preparing for adulthood	SEN Regulations	Code of Practice
Where the child or young person is in or beyond Y9	Reg 20(6) or Reg 21(6)	Para 9.176, 9.184, 9.185

**At the end of the meeting be clear on what is going to be actioned and make notes of this and any timeframes which have been agreed.**

## After the Annual Review Meeting

Within 2 weeks of the meeting, a meeting report must be prepared and circulated to everyone who attended or submitted information to be discussed.

The parent/carer or young person must be sent a copy of this. Remember, if you think something is incorrect or is missing from this report, you can contact the educational setting/ SEN Case Officer to notify them.

The written meeting report must set out:

- all the information and advice obtained about the child or young person
- the recommendations on any amendments to be made to the EHC plan;
- any difference between those recommendations and recommendations of others attending the meeting

Prepare and circulate a written meeting report	SEN Regulations	Code of Practice
Within 2 weeks of the Annual Review meeting	Reg 20(7)(8) and (9) or Reg 21 (7) and (8)	Para 9.176

The LA must then decide whether it proposes to:

- (a) continue to maintain the EHC plan in its current form;
- (b) amend it; or
- (c) cease to maintain it,

The LA must notify the parent/carer or young person of their decision within four weeks of the meeting.

LA decision is made	SEN Regulations	Code of Practice
Within 4 weeks of the Annual Review meeting	Reg 20(10) or Reg 21(9)	If the plan needs to be amended, the LA should start the process of amendment without delay (see paragraph 9.193 onwards)

If the LA decides not to amend the plan or decides to cease to maintain it, they must notify the child's parent/carer or the young person of [their right to appeal that decision and the time limits for doing so](#), of the requirements for them to consider mediation should they wish to appeal, and the availability of information, advice and support and disagreement resolution services.

## Further Information

For information about the Annual Review process including a timeline and the statutory requirements, refer to the [IPSEA Annual Review Checklist](#) that can be downloaded from the Bexley IASS website.

The legal requirements are set out in the [Special Educational Needs and Disability Regulations 2014](#) (the 'Regulations'), and there is also statutory guidance for LA's, schools and colleges in the [SEN and Disability Code of Practice](#) (the 'Code').

## Bexley IASS

SEND Information, Advice and Support Service

London Borough of Bexley, Civic Offices, 2 Watling Street, Bexleyheath, DA6 7AT

Tel: 020 3045 5976

Email: [bexleyiass@bexley.gov.uk](mailto:bexleyiass@bexley.gov.uk)

Website: <https://www.bexleyiass.co.uk/>

## Bexley Local Offer

The SEND Local Offer provides information for families with children and young people aged 0- 25 with Special Educational Needs and Disabilities (SEND) in Bexley.

Telephone: 0203 045 5677

Email: [localoffer@bexley.gov.uk](mailto:localoffer@bexley.gov.uk)

Website: <https://www.bexleylocaloffer.uk/ehc/pannualreviews>

## IPSEA

IPSEA offers free and independent legally based information, advice and support to help get the right education for children and young people with all kinds of special educational needs and disabilities (SEND).

Website: <https://www.ipsea.org.uk/>

## CONTACT

National charity for families with special needs and disabled children and young people aged 0-25, supporting families with the best possible guidance and information.

Website: <https://contact.org.uk/>