

## Education, health and care needs assessment, plans (EHCP) and review dates

Here are key submission dates and deadlines throughout the academic year, indicating the deadlines set out in statutory guidance and SEND law.

### Education, health and care (EHC) needs assessment proposed submission deadlines

Also known as Ealing request for statutory assessment (ERSAs)

Regulation 18 (1)(b) The Special Educational Needs and Disability Regulations 2014 places a duty on Local Authorities (LAs) to issue a new Education Health and Care Plans (EHCP) by 15 February (of each year) for children and young people (CYP) undergoing a phase transfer.

### Children on EHCP and require a change of placement to a special school

Children who are in receipt of an EHCP in the following phases and require a change of placement to a special school will need to be prioritised for allocation so that their EHCPs are re-issued by 15 February:

- Early years education to primary school
- Infant to junior school
- Primary/first to middle school
- Primary to secondary school
- Middle to secondary school

### Receiving school must be named and EHCP finalised by 15 February 2025

#### Children with complex needs and 'Early Years' children whose needs cannot be met at mainstream with adequate levels of support

Given the statutory deadline (Regulation 18(1)), to ensure that children with the most complex needs that require a special school placement are considered, including children who are:

- undergoing education, health and care needs assessment
- request has not yet been submitted to SENAS
- presenting needs can be described in line with descriptor levels A, B, C, D, E, H, I, J

### Recommended requests for assessment no later than 13 December 2025

Ealing has a higher offer of special provision places than other Boroughs and more children in Ealing than neighbouring or London Boroughs are placed in special schools, the demand remains high for such places.

To ensure that those children and young people whose needs are too significant to be appropriately met (even with high levels of funding) in a mainstream school, place planning should be considered together with children undergoing phase transfers.

The deadline does not guarantee that a child will be offered a special school placement as decisions are made on a needs-led basis, however the deadline ensures that all children who are known to the service are considered and planned for.

Requests for EHC Needs Assessments for children who are likely to require an Education Health and Care Plan but whose needs are not line with the descriptors should be submitted across the academic year.

***The recommended submission date to request for EHC needs assessment no later than 13 December. While their EHCPs may not be issued by 15 February, having an indication of the extent of their needs will enable us to include them in place planning meetings.***

### Requests for EHC needs assessments in year

SENAS receives requests for EHC Needs Assessment throughout the year. Recent data indicates that Ealing is receiving high numbers on average than the rest of London, where requests have started to decrease. The DfE allows for an exception to the statutory deadline during the summer break<sup>[2]</sup>.

School closure means that professionals cannot carry out assessments and observations during August and therefore advice due will not keep to the 20-week statutory timescale.

To manage high demand effectively, it is strongly recommended that schools submit requests by June or in September would enable SENAS to complete assessments more efficiently and with adequate workforce in place and sufficient time for the advice to be received by SENAS prior to the school summer break.

### In-year requests for EHC needs assessments

Recommended deadline for assessment no later than 13 June or wait to September

### High school transfers

We want to make the transition to high schools a success for all involved – but especially for children and their families. We have continued to listen to feedback from SENCos, headteachers and partners and you are invited to continue to contribute to the ongoing improvements. To enable a positive transition to high school we have put together the following timetable for high school transfer for children transitioning in September 2025:

Date	Task
May 2024	All year 5 annual reviews are collected. Please can the year 5 annual review be scheduled to take place by the end of the summer term to allow for planning for secondary transfer in the following September.

July - October 2024	LA SEN high school transfer panels held. High school reps invited.
25 October 2023	Deadline for parent/carers to submit their school preferences for high school
October 2024- February 2025	EHC Co-ordinators consult with parental first preference high school and nearest high school (where different). Individual referrals to high schools made. Negotiations take place during this time: meet and talk with school staff, parents, the young person, professionals and other partners.
15 February 2025	Statutory deadline for finalising EHC Plans naming a school or type of provision in Section I of the plan.

If you haven't already held the year 5 annual reviews - please schedule it for the summer term and include discussion about secondary transfer.

### Nearest high school

Some SENCOs/Inclusion Managers will notice that in addition to consulting schools of parental preference, we consult the nearest high school. We want parents to be positive about their local high school. There are benefits to children with special and additional needs being part of their local community. We want to ensure that there is a balanced intake of children with EHCPs across Ealing schools. We hope that you will welcome expressions of interest at open evenings and visits from local parents.

### Parental choice

The legislation that underpins the processes above are Sections 33[3] and 39[4] of the Children and Families 2014. This states that the LA must agree to the parental preference for a maintained mainstream school unless: The child's inclusion would be incompatible with the efficient education of other pupils or efficient use of resources and there are no reasonable steps which either the school or LA can take to prevent the incompatibility.

## Year 9-11 preparing for adulthood

### Annual reviews

From Year 9 onwards all annual reviews should focus on Preparing for Adulthood. [Regulation 20\(6\)\[5\]](#) and [Regulation 21\(6\) \[6\]](#) of the SEN and Disability Regulations 2014 place a duty on LAs to ensure that the annual review meetings from Year 9 onwards '*consider what provision is required to assist the child or young person in preparation for adulthood and independent living*'.

Use appendix 3 in the Ealing annual review template to help to facilitate this discussion. This information must be provided at every review from year 9 onwards. Schools should also include information from any careers advice service the child may be accessing to support this process.

It is important that the child or young person themselves (or with the help of an advocate) can give their views and cover the topics they think are important, with a specific focus on the following areas: 'Employment, [Independent Living](#), [Social and Community Inclusion](#), and [Health and Wellbeing](#)'.

Transition planning must be built into the revised EHC plan and should result in clear outcomes being agreed that are ambitious and stretching and which will prepare young people for adulthood (paragraph 8.9 of the [SEND Code of Practice\[7\]](#)).

### Amendments to education, health and care plans

By the time the child starts in year 11, aspirations, transition planning and updated outcomes should be included into an amended, updated EHC plan ready to consult with their post 16 setting.

The amendments required can be requested through the annual review process in year 9 or year 10, although this is usually best done in their penultimate year at their setting before they transition – in most cases year 10. This will enable the most up to date and relevant information to be used to draw up an EHCP ready to consult with post 16 providers.

## Year 11 and onwards and college transfer

To prepare for young person leaving school, all leavers annual reviews should be held either in the summer term before the last year (i.e., in most cases Year 10, 12 or 13) or the autumn term of the year of leaving (i.e., year 11, 13 or 14).

For those pupils:

- leaving school in July and transferring to college
- or transferring to another post 16 provision

Annual review held before December 2024 EHC plan must finalised by statutory deadline of 31 March 2025

Therefore, for pupils leaving in July 2025, their annual review which discusses their education setting preferences and their planned transition to post 16 must be held before December 2024.

**If the young person would like to apply to a setting that is likely to be over-subscribed, then schools should aim for it to be sent no later than October half term as places can fill very quickly at post-16 and the Local Authority does not have influence over place planning for most post 16 institutions.**

The young person's allocated EHCCO will also contact them directly by phone and/or letter in the Autumn term of year 11 to discuss their plans for next year.

Important - if the young person would like to attend an FE college the young person will also need to apply to the course, they would like to ensure that they secure a place.

This is because the EHCP does not name a specific course, only the name of the institution and the SENAS team will not be able to secure a place on the child's chosen course if it is full at the time of application.

Please note that under s.1 of the [Mental Capacity Act \(2005\)](#) [8], the law assumes that all young people over the age of 16 have the capacity to make their own decisions unless it is proven otherwise. This includes the setting that they wish to attend and therefore at this point for most young people it is the young person, not the parent's preference that would be followed by the Local Authority.

There are of course some young people where this would not be possible and, in these cases, someone may need to be appointed to decide on their behalf. Here is more information about the Mental Capacity Act (MCA) and the implications: [Factsheet: The mental capacity act and supported decision making \(preparingforadulthood.org.uk\)](#)

Thank you for your ongoing support and help.

**Contact:**

- **Special education needs assessment service:** [senas@ealing.gov.uk](mailto:senas@ealing.gov.uk) 020 8825 6910
- **Education ICT:** [EalingEducationICT@ealing.gov.uk](mailto:EalingEducationICT@ealing.gov.uk)

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