

Annual Review of Education Health and Care Plan

Annual Review Guidance

The SEN Code of Practice (2014) requires the Education Health and Care Plan to be reviewed every year by the Local Authority. The attached form is provided to all education providers by Ealing Local Authority for the purposes of completing this review. The school is required to complete this review on at least an annual basis for every child or young person on roll for whom the Local Authority (LA) continues to maintain an Education, Health and Care Plan (EHCP).

Annual Reviews should:

- Record the views of the child/young person, parent/carer, school and all relevant professionals.
- Focus on and monitor progress towards outcomes and longer-term aspirations.
- Consider if long term outcomes and supporting steps remain appropriate and if new outcomes are required.
- Gather information about strength and needs across education, health and care (as relevant).
- Assess effectiveness of the current provision.
- Consider whether the child/young person has made progress and if the EHC plan is still required or the level of additional provision should be reviewed.

Annual review Process

Before the meeting:

In most cases, the child/young person's educational setting is responsible for organising and coordinating the meeting and for inviting attendees. If a child/YP is home educated, then the Local Authority is responsible for holding the review meeting.

Attendees at the annual review should include where possible; the child/YP, the parent/carer, a relevant member of school staff who can discuss the child/YP progress and any other relevant professionals. Appropriate efforts should be made to find a date that is convenient for all key stakeholders.

While the Local Authority SEN department should be invited to the meeting, EHC Coordinators are not able to attend all annual reviews. If however, the family or educational setting feel that there are concerns that they would like to discuss with the Local Authority then they should contact their EHC Coordinator at least two weeks in advance of the meeting to request support and whether they may need to attend this review.

The education provider should request all reports and other written advice and should always circulate these completed reports to all individuals involved at least 2 weeks before the annual review including:

- The child/young person views - These views should be presented either by the child/young person during the meeting or if they do not wish to attend the meeting discussed and recorded prior to the meeting (See Appendix 1).
- Parents/ carers should be encouraged to complete their relevant section of the Annual review or write their own contribution which will express their views (Appendix 1).
- Educational setting report (See Appendix 2).
- Reports from professionals involved in supporting the child/young person.

It is recommended that these requests for advice are sent at least four weeks before the meeting date to allow enough time to respond. If a relevant report is not received in time for the review, then the school or family may wish to postpone the review until it is received and raise this concern with their EHC coordinator.

The Annual review meeting

The Annual Review should be person centred and the voice of child/YP should be considered first in the meeting. Other aspects of the meeting can then be discussed within the context of the child's wishes.

From Year 9 onwards the review should focus on **Preparing for Adulthood (PFA)** looking at the 4 Preparing for Adulthood Outcomes. Appendix 3 can be used to support this and should be completed at all PFA reviews.

After the Annual Review meeting

The completed documentation should be sent to the Local Authority at EHCPreviews@ealing.gov.uk no more than 10 working days after the Annual review meeting is held.

All Annual Reviews sent to Ealing Local Authority must include:

- **Annual Review Meeting report**
- **Appendix 1 – Child/YP and Parent views**
- **Appendix 2 -Education Provider report**
- **Any recent professional reports**

The following documentation may also be required depending on the nature of the Annual review and is also provided below:

- **Appendix 3: Preparing for Adulthood** (This documentation must be completed for all students from Year 9 and older).

- **Appendix 4: Request for amendments to the EHC plan.** (This must be completed at all Transition Reviews or if a change in setting is being requested. This may also be required if there are significant changes in needs).
- **Appendix 5: Request for a change in EHC funding/provision.**

Any Appendices not required can be deleted from the annual review documentation.

When the paperwork is received the Local Authority will consider whether the current Education Health and Care Plan continues to be appropriate and therefore whether to maintain, amend or cease the EHC plan. The Local Authority will inform the parent and school of their decision within four weeks of the annual review date.

Summary of the annual review timeline

Activity	Timeline
Reports circulated before the AR meeting and invitations sent out	2 weeks before the meeting date. (If an updated report is required from Health or Social Care professionals please ensure these are requested 6 weeks before the meeting date or as early as possible).
Annual review meeting	Arranged within 12 months of the date of issue of the EHC plan or most recent annual review.
Annual Review submitted to the Local Authority	No more than 10 working days after the meeting date.
Parents informed about the local authority decision.	4 weeks after the date of the review meeting.
If amendment agreed, amendment notice issued	Parents have 15 days to consider and the final EHC plan will be agreed and issued 8 weeks from the amendment notice.
If the review is a Transfer between phases of education: For example, Early years to primary school or Primary school – secondary school.	Final EHCP/ amended final EHCP must be issued by the 15 th February in the calendar year of the transfer between schools.
If the review is a Post 16 transfer, for example from secondary school to post 16 institution or to a supported internship.	Final EHCP/amended EHCP must be issued by 31 st March in the calendar year of the transfer.

The Mental Capacity Act

The implications of the Mental Capacity Act (2005) need to be considered in all reviews for students over the age of 16.

Under s.1 of the Mental Capacity Act (2005) 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 decisions around:

- ✓ Who attends the annual review.
- ✓ What educational placements they would like to attend.
- ✓ Their level of support in school/college.
- ✓ What services they wish to access.

In some cases, the young person may not have capacity to make these decisions or participate in the annual review. In these cases, it is the responsibility of the chair of the Annual Review make a best interests decision regarding who will represent the young person's interests at the review. This could be the parent/carer or an independent advocate. If there are any concerns, disputes or queries regarding they young person's capacity to participate in their review please contact the SEN team for advice.

If the young person does not wish to participate in the review, then the education provider must hold the review as per their statutory duty and make the Local Authority aware of the situation. For further information on the Mental Capacity Act please see the link below:

Mental Capacity Act 2005 Factsheet: <https://www.preparingforadulthood.org.uk/downloads/young-people-and-family-participation/factsheet-the-mental-capacity-act-2005-and-supported-decision-making.htm>

Other relevant information

- In most cases, the additional provision provided is expected to reduce over time as the child/young person makes progress and becomes increasingly independent in their learning as they as prepare for adulthood. If the young person is not becoming more independent then the reasons for this should be considered as part of the annual review process.
- If any education personal budget is in place under the EHCP, this should be reviewed as part of the annual review. It should also be considered whether a personal budget might be required.
- The Local Authority is working towards going “paperless” and digitalisation of all EHCP processes. Therefore, please ensure that an email address for the Parent or Young person is provided.
- Parents/Young people can find information about eligibility for SEN travel assistance by following the link below. There is also more information on the Local Offer <https://www.ealingfamiliesdirectory.org.uk/kb5/ealing/directory/advice.page?id=IjzoIM8S5BU&localofferchannelnew=0> . You can complete the Transport online application here: https://www.ealing.gov.uk/site/xfp/scripts/xforms_form.php?formID=229&language=en