Education Health and Care Plans

Annual Review Guidance
For Schools and Settings

Version 2 Updated April 2017

The SEN Team
Dudley MBC
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This document is available on Dudley’s Local Offer website

Note: Throughout this document where reference is made to parents, the term implies parents, carers or those with parental responsibility.

All documents should be returned electronically, in Word format to:

SENTeam@dudley.gov.uk

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EHCP Updated Annual Review Guidance –Version 2 April 2017
1. Introduction

Purpose of the Annual Review

The SENDCOP 2015 9.166 says:

‘EHC plans should be used to actively monitor children and young people’s progress towards their outcomes and longer term aspirations. They must be reviewed by the local authority as a minimum every 12 months. Reviews must focus on the child or young person’s progress toward achieving the outcomes specified in the EHC plan. The review must also consider whether these outcomes and supporting targets remain appropriate.’

This document describes the arrangements to be undertaken as part of the Annual Review process for Education, Health and Care Plans described in SENCOP 9.166 – 9.185

It applies to the same organisations as listed in the Introduction to the Code of Practice January 2015. Duties to co-operate apply to ‘professionals across education, health and care (who) MUST co-operate with local authorities during reviews.’ SENDCOP 9.169

The review of the EHC Plan should include the review of any existing Personal Budget arrangements and arrangements for direct payments where this is necessary.

For Looked After Children (LAC) the Annual Review should, if possible and appropriate, coincide with one of the reviews in the Care Plan and in particular the Personal Education Plan (PEP) element of the Care Plan.

Frequency of Annual Reviews including children between the ages of 0-5

The first review must be held within 12 months of the date when the EHC Plan was issued.

‘For children between the ages of 0-5 the Local Authority should consider reviewing the EHC Plan every 3 to 6 months to ensure the provision remains appropriate. Any changes determined must involve consultation with parents.’ SENDCOP 9.178

Interim or Early Annual Reviews

The arrangements for calling an interim or early review are the same as for all other
reviews: they should be managed in the same way and with same formality.

An Interim Review does not replace the Annual Review and review timescales are not altered.

Timescales

Timescales allow a maximum of 12 weeks to complete an Annual Review and the Local Authority has only 4 weeks from the date of the Annual Review to make a decision and inform parents (carers and young people) on whether it will maintain, cease or amend the EHC Plan. This must be done within a year of the original issue date of the EHC Plan. See page 9 for a visual representation.

Secondary Transfer Reviews - Year 5

For a pupil attending a mainstream primary school, a secondary transfer review should be held no later than the Summer Term of Year 5.

This is to ensure that careful thought is given to the type of setting and the support arrangements that the pupil will require for the next phase of their education.

The law requires that an EHC Plan must be amended to name the intended placement by February 15th in the year of transfer and in order to do this, parental preferences need to be with the SEN Team by 30 September in the year preceding transfer.

Parents should always be encouraged to complete the relevant admissions paperwork as it is not a foregone conclusion that any EHC Plan following the Annual Review will be maintained.

Pupils placed in schools/ settings from other LAs should ensure they are aware of their own LA procedures and should contact their home SEN Team, if in any doubt.

If a change to the type of provision e.g. mainstream to special or vice versa, is being considered a view from a Local Authority Educational Psychologist is required.

Year 9 Annual Reviews - Preparing for Adulthood

‘As the young person is nearing the end of their time in formal education and the plan is likely to be ceased within the next 12 months, the Annual Review should consider good exit planning.’
Support, provision and outcomes should be agreed that will ensure the young person is supported to make a smooth transition to whatever they will be doing next – for example, moving on to higher education, employment, independent living or adult care.’ SENDCOP 9.184 – 9.185

All Annual Reviews taking place from Year 9 onwards must include a focus on preparing for adulthood, including employment, independent living and participation in society.

It is particularly important in Transition Reviews to seek and record the views, wishes and feelings of the child or young person.

The Code recommends that the Annual Review meeting organiser should invite representatives of post-16 institutions to these review meetings.

Transfers to Post 16 Further Education Settings

‘For young people moving from secondary school to post 16 institutions or apprenticeships, the review and any amendments to the EHC Plan – including specifying the post 16 provision and naming the institution – must be completed by 31 March in the calendar year of the transfer. (SENCOP 2015 9.180)

‘Where it is proposed that a young person is to transfer between one post 16 institution and another within the following 12 months, the Local Authority must review and amend, where necessary, the young person’s EHC plan at least 5 months before the transfer takes place. (SENCOP 2015 9.181)

The Role of the Case Officer at an Annual Review

The Annual Review meeting is organised, facilitated and recorded by the student’s school, college or other institution; therefore it is not essential for a Case Officer to attend. However please discuss with your SEN Case Officer if you require advice or direction.

If Case Officers do attend they will make it clear at the introduction stage of the meeting that their role and function is as a procedural advisor only. Case Officers represent the local authority and are not party to the recommendations made nor do they contribute evidence to the meeting.

The Case Officer is therefore independent of the final recommendations made in the review.
2.

Sample Agenda for Annual Review Meeting

Date of Meeting

<table>
<thead>
<tr>
<th>Name of Pupil</th>
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<tbody>
<tr>
<td>Date of Birth</td>
<td></td>
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<tr>
<td>Year Group</td>
<td></td>
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</table>

1. Introductions.

2. Purpose of the meeting.

3. Confirmation of the reports received, including pupil's and parents' views.

4. Confirmation of the parental and pupil views.

5. Review of progress against the outcomes of the EHC Plan. Please note any important and significant changes to the outcomes (unlikely to change annually).

6. Planning the school based targets for the next twelve months including any further actions.

7. Summary and Recommendations from the Annual Review.

8. Date of next Annual Review.
3. Summarising and Making Recommendations from the Annual Review

As the meeting draws to a close, a summary will be prepared which will lead to recommendations to be made to the Local Authority. The recommendations should be supported by the evidence discussed during the meeting. Any disagreement about the recommendation and the details should be recorded. The meeting should select one of the following:

- **Maintain the EHCP**
  - Does my plan need to continue unchanged?

- **Amend the EHCP**
  - Does my EHCP require significant changes? Please ensure that supporting evidence is attached.

- **Cease the EHCP**
  - Have all or some of my outcomes been achieved to the extent that I no longer require a plan and my remaining needs can be meet from within the setting’s SEN Notional Budget

- **Any other recommendations with reasons.**
  - Although a rare occurrence, there may be some circumstances where the LA considers the information provided is confusing or the pupils needs have changed significantly. Therefore, the existing EHC Plan does not appear to correctly identify the child or young person’s needs. In such cases, the LA may decide a reassessment is needed.

4. Travel Arrangements

If travel to and from school is supported by the Local Authority, this should also be reviewed. Consideration should be given to ways of accessing school which safely maximizes independence for the child or young person.

Please refer to the proforma towards the end of this document.

5. Summary Report of the Annual Review Meeting

The school/ setting (usually the Head teacher/ principal) must send, to the LA and to all those invited to attend the review, a copy of the Summary Report of the meeting together with copies of all the advices and information received.

This MUST be returned to the LA, electronically at SENTeam@dudley.gov.uk within 10 days of the meeting or by the end of the school term, whichever is sooner.
6. **Good practice for involving children and young people in Annual Reviews**

<table>
<thead>
<tr>
<th>Prior to the meeting</th>
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<tbody>
<tr>
<td>A member of staff explains</td>
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<tr>
<td>- The purpose of the meeting to the pupil (2-4 weeks beforehand)</td>
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<tr>
<td>- Helps the child/yp reflect on the year gone by and discusses</td>
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<tr>
<td>- Who will be invited</td>
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<tr>
<td>- The pupil’s contribution to the meeting, for example, taking along a friend or sharing a piece of good work</td>
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<tr>
<td>- Where the meeting will take place</td>
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<tr>
<td>- The school’s view of the pupil’s progress</td>
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<tr>
<td>The pupil</td>
</tr>
<tr>
<td>- Discusses and records his/her views which will be circulated with the Annual Review paperwork 2 weeks in advance of the meeting</td>
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<tr>
<td>- Decides how to be involved in contributing to the meeting</td>
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<tr>
<td>- Decides whether or not to attend the meeting or part of the meeting</td>
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<td>- Assists with sending invitations.</td>
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<table>
<thead>
<tr>
<th>At the meeting</th>
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<tbody>
<tr>
<td>The pupil may</td>
</tr>
<tr>
<td>- take a positive role, for example, give out reports, join in introductions</td>
</tr>
<tr>
<td>- share their views</td>
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<tr>
<td>- participate in discussion</td>
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<tr>
<td>- is given positive feedback about his/her role in the meeting.</td>
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<tr>
<td>- agree the way forward</td>
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<tr>
<th>After the meeting</th>
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<tbody>
<tr>
<td>The pupil</td>
</tr>
<tr>
<td>- is given confirmation of any decisions and/or recommendations made</td>
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7. **Timescales for the Annual Review Cycle**

Termly notification to schools by the LA to head teachers and principals, colleges and other institutions, the CCG and the local authority officers responsible for social care at least two weeks before the beginning of each term.

The review cycle is triggered by the date of the initial Final EHC Plan. The review arrangements have to be planned and cannot be left to chance.

The first review should be held within 10 months of the date of issue of the initial Final EHC Plan to meet timescales.

The head teacher must request and collate professional reports, including that of the school or setting to be distributed to all invitees including the LA at least 2 weeks before the Annual Review meeting.

The completed schools Annual Review Report must be returned within 2 weeks of the date of the Annual Review.

The LA must notify its decision to the parents and attendees within 4 weeks of the Annual Review meeting.

The Local Authority must finalise any amendments within 8 weeks of the notification that it is intending to amend (12 weeks in total from the date of the meeting).

Subsequent Annual reviews must take place within 12 months of the first Annual Review date, ideally around the anniversary of the first annual review.