



Solihull Metropolitan Borough Council

Annual review of an Education Health and Care (EHC) Plan - guidance for educational settings

This guidance is written in accordance with Section 44 of the Children and Families Act 2014 and Regulations 2, 18, 19, 20, and 21 of the SEND Regulations 2014 and should be viewed alongside the Annual Review Form.

Introduction

Where a child or young person has an Education, Health and Care (EHC) plan it should be used to actively monitor their progress towards their outcomes and longer term aspirations. Reviews must be undertaken in partnership with the child and their parent or the young person, and must take account of their views, wishes and feelings.

The Local Authority must arrange for a review of a child or young person's EHC Plan at least annually. The EHC Plan must be reviewed as a minimum **every 12 months**. In most cases, the responsibility for organising and facilitating the meeting should be undertaken by the school or educational setting which the child or young person attends.

The purpose of an annual review meeting is to:

- *Review the child or young person's progress towards achieving the outcomes specified in the EHC Plan*
- *Consider the continuing appropriateness of the EHC Plan and to recommend any changes to this that might be necessary*
- *Set new targets for the coming year and to do this in a person centred way focusing on positives about the child and their progress as well as looking at what is working and not working from the point of view of the child or young person, family, school/setting and others. This concludes with a consideration of what is important to the child or young person both now and in the future with respect to better life outcomes and remaining questions to answer and issues to be resolved. This is then carried forward into future planning.*

For a young person aged over 18 a local authority must have regard to whether the educational or training outcomes specified in the plan have been achieved.

Local authorities must also review and maintain an EHC plan when a child or young person has been released from custody. The responsible local authority must involve the child's parent or the young person in reviewing whether the EHC plan still reflects their needs accurately and should involve the youth offending team in agreeing appropriate support and opportunities.

Reviews of EHC Plans for children aged 0-5

The Local Authority must arrange for a review of an EHC Plan for a child under five at least every six months to ensure that the provision continues to be appropriate.

Reviews of EHC Plans for young people aged 14+ (Y9)

The review of an EHC Plan of a young person in the school year in which they turn 14 years of age (Year 9) and every review thereafter must include a focus on preparing for adulthood including employment, independent living and participation in society. This transition planning must be built into EHC Plans and where relevant should include effective planning for young people moving from children's to adult care and health services, with the involvement of a Careers Advisor from the Careers and Participation Service in Years 9 and 11. Planning must be centred around the individual and explore the young person's aspirations and abilities and what they want to be able to do when they leave post-16 education or training and the support they need to achieve their ambition.

The review meeting organiser should invite representatives of post-16 institutions to these review meetings and should have a particular focus on considering options and choices for the next phase of education.

Emergency/Interim Reviews

If the school, parents/carers or the local authority believe there is an urgent need to change a child/young person's EHC plan then the local authority can carry out an interim or emergency review.

Reasons to ask for an emergency review could be:

- The child/young person's education, health or social care needs have changed and the EHC plan no longer accurately describes them.
- The education, health or social care provision in the EHC plan is no longer meeting the child/young person's needs.

There is an expectation for the setting to follow the graduated approach and involve external specialists for evidence prior to requesting an emergency/interim review as well as the current team around the child. If you think that a change of placement will be required, the local authority will need to undertake an educational psychology assessment prior to the review taking place. You will need to discuss this with your allocated EHC plan coordinator.

The School or setting must;

- Convene the EHC Plan review and along with relevant school/setting staff and invite the team around the child to attend with at least 6 weeks' notice of the date of the meeting. This could include:
 - the child or young person
 - the child's or young person parents/carers
 - a representative from the Local Authority SEND Assessment & Planning Service
 - involved Education, Health and Social Care professionals
 - any other professionals the child/young person /parents/carers would like to be invited, or who are deemed appropriate to enhance planning and provision

- Seek advice and information from every one invited to the review meeting about the child or young person's progress towards achieving the outcomes specified in the EHC Plan review and any other matters relating to their progress and circulates this to everyone invited to the review meeting at least two weeks before the meeting.

- Review the child or young person's progress towards achieving the outcomes specified in the EHC Plan and to make recommendations on what changes might need to be made to those outcomes and/or their support (including support provide through a Personal Budget) to help them achieve them.

- Consider the continuing appropriateness of the EHC Plan in the light of the child or young person's progress during the previous year or changed circumstances and whether changes are required

- Set new targets for the coming year and where appropriate, agree new outcomes

- Prepare and send a report of the review meeting to everyone invited to the meeting within 2 weeks of the meeting.

- The local authority must notify the parent of the child or young person of their decision within four weeks of the meeting.

Conducting an Annual Review

The SENCo should collate the appropriate documents and use the EHC Review paperwork as a guide/agenda for the order and discussion of the meeting. Guidance on how to complete each section is as follows:

Completing the annual review paperwork

The review paperwork should be used as a guide and all sections should be completed if/where applicable to the child/young person. If significant amendments are required, they should be made on a word copy of the EHCP using ~~strikeout~~ and **bold**.

In the person centred review section of the review paperwork, include information under the key questions.

Based on the information shared at the Review, agree any new outcomes and amendments to the child or young person's existing outcomes, as appropriate, and annotate the existing plan. Outcomes should be SMART.

Section I

Use this section to detail information relating to next year's education placement in particular when the child or young person is transferring between phases of, including where possible:

- If a school has already agreed to offer a place for September
- If parents have an educational placement preference
- If parents are exploring alternative educational placements

PERSONAL BUDGET (EHCP Part J)

Only complete this section if a direct payment or third party arrangement is in place.

Concluding the Annual Review Process

Please complete the front cover recommendations of the annual review paperwork to support the local authority to identify whether the child or young person's EHC plan should be amended, maintained, ceased or a reassessment is required.

Please ensure that the review document is signed by the child, parent/carer, lead professional and head teacher

Educational settings will need to collate all of the necessary information, in electronic form, and send to startannualreview@solihull.gov.uk within 10 working days of the review, as well as to parents. We will then analyse the information and will notify the parents or young person of their decision within 4 weeks of the meeting.

Key Review Dates

An EHC plan must be reviewed and amended in sufficient time prior to a child or young person moving between key phases of education, to allow for planning for and, where necessary, commissioning of support and provision at the new institution.

Transfer between phases of education

- a) For transfers into or between schools, the review and any amendments **must** be completed at the latest by **15 February** in the calendar year of the transfer. The key transfers are:
- early years provider to school
 - infant school to junior school
 - primary school to middle school
 - primary school to secondary school, and
 - middle school to secondary school
- b) For young people moving from **secondary school to a post-16 institution or apprenticeship**, the review and any amendments to the EHC plan – including specifying the post-16 provision and naming the institution – **must** be completed by the **31 March** in the calendar year of the transfer.
- c) For young people **moving between post-16 institutions**, the review process should normally be completed by **31 March** where a young person is expected to transfer to a new institution in the new academic year. However, transfers between post-16 institutions may take place at different times of the year and the review process

should take account of this. In all cases, 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 five **months** before the transfer takes place.

- d) In some cases, young people may not meet the entry requirements for their chosen course or change their minds about what they want to do after the 31 March or five-month deadline. Where this is the case, local authorities should review the EHC plan with the young person as soon as possible, to ensure that alternative options are agreed and new arrangements are in place as far in advance of the start date as practicable.

Introducing Person Centred Reviews

A person centred review is a different type of meeting from the conventional annual review meeting in that it strives to place the child or young person and their family at the centre of the meeting process.

It does this by using a positive focus for reviewing the child or young person's progress by starting with 'what people like and admire about the child or young person' as well as sharing 'good things have happened since the last review'.

However, this review of progress is equally pragmatic in that it goes on to look at 'what is working' as well as 'what is not working' from the perspective of the child or young person, family, school/setting and others. The meeting concludes with a consideration of 'what is important to the child or young person' both now and in the future with respect to better life outcomes and a final section which addresses questions to answer and issues to be resolved. This is then carried forward into action planning for the future.

This person centred review of progress supports the usual review decision making where recommendations need to be made to the Local Authority about maintaining, amending or ceasing to maintain the Plan.

The format and feel of a person centred review is also different in that it is much more informal, interactive and visual. Where appropriate, the child or young person begins by providing their views and this usually works best as part of a prepared presentation. This

information can be recorded on flipchart paper arranged around the room and then participants are then invited to contribute their views under each of the review headings after which actions and the planning to further support the child or young person's progress towards their outcomes is agreed.

A further major difference is the change in role from the person who previously chaired the meeting to someone who now acts as a facilitator with the aim of supporting the child or young person and the family to participate in the meeting.

It is strongly recommended that schools use a person centred process in annual reviews. The new annual review paperwork supports this process.