

# Swindon Borough Council

## ANNUAL REVIEW EDUCATION, HEALTH AND CARE PLAN Guidance notes

### 1. Introduction

Education, Health Care (EHC) plans are legally binding documents and the law requires them to be formally reviewed at least once every year (first review within 12 months after the date when the EHC plan was issued and then within 12 months of any previous review). This is referred to as the Annual Review.

EHC plans should be used to monitor children and young people's progress towards their outcomes and longer-term aspirations.

The reviews **must** to undertaken in partnership with the child and their parent or the young person and their views should inform influence your joint planning and evaluation of progress made and any changes to proposed outcomes.

Professionals across education, health and care **must** co-operate with local authorities during the review process and should expect to attend and/or submit updated evidence/information.

### 2. Key Requirements

The Annual Review meeting **must**:

1. focus on progress made towards achieving outcomes and check if the aspirations have changed (consider them in the context of paid employment, independent living and community participation **(CoP 9.69)**)
2. establish whether the current outcomes remain appropriate and if required agree new ones
3. review the short-term targets and set new ones
4. review the special educational provision and the arrangements for delivering it to ensure it is still appropriate and enabling good progress
5. review any health and social care provision and check its effectiveness towards achieving the outcomes
6. check if the parent/YP would like to request a Personal Budget.
7. From year 9, at the latest, reviews must include focus on preparing for adulthood, including employment, independent living and participation in society. The transition planning must be built into the EHC plan.

The purpose of the Annual Review is to:

- see progress towards achieving the Outcomes (**Section E**) and check everything is still on track
- see if the support /provision provided in the last year has made an impact and discuss what changes in provision have been made over the year to ensure

these changes are reflected in the plan and also discuss and reflect if provision needs to be changed for the next year (**Sections F, G, H1 or H2**)

- check if the Aspirations have changed (**Section A**)
- check if the setting (pre-school, school, college) they are attending is still the right place for them (**named in Section I**)
- and review and set new long and short-term targets (**steps towards achieving the Outcomes in Section E**)

#### 4. Types of Review meetings

**Reviews for children 0-5-** LA should consider reviewing plans at least every three to six months to ensure that the provision continues to be appropriate. It may not be necessary to require the attendance of the full range of professionals.

**Key stage transfers** - Plans **must** be reviewed and amended (by the dates below) 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:

- by 15<sup>th</sup> February - 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
- By 31<sup>st</sup> March - secondary school to a post-16 institution or apprenticeship, between post 16 institutions

**Preparing for adulthood** must include outcomes for improving life chances (from year 9): Employment, Independent living, Friends, relationships and community participation, Good health. Transition planning **must** be built into the EHCP and will be well supported by a Planning Live meeting before the annual review.

**Annual reviews for children looked after** - The annual review should, if possible and appropriate, coincide with one of the reviews in their Care Plan and in particular the personal education plan (PEP) element of the Care Plan and planned in conjunction with the Virtual School.

**Children and young people in custody** - Local authorities **must** also review and maintain an EHC plan when a child or young person has been released from custody.

**Early annual reviews** – in some circumstances it might be necessary to call an early review; usually this is caused by a sudden/unexpected change in need and will then require updated assessment evidence to be available at the meeting.

#### 5. Before the review meeting

- The Local Authority **should** provide a list of children and young people who will require a review of their EHC plan that term. This **should** enable the school and relevant professionals to plan attendance and/or provide advice or information where necessary.
- The Local Authority **must** provide a list of young people whose reviews **must** be focused on transition and preparation for adulthood.

- The school **must** invite the child's parents or young person and other relevant professionals and give them two weeks' notice of the date of the meeting
- The school **must** seek advice and information about the child or young person prior to the meeting from all parties involved/invited
- The school **must** send advice and information to all invited at least two weeks before the meeting
- The school **will** offer additional support to the child/young person and their parent/carer so that they are confident about attending the review and able to participate effectively.

## 6. During the meeting

- The annual review meeting **must** focus on the child/young person's progress towards achieving outcomes specified in the EHC plan, and what change might need to be made to the support that is provided
- Children, parents and young people **should** be supported to engage fully in the review meeting. This will be achieved by effective preparation to the meeting, promoting and practicing person centred principles during the meeting.

## 7. After the review meeting

- The school **must** prepare and send a report of the meeting to everyone invited within two weeks of the meeting
- The report **must** set out recommendations on any amendments required to the EHC plan
- Parents **must** be notified about the Local Authority's decision following the review within 4 weeks after the review meeting.

A checklist has been developed that can support you with the coordination of the Annual Review. This is published on the Local Officer and can be found using the following link

<http://children.mycaremysupport.co.uk/media/1003259/Swindon%20Annual%20Review%20Checklist%20v1.docx>

## 3. Participation of parents, children and young people in the Annual Review

The Annual Review must allow the parent, child or young person to be fully involved so their views, wishes and feelings are known.

The following Key principles must be followed in the context of the meeting by having regard for:

- The views, wishes and feelings if the child, young person and their parents;
- The importance of allowing them to participate in decisions relating to themselves (or their child);
- The importance of providing information to enable active participation in decision-making;

- The need to support the child, young person and their parents to facilitate development and enable the best possible outcomes, educational or otherwise.

You are crucial to ensuring young people feel at the centre of their annual review and can do this by:

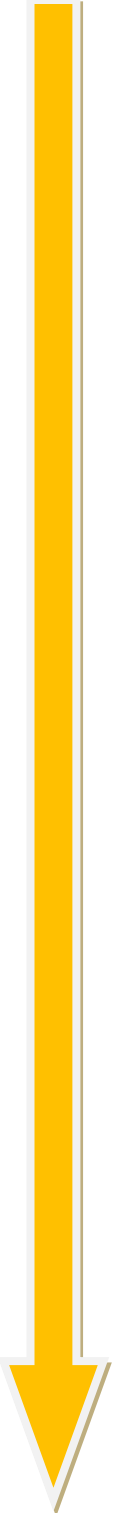
- being directed by them
- involving them in planning the room set up and such as the refreshments
- making sure they feel involved – reflecting back their comments and ideas and explaining how that has helped everyone understand better
- ensuring they can participate for example by looking at different ways of presenting their passport (PowerPoint, picture mat (sorting photos of school activities into thumbs up and thumbs down), pre made video or interview)
- Starting with a celebration board- what we like and admire, things you and we are most proud of this last year...
- letting them know what will happen next

### **How can the setting support participation?**

- Being clear from the outset how the parent or young person wants to be supported during the meeting including if they get upset, angry or overwhelmed.
- Make parents or young people aware they can ask:
  - for reading time at the start if new reports are presented on the day
  - ask for invitees to introduce themselves if they don't know them
  - ask for jargon or acronyms to be explained in plain English instead
- keep checking with parent or young person throughout to make sure they:
  - understand and are okay with everything that is being said
  - have had answers to all their concerns
  - are clear about any changes that are being suggested and appreciate any wider implications
- Remind the parents or young people that once the LA receives the report and all the supporting evidence it has to decide whether it will:
  - leave the plan unchanged
  - amend it
  - cease it

## 8. Timeline

The Annual Review is an evidence-based process which takes at least 8 weeks.

<p><b>Step 1</b> Obtain advice and information about the CYP from all the relevant professionals and the parent and the CYP themselves.</p>	<p><b>2 weeks</b></p>	
<p><b>Step 2</b> Circulate the reports received along with the invitations to attend the Annual Review meeting.</p>	<p><b>2 weeks</b></p>	
<p><b>Step 3</b> The Annual Review meeting will consider:</p> <ul style="list-style-type: none"> <li>• the CYP's progress towards achieving the outcomes specified in their EHCP</li> <li>• whether the outcomes still remain appropriate</li> <li>• if their aspirations have changed</li> <li>• review and set new short term targets</li> <li>• whether any changes need to be made to the provision including if the placement is still appropriate</li> </ul>	<p><b>2 weeks</b></p>	
<p><b>Step 4</b> Following the meeting the school (or host) must prepare a report that includes recommendations for amendments to the EHCP including details where views differ. This must be sent to everyone invited to the meeting within 2 weeks including the LA.</p>	<p><b>2 weeks</b></p>	
<p><b>Step 5</b> The LA has 2 weeks (4 weeks from the date of the meeting) to decide to leave the plan unchanged, amend it or cease it and inform the parent, the YP and the school/setting of its decision</p>	<p><b>2 weeks</b></p>	

## Annex 1: transfer process timeline

### Transfer between phases of education (9.179 – 9.183, CoP)

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.

The review and any amendments **must** be completed by 15 February in the calendar year of the transfer at the latest for transfers into or between schools.

In Swindon the key transfers are:

- early years provider to school
- infant school to junior school
- primary school to secondary school

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.

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.

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.

Transfer from infant to junior school	Educational setting	LA
If year 1 review falls in terms 1,2,3 or 4	Review should begin to focus on transition arrangements. The educational setting should make sure that year 2 annual review is arranged in terms 1 or 2 so that the report is submitted to the local authority by the end of December	The local authority must respond within 4 weeks of the date of the meeting
If year 1 review falls in	Review meeting should make	The local authority must

terms 5 or 6	<p>recommendations related to key stage transfer including parental preferences (if known).</p> <p>If parental preferences are not known another review should be arranged in terms 1 or 2 in year 6 so that final recommendations are sent to the local authority.</p>	<p>respond within 4 weeks of the date of the meeting and must ensure that final EHC naming a new provision is issued by 15<sup>th</sup> February in year 2</p>
If placement has not been agreed as a result of year 1 review, Year 2 reviews must be arranged in term 1 or 2	The review meeting should make recommendations related to the key stage transfer and state parental preference.	The local authority must respond within 4 weeks of the date of the meeting and must ensure that final EHC naming a new provision is issued by 15 <sup>th</sup> February in year 2
If placement has been agreed as a result of year 1 review, year 2 review can take place	The review should focus on transitional arrangements to year 3. The appropriate person (ideally SENCO) representing the junior school should be invited	The local authority must respond within 4 weeks of the date of the meeting
<p>Please note: In cases where transition annual reviews are likely to recommend a placement in a special school or SRP meetings they must be arranged in year 1 (terms 5,6) or year 2 (term1 at the very latest). Places in special schools and SRPs are limited; it is essential for the local authority to receive all such applications as early as possible so that places can be allocated according to the severity of need.</p>		
<b>KS2 – 3 transfer timeline</b>	<b>Educational setting</b>	<b>LA</b>
If year 5 review falls in terms 1,2,3 or 4	<p>Review should begin to focus on transition arrangements. Issues such as parental preferences should be discussed.</p> <p>Educational setting should make sure that year 6 annual review is arranged in terms 1 or 2 so that the report is submitted to the local authority by the end of December</p>	The local authority must respond within 4 weeks of the date of the meeting
If year 5 review falls in terms 5 or 6	<p>Review meeting should make recommendations related to key stage transfer including parental preferences (if known).</p> <p>If parental preferences are not known another review should be arranged in terms 1 or 2 in year 6 so that the final recommendations are sent to the local authority.</p>	The local authority must respond within 4 weeks of the date of the meeting and must ensure that final EHC naming a new provision is issued by 15 <sup>th</sup> February in year 6.
If placement has not been agreed as a result of year 5 review,	The review meeting should make recommendations related to the key stage transfer and state	The local authority must respond within 4 weeks of the date of the

Year 6 reviews must be arranged in term 1 or 2	parental preference	meeting and must ensure that final EHC naming a new provision is issued by 15 <sup>th</sup> February in year 6.
If placement has been agreed as a result of year 5 review, year 6 review can take place	The review should focus on transitional arrangements to year 7. The appropriate person (ideally SENCO) representing the secondary school should be invited	The local authority must respond within 4 weeks of the date of the meeting
Please note: In cases where transition annual reviews are likely to recommend a placement in a special school or SRP meetings must be arranged in year 5 (terms 5,6) or year 6 (term1 at the very latest). Places in special schools and SRPs are limited; it is essential for the local authority to receive all such applications as early as possible so that places can be allocated according to the severity of need.		
<b>KS 4 – 5 transfer timeline</b>	<b>Educational setting</b>	<b>LA</b>
Year 9 review	Reviews must include focus on preparing for adulthood, including employment, independent living and participation in society.	The LA must ensure that the transition planning is built into the EHC plan
If year 10 review falls in terms 1,2,3 or 4	Review should begin to focus on transition arrangements. Issues such as parental and young person preferences should be discussed.  Educational setting should make sure that year 11 annual review is arranged in terms 1 or 2 so that the report is submitted to the local authority is submitted by the end of December	The local authority must respond within 4 weeks of the date of the meeting
If year 10 review falls in terms 5 or 6	Review meeting should make recommendations related to key stage transfer including parental preferences (if known).  If parental or young person preferences are not known another review should be arranged in terms 1 or 2 in year 11 so that final recommendations are sent to the local authority.	The local authority must respond within 4 weeks of the date of the meeting and must ensure that final EHC naming a new provision is completed by 31 <sup>st</sup> March in year 12.
If placement has not been agreed as a	The review meeting should make recommendations related to the	The local authority must respond within 4



result of year 10 review, Year 11 reviews must be arranged in term 1 or 2	key stage transfer and state parental and young person preference	weeks of the date of the meeting and must ensure that final EHC naming a new provision is completed by 31 <sup>st</sup> March in year 12.
If placement has been agreed as a result of year 10 review, year 11 review can take place	The review should focus on transitional arrangements to year 12. The appropriate person (ideally SENCO) representing the secondary school should be invited	The local authority must respond within 4 weeks of the date of the meeting
Please note: In cases where transition annual reviews are likely to recommend a placement in a special school meetings must be arranged in year 10 (terms 5,6) or year 11 (term1 at the very latest). Places in special schools are limited; it is essential for the local authority to receive all such applications so that places can be allocated according to the severity of need.		