



Special Educational Needs,
Disability Information,
Advice & Support Service.

Annual Review Resource Pack

**If you require further information or support
please contact:**

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The accurate information provided within this pack is given
in line with the following legislation and statutory guidance

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Legislation

- Children & Families Act 2014 (C&FA 2014) Section 44
 - SEND Regulations 2014

Statutory Guidance

SEN Code of Practice² (CoP) 9.166-9.185

What is an annual review?

There is a requirement for all Education, Health and Care Plans (EHCP) to be reviewed by the LA at least annually. This is usually referred to as the Annual Review. In Early Years EHCPs should be reviewed every 3 to 6 months.

If a child is within 12 months of transferring from nursery to primary school or primary to secondary school; there always has to be a review. Any amendments should be made by 15 February of the calendar year your child is due to make the transfer.

If your child is moving from secondary school to post-16 education or an apprenticeship, there should also be a review, and it should happen by 31 March of the calendar year

The Annual Review is more than just a review meeting, it is a process that **must** be completed on or before the anniversary of when the EHCP was first issued or the anniversary of the last review. It is laid down in law and in the SEN Code of Practice.

Early Review

Annual reviews can be done before it is annually due if a child or Young Person's education, health or social care needs have changed and are no longer accurately described in the EHC plan or that the education, health or social care provision in the EHC plan is no longer meeting the child or young person's needs.

If the child or young person has been excluded from school or is considered to be a risk of exclusion, this would also be a good reason to ask for an annual review

Key point

The LA can refuse a request for a re-assessment if less than 6 months have passed since the last EHC needs assessment was conducted, or it thinks that a further EHC needs assessment is not necessary for example because it considers that the child or young person's needs have not changed significantly.

Timeline for an Annual Review

Step 1

Settings should obtain advice from all relevant professionals, from parents and from the child or young person themselves, prior to the meeting.

Step 2

The setting should circulate all reports gathered from all parties along with the invitations to attend the arranged Annual Review meeting.

This should be done AT LEAST 2 weeks before the date of the meeting

Step 3

The Annual Review meeting should take place. The following things should be considered:

- The Child/Young Persons progress towards achieving the outcomes specified in their EHCP
- Whether the outcomes still remain appropriate
- The child or Young Persons aspirations, and whether these have changed
- Targets from the EHCP should be reviewed and new ones set
- Whether any changes need to be made to the provision including whether the placement is still appropriate.

Step 4

Within 2 weeks of the Annual Review meeting, the setting must prepare and send a report that includes recommendations for amendments to the EHCP; including details where views differ between people. This must be sent to everyone who was invited to the meeting – including the Local Authority

Step 5

The Local Authority has 2 weeks (within 4 weeks from the date of the Annual Review meeting) to decide whether to

1. Leave the plan unchanged,
2. Amend the plan
3. Cease the plan;

and then to notify parents of the decision.

Preparing for a review – things to consider

- 1.** Find out the time and location of the meeting and ensure this is suitable for you. Allow travel time so you do not feel rushed.
- 2.** An Annual Review meeting could take up to 1½ hours (maybe longer). Ensure you have childcare for your other children or ensure you have set enough time aside from work.
- 3.** SENDIASS can offer to meet with parents, children or young people before the meeting to help prepare and familiarise you with the information that is required under each of the headings and any questions they may want answered. Contact SENDIASS to arrange this.
- 4.** Take notes of what you want to say so you do not miss anything and feel that you should have said it.
- 5.** Have a pen and paper in the meeting with you
- 6.** Take a photograph into the meeting to ensure the meeting remains person centred
- 7.** Decide (if you are a parent) if you would like your child to be present? If not you could ask your child to do a one page profile (**see annex 2**)

The views, wishes and feelings of a parent

What is working well?

You could include examples of what makes a good day within your child's educational setting. The support from staff that is helping to make a difference. Any routines used at home to get into setting in a morning.

What is not working well?

You could include examples of the trickiest parts of the day and why these are difficult, any gaps in the provision of support or services.

Important TO my child now and in the future

'Important to' is where your child views the activity/support as valuable because they enjoy doing it e.g swimming. Your child's interests, what they enjoy to do.

Important FOR my child now and in the future

'Important for' is where your child needs the activity/support to remain healthy and reach their full potential. E.g. Medicine being given at the correct time, speech and language support.

Has anything changed?

Have a look at your child's education, health and care plan. In each section think about what has changed.

Hopes and Aspirations

This is where you look forward to next steps in meeting their full potential? What do you hope they'll be able to do achieve?

The views, wishes and feelings of a child or Young Person

What is working well?

You could include examples of what makes a good day for you at school.

What is not working well?

You could include examples of the trickiest parts of the day and why these are difficult; or anything you feel could be better.

Important TO YOU now and in the future

SEE ANNEX 1

Important FOR YOU now and in the future

SEE ANNEX 1

Has anything changed?

Have a look at your education, health and care plan. In each section think about what has changed.

Hopes and Aspirations

This is where you look forward to next steps. What do you hope to achieve?

What happens next – following a review?

Within 2 weeks (4 weeks from the date of the Annual Review meeting) the LA must write to parents with their decision following the Annual review.

If the LA decides not to amend the plan or to cease the plan they **must** inform the parent/YP of the following:

- their right of appeal to the tribunal and the time limits for this to take place
- the requirement for them to consider mediation if they decide to appeal
- their right to receive information, advice and support

If Parents decide to appeal to the Tribunal the EHCP must be maintained until the hearing has taken place and they have given their decision.

If the LA decides to amend the EHCP they should make the amendments as soon as possible

The LA **must**:

- send to the parent/YP a copy of the unchanged version of the EHCP along with a notice outlining the proposed amendments.
- include the supporting evidence for the proposed changes. This may include additional reports and notes from the meeting.
- give the parent/YP at least 15 calendar days to respond with their views. This could include naming a school. They should also be informed of their right to meet with the LA to discuss the proposed changes.

Once the LA has received its response from the parent/YP, within 8 weeks of when they informed the parent/YP of the proposed changes, the LA **must** either issue an amended EHCP or inform parents/YP they will not be amending it and give their reasons why and inform parents/YP of:

- their right of appeal to the tribunal and the time limits for this to take place
- the requirement for them to consider mediation if they decide to appeal
- their right to receive information, advice and support

If the amended EHCP is issued it should clearly state it is an amended version and be dated. It should be clear which parts have been amended. It should have attached to it the additional reports and the minutes from the review meeting that have informed the decision. It should still clearly state the date the original EHCP was issued as this will still be the date that determines when the next Annual Review is to be completed by. The LA **must** also inform the parent or young person of:

- their right of appeal to the tribunal and the time limits for this to take place
- the requirement for them to consider mediation if they decide to appeal
- Their right to receive information, advice and support.

FAQ's

What if an annual review is not arranged for my child when it is due?

If you have not been invited to an annual review and have no knowledge of one being arranged you should firstly contact your child's setting. It is a good idea doing this in writing. If once you have spoken to your child setting, it is still not arranged you should contact the SEN Assessment Team.

What if an annual review is held without me?

The Annual Review process **must** enable full involvement of the parent, child or young person and consider their views wishes and feelings especially when making decisions. The best way to do this is to have them present at a meeting. If you were not invited or if the Annual Review meeting was held without you, you can write a formal complaint to the setting to address this.

Does the Local Authority have to attend?

Unfortunately, whilst an LA officer must be invited to attend an annual review meeting, there is no obligation on them to attend (although IPSEA would be interested in seeing any documents about an LA policy not to attend such meetings). That doesn't mean you can't ask again for them to attend and explain why you feel their attendance is important. However, there are duties on the school and the LA which *have* to be carried out as part of the annual review process and the meeting is just one part of that process

Annex 1 – important to and important for

<u>Important TO ME</u>	<u>Important FOR ME</u>
<p><u>What do you know:</u></p> <ol style="list-style-type: none">1. You have to do2. You have to do to keep safe and healthy3. What do you get nagged to do more of?4. What do you get asked to stop doing or do less of	<p><u>What makes life:</u></p> <ol style="list-style-type: none">1. Worth living2. Pleasurable and fun3. What makes you want to get out of bed in the morning4. What are you doing out of choice?

Balance



