



Annual Reviews

Managing the Process Effectively

Aims

- To understand the statutory requirements relating to the Annual Review process
- To become familiar with the updated annual review paperwork and guidance for implementation from October 2021

Rationale for Change

- Streamlining process
- Review paperwork reflecting the EHCP document more closely
- Focus on Preparation for Adulthood
- Amending EHCP's
- Suite of resources with branding to ensure consistency across the county
- Local Area Inspection priority

National Context

- The total number of EHC plans has continued to increase- 10% up on previous year
- There were 430,700 children and young people with Education, Health and Care (EHC) plans as at January 2021. This has increased each year since 2010. 80% over six years- largely due to post 16
- The number of new EHC plans made in the calendar year has also continued to increase
- There were 60,100 new EHC plans made during 2020. The number of new EHC plans has increased each year since their introduction in 2014
- They all need reviewed annually

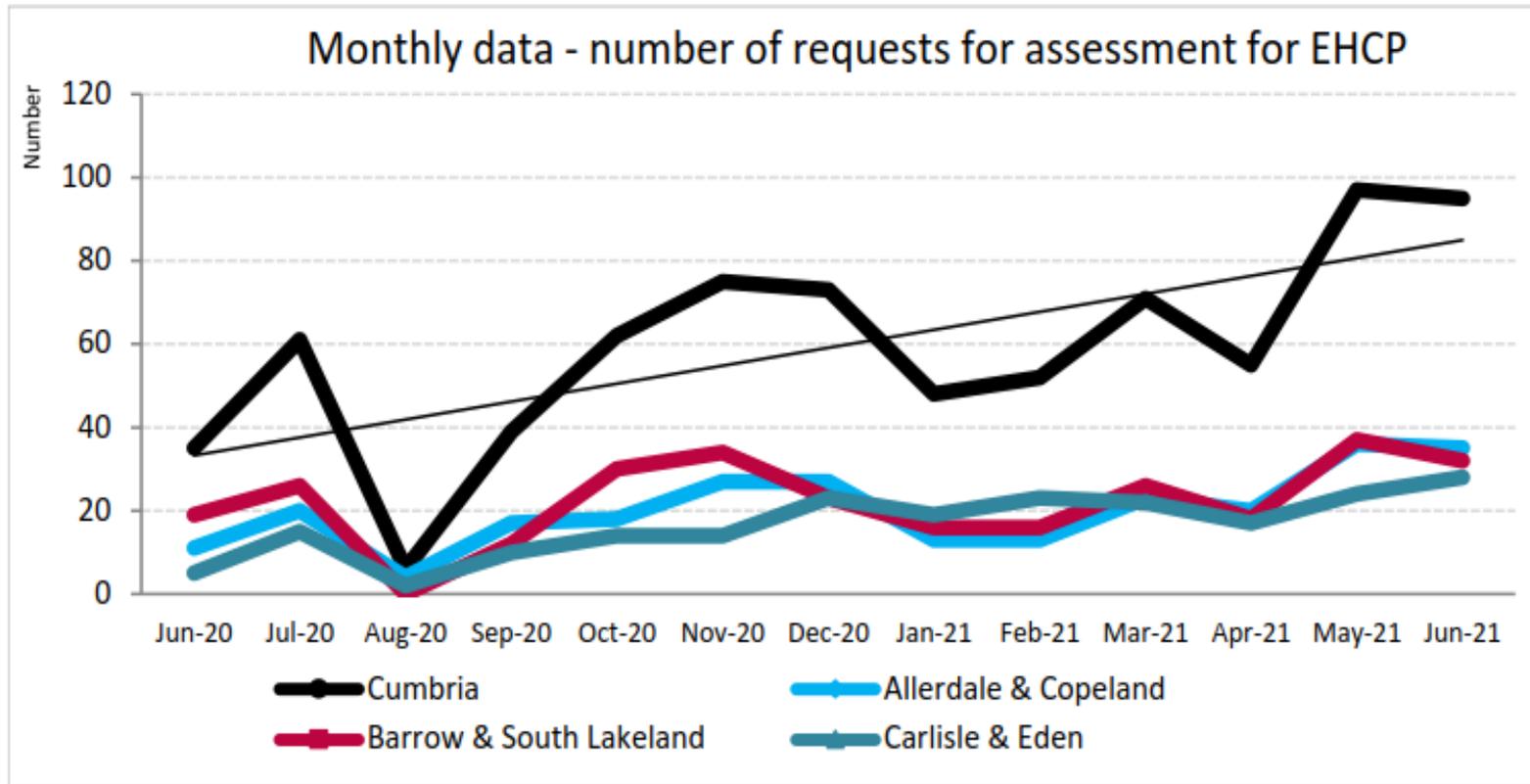
Cumbria Context

- **11,560** children with SEND under 19 years of age (school census 2021)
- **8,648** (11.9%) in receipt of SEN support
- **3887** (SEN2 - 3.10% Of 0-25 population)

or

- **2912** (school census - 4.02% of school population) **with an EHCP** have an Education Health and Care Plan

Cumbria Context



What is an Annual Review

- The review of the EHC plan which the Local Authority must make as a minimum every 12 months
- The exception to this is in Early Years where EHC Plans should be reviewed every 3 to 6 months

Who manages the review

- Cumbria LA delegates responsibility for the review process to the school or setting to convene and hold the review meeting (CoP 9.173)

Reviewing an EHC Plan – the Legal References

- Section 44 of the Children and Families Act 2014
- Regulations 2, 18, 19, 20 of the SEND regulations 2014
- The SEND Code of Practice 0-25 Jan 2015

Some common problems reported by parents

- No real notice of meeting
- Reports are not prepared and/ or distributed in enough time for proper consideration and comment before the meeting
- Surprises sprung on parents at meeting
- Parents' views not recorded
- The annual review report goes to the LA but the LA does not inform the parent/young person of their decision within timescales

New Annual Review format

- Annual review paperwork [early years](#)
- Annual review paperwork [primary](#)
- Annual review paperwork [secondary](#)
[and Post 16](#)

Preparation for the Annual Review Meeting

- The school/setting writes to all professionals involved with the child or young person requesting reports – ideally 4 weeks before meeting date
- The school/setting writes to the parent or young person inviting them to contribute wishes/feelings, including views on current arrangements and any changes they may want to the EHCP
- Reports should be sent to the school/setting within 2 weeks of the request being made
- The school/setting will send invitations to all those required to attend (CoP 9.176) at least 2 weeks before the date of the review meeting and include copies of all relevant reports
- Consider where the meeting will take place to get the best outcome – does the environment encourage the parent and child or young person to have their say?

The ‘musts’ for reviewing an EHC plan as detailed in the Code of Practice 9.166 (page 194)

The Annual Review meeting

- The review meeting must enable full involvement of the parent, child or young person and consider their views, wishes and feelings (CoP 9.166 – 9.168)
- All sections of the EHC Plan should be checked not just educational targets and provision

The meeting:

- Must focus on progress made towards achieving outcomes
- Must establish if outcomes remain appropriate
- Must review the special educational provision and how it is being delivered
- Review any health and social care provision and effectiveness towards achieving the outcomes
- Check if aspirations have changed
- Must check if the parent or young person wishes to request a personal budget

Child/Young person's voice

- Remember this is **their meeting** and they should be involved in the planning, contribute their views and attend the meeting in an accessible way

Following the Annual Review Meeting

- After the meeting the school or setting must prepare a report including any recommendations for amendments to be made to the EHCP
- This must be sent to everyone invited to the meeting and the LA within 2 weeks of the meeting being held
- The LA then must decide on 1 of 3 options:
 - Maintain the plan as per current version
 - Propose to amend the plan
 - Propose to cease to maintain the plan.
- The LA must inform the child or young person of the decision within 4 weeks of the annual review meeting being held
- The LA must provide information about the availability of disagreement resolution and mediation services and notice of their right to appeal to the Tribunal and time limits for doing so

Phase Transfers

Transfer between phases

For transfers into or between schools, reviews and amendments must be completed by 15 February in the calendar year of the transfer at the latest.

The key transfers are:

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

For transfers to Post 16 provision, reviews and amendments must be completed by 31 March in the calendar year of the transfer

Preparing for Adulthood

- From Year 9 annual reviews should be treated as Preparing for Adulthood (PFA)
- They must include consideration of employment, independent living and inclusion in community and society and being as healthy as possible in adult life
- If a preferred Post 16 setting is identified they must be invited to the Annual review meeting
- The [Cumbria Preparing for Adulthood route planner](#) should be used to inform discussion

Children and young people in specific circumstances

- Looked after children:
 - Care planning regulations specify the frequency care plans are reviewed – it is important to ensure the annual review of the EHCP coincides with one the child or young persons Care Plan reviews

Child or young person at risk of exclusion

- Where a child or young person is at risk of or has been excluded from the school/setting named, or where the school/setting is struggling to meet needs a review of the EHC Plan should be convened by the school/setting and follow this [flowchart](#)