

Your guide to information and  
services for families in Tower Hamlets

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# EHCP Annual Review Guidance for Parents



# **Purpose of the Annual Review according to the SEN Code of Practice**

- To monitor your child's progress towards their outcomes and longer term aspirations as specified in their Educational, Health and Care Plan (EHCP)
- To consider whether your child's outcomes and supporting targets remain appropriate
- To gather and assess information so that it can be used by your child's educational setting to support their progress and their access to teaching and learning
- To review the special educational provision made for your child to ensure it is being effective in ensuring access to teaching and learning and good progress
- To review the health and social care provision made for your child, and its effectiveness in ensuring good progress towards outcomes
- To consider the continuing appropriateness of the EHCP in the light of your child's progress during the previous year or changed circumstances and whether changes are required including any changes to outcomes, enhanced provision, change of educational establishment or whether the EHCP should be discontinued
- To set new interim targets for the coming year and where appropriate, agree new outcomes
- To review any interim targets set by your child's educational setting



# Step 1 – Planning for the review meeting

## **Local Authority Duties:**

- To review all Education Health and Care Plans (EHCP) at least annually. This is usually referred to as the annual review. In Early years EHCPs should be reviewed every 3- 6 months (SEND Code of Practice (CoP) 9.178)
- To inform your child's educational setting that your child will require a review of their EHCP that term - at least two weeks before the start of the term (CoP 9.172)
- To hold your child's first review within 12 months of the date when their EHCP was issued, and then within 12 months of any previous review (CoP 9.169)
- The Local Authority must ensure that the you and your child are involved in the review and are able to provide your views, wishes and feelings as much as possible. The Local Authority must take account of these views, wishes and feelings, including your right to request a Personal Budget (CoP 9.168)
- To have regard to whether the educational or training outcomes specified in the EHCP have been achieved if your child is over the age of 18 (CoP 9.171)

## **Setting (Nursery / School / College) Duties:**

- Although the review process is the Local Authorities responsibility, it is usual practice for the Local Authority to ask the educational setting to convene and hold the meeting on their behalf (CoP 9.174)
- Reviews should usually be held at the educational setting attended by the child/ young person (CoP 9.175)
- The setting will send out invitations to parents/ young person, and must also invite a Local Authority SEN officer, a health service representative, a Local Authority social care representative and anyone else working with your child (CoP 9.176)
- To write to parent/ young person inviting them to contribute their views, wishes and feelings
- To seek advice and information about your child prior to the Review Meeting, from all parties invited, and send any advice and information gathered to all those invited at least two weeks before the meeting (CoP 9.176)

## **Duties of Other Professionals:**

- Professionals across education, health and care must co-operate with local authorities during reviews (CoP 9.169)
- It is good practice for professionals working with your child (e.g. Speech and Language Therapist, Hearing Impairment Teachers, Social Worker) to attend the review meeting if possible, and provide current / updated recommendations for what intervention and support your child needs



### **Things to consider at Step 1 for the child/young person and the family**

- Your child's setting will contact you to arrange a mutually convenient date time and location for the meeting
- The setting will also talk to you about the style of meeting you would prefer. This must be in a format that enables full involvement for you, your child/young person
- This is a good opportunity to provide yours and your child/young person's views in relation to their plan, current arrangements as well as consider any changes which you may wish to make to the plan
- It is very important that where appropriate the child/young person is part of the meeting and that their voice is heard
- The setting will also ask you to provide copies of any information you wish to be included
- You will receive copies of any advice and information gathered for the review at least 2 weeks before the meeting
- It is a good idea to go through the information and advice that has been sent to you by the setting before the meeting

## Step 2 – What happens at the review meeting?

It is very important that children/young people and parents are supported to be at the centre of the review meeting. In most circumstances it would not be appropriate for the meeting to go ahead without the family

### **The focus of the review meeting will be:**

1. The child/young person's progress towards achieving the outcomes set out in the EHCP (CoP 9.166)
  2. Whether the current outcomes remain appropriate and if required agree new ones. Where outcomes are still appropriate the meeting will look at the support that is needed to help achieve the outcomes
  3. To review the special educational provision and the arrangements for delivering it to ensure it is still appropriate and enabling good progress
  4. To review any health and social care provision and check its effectiveness towards achieving the outcomes
  5. To check if the aspirations have changed (consider them in the context of paid employment, independent living and community participation (CoP 9.69))
- The Annual Review is required to check ALL sections of the EHCP not just the educational targets and provision. It can provide an opportunity for parents and young people to request changes and updates. It may also be that what they expected to happen, based on their understanding or interpretation of various elements of the EHCP may not have been delivered exactly as they had anticipated
  - If the child/young person is in year nine or above there must always be a focus on preparing for adulthood at the meeting. In year nine this should include considering options and choices for the next stage of education. The child should have met with a Careers Advisor prior to the meeting to capture the views of the young person in preparing for adulthood

- If the child/young person is transferring between settings, a transition plan should normally be discussed and included in the EHCP, and it must be included when young people are moving from children to adult care and health services
- Any suggested changes to type of setting or cease to maintain must be discussed at the meeting
- If a personal budget statement has not been requested previously, the family has an opportunity to request one during the review



### **Things to consider at Step 2 for the child/young person and the family**

- You and your child/young person will be given the opportunity at the meeting to talk about the progress towards the outcomes that have been agreed for your child/young person. You can also share ideas about how your child/young person would like professionals to help as well as ways in which you feel you can help
- If you have any questions or concerns about attending the meeting, remember you can contact your SEN case worker or impartial support through Tower Hamlets SEND Information, Advice and Support Service
- You can bring someone to the meeting to support you if you wish. Please let your setting or SEN Officer know in advance
- If your child/young person is in year nine or above the setting should ensure that the meeting focuses on preparing for adulthood. Your child should have seen a Careers Advisor prior to the annual review in Year 9 and final year in school to gain their views and aspirations



## Step 2 – What happens after the review meeting?

- The setting must prepare and send a report of the meeting to everyone invited within 2 weeks of the meeting. The report must set out recommendations on any amendments required to the EHCP and should refer to any difference between the setting's recommendations and those of others who attended the meeting (CoP 9.176)
- Within 4 weeks of the review meeting the local authority must decide whether it proposes to keep the EHCP as it is, amend the plan or cease to maintain the plan. Parents and setting will be notified of the local authority's decision within 4 weeks of the meeting and if the plan needs to be amended the local authority will begin this process without delay (CoP 9.176)
- If the local authority decides not to amend the plan or decides to cease to maintain it, they must notify the child's parent or the young person of their right to appeal that decision and the time limits for doing so (CoP 9.176)







### **Things to consider at Step 3 for the child/young person and the family**

- The setting will send you a copy of the report from the meeting within 2 weeks of the date of the meeting (CoP 9.176)
- Within 4 weeks of the meeting, you will be informed of the local authority's decision about your child's plan (CoP 9.176)

### **IF AMENDMENTS TO THE EHCP ARE TO BE MADE**

- If the local authority decides that the plan needs to be amended they will begin this process. The local authority will then send you a copy of the existing EHCP together with confirmation of the proposed changes within 6 weeks. This should also include the supporting evidence for the proposed changes. This may include additional reports and notes from the meeting (CoP 9.194)
- You will have the opportunity (at least 15 calendar days) to respond with your views and discuss any changes to the EHCP with your SEN case worker including any change of setting or a request for a personal budget. (CoP 9.195) You should also be informed of your right to meet with the LA to discuss the proposed changes (CoP 9.194)
- If the LA decides to issue an amended EHCP, you will receive this within 8 weeks of the issue of the draft amended EHCP (9.196)
- You will be provided with information about your right to appeal the contents of the final amended EHCP (CoP 1.918)

### **IF NO CHANGES TO THE EHCP ARE REQUIRED OR THE EHCP WILL CEASE TO BE MAINTAINED**

- If the local authority decides that no changes are required to your child/young person's EHCP, or that the EHCP should cease to be maintained, you will receive a letter setting out this decision. The letter will provide you with information about your right to appeal the decision and the time limits for this to take place and the requirement for you to consider mediation if you decide to appeal and your right to receive information, advice and support (CoP 9.176)



# **EHCP Review Process**

## **- Summary**

- The Local Authority will inform your child's educational setting that your child is due for a review
- The educational setting will convene the review and invite all the relevant professionals working with your child to attend the Review Meeting (with at least 2 weeks notice)
- Any updated advice or assessments from the professionals should be circulated 2 weeks before the Review Meeting
- The review meeting is held to discuss your child's progress, their targets, their views, your views, and any changes which need to be made to the EHCP
- The educational setting will send all of the review documentation and reports to the Local Authority within 2 weeks of the Review Meeting

Within 4 weeks of the review meeting, The Local Authority will inform you whether it has decided to:

- a) Keep the EHCP as it is
- b) Amend the EHCP
- c) Cease the EHCP

If you are unhappy with the Local Authority's decision, you will have the right to:

- a) Request a meeting with the Local Authority to discuss the decision
- b) Request formal mediation
- c) Appeal to the SEND Tribunal

**For further information, advice or support please contact Family Information and Advice Service (FIAS).**

**FIAS provides the SENDIASS for Tower Hamlets and City.**

on **0207 364 6489**

or email **[fias@towerhamlets.gov.uk](mailto:fias@towerhamlets.gov.uk)**

We have weekly drop-in sessions on the following days:

**Tuesday & Friday 9:30am – 3:00pm**

(Evening drop in sessions)

**Wednesday 4:00pm – 6:30pm**

**Parents' Advice Centre**

**30 Greatorex St,**

**London E1 5NP**