



# Information Advice and Support Kent

**A service for Special Educational Needs and Disabilities**  
**Helping you to make informed choices**



## Annual Review of an Education, Health and Care (EHC) Plan

# Annual Review of an Education, Health and Care (EHC) Plan

Once the plan is finalised the '**headteacher /principal of the school, college or other institution named in the EHC plan should ensure that those teaching or working with the child or young person are aware of their needs and have arrangements in place to meet them**' (Code of Practice 9.130). They should also ensure that progress is monitored during the course of the year and a formal review of the EHC plan must take place at least annually.

The Annual Review ensures that the local authority, school or other educational institution and professionals from health and social care can monitor progress towards the outcomes and aspirations in the EHC plan.

Reviews must be carried out in partnership with the child and their parents or the young person and must take account of their views, wishes and feelings.

The first review must be held within 12 months of the date the EHC plan was issued and then within 12 months of a previous review.

The purpose of the annual review is to:

- focus on progress towards achieving the outcomes
- consider whether the outcomes and supporting targets remain appropriate
- set new interim targets for the coming year and if needed agree new outcomes
- review the education, health and social care provision and how effective this is in ensuring good progress towards outcomes
- gather and assess information that can be used to support children and young people's progress and teaching and learning
- consider whether a change of placement is needed
- consider whether a plan is still needed

At least 2 weeks before the start of each term, the local authority should write to the school or education institution with a list of children and young people that will need a review of their EHC plan that term.

The local authority should also provide a list to Integrated Care Boards (ICB) or NHS England and professionals responsible for social care. The lists should show which reviews must focus on transition and preparation for adulthood.

The child/young person's school or education institution must invite representatives from health and social care to attend the review meeting (if involved). They must also seek advice and information about the child or young person from all parties invited. Information and advice gathered should be circulated to all those invited **at least two weeks** before the review meeting.

Not all professionals will attend routine annual review meetings, they may only attend if it is a key transition review (moving from nursery to primary, primary to secondary, secondary to further education), or if there is a particular issue to be discussed. Speak to your school about this if you have any queries.

Before the meeting it is a good idea to make a list of all the points you want to make, and list all the questions you want to ask. Think about the outcomes in the plan and targets to meet the outcomes. Do they need updating or amending? In Kent there is a form that you will be asked to complete called Section A, you will be invited to complete this before the annual review meeting.

The review meeting **must** focus on your child's progress towards meeting the outcomes in the plan and the targets needed to achieve this.

Children, parents and young people should be supported to engage fully in the review meeting.

**Within 2 weeks of the review** the school (or local authority for other education institutions) must prepare a report setting out recommendations on any amendments to the EHC plan and differences of opinion at the meeting. The report must be sent to everyone invited to the meeting.

**Within 4 weeks of the review meeting** the local authority must decide whether to keep the plan as it is, amend the plan or cease to maintain the plan. This decision is sent to the child's parent or the young person and their school or education setting.

When the local authority proposes to amend the plan they will send you a notification of amendments, copies of the evidence to support these amendments and a copy of the original plan. You have 15 days to comment including requesting a school (if needed). You can ask for a meeting if you need to discuss the changes. If the local authority continues with the amendments, they must issue the amended plan as quickly as possible and within 8 weeks of the original amendment notice.

If the local authority is not going to amend the plan, or is going to cease to maintain a plan, they must tell you in writing that you have the right to appeal the decision. The local authority must also tell you the time scale for this process and the requirement for you to consider mediation and the availability of information, advice and support and disagreement resolution.

The review process enables changes to be made to an EHC plan. If a child/young person's needs have changed significantly a reassessment may be requested.

## **Information about reviews at different phases in children and young people's education**

### **Reviews for children under the age of 5**

The local authority should consider reviewing the EHC plan every three to six months. The process would not always require the attendance of a full range of professionals. The child's parent must be consulted about any proposed changes to the EHC plan and be made aware of their right to appeal to tribunal, mediation, information advice and support and disagreement resolution.

## **Transfer between phases of education**

Moving from early years settings to school, infant school to junior school, primary to middle school or secondary school, middle school to secondary school. The review and any amendments must be completed by 15 February in the calendar year of the transfer.

## **Transition Review Year 9 (age 13-14) onwards**

Annual reviews must be centred on the child or young person's aspirations, abilities and what they want to do when they leave post 16 education or training. The focus is on preparing for adulthood which includes employment, independent living and participation in society. The reviews must look at the support your child will need to achieve their ambition.

## **Secondary School to Post 16**

The review process must be completed by 31 March during the calendar year in which the transfer takes place.

## **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 different institution in the new academic year. For young people moving at different times of the year the LA must review and amend the plan (if necessary), at least 5 months before the transfer takes place. Some young people may not meet entry requirement or change their minds after the March or 5 month deadline – in this case the local authority should review the EHC plan with the young person as soon as possible as far in advance of the start date as practicable.

## For young people aged over 18

The local authority must consider whether the educational or training outcomes from the EHC plan have been achieved. If the education or training outcomes have not been achieved the EHC plan may be extended beyond the age of 18. When the end of formal education is going to be within the next 12 months, the annual review should consider the support, provision and outcomes needed to make a smooth transition to higher education, employment, independent living or adult care.

If you are unhappy with the changes to the EHC plan or the LA refuses to make changes to the plan following an **annual review**, IASK can give you impartial advice and support and explain your options. This may include independent disagreement resolution, mediation or going to appeal. You can also find out more from our leaflet **What if I do not agree with decisions about SEN provision?**

## Monitoring EHC plans between Annual Reviews:

The Code of Practice 9.69 states that '**the Education, Health and Care plan should also specify the arrangements for setting shorter term targets at the level of the school or other institution where the child or young person is placed**'. In Kent this is carried out through provision plans. Regular progress monitoring is usually carried out twice a year in between the annual reviews and is called In-year Review. The purpose of the in-year review is to involve the parent, child/young person to monitor in-year progress and set new short term targets if needed.

## **Early Review:**

You can ask for an early review if you believe there is an urgent need for a change to the EHC plan for example, because the needs have changed significantly or the provision is no longer meeting the child or young person's needs.

**IASK** can provide information, advice and support at each stage of the review process. This can include explaining the process, helping you to prepare and supporting at meetings.

On request this information can be provided in alternative formats.

**HELPLINE: 03000 41 3000**

**Oakwood House, Oakwood Park,  
Tonbridge Road, Maidstone, Kent, ME16 8AE**

**Meetings at our office are by appointment only**

**Office Tel:** 03000 412 412

**Email:** [iask@kent.gov.uk](mailto:iask@kent.gov.uk)

**Website:** [www.iask.org.uk](http://www.iask.org.uk)



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