

Reviewing an Education, Health & Care Plan (Annual Review)

A Guide for Parents and Carers

Rotherham Local Offer

<http://www.rotherhamsendlocaloffer.org/>



Rotherham
Metropolitan
Borough Council 



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Annual Review Meeting

If a child or young person has an Education, Health and Care Plan, the Local Authority (LA) **must review the Education, Health and Care Plan at least once a year**. The first review must be within 12 months of the plan being finalised.

The Review **must** focus on progress towards achieving the outcomes or goals set out in their Education, Health and Care Plan and:

- From year 9 focus on preparing for adulthood
- For children under 5 the review should take place every 3-6 months.

Reviews must take into account the views, wishes and feelings of children, young people and parents. If there is concern about progress the review may be brought forward.

Why does there need to be an Annual Review?

An Annual Review is held to consider if the outcomes or targets have been achieved. New outcomes and provision can be set if needed and aspirations changed. The purpose of the meeting is to review the Education, Health and Care Plan by:

- Bringing together all those involved in helping achieve the outcomes set out in the plan
- Gathering and considering information so that it can be used to support future progress
- Reviewing the effectiveness of any special educational, health or social care provision made for a child or young person
- Considering whether any changes need to be made to the Education, Health and Care Plan including medium and long term outcomes
- Considering whether an Education, Health and Care Plan should continue.

How children and young people are involved in the process?

Pupils should be encouraged to give their views in the review process as they **must** be taken into account at the review. Wherever possible they should attend all or part of the Annual Review meeting especially from year 9. As a parent/carer you may wish to talk to the school about your child or young person's involvement in the review process.



What happens before the meeting?

The Head Teacher/Principal must ask for written reports from:

- You (the school/college may give you a form to use if you wish)
- Teachers or tutors
- Other people invited to the review meeting.

The Head Teacher or principal must then:

- Send copies of the written reports to all those invited to the review meeting **at least two weeks** before it takes place
- Invite further views, including comments from those who are unable to attend the meeting.

What should be included in my child's report?

Comments on:

- Progress over the last year
- What has pleased you and also any concerns
- What needs to be considered in school/college for the coming year
- What you think you and the school/college can do to help meet those needs
- The child or young person's views about school/college.

Young People aged 16 and over may choose to attend their annual review alone without support. In this case the young person would put forward their own thoughts on all of the points above. However, in most cases it is likely that you will be invited along to contribute to the meeting.

Who may attend?

The Head Teacher/principal must invite:

- Parent/carers or the young person
- A relevant teacher, who may be the class teacher or form/year tutor, the SENCO, or some other person responsible for the provision of their education
- A representative from the Local Authority – your Education, Health and Care Plan Co-ordinator will be invited; however, they may not be able to attend every review. If you have any concerns make sure that you contact them to let them know that you would like them to be at the meeting
- A Health Service representative and a Local Authority Social Care representative
- Anyone else the Head Teacher/Principal considers appropriate



- It is unlikely that everyone invited will be able to attend the review meeting.

Note: A parent may request to be accompanied by a friend or representative. This may include a representative from the SEN and Disability Information, Advice and Support Service (SENDIASS)

<http://www.rotherhamsendiass.org.uk/> The Head Teacher/Principal should try to ensure that the date of the meeting is convenient for you and for those people who it is important to have.

What happens at the review meeting?

The review meeting **must** focus on progress made towards achieving the outcomes set out in the Education, Health and Care Plan. The Education, Health and Care Plan **must** be looked at to see if it still meets the needs of your child.

The meeting will normally include the following:

- The extent to which the outcomes (goals) in the Education, Health and Care Plan, or those agreed at the previous annual review, have been met
- Medium and long term outcomes for the next year
- Planning the support from school/college and other people to help achieve these objectives
- Any further action required and who will be responsible for this
- Whether the Education, Health and Care Plan needs amending or is no longer needed

If you do not agree with what is being suggested at the meeting, try to make that clear and write to your Education, Health and Care Plan Co-ordinator

For young people over 18 the Local Authority must consider if the training or educational outcomes have been achieved. From year 9 onwards there must be a focus on preparing for adulthood

What happens next?

Within **two weeks** the school **must** prepare a report of the meeting and send it to everyone invited. The report **must** set out recommendations on any amendments or changes required to the Education, Health and Care Plan and should refer to any differences between the schools recommendations and those of others attending the meeting.



Within **four weeks** of the meeting, the Local Authority must let you know their decision and decide whether to:

- Keep the Education, Health and Care Plan as it is
- Amend or change it
- Cease to maintain it, and to let you know of their decision.

Their letter **must** also tell you about:

- Your right to appeal that decision and the time limits for doing so
- The requirement for you to consider mediation should you wish to appeal.

Contact information for disagreement resolution and advice and support is available through the SEN and Disability Information, Advice and Support Service (SENDIASS) <http://www.rotherhamsendiass.org.uk/>.

What happens when the Local Authority propose to amend the Education, Health and Care Plan?

- The Local Authority **must** send you a copy of your child's existing Education, Health and Care Plan saying what they are going to change. They must also send you any supporting evidence or information these changes come from
- You have 15 days to consider and make comments on these changes. You can ask for a meeting with your Education, Health and Care Plan Co-ordinator to discuss it if you are not happy. They may be able to make changes
- You can ask that a particular school be named in the Education, Health and Care Plan
- If the Local Authority decides to go ahead with making amendments it **must** issue an amended Education, Health and Care Plan within **8 weeks** of the original notice. This should clearly show which parts have been amended, include the minutes of the Annual Review meeting; any relevant reports should be attached
- If the Local Authority decides not to make the changes or amendments they **must** inform you, giving reasons, within **8 weeks**
- The Local Authority **must** tell you about your right to Appeal.

What happens when the Local Authority propose to cease the Education, Health and Care Plan?

- You **must** be informed and consulted
- Support should not be withdrawn before the end of the current academic year



- You have the right of appeal. If you do register an appeal, the Education, Health and Care Plan maintained until the appeal has been decided.

If you disagree with the decision made by the Local Authority

- You should discuss this with your Education, Health and Care Plan Coordinator
- You have the right to use the mediation service. This will involve the help of an independent mediator who can help people to try to reach an agreement
- You can also appeal to the First Tier Tribunal two months from the date on the decision letter or one month from the mediation certificate, whichever is the later.

Annual Reviews from Year 9 (Age 13 -14) onwards

From Year 9 onwards Annual Reviews **must** include a focus on preparing for adulthood including employment, independent living and participation in society.

When a child is in Year 9, a transition plan will be drawn up as part of the Annual Review. The plan helps children and young people think about their future including GCSE options or alternatives and what they would like to do once they are 16 and beyond. This transition plan also looks at the child's/young person's aspirations and needs as adult life approaches and **must** be built into the Education, Health and Care Plan. The transition plan is updated at each Annual Review meeting until they are 25 (if they still have an Education, Health and Care Plan).

The review must include:

- Higher education and/or employment – exploring different employment options, such as support for becoming self-employed and help from supported employment agencies
- Independent living - young people having choice, freedom and control over their lives, their support, and their accommodation and living arrangements, including supported living
- Participating in society - having friends and supportive relationships, and participating in and contributing to the local community □ Being as healthy as possible in adult life.



Reviews before transition to another school or post 16

There **must** be very early planning about which school your child moves on to. It is advisable to start to look at schools early.

Look at the school or college's SEN information report on their website.

These can be found via the Local Offer site:

<https://rotherhamsendlocaloffer.org>

Education, Health and Care Plan reviews will be held before a child's last year in their current school because the review process **must be completed by 15th February** in the calendar year they transfer to their new school (**31st March** for young people in Year 11) You will have time to appeal if you disagree. It is the Local Authority's responsibility for the Annual Review and not the college.

What happens next?

All 16-19 year old young people will be expected to be in some form of education or training, full or part time. This can continue until the age of 25 for those with an Education, Health and Care Plan and should continue to address their needs and aspirations.

This does not mean young people have to stay at school, they could:

- Attend full or part time education at college
- Take up an apprenticeship
- Take a Traineeship or Supported Internship which involves work experience and study.

