Hammersmith and Fulham

Annual Review of an Education, Health and Care Plan

Guidance and Toolkit for Education Settings and Professionals who Contribute to Annual Reviews

October 2023

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The Annual Review templates are uploaded separately to the Annual Review section of the Local offer at: Annual reviews for EHCPs | London Borough of Hammersmith & Fulham (lbhf.gov.uk)

EHC Annual Review Guidance for Settings and Professionals

1. Introduction

This Annual Review guidance and toolkit is aimed to support schools and other educational settings fulfil their role in the statutory Annual Review process and ensure that it provides a high-quality experience for families. It also contains helpful information for those contributing to Annual Reviews. It should be read in conjunction with the SEN Code of Practice, notably Chapter 9 (page 194).

2. Why are Annual Reviews important?

Annual Review meetings are crucial in ensuring the child and family are placed at the centre of the review of progress towards achieving their outcomes and longer-term aspirations, allowing them to see the impact of the special educational, health and social care provision in place through the EHCP and to consider ongoing needs.

The Annual Review meeting and its follow-on report is the primary means by which the local authority makes important decisions regarding the EHCP:

- Whether to maintain the EHCP without any amendments
- Whether to maintain and amend the EHCP
- Whether to cease the EHCP

All such decisions are appealable to the SEND First Tier Tribunal.

3. Purpose of the Annual Review

The SEN Code of Practice sets out the requirements for the review of Education Health and Care plans (EHCPs). The purpose of the annual review is to:

- Review the child or young person's progress toward meeting the outcomes in the EHC Plan
 and the targets set at the previous review. Progress should be reviewed across all relevant
 education, health and social care categories.
- Plan the following year's targets and support strategies.
- Evaluate the effectiveness and relevance of the provision set out in the EHC Plan, and consider if it is necessary to request amendment, re-assessment or cessation of the EHC Plan.
- Promote the preparing for adulthood (PfA) aspects of planning, particularly from Y9 onwards.
- · Identify and celebrate progress.
- Check that basic information on the child and family is up to date and complete.
- Give families and young person the opportunity to request a Personal Budget and review the effectiveness of any Personal Budgets already in place.

4. Responsibilities

- 4.1 Annual reviews are both a process as well as a meeting of relevant people and are usually held in the education setting attended. The setting will arrange and conduct the Annual Review meeting.
- 4.2 Where a child or young person does not attend an educational setting, the local authority will conduct the review at a mutually convenient location.

- 4.3 Reviews must be undertaken in partnership, with the child or young person at the centre of this process, with their parent/carer involved in the discussions and decisions along with professionals. The review must take account of their views, wishes and feelings and this should be clearly recorded on the Annual Review proforma. The review should support the child or young person to be aspirational for their future.
- 4.4 To support professionals to plan attendance at review meetings and/or provide advice or information about the child or young person where necessary, the Local Authority will provide a list of children and young people requiring an Annual Review in each setting by 1 September of each academic year. Additionally, the Annual Review Coordinator will supplement this with checks on the lists at the end of each term. The lists will be circulated to:
 - all Headteachers/ Principals of the identified provision.
 - to the ICB.
 - to local authority officers responsible for social care for children and young people with SEN
 or disabilities including children's social care, adult social care and Inspire services.
- 4.5 Settings are asked to use the standard Annual Review pro-formas provided by Hammersmith & Fulham Council to document the meeting. These are uploaded to the Local Offer Annual reviews for EHCPs | London Borough of Hammersmith & Fulham (lbhf.gov.uk)
- 4.6 It is the responsibility of the setting completing the Annual Review to ensure clarity in the annual review report which must set out:
 - recommendations for any amendments required to the EHC plan which are clear, quantifiable and based on the available evidence.
 - any difference between the educational provider's recommendations and those of others attending the Annual Review.
- 4.7 This should be returned to the EHC Casework Team **within 2 weeks** of the Annual Review meeting.
- 4.8 Within **four weeks** of the review meeting the EHC Casework Team must decide whether it proposes to keep the EHC plan as it is, amend it, or cease to maintain it. The child's parents/young person and the educational provider should all then be notified.
- 4.9 Where an EHC plan is to be amended the EHC Casework Team must issue the final amended EHC plan within 12 weeks of the Annual Review Meeting

5. Timings of Annual Reviews

5.1 Where a child is under 5, annual reviews should be undertaken at least every six months.

EHCPs must be reviewed at least every 12 months with the process to be completed on or before the anniversary of when the EHCP was first issued or the anniversary of the last review. The dates of the meeting and any other actions must allow the local authority to complete its part of the review by the 12-month deadline. We recommend that settings plan to hold each review meeting 10 months following the plan issue or previous review date.

5.2 Timings of Phase Transfer Annual Reviews

All phase transfer annual reviews should be held in the summer term of the previous academic year before the year of transition. The phase transfers are:

- early years provider to school
- primary school to secondary school
- year 11 or above to a new setting or provider

This enables the local authority to complete the process to name the next setting by the statutory deadlines of:

- 15th February in the year of transfer for school age phased transfer
- 31st March in the year of transfer for post 16 movers on.

6. Local authority strategic approach to attendance at Annual Reviews

As a local authority, we will prioritise specific annual reviews for attendance by EHC Coordinators. These include:

- Phase Transfer Reviews: Nursery, Year 5, Year 10 in line with the recommendation at 5.2 to complete in the summer term of the previous academic year before the year of transition
- Year 8 in preparation for a PfA Plan
- For post 16: any transition review where a programme of study is coming to an end.
- Where a child or young person has been released from custody. This should involve the Youth Justice Service in agreeing appropriate support and opportunities.
- Where there is considerable concern regarding the child/young person's progress or access to learning.
- Where placements are considered to be vulnerable as a result of complex needs or where there has been a significant change in need.
- If the child/young person is known to Continuing Care, Dynamic Support Register (DSR), Section 117 Mental Health Services or is a child who is looked after, annual reviews should ensure the wider network is involved in planning and coordinating the provision needed.

7 Year Group

It is expected that the child or young person will remain within the year group appropriate for their chronological age. There may be some exceptional circumstances where the child is educated a year below and this will usually be recorded in the EHCP. This should be discussed in each Annual Review. Settings are asked to consider the implications of such circumstances, particularly with reference to phase transfer. Admission authorities must make decisions on the basis of the circumstances of each case and in the best interests of the child concerned and must also take into account the views of the headteacher of the school concerned

8 Electively Home Educated Children and Young People

The parents' right to educate their child at home applies equally where a child has an EHC Plan.

When a child has a EHC plan, it is the local authority's duty to ensure that the educational provision specified in the plan is made available to the child - but only if the child's parents have not arranged for the child to receive a suitable education in some other way.

If the home education is suitable, the local authority has no duty to arrange any special educational provision for the child; the plan should simply set out the type of special educational provision that the authority thinks the child requires but it should state in a suitable place that parents have made their own arrangements under s.7 of the Education Act 1996. (DfE Guidance on EHE 2019)

The local authority must review the plan annually to assure itself that the provision set out in it continues to be appropriate and that the child's SEN continue to be met. Flexible arrangements for the meeting may be required, depending on each individual circumstance.

9 How to consider amendments

EHCPS are not expected to require frequent changes and updates. When they do need amending, there should be supporting evidence to inform any changes.

10 Requesting an early Review

An early review can be requested via the EHC Casework Team if the educational setting, family or young person believe that a significant change requires it. Reasons for this may include:

- concern regarding the child/young person's attendance and access to education.
- a significant change in the child/young person's presentation.
- concern that educational provision contained within the EHC Plan is not being delivered.

Toolkit 1: Annual Review Timetable

The SEND Code of Practice requires that the **whole** Annual Review process is completed **within 12 months** of the date of issue of the EHC plan or previous review. *CoP 9.169*. In practice this means that the date must be no later than 4 weeks in advance of the EHCP issue date or previous review date.

Step 1			
Settings should plan to set the Annual Review dates at the beginning of each academic year.	Schools/settings should return their completed schedules of proposed annual review dates to the Annual Review Coordinator		
Step 2			
At least 6 weeks before the planned meeting date	 Confirm the meeting date with the parent/ young person and request advice and information from them for the Annual Review. Request advice and information about the CYP from all the relevant professionals and invite them to attend the meeting. Prepare the school/setting report for the Annual Review 		
Step 3			
2 weeks before the meeting date	Circulate the reports received to all those invited.		
Step 4			
Planned meeting date	 The Annual Review meeting will consider: the CYP's progress towards achieving the outcomes specified in their EHC plan. whether the outcomes still remain appropriate. if their aspirations have changed. review and set new short-term targets. whether any changes need to be made to the provision including if the placement is still appropriate. 		
Step 5			
Within 2 weeks of the date of the meeting	 The school/setting must prepare a report that: includes any recommendations for amendments to the EHCP which are clear, quantifiable and based on evidence includes details where views differ. This must be sent to everyone invited to the meeting within 2 weeks, including the local authority. 		
Step 6			
Within 4 weeks of the date of the meeting	The Local Authority has 2 weeks (4 weeks from the date of the meeting) to decide: • to leave the plan unchanged, • to amend the plan • to cease the plan • inform the parent, the YP and the school/setting of its decision		
Step 7 where a plan w	ill be amended		
Within 12 weeks of the date of the meeting	Where an EHC plan is to be amended the EHCP Casework Team must issue the final amended EHC plan within 12 weeks of the Annual Review meeting.		

Toolkit 2: Frequently Asked Questions Relating to Annual Reviews

Frequently	y Response		
asked question			
By when must the Annual Review Process be completed?	The SEND Code of Practice requires that the whole Annual Review process is completed within 12 months of the date of issue of the EHC plan or previous review. (CoP 9.169).		
	This includes the 2 weeks for the he school (or host) to prepare a report and send it to the Local Authority as well as the 2 weeks for the Local Authority to reach a decision on either leaving the plan unchanged, amending the plan or ceasing the plan and informing the parent.		
	In practice this means that the Annual Review date must be no <u>later</u> than 11 months after the EHCP issue date or previous review date.		
	We recommend that settings plan to hold each review meeting 10 months following the plan issue or previous review date.		
Who must be invited to an Annual Review?	1. The parents/carers who have parental responsibility. If the child or young person is looked after by the LA, the residential care worker or foster parents and the child's social worker, as appropriate.		
	2. The child or young person. It is good practice to involve the child or young person in their annual review; consideration should be given as to whether they will require support in the meeting and/or it may be appropriate for them to be present for all or a part of the meeting or for their views to be gathered beforehand.		
	Consideration should be given as to the best way of capturing the child/young person's voice and creative methods encouraged to support this eg need for visuals/drawing/ writing.		
	Settings must inform the child, young person, parents and/or carers that they may bring an adviser, friend, relative or an independent parental supporter to the review meeting.		
	3. The Headteacher/Principal responsible for overseeing the provision of education for the child in question; in practice, such attendance is usually delegated to the Special Educational Needs Co-ordinator (SENCO).		
	 A representative of the EHC Team of the local authority, usually the EHC Coordinator 		
	5. Relevant health care professionals to provide advice about the child's health care needs and provision, as required. Examples include a CAMHS professional, GP, school nurse, community nurse, continuing care professional. This will be specific to each child/young person. If the child/young person is cared for by the local authority, this should include the relevant designated health professionals and their health plan should be included as part of the discussions.		
	6. A <i>relevant social care professional</i> eg the allocated social worker, a short breaks worker, Social Care Occupational Therapist.		
	In addition, consideration should be given to inviting the following people as appropriate:		
	7. An <i>Educational Psychologist</i> (EP) if a significant change in needs has become evident (e.g. indicating a change in level of provision or type of placement). If they are working with the child/young person as a direct result of the EHC Plan.		

Frequently asked	Response		
question			
	Schools may also invite an EP to the review where the EP has had direct involvement with the child/young person during the proceeding months (e.g. via school commissioned time).		
	8. Schools should consider where attendance of the SEN Occupational Therapist and Speech and Language Therapist is particularly required. They may not be able to attend all ARs but will provide reports.		
	9. A specialist teacher where the child/young person has a sensory impairment		
	 A specialist teacher where the child/young person has communication and interaction needs 		
	11. Where the child/young person is placed in the setting by another local authority, a representative of that local authority.		
	12. Any other person suggested by the parents/carers as having involvement with the education, health or social care of the child/young person.		
	If the child/young person is known to Continuing Care, Dynamic Support Register (DSR), Section 117 Mental Health Services or is a child who is looked after, annual reviews should ensure the wider network is involved in planning and coordinating the provision needed.		
	It is unlikely that all the relevant professionals will be able to attend all review meetings. It is helpful, when inviting professionals from outside the setting, to indicate the importance attached to their attendance.		
Who should we ask to provide written advice in preparation for the meeting?	 In preparing for the meeting, the setting must write to the young person and their parent/carer inviting them to contribute their views, wishes and feelings. This should include their view of the current arrangements and provide an opportunity to discuss changes which the young person/parent may want to be made to the EHCP. The setting should offer assistance if required including supportive work with the child/young person to prepare for their annual review. 		
	Settings are asked to stress that written advice is required from persons invited but unable to attend the meeting. If the attendance of a particular person is thought essential, then that person should be consulted before fixing the date of the meeting.		
	On receipt of the relevant advice, the setting is then asked to complete the annual review document, and to send it together with all the advice received to all invited to attend the review meeting. This should be done at least two weeks before the date of the meeting.		
	 For children who are in the care of the local authority (CLA), the review of the personal education plan (PEP) and health plan should be integrated into the annual review where possible. 		
How can we make sure we receive requested advice on time?	Proactive planning by the setting and the involvement of parents/carers and agencies involved in supporting the child in pre-planning will help ensure a timely and effective Annual Review process.		
	 The Regulations require that at least two weeks' notice must be given of the date of the meeting. In practice, longer notice is required to allow time for the appropriate documentation to be collected and circulated. To secure reports and attendance by health and social care colleagues, a longer notice period is advisable. (see AR timetable) 		
	To support professionals to plan attendance at review meetings and/or provide advice or information about the child/young person, the Local Authority will provide		

Frequently	Response
asked question	
question	a list of children and young people requiring an Annual Review in the forthcoming year and this will be checked on a termly basis by the Annual Review Coordinator.
How can we ensure that review	The Children and Families Act sets out clear principles for supporting and involving children and young people in all aspects of the support and planning of their special educational need.
meetings are person-centred?	What is Person Centred Planning?
Centred	Person centred planning aims to put children and young people at the centre of planning and decisions that affect them. When children are meaningfully involved, this can change their attitude, behaviour and learning and make them active partners who work with adults to bring about change.
	Person-centred planning aims to:
	Put children and young people at the centre of planning and decisions that affect them.
	Bring people together – both to celebrate successes, and also to address difficulties with honesty and care.
	With creative and reasonable adjustments, help children and young people learn how to express their views.
	Show children and young people that they are listened to, respected, valued and cared for – that their voice matters.
	Help adults get to know the children and young people they work with and give insight into the impact they are having on children and young people's lives. The adults' role is to empower the child or young person; to promote their independence and enable them to do things for themselves, wherever possible.
	Make plans that build towards meaningful and positive outcomes for children and young people and their families
	The annual review process is a way of learning what is important to and for the child/young person and drawing upon the knowledge and experience of those who are important in the child/ young person's life including the family.
	A person-centred review looks at:
	 What we appreciate, like and admire about the child/young person Their aspirations for the future
	 What is important to them (and their assessed needs) What good support looks like What is working and not working from different perspectives
	Further information on supporting and preparing a child/young person for a review meeting is available in the Annual Review Resources section of the Local Offer.

Frequently	Response				
asked					
question					
What is a SMART outcome?	The outcomes in the EHCP are long term/broader outcomes typically over a Key Stage, the Annual Review outcomes are, in general, for the next 12 months and are the steps to achieve the long-term ones. A SMART Outcome is a benefit or difference made to an individual as a result of an				
	intervention. It should be expressed in "SMART" terms which means it should be:				
	Specific	Exactly what is it that you want to achieve? Is it clear and understandable by all?	Who: Who is involved? What: What does the child or young person want to achieve? Where: Identify a location (if appropriate). When: Establish a time frame. Which: Identify requirements and constraints. Why: What are the specific reasons, purpose or benefits of accomplishing the		
	Measurable	What it is you need to do to achieve the outcome.	outcome? How will the child or young person and/or service provider know when an outcome has been achieved?		
			What evidence could be used to show this?		
			What will be different if the outcome is achieved?		
	Achievable	This has to be something you can do over time.	Is the outcome possible, is it fair, taking into account the current situation?		
			Are there contributing factors to consider such as additional resources?		
			What will successful completion look like?		
	Realistic	Are they likely to	Why is this outcome important?		
		achieve the goal within the timeframe?	What will have changed/improved as a result of the outcome being achieved?		
			What will successful completion look like?		
	Time bound	If you don't know how much time you have, you don't know when to take action.	When should the outcome be achieved by?		
			How often should progress be reviewed?		
			Have review dates/progress checks been built into the process?		

Toolkit 3: EHCP Checklist for Annual Review

All sections of the EHCP should be checked at the Annual Review

EHCP	Check		
Section			
А	Aspirations should be checked to see if they remain the same. There may be additional aspirations to be included perhaps due to new experiences, interests or circumstances.		
В	New needs may have emerged, or existing needs changed and/or are having an impact on other areas of their life (in or out of school). The parent or child/young person may not feel their needs are described accurately or to be a true representation of who they are. Some content may be dated and require amending (such as previously recorded academic levels).		
С	There may be a new diagnosis or on-going investigations. Health conditions and resulting needs included may have changed or may not have been sufficiently described in the current EHCP. Any new Health advice covering health needs should be sought and incorporated as appropriate.		
D	A change of circumstances may have occurred or a first or more up to date assessment may now have been completed, describing Social Care needs that should be included. The parent/carer/young person may have requested an assessment of their Social Care needs since the last EHCP was issued or in the context of the Review which should be considered in the amending of the EHC Plan.		
E	Outcomes are not annual targets – they are set looking forward to the end of the key stage or beyond - but they still need to be reviewed to check they are still relevant, made more specific and measurable or may have changed. (Short-term targets will also be reviewed and new targets set). Outcomes must be specific, measurable, achievable, realistic and time bound (SMART).		
	It may help in writing and proposing these in the Review meeting, to imagine future reviews and how measurable the outcome will be, in later considering whether or not the outcome has been achieved.		
	If outcomes require amending, this should be recorded on the EHC Plan directly using the established key.		
	If the Review established that a child/young person has achieved their education and training- based outcomes or that support can now be met within delegated resources, a discussion with the child/young person/family should take place and consideration made by the local authority as to whether to cease the EHC Plan.		
F	There should be provision to match each need included in Section B defined as:		
	For children under two, it is any form of educational provision		
	 For children over two, it is education or training that is different, or additional, to that ordinarily available in a mainstream setting. 		
	Provision must be detailed and specific and normally quantified in terms of the type, hours and frequency of support and level of expertise including clarity as to whether the support is provided through a personal budget.		
G	There should be provision to meet each need included in section C		
	Most provision included in G is provided by local services as part of the local offer. Any additional provision requires agreement from the ICB. Any health provision, such as Speech and Language Therapy, that can be considered to 'educate or train' must be included in Section F.		

EHCP Section	Check
H1 and H2	Any provision included here will depend on what Social Care needs, if any, have been included in Section D. It must be reviewed and may have already changed since it was originally included.
I	School placement. The parent/young person may want to ask for a different school or type of school if they believe it will provide a better match to their child's/their needs.
J	Any Personal Budget already in place should be reviewed particularly where provision has been amended. This is also an opportunity to request a Personal Budget if the parent/young person would like one.

Toolkit 4: Annual Reviews - Preparing for Adulthood (PfA)

Young people have told us what is important to them about planning for adulthood and the annual review provides an opportunity for the child or young person to discuss with their family, educational setting and services how we can support them to achieve their life goals including greater independence and employability.

From Year 9 onwards, the local authority has a duty to ensure that the annual review meeting considers what provision is required to assist the child or young person in preparation for adulthood and independent living. This must include preparation for the further education sector, work-based training, higher education and adult life. Schools have a key role in providing high-quality Careers Information, Advice and Guidance (CIAG).

There may be good reasons to start planning for adulthood sooner than Year 9 and the Code suggests that it can be helpful for EHC plan reviews before Year 9 to have this focus too. We are introducing a PfA Annual Review template from Year 8 onwards.

The review must be driven by the young person's outcomes, ambitions and aspirations to ensure a 'person centred' transition into adulthood. Planning must be centred around the individual and explore the child or young person's aspirations and abilities, what they want to be able to do when they leave post-16 education or training and the support they need to achieve their ambition. Transition planning **must** be built into the revised EHC plan and should result in clear outcomes being agreed which will prepare young people for adulthood.

It is important the child or young person themselves can give their views and cover the topics they think are important. Some helpful resources to assist with this are:

- The Council for Disabled Children guide to help young people prepare for annual reviews
- Preparing for Adulthood's <u>checklist</u> for key topics to cover at annual reviews for children and young people from year 9 onwards.
- We are in the process of updating the 16+ Route Planner for young people with SEND and their families.

Copies of these and other useful resources can be downloaded from the Local Offer.

Where the young person has a learning disability it is important to ensure that the young person is on the register for an annual health check.

It would be helpful to ensure the YP:

- is being discussed at the Transition Tracking meeting to ensure there is a clear pathway towards adulthood.
- there is a clear pathway in place for the services which will be assisting the young person in adulthood.

The outcomes sought for a young person must be ambitious and stretching. This is particularly important when thinking about education or training for young people aged 19-25 where provision tends to be more bespoke.

For young people moving between post-16 institutions, where a young person is expected to transfer to a new institution in the new academic year, the EHC Plan naming the planned new setting must be issued on or before the 31 March. The Review process must then take place well in advance of this and wherever possible, the Review meeting should be brought forward to the summer term of the previous academic year (for example, the summer term of Year 10 if the young person is expected to transition to a new setting after Year 11).

The Code of Practice has some useful examples of what Preparing for Adulthood might be:

- support to prepare for higher education and/or employment;
- training options such as supported internships, apprenticeships, and traineeships;
- support in finding a job, and learning how to do a job (for example, through work experience opportunities or the use of job coaches);
- help in understanding any welfare benefits that might be available when in work;
- preparation for independent living including where the child or young person wants to live in the future, who they want to live with and what support they will need;
- considering local housing options including housing benefits and social care support available;
- support in maintaining good health in adult life;
- support in participating in society: this is a wide-reaching concept and includes such things as understanding how to get about (using transport and benefits options relating to this) and making and maintaining relationships.

If a young person has an EHC plan and is aged under 18 but is not receiving education and training (for whatever reason), the local authority **must** review the plan to ensure that the young person continues to receive education or training.

A Health Checklist to support preparation for an annual review where transition to Adult Services is being considered is available in the Annual Review Resources on the Local Offer.

Toolkit 5: Annual Review Meeting Advice and Attendance List

Annual Review Advice and Attendance List				
Designation of Attendee	Name	Advice requested (√)	Advice received (√)	Attended AR (✓)
Child/Young Person				
Parent/Carer				
Parent Carer				
Other Relative/ Friend				
Headteacher/Principal				
Deputy/Assistant Headteacher				
SENCO				
Specialist Teacher				
Class teacher				
LA EHC Coordinator				
Social Care professional				
Education Psychologist				
Physiotherapist				
Speech & Language Therapist				
Occupational Therapist				
School Nurse				
CAMHS Professional				
Add/delete as relevant				

6. Useful Resources available on the Local Offer or Links to External sites

- 1. Person Centred Planning powerpoint from the H&F Educational Psychology Service
- 2. WLA Guide to Supported Internships 2023-final-online.pdf
- 3. What is an Annual Review? (councilfordisabledchildren.org.uk) Also provides additional information and case studies
- 4. <u>Preparing for Adulthood: Annual Reviews from year 9</u> Key topics to cover at annual reviews from year 9.
- 5. <u>PfA-Outcomes-Framework.pdf (ndti.org.uk)</u> Planning for Adulthood Outcomes across the age ranges
- 6. NDTI Supporting-Planning-Writing-Good-PfA-Outcomes-March-2022)
- Vocational Profile NDTi A person-centred approach to finding out a young person's aspirations for work
- 8. Health Checklist where transition to Adult Services is being considered

We will add to this list as additional resources are identified or developed.