

Script for Video: Annual Reviews of EHC Plans Webinar Recording

Title slide

This is a recording of a webinar which was co-produced with parents and carers in Suffolk and which explains annual reviews of Education, Health and Care or EHC plans. It is a long recording so we have created time stamps in the description under this video on YouTube so if you want to watch just part of this recording again, you can click on the time stamp for a particular section and the video will start at that point.

Slide 2

This recording will explain:

- ▶ The purpose of an Education Health and Care plan or EHCP Annual Review and the purpose of an EHC plan from slide 4
- ▶ We'll look at the different stages of the Annual Review process and how you and your child are involved from slide 12
- ▶ Also what decisions can be made at the end of the annual review process from slide 54
- ▶ and we'll finish by looking at early and transfer reviews and preparation for adulthood from slide 65

Slide 3

This recording will refer frequently to the [Special Educational Needs and Disability Code of Practice 2015](#). You can download this statutory guidance for free if you would like to.

Chapter 9 is all about EHC needs assessments, EHC plans and annual reviews.

Slide 4

In order to understand the purpose of an Annual Review, we need to first understand the purpose of an EHC plan.



Slide 5

So just to be clear, the purpose of an EHC plan is:

- to make special educational provision (that means support) to **meet the special educational needs** of your child or young person,
- also to **secure the best possible outcomes** for them across education, health and social care (and I'm going to explain what we mean by an outcome in a minute) and, as they get older
- **to prepare them for adulthood.**

(SEND Code of Practice 2015, section 9.2)

The Children and Families Act puts a much greater focus on the need to support children and young people to develop the skills they will need for adult life, while they are still in education.

Slide 6

An outcome is what everyone wants your child to be able to do with agreed support in a set period of time.

Slide 7

Remember, an EHC plan is a 'live' document – you can send copies of new reports, assessments and information to the [Family Services Team in Suffolk](#) LA at any time. You don't have to wait for the annual review.

It is important to remember that the plan needs to 'grow' with your child as they get older, reflecting any changing needs or aspirations.

Slide 8

So what is the purpose of an Annual Review?

Slide 9

The Annual Review is a legal process to monitor the effectiveness of an EHCP, in other words, to check that it's doing its job in:

- Making special educational provision to meet your child's SEN

- Helping your child or young person to make progress towards their outcomes in education, health and social care and
- Helping your child or young person to prepare for adulthood.

Slide 10

The SEND Code of Practice says reviews must:

Focus on the child or young person's progress towards achieving the outcomes specified in the EHC plan.

And consider whether these outcomes and supporting (short term) targets are still appropriate.

(The SEND Code 9.166)

So are the outcomes and targets relevant to what your child wants to do as they get older & are they achievable?

Have you and the learning setting been able to see the progress your child or young person has already made towards achieving the outcomes?

Remember, most outcomes in an EHC plan are set over a key stage, for example, by the end of key stage 2, Maddie will be able to walk unaided up and down the school stairs.

So when you are half-way through that key stage you and the school would expect to see quite a bit of progress – we'll be looking at this in detail later on.

Slide 11

The SEND Code says that reviews should also:

Check that the support from education, health and social care is working and helping your child to make good progress


Consider if any changes are required (for example changes to the outcomes in the plan or to the support, or to the learning setting)

(The SEND Code 9.167)

Slide 12

The Annual Review is more than just a review meeting.

It is **a process with several stages** laid down in law. The review meeting is one part of this process.



This flowchart can be found on our annual review webpages. It breaks down the annual review process which is laid down in law into a series of steps. This is at the request of parents, who asked for steps to make it clearer to understand. We're going to look at each part of the process in this recording.

Slide 13

The SEND Code says that at least 2 weeks before the start of each term

The local authority Family Services Team should contact all the headteachers and principles of nurseries, schools and colleges who have children with EHC plans, and also contact health and social care to let them know what annual reviews are due that term.

The local authority must state which reviews will focus on transition and preparation to adulthood so that the educational settings, health and social care have enough time to prepare.

(SEND Code of Practice 9.172)

Slide 14

As part of the annual review process the LA:


- must make sure that a meeting takes place to review the EHC plan.
- can ask the Head teacher or principal to arrange and hold (or 'host') the meeting, if the child or young person attends a maintained nursery or is at school or PRU or post 16 setting. This responsibility may in turn be delegated to the SENCo.

The LA will arrange the meeting for a child or young person who is not attending a school or other institution. This could take place at the family home for example – this would be agreed between the LA and the family.

(SEND Regulations 2014, para 20 and 21)

Slide 15

Annual review meetings can be delivered virtually by phone or video conference if this is easier or safer and since the pandemic, many learning settings have become more used to this.



Some families and young people may prefer a virtual review meeting as they may find it easier to take part, especially if there are a number of practitioners invited.

Before your review meeting is due, speak to your child and ask them what they would find more comfortable so that you have plenty of time to talk to the learning setting about how the meeting might work best.

Slide 16

For the review meeting to be effective, good preparation is essential.

So, preparation is included in the stages of the Annual Review process set out in law.

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So in step One, the 'host' invites the following people to a review meeting and **asks for written advice** from each of these people:

- the child or young person and their parents;
- the learning setting, if they attend one. If the child or young person is not attending school, then a person in the LA who has experience and understanding of special educational needs will be invited.
- They must also invite a local authority SEN officer – in Suffolk this means a member of the Family services Team;
- a health service representative;
- and a social care representative.


These invitations need to be sent out well in advance of the review meeting.

And we're going to look at what the advice needs to focus on a bit later in this recording.

(SEND Code 9.176)

Slide 18

The host may also invite other people involved in supporting your child, for example, a therapist or perhaps a teacher from one of the [Specialist Education Services](#) who may be supporting school to support your child, like the specialist education service for pupils with speech, language and communication needs.



Your child or young person may also want to invite someone trusted to support them to participate at the review meeting.

Who is invited will depend on your child or young person's needs and their individual circumstances.

Slide 19

In line with the Children and Families Act and the SEND Code of Practice,

'Reviews **must** be undertaken in partnership with the child and their parent or the young person, and must take account of their views, wishes and feelings.'

(SEND Code of Practice 2015 9.168)

Your views, and your child's views, are therefore really important. The local authority, school or college should help you take part. You can also contact our impartial SENDIASS service for help and advice.

Slide 20

Here in Suffolk, the Family Services Team has produced 2 kinds of form for families to use to share their views.

One of the forms asks questions using traditional boxes like a table.

This is a picture of the first 2 pages of the second type of form which uses shapes as you can see here.

Both types of form have the same questions. So, whoever is hosting the meeting should send a form to you which looks similar to this.

At the end of the day, however, you don't have to use these forms to send in your views – you could type up and send in your own document or you could send in a recording of your voice giving your views if you find that easier.


What is important is that you are given the chance to share your views well **before** the meeting takes place.

[Suffolk EHC forms](#) (includes annual review forms.)

Slide 21

So let's look at what will be helpful to think about when you are preparing your views:

Firstly, think about what progress your child has made towards the outcomes in the EHC Plan.



If your child has not made progress in some areas, what do you think might need to change to help your child move forward?

Do you think that new strategies of support needed?

Is new advice or assessment needed?

Is the learning setting still appropriate?

On the forms there is a box or shape for comments. If you have ideas as to what might need to change, you can include them here.

Slide 22

Other points to think about include:

- have there been any new assessments or observations recently?
- Have any new needs been identified for your child?
- Have any outcomes been achieved?

Slide 23

Let's just pause to think about how practitioners might be involved. We explained earlier that some practitioners who are or have been working with your child from education, health and social care may be invited to the review meeting and asked to provide some up-to-date advice.

And this advice will focus on your child's progress towards the outcomes in the EHC plan and any recommendations which these practitioners might suggest.

However, some practitioners may play a very important role in helping your child or young person to identify and express their feelings and what kind of support helps them most as part of the preparation for the meeting.

Others may have built a trusted relationship with your child or young person

Slide 24

Your child or young person's views are especially important.

Remember, if they are not comfortable with some of the support in the plan then they are not going to make good progress.

Some of the things they might want to think about include:

What have they been enjoying?

What are their dreams for the future?

What kind of support have they found helped them most?

What are they struggling with?

What might make it better?

Sometimes it can help to ask your child or young person if they woke up tomorrow and it was the best day, what would be different?

Slide 25

Remember, what is important **to** your child or young person (what matters to them) may be very different to what you or practitioners believe is important **for** them (in other words what you think good support looks like).

The Council for Disabled Children has a helpful video called [The EHC Plan and the person-centred connection](#) which looks at the importance of making sure that the child or young person is at the centre of an EHCP.

Slide 26

Many children and young people may find it hard to clarify and to share their views, thoughts and feelings.

Remember you can encourage them to contact our SENDIAS service if they would like in getting things clear in their heads, if they are feeling muddled or confused or overwhelmed and if they'd like help in sharing their thoughts and feelings.

As they get older, they could get the help of an independent advocate through [Total Voice Suffolk](#). This includes pupils with communication difficulties.


Your child could ask to meet with a member of the LA Family Services Team, with or without you.

It is important that children and young people are given the opportunity and supported to give their views separately if they would like this.

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Person-centred tools like one-page-profiles might help your child share their views. On our website we have links to websites like the [Helen Sanderson Associates website](#) and [Sheffkids website](#) which have a variety of free resources like these.

A One-Page-Profile captures all the important information about a person on a single sheet of paper under three simple headings: what people appreciate about me, what's important to me or makes me happy and how best to support me.



These deceptively simple summaries really can help a child or young person's voice to be at the centre.

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If you want to find out more, the Suffolk Psychology and Therapeutic Service YouTube channel has a short video which explains how to create a one-page-profile and how they can help people of any age.

[Creating a one-page-profile video](#)

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The [Preparing for Adulthood organisation](#) has lots of useful resources to help young people think about and share their views.

This leaflet [Planning my future life](#) has a number of templates which you or practitioners working with your child or young person may find helpful.

Slide 30

This is a PowerPoint template which some children and young people in Suffolk have found helpful. You can request it from the [leaflets and resources webpage](#) of our SENDIASS website in Suffolk. Each box that you can see here is a different slide of the PowerPoint and the child or young person can choose to use one or two slides or all of them, uploading their photos or other pictures as they would like.

Some children have chosen to email the slides to their school SENCO to share their views before the annual review meeting – we also know of children who have presented their PowerPoint at the beginning of the annual review meeting.

If your child or young person would like to present their PowerPoint, this can of course be done virtually.

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Some children have chosen to send in just one or two of the slides, often uploading their own photos.

In this example the child has chosen to show some approaches and resources which help them with sensory and other needs, like stroking a soft cushion or using a chew necklace to help them self-regulate.

Slide 32

And this example shows the visuals and tools which help this young person to learn and to express their feelings. Sometimes children and young people like simply to send in some picture of people or animals who are important to them.

Slide 33

The organisation [Mind of My Own](#) has a young person app which young people can download for free, regardless of whether an organisation is registered with them.

This app was co-produced by young people for young people to help them share their views, particularly if they struggle to talk to someone about their thoughts and feelings.

So, we have talked about the importance of you and your child preparing your views and also practitioners invited to the annual review meeting preparing their views or advice.

And I mentioned earlier that preparing views and information needs to happen well in advance of the review meeting

Slide 34

This is because the law says that at least 2 weeks before the review meeting the information gathered from your child or young person, from you and professionals needs to be sent out to everyone invited.

This is really important as you, your child and the practitioners need time to go through it all so that you can be properly prepared for the review meeting itself.


(SEND Code 9.176)

Slide 35

If you know that your child's review is due at the start of a term, you can be proactive in the term before.

You can remind the learning setting and any practitioners you know who are involved with your child, that up-to-date information will be needed for next term's review and ask them if there is a form they would like you to use so that everyone's information can be shared two weeks before the meeting. Or you could download the form yourself from the local offer.

So, although there isn't a timeframe in law for when invitations to the review meeting are sent out with the **request** for information, this must happen in enough time for



the information to be shared with everyone at least 2 weeks before the review meeting, as the law requires.

It is helpful for parents and practitioners to start thinking well in advance.

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So now we get to the stage in the annual review process where a meeting is held between the pupil (if they are able to attend), the parents, the host, and as many of the professionals invited who can come.

(SEND Code 9.176)

Slide 37

Just to be clear..

Health and social care practitioners may not be able to attend, but they will have been invited and asked to share any updated information about your child in advance of the meeting.

There are several thousand annual reviews in Suffolk every year so the Family Services team will only be able to attend some key review meetings.

If you believe it is important for a member of the family services team to attend the next review meeting, contact them to explain your reasons.

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Although you will have shared your views and your child's views in advance, many people still find it helpful to have a list of their main points to hand to refer to and also to help keep them focussed.


If the meeting is being held over the phone or using your laptop, make sure you have some paper nearby so that you can jot down your questions and make any notes as the meeting takes place.

Maybe you want to refer to a recent report or assessment. If so, it's helpful to have highlighted the sections you want to talk about in advance so that you can find them quickly.

Remember to include any new information about your child which you want to share.

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The SEND Code states that:



‘Reviews **must** be undertaken in partnership with the child and their parent or the young person, and must take account of their views, wishes and feelings.’

(SEND CODE 2015 9.168)

This goes back to Section 19 of the Children and Families Act which says that Local authorities must have regard to the views, wishes and feelings of children and young people and the importance of supporting them to take part.

So, review meetings should be person-centred, with the child or young person’s involvement at the heart.

As we mentioned earlier, take time to think about how your child might like to be involved in the review meeting and share your ideas with the learning setting so that everyone can agree a format which your child will feel comfortable with.

This will also help them appreciate that they are the most important person in an annual review and to help them understand that this review meeting is all about making sure that everyone gets the support right for them in their EHC plan.

Slide 40

A virtual meeting may be easier for your child to take part in.

Your child or young person may feel much more relaxed at home.

They may find it less intimidating to talk to other practitioners remotely rather than face to face.


They may already feel really ‘at home’ with talking to others remotely using media like WhatsApp or Facetiming to speak to their friends.

An EHC plan might be uploaded and shared on screen. We have heard of where some young people have been happy to edit their plan ‘live’ themselves when it has been shared on screen.

Slide 41

Although the whole process of an Annual Review is laid out in law, the actual format of the review meeting can differ from setting to setting but the SEND Code is clear that it should follow the principles of a person-centred review with your child or young person at the heart.

From our [annual review webpage](#) you can link to the Helen Sanderson organisation website which has a lot of free person-centred resources, templates, videos and guides which you may find helpful.



You'll also have access to this leaflet which you can see on the right which goes through the principles of a person-centred review meeting.

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The Psychology and Therapeutic Service in Suffolk can offer training to schools around a person-centred approach to reviews called [PATH](#).

PATH is a style of solution-focused planning where one of two trained facilitators will draw on large pieces of paper on the wall to represent the young person's path forward. Everyone attending is encouraged to be involved in adding agreed actions on the papers.

Our annual review webpage links to some further information about PATH if you would like to find out more.

Slide 43

For any practitioners watching this recording, the Council for Disabled Children have produced a helpful ['Top Tips to support the participation of children and young people' guide](#) which you might find helpful.

Slide 44

Before we go any further just a quick reminder that the SEND Code of Practice says:

Reviews **must** focus on the child or young person's progress towards achieving the outcomes specified in the EHC plans, - remember outcomes are the statements in the plan which explain what your child will be able to do in an agreed amount of time, with the support outlined in the plan. The review **must** also consider whether these outcomes and any short-term targets remain appropriate and whether changes are needed.

Reviews should also check that the support from education, health and social care is working and helping your child to make good progress

And consider if any changes are required (for example, possible changes to outcomes or to the support in the plan or even to the learning setting)

(The SEND Code 9.166 & 9.167)

Slide 45

Here is a screen shot of a couple of pages of one of the Suffolk Annual Review report forms which the host of the review meeting will need to fill out.

The local authority has 3 kinds of annual review report forms: one for pupils in year 8 and below, one for pupils in year 9 and above and a plan for students moving to adulthood.

You can download any of these from the SCC website - What we're looking at here is a year 8 and below form.

[Annual Review for an EHCP Year 8 and below](#)

If you download it, it may help you understand the sort of questions the learning setting or host will ask and the kind of information you will want to prepare.

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This is a screen shot of a couple of pages in the [Moving into adulthood plan](#).

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Reviews also provide an opportunity to check:

that the outcomes and provision (or support) in the plan are specific and clear so that everyone's understanding of them is the same.

Also, to check that the plan is written in a way that is clear and easy for children, young people and their parents and carers to understand which the SEND Code expects of an EHC plan

(SEND Code, Section 9.22)


Slide 48

We have a video on our Suffolk SENDIASS YouTube channel called [Drafting and Finalising an EHC plan](#). Even if your child has had an EHC plan for a while, you might still find it helpful to watch as the video explains what a good EHC plan should look like.

Slide 49

Remember a good EHC Plan should:

- ✓ Describe positively what your child can do

- 
- ✓ Be clear, understandable and easy to read by you and your child as far as they are able
 - ✓ Include good, relevant outcomes
 - ✓ Tell your child's story well and clearly

So if you read it and it still sounds like a description of a child at primary school and your child is now a teenager, then it needs updating and you can start to think about what might need changing in time to share your views for the review meeting.

Slide 50

You should have been invited to prepare and share your views at least 2 weeks before the review meeting, but you may of course like to ask questions or share information at the meeting itself.

Remember, the annual review process is all about making sure that the EHC plan is working – in other words checking that it is supporting your child to make progress in their learning and progress towards the skills they need in later life.

So, you should expect the learning setting or other host to share the progress your child has made towards the outcomes in education. And, if you have the involvement of health and social care, you should expect to hear information shared from them, either in the form of a report or face-to-face, if they can attend the meeting

So for example, if there has been little or no progress, then what will the learning setting be recommending on the report form as a next step? Are they recommending a new strategy of support? If they have exhausted their own ideas, are they recommending that new advice be sought from a practitioner? Do they still feel that this learning setting is the right one for your child – and what do you and your child think?

Do share if any new needs have been identified for your child. Perhaps there has been a recent assessment. The school or other host can send this new information in with their report and recommend that the plan be updated to include the new information.

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Do encourage your child or young person to take part in the meeting too, to share their questions and thoughts.

The experience of the pandemic has been difficult for many pupils and school may still feel a little different, so perhaps they would like help given in a different way.



Remind them that no question is a silly question!

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The next stage in the process is where the meeting host prepares and sends a report of the meeting to everyone invited. They must do this within **2 weeks** of the annual review meeting.

In general, if your child is making progress with the support set out in the Plan, then you and the learning setting will likely recommend the plan stays as it is, unless there are major changes planned in future, e.g. a change of school.

However, if it was agreed at the meeting that changes to the plan should be made, for example because a new need has been identified for your child, the report will include the recommendations for change.

If there is no agreement because of conflicting opinions given at the meeting, the school should still record the different views so that the local authority is aware of them. They need all the information to help them come to their decision.

When you receive the report, if you don't understand it, speak to whoever held the meeting and wrote the report, which will be either the learning setting or the Local authority if your child is not in school or college.

We sometimes hear from parents who share that they have thought of other important points or their child has shared something new after the review meeting has finished and the report has been prepared. You can still share these views with the Family Services team, through for example, emailing them.

(SEND Code 9.176)

Slide 53

Now we come to the final stage in the annual review process where the local authority goes through the report and then writes to you with their decision.


The Annual Review process is not complete until the local authority has reviewed the report from the meeting and has notified you of their decision. And they must do this within 4 weeks of the review meeting.

(SEND Code 9.176)

Slide 54

The Local authority can make one of the following decisions:

Either –



To keep the EHC plan as it is – and this will be when there is evidence in the review report that the strategies in the plan are working and there is evidence of your child's progress against the outcomes in the plan.

Or

They will tell you they are going to amend the plan following recommendations

Or,

they will decide to cease the plan.

(SEND Code 9.176)

Slide 55

The LA will only cease an EHC plan if:

The outcomes in the EHC plan have all been achieved – in other words the EHC Plan has done exactly what it is meant to do, it has helped your child to make progress in all the areas they were struggling in and now they are able to work alongside their peers without the need for the kind of extra support which was outlined in the plan.

Or it will cease if a young person decides they do **not** want to continue in any learning or training.


Remember an EHC Plan is all about supporting a child or young person who is struggling with learning or training.

So a young person can still have an EHC Plan even if they are not in a formal learning environment, like a college, they just need to be in some form of education or training and they still need the extra support to learn. This includes work-based learning. For example, they could be learning through organisations like Lapwing or doing a traineeship through an organisation like WS Training.

The plan could cease if your young person chooses to take up a job **unless** they are doing a supported internship as this is still training to support them to move into employment.

Or it could cease if they move on to University. This doesn't mean that the young person won't be able to get support at University – a student will need to apply for help through the Disabled Student Allowance Scheme instead and it is best if they declare their needs when they apply for a place at University.

The SEND Code is clear that if a local authority is considering ceasing a plan, they must inform your child or young person and they must consult with the parents and the learning setting named in the EHC plan.



Do contact our SENDIAS service or encourage your young person to do so if you're uncertain about this.

(SEND Code 9.199 – 9)

Slide 56

If the Local authority decides to keep the EHC plan as it is, or to cease it, they must:

Write and explain to you or the young person that you have a right to appeal (& the time limits)

That you must consider mediation if you do decide to appeal

Explain your right to information, advice and support through a service like ours.

(SEND Code 9.176 and 9.206)

Slide 57

If the LA decides to amend the plan, the SEND code says they:

- should start the process of amendments **without delay**. (SEND Code 9.176)
- And they **must** send to you or your young person a copy of the unchanged version of the EHC plan along with a notice outlining the suggested changes so that it's clear to you what the changes will look like. And the SEND Code says that you or your child may request a meeting with the LA to discuss the proposed changes
- and they **must** include the supporting evidence for the suggested changes;
- And they **must** give you or your young person at least 15 calendar days to go through the information and give your views. (SEND Code 9.193 – 9.195)

You can contact our SENDIAS service if you would like help in going through the information and/or help in clarifying and sharing your views.

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When you have returned your views, the LA

- must issue the amended EHC plan as quickly as possible and **within 8 weeks** of sending you the original amendment notice

- they must explain to you that you have a right to appeal (& the time limits to do this) and that you must consider mediation if you do decide to appeal
- that you have a right to information, advice and support

(SEND Code 9.196 – 9.19)

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So this slide is just to remind you that there is information about appeals on our website including videos to help parents and carers fill in an appeal form.

[Suffolk SENDIASS information about appealing an Annual Review decision](#)

Slide 60

We also have a video which explains mediation, how it might help you, how to prepare for a mediation meeting, what happens at the meeting and what happens afterwards which you might find helpful.

[Why choose mediation video](#)

Slide 61

Now we've talked about how changes can be made to an EHC plan as part of the annual review process to make sure that it remains relevant to the needs of your child or young person and the outcomes in the plan.

The SEND code recognises that there may be occasion when a re-assessment will be helpful, particularly when a child or young person's needs change significantly.


(SEND Code of Practice 9.186)

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The SEND Code says that Local authorities **must** conduct a re-assessment of a child or young person's EHC plan if a request is made by the child's parent or the young person, or by the educational setting or the Clinical Commissioning Group or NHS Trust.

A local authority may also decide to start a re-assessment without a request if it thinks it is necessary.

A LA can refuse a request for re-assessment if less than 6 months have passed since the last EHC needs assessment, or if they think it is not necessary.



If a full reassessment is required, that process should be started without delay. The maximum time for this is 14 weeks from the date of the decision to reassess.

(The SEND Code 9.187- 9.188)

Slide 63

The Children and Families Act states that

The whole Annual Review process, including all the stages we've talked about in this webinar, including the LA writing to you with a decision, must take place within:

- 12 months of the issue of the final plan or
- 12 months of the completion of the last annual review.

(Section 44 of the Children and Families Act 2014)

Remember the Annual Review is not complete until you have received the LA decision.

For children under 5 years of age, the SEND Code recommends that local authorities consider reviewing the plan every 3 – 6 months but these reviews can be streamlined and may not involve all professionals. However, the child's parents must be consulted over any proposed changes and given the right to appeal.

(SEND Code 9.178)

Slide 64

Where an EHC plan is amended, the SEND Code states that the following review must be held within 12 months of the date of issue of the original EHC plan or the previous review

Not, 12 months from the date the amended EHC plan is issued.

(SEND Code, section 9.197)

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You can request an Early Review for example if you believe:

- that your child/young person's education, health or social care needs have changed and are no longer accurately described in the EHC plan;
- that the education, health or social care provision in the plan is no longer meeting your child's needs. This includes if you feel that section I (the educational placement) needs to be reviewed.

- Or if your child is in crisis, for example vulnerable to permanent exclusion or is school refusing.

However, any such review is at the discretion of the local authority and there is no legal duty to arrange it. If you are requesting an emergency review, ask the local authority to run it as an annual review with the same timescales – this will then trigger appeal rights if you are not happy with the outcome.

Slide 66

Now let's consider transfer reviews.

A local authority **must** review an EHC plan when a child or young person transfers from one stage of education to another.

The SEND Code is clear that:

‘An EHC plan must be reviewed and amended in sufficient time prior to a child or young person moving between phases of education to allow for planning and, where necessary, commissioning of support and provision at the new institution.’

(SEND Code section 9.179 – 9.183)

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For transfer from a secondary school to a post-16 institution, the EHC plan must be reviewed and amended by **31st March** in the year of transfer

For other stage transfers, (for example, transferring from a primary to a secondary school), the deadline is the **15th Feb** in the year of transfer.


For moves between post 16 placements, amended EHC plans must be issued at least 5 months before the new placement.

These dates override the normal date for review because the law recognises your child or young person needs time to prepare for a transfer and the right support needs to be agreed in good time.

(SEND Code, section 9.179 – 9.183)

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You will be asked to name your preferred school or setting and the local authority must consult with that setting and they must name the setting in the EHC plan unless there is a lawful reason for them not to do so. Any such reason would need



to be clearly explained to you and you will have a right to appeal if you are unhappy with their decision.

The EHC plan needs to be amended, including naming the setting, by the transfer deadline.

So, for example, for transfer reviews from a primary to a secondary setting, the annual review process usually starts in the autumn term with the gathering of information, in order for the process to be completed by the 15th February.

We have further information about choosing and naming a school in an EHC plan on our SENDIASS website along with information about annual reviews which may help you.

[Choosing and naming a school in an EHC plan - Suffolk SENDIASS](#)

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Preparation for adulthood must be part of Annual Reviews from year 9 onwards

So you could highlight new or ongoing care needs.

You can tell the LA if you believe your child may need an assessment of these needs in preparation for adulthood.

For teenagers, preparation for adult life needs to be an explicit element of their planning and support.

So discussions about their future should focus on what they want to achieve and the best way to support them to achieve (paragraph 8.7 of the SEND Code).


the SEND Code suggests that it can be helpful for EHC plan reviews before Year 9 to have a focus on preparing for adulthood too.

(Section 8.8 and 8.9 of the SEND Code of Practice)

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The SEND Code says that Transition planning **must** be built into the revised EHC plan and should result in clear outcomes being agreed that are ambitious and stretching and which will prepare young people for adulthood. Planning **must** be centred around the individual.

So the EHC plan will fit the individual young person - not the other way round.



Local authorities should ensure that children and young people have the support they need (for example, maybe an advocate) to participate fully in the planning and to make decisions.

(SEND Code, section 8.9)

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As this image shows, preparing for adulthood means support to prepare **for higher education and/or employment** and this will include pathways and training options like supported internships, apprenticeships and traineeships. And the review should also cover support in finding a job and learning how to do a job for example through work experience.

Also it means support to prepare for **independent living** - including exploring what decisions young people want to make for themselves, where they want to live in the future, who with, what support they will need and looking at local housing options.

Preparation for adulthood also means preparing for **participating in society**, including support in developing and maintaining friendships and relationships, managing transport and participating in, and contributing to the local community

And finally preparation for adulthood includes support in **being as healthy as possible in adult life**. This might include effective planning with health services for transition to adult services.

(SEND Code 8.1)

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The organisation Preparing for Adulthood which I referred to earlier in this webinar have produced a guide for year 9 annual reviews which we link to from our annual review webpage.


[Key Topics to cover at annual reviews from year 9 2019 - Word Version \(preparingforadulthood.org.uk\)](https://preparingforadulthood.org.uk)

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The Preparing for Adulthood website also includes a helpful [post 16 checklist](#).

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If a young person has an EHC plan and is aged under 18 but is not currently receiving education and training (for whatever reason), the SEN regulations state



that the local authority **must** review the plan “*to ensure that the young person continues to receive education or training*” (see SEN Regulations 2014, Reg 29).

Whilst this is not, strictly, an annual review, the local authority must conduct the review in accordance with SEN Regulations which means that they must follow the steps set out in this webinar.

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There is further information about annual reviews on the Council for Disabled Children website which includes a helpful video and also on our Suffolk SENDIASS annual review webpage and we have a leaflet which might help you too.

[What is an Annual Review of an Education, Health and Social Care \(EHC\) plan? \(updated 2019\) - YouTube](#)

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This video was made by [Suffolk SENDIASS](#), but every county has an impartial and confidential SEND Information, Advice and Support Service.