



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

DIAS Fact Sheet - April 2016

This information sheet has been created by DIAS, to help parents, carers and young people understand the process around annual reviews and EHC plans. DIAS is a free, confidential and impartial service that aims to provide you with the most current information to help and support you.

Key points

- If your child has an Education Health and Care Plan (EHCP) it must be discussed and reviewed at least once a year
- The annual review is a review of the plan, rather than a general meeting to talk about your child's progress
- The review looks at the progress your child has made, the support they get and the difference that has made to them (their outcomes)
- Hearing your and your child's views is an important part of the review. The main people involved in supporting your child in school, plus other relevant professionals, will be asked for their views too
- Everyone involved will be asked to write and share their views ahead of the meeting, including you and your child.
- The main review takes place at a meeting, usually at your child's school
- At the meeting, everyone should have a copy of your child's EHC plan and it should be used to guide the discussions
- After the meeting, a report about what was discussed and agreed is sent to the 0-25 SEN Team at the Local Authority
- The SEN 0-25 Team will write and tell you about any changes they want make to the plan and why
- You have 15 calendar days to think about the changes and tell the SEN 0-25 Team whether you accept the amended plan, or not
- If you disagree with the changes, and can't come to an agreement with the SEN 0-25 Team, you have the right to appeal

What is an annual review?

If your child has an Education, Health and Care plan (EHC) plan it must be discussed and reviewed at least once a year, so that it can change as your child changes. If your child is under five, then the Local Authority should consider doing a review of the plan every three to six months.

The SEN 0-25 Team at Devon County Council is responsible for making sure that the review happens. They will ask your child's school (or pre-school, nursery, college etc) to organise the meeting where the plan can be reviewed.

The annual review is a review of the EHC plan, rather than a general meeting to talk about your child's progress. The review is for those people involved in your child's education to:

- Talk about how your child is doing and what progress they have made
- Look at the support that your child has, and whether it's working or needs to change
- Set some outcomes for the next year. Outcomes are about the difference that any support will make

Can a review happen more often than once a year?

Sometimes an EHC plan is reviewed before a full year has passed since the last review. This is called an interim review and could happen if:

- Your child isn't making the progress that was expected
- Their needs have changed a lot since the plan was last agreed
- Your child is at serious risk of being excluded from school

You can find out more about exclusion by reading our **DIAS leaflet** - ['Excluded, or at risk of exclusion from school?'](#)

Who is involved in the annual review?

The annual review usually brings together the main people involved in supporting your child. This can include:

- you
- your child/young person
- staff from the school, including your child's teacher and/or Special Educational Needs Co-ordinator (SENCo)
- other professionals, such as health or social care staff
- someone from the SEN 0-25 Team
- anyone else you or your child's head teacher thinks it may be useful to involve

Some, or all, of these people may go to an annual review meeting. Those people who can't go will be asked to send a written report which shares their views.

Before the annual review meeting

Before the annual review meeting happens, there is time for everyone involved to think about your child's progress over the last year and what needs to happen in the next year. This includes you and your child.

Your child or young person has a view too.

If your child or young person is able to, it's important that they give their views about the EHC plan.

They can do this by going with you to all, or part of, the review meeting, where they can take part in the discussions.

If your child isn't able to go to the review meeting you can help them to give their views in another way. This could be in a drawing, a film clip or in writing; whatever works best for them. There are guides and tools that can help you to do this and these are available on our website or you can request from our service.

Some of the main things for your child to think about are:

- How they feel things have gone over the last year
- If they think they have the right support and, if not, what needs to change
- What they hope to achieve next year and in the future.

You can find out more about helping your child to share their views, by reading our **DIAS leaflet** - ['Your Child or Young Person has a View Too.'](#)

Hearing from other people

The head teacher at your child's school will also ask for written reports from:

- you (the school may give you a form to help you do this)
- your child's teachers
- other professionals invited to the meeting

All of the written reports should be sent to everyone invited to the review meeting. This should happen at least two weeks before the meeting date, to give everyone time to prepare.

What do I put in my report?

Writing a report can seem daunting at first and sometimes it can be difficult to get things down on paper. Think about these questions and make some notes:

- What are your general views, wishes and feelings about how things are going at school?
- Are your child's needs being met? If not, what needs to change?
- Has anything major changed for your child, for example have they been diagnosed with a new condition or have they become more or less dependent?
- What do you want to happen over the next year?

If you want to write a more detailed report, go through the plan section by section and make notes as you go along. Look at the following sections of the plan:

- **Section E: Outcomes.** The main focus of an EHC plan is on the outcomes for your child; in other words, what difference is the support making to your child's progress? It's really useful to look at the outcomes and see whether these have been met or not.
- **Sections B, C and D: Your child's needs.** Does the plan describe what your child's education, health and social care needs are now?
- **Sections F, G and H: Support.** Look at all of the support your child is getting. Is it enough, is the support still needed or does it need to change, is the information in the plan detailed enough?
- **Section I: Placement.** Will your child be moving up to a new school in the next two years? Think about where they will learn best, as well as practical things like how they will get to and from school (transport).
- **Long Term.** It can also be helpful to think more broadly about the long term; what you child wants for their future and what they will need to help them reach their goals.

More about outcomes

Outcomes can sometimes be hard to identify. So let's start with what they're not. They're **not** a description of the service or support that your child is having. So, for example, three hours of speech and language therapy week **isn't** an outcome.

An outcome is the difference that speech and language therapy will make to your child. So, an outcome could be that your child will be able to 'clearly say their name and age by the end of the summer term.'

Outcomes should be SMART, (Specific, Measureable, Achievable, Realistic and Timed) for your child, so that you can easily see if they have been achieved.

At the Annual Review meeting

The annual review meeting aims to bring together the main people involved in your child's education. Everyone should have had a copy of your child's EHC plan and all the reports before the meeting and these should be used to guide the discussions. The meeting is usually at your child's school.

Some parents can find review meetings a bit daunting, and it can sometimes feel like it's hard to get your child's and your views across. Being there and sharing your views can really make a difference though.

It might help to go to the meeting with a friend or supporter. We can sometimes support you at meetings too; contact us for more information about this. If someone goes with you to the meeting, ask them to take notes, to help you remember what was talked about and agreed.

Meetings usually last around an hour, though this will depend on how much there is to discuss and how many people are at the meeting.

After hearing everyone's views and looking at the progress made over the last year, new outcomes will be agreed for the coming year. The head teacher at your child's school will send a report to the Local Authority about the review and their recommendations for any changes to the EHC plan. You will be sent a copy of the report too, within 2 weeks of the meeting.

Moving up from pre-school to primary, primary to secondary school and then on to post 16.

Moving up to the next phase of education can be a particularly challenging time, so planning ahead is important. Talk about your child's move to secondary school at the year 5 and year 6 annual review meetings, and their move to post 16 education, from year 9.

You can find out more about the move to secondary school by reading our **DIAS leaflet** - [Transferring from primary school to secondary school](#).

After the Annual Review meeting

The meeting report is sent to everyone involved in the review, within two weeks of the meeting. This includes you, the SEN 0-25 Team and anyone who wasn't able to be at the meeting.

SEN 0-25 Team will then:

1. Review your child's EHC plan, based on the report and recommendations from the meeting
2. Decide whether to accept the head teacher's recommendations for next year's plan and will decide whether to amend, maintain or cease the plan
3. Tell you and the head teacher what the decision is

If the SEN 0-25 Team decides to change the EHC plan, they will write and tell you what will change and why. They must do this within four weeks of the date of the annual review meeting.

You then have **15 calendar days** to think about these changes and tell the SEN 0-25 Team whether you accept the plan for the next year, or not.

If you agree with the changes, the SEN 0-25 Team will confirm and send out the updated EHC plan.

If you disagree with the changes they're suggesting, the first thing to do is to talk to SEN 0-25 Team and suggest alternative wording. We can help you with this. If you can't reach an agreement, you then have the right to appeal through the Special Educational Needs and Disability Tribunal (SEND).

If you have asked the SEN 0-25 Team to make changes to the plan after the annual review, and they decide not to, you also have a right of appeal through the Special Educational Needs and Disability Tribunal (SEND).

We can give you more information about the Tribunal process and other options, such as independent mediation. Take a look at our **DIAS leaflet** - [What if we Can't Agree?](#)

Where can I get further information, advice or support?

We can also help you with:

- Preparing for the annual review meeting
- Deciding whether to ask for changes to an EHC plan
- Possible support at the annual review meeting
- Planning the move from primary to secondary school
- Working with SEN 0-25 Team

The law about EHC plan annual reviews

These are some of the main laws around EHC plans. They come from section 44 of the [Children and Families Act 2014 \(section 6\)](#) and the [SEND Code of Practice 2015 \(section 9.166\)](#)

- EHC plans **must** be reviewed by the Local Authority at least once every 12 months
- Reviews **must** focus on the child's or young person's progress toward achieving the outcomes specified in the EHC plan.
- The review **must** consider whether these outcomes and supporting targets remain appropriate.
- Reviews **must** be undertaken in partnership with the child and their parent or young person and must take account of their views wishes and feelings, including their right to request a personal budget.
- The Local Authority **must** notify the child's parent or the young person about the decision of the review meeting within four weeks.
- Education health and care professionals **must** cooperate with the local authority during reviews