



## Children and Young People's Services

### Understanding Annual Reviews

#### A practical guide:

This guide has been written to support and empower parents/carers/guardians about the Annual Review processes that take place for children and young people with an EHCP (Education, Health and Care Plan), and those currently supported by a Statement of Educational Need.

This is a guide for parents and everyone with children and young people (CYP) with a Special Educational Need (SEN) and covers children and young people aged 0-25 years in England. The guide aims to outline guidance on Annual Reviews, specifically those Children and young people who have an Educational Health and Care Plan (EHC Plan.)

In the Specialist Educational Needs Code of Practice 2015, where the text uses the word 'must' it refers to a statutory requirement under primary legislation, regulations or case law. Therefore, throughout this document we advocate that parents/carers/guardians look for the use of the word 'must' to ensure that planned provision has the full force of the law.

For those children and young people who do not have EHC Plan the support process available is called the 'Graduated Approach' (alternative in nursery/school – support mechanism) and does not require a formal Annual Review. However, Plans are reviewed although the type of meeting and their frequency are arranged at the discretion of the nursery/school and are arranged with the parent/carer/guardian. (See - Graduated Approach information sheet).

#### Code of Practice 2015:

5.37 Where a setting identifies a child as having SEN they must work in partnership with parents to establish the support the child needs.



NB: By April 2018 all current 'statements of SEN' will have transferred to, and therefore be referred to, as an EHCP.

NB: The following guidance will now only refer to Annual Reviews and therefore, children and young people who are in receipt of a statement of SEN or EHCP:

## **Definitions:**

### **What is a statement?**

**Statements of Special Educational Need (SEN):** Are drawn up by your Local Authority (LA) and aim to outline your child/young person's Special Educational Need and all the help/provision needed to deal with their specific needs.

**Education Health and Care Plans (EHCP):** Are drawn up by your Local Authority (LA) and aim to identify your child/young person's aspirations for the future mindful of their specific 'special need' which may cross Education, Health and Social Care providers. Your input as parent/carer/guardian and the child/young person, will be central to the creation of the EHCP

### **Annual Reviews (AR):**

Are designed to check on whether the statement of SEN or EHCP is still up-to-date and relevant for your child/young person. There must be at least one Annual Review every 12 months. Some nursery/schools may choose to conduct an Annual Review more frequently but this is at their discretion.

For Children 0-5 year's reviews should take place more frequently.

### **The SEN Code of Practice 2015 says:**

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

9.178 Local authorities should consider reviewing an EHC plan for a child under five at least every three to six months to ensure that the provision continues to be appropriate.



If the Annual Review coincides with the time your child is to move from one phase of education to another, i.e., primary school to secondary school, the Annual Review meeting may be referred to as your child's transition review meeting.

EHC Plans must be reviewed and amended (if required) in "sufficient time" prior to the children and young people moving between key phases of education e.g. between:

### **When should these Phase Transfer Meetings take place?**

**Primary to Secondary:** should take place in Year 5 – 15<sup>th</sup> February

**Secondary to Post 16:** should take place in Year 9 – 31<sup>st</sup> March

NB: At the Year 9 Annual Review a careers advisor must be made available at this review, along with key agencies. Annual Reviews at these times, when an EHCP is in place, can be referred to as a Transition Review.

### **The SEN Code of Practice 2015 says:**

9.184 All reviews taking place from Year 9 at the latest and onwards must include a focus on preparing for adulthood, including employment, independent living and participation in society.

Please Note: these reviews are now often referred to a Transition to Adulthood.

### **Who is responsible for co-ordinating the Annual Review meetings?**

Special Educational Need Co-ordinator (SENCo) for the nursery/school is responsible for contacting all people who should be present at the meeting. The SENCo is responsible for informing all interested parties of the date, time and venue for the Annual Review Meeting. SENCO's often chair the meeting and ensure all relevant reports are made available 2 weeks in advance for everyone attending the meeting, therefore you, as a parent/carer/guardian and the child/young person, must receive copies of the reports.

NB: A Special Educational Needs Co-ordinator (SENCO): is a qualified teacher in a school or maintained nursery school who has responsibility for co-ordinating SEN provision. In a small school, the Head Teacher or deputy may take on this role. In larger schools there may be a team of SENCOs. Other early years settings in group provision arrangements are expected to identify an individual to undertake the role of SENCO and childminders are encouraged to do so, possibly sharing the role between them where they are registered with an agency.

Code of practice 2015 pg. 283



## **Who should be present at an Annual Review or a Transition Review?**

### **Parents/carers/guardians**

- SENCo
- Class teacher, key teaching professionals
- Professionals from outside agencies, e.g., Education, Health and Care, Qualified Teacher of children with vision impairment, Social Services, Local Authority representative.
- Children and young people if they wish

## **What Happens Before the Meeting?**

### **How can I prepare for the Annual Review or Transition Review meeting?**

Preparing for your meeting is important because the more prepared you are, the more confident you will feel in your abilities to express your feelings and make a positive contribution to the meeting.

NB: All parties attending the meeting must receive copies of reports relating to your child/young person, 2 weeks in advance of the meeting date. This is to allow everyone the opportunity to read and appraise the contents and to formulate focused questions for the meeting.

If you have an additional need yourself e.g. English is not your first language or you have a sensory impairment, then make sure the SENCo is aware of your need prior to the meeting so steps can be taken to make sure that the meeting is fully accessible for you and your family.

- Guide Dogs Children and Young People's Services have impartial, independent, Specialist Education Support Officers, who may be able to support you in preparing for your Annual Review Meeting. An independent support person may also attend meetings with you, if you feel you require support; all Local Authorities have Independent Advisory Representatives who can support you. Contact professionals in advance if you feel you would like support.
- Make sure you have all copies of reports and go through these carefully in advance.



- Highlight any points in reports which are unclear to you and which you would like explained further.
- Talk to your child/young person about their thoughts and feelings on school and the support provided. Write this down or ask them to write it down in their own words if they are able.

### **You might like to ask them questions about:**

- What they like best about school.
- What's the worst thing about school?
- What do they think about the support and help given in school?
- Ask them to list what they find helpful and what they don't find helpful in school.

NB: The SEN Code of Practice 2015 says:

9.168 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...

- Write down examples of behaviours at home, which are positive or negative, you feel may prove useful as evidence of how your child/young person is/or is not, making progress.
- Write down all your questions in advance with a space next to each for you to write the answers provided.

### **You should be asked your opinion on the following. So be thinking about:**

- Any progress you think your child has made any areas of difficulties you think your child is experiencing
- At the meeting you can reasonably expect to hear other people's comments which outline the extent to which, in their opinion, your child/young person has/has not achieved the outcomes outlined in the EHCP.

### **What is an outcome? (Section E of the EHCP)**

An outcome is a result of what you set out to achieve.

NB: An EHC Plan is an action plan which can later be reviewed, depending on the progress made/not made by your child/young person.



Within the EHC Plan there should be clear and measurable outcomes. Outcomes can have an Education, Health or Social Care focus.

Professionals at the meeting (from Education, Health or Social Care), may say that some/most/all of the planned outcomes have or have not been achieved.

The professionals should provide evidence to support their opinion about those outcomes that have/have not been met.

### **What should happen at the meeting?**

An Annual Review has been planned to discuss YOUR child/young person. It's for your child's best interests and so it is YOUR meeting. Don't feel afraid to ask for an explanation of things you are unsure about. Don't feel afraid to ask for more time, don't be rushed.

- The Chairperson should introduce everybody present.
- A summary of the last meeting, specialist reports, curriculum progress reports and assessment data should be distributed to everyone.
- This is your opportunity to share any information about your child, remember you can bring a representative/friend to the meeting
- The chairperson should summarise the purpose, aims and objectives of the meeting.
- The chairperson should inform the meeting of the order of report presentation, everyone should be given the opportunity to share relevant/new information.
- The chairperson should make sure that there is sufficient time for the meeting. To ensure that everyone (in particular parents) are at ease and feel able to air their thoughts and feelings at all stages of the meeting.
- The chairperson should make or nominate someone to make notes and keep minutes on the proceedings.
- Parents/carer/guardian should receive a copy of the minutes from the meeting.
- Outcomes/actions/plans should be agreed and documented.
- A summary of the meeting should be made and copies made available to all interested parties, including parents/carer/guardian.
- There should be an agreed date for reviewing plans at the next meeting.

### **End of the meeting:**

During the Annual Review meeting, if any changes to the EHCP are recommended, these must be noted by the SENCo and reported to the Local Authority and the parents/carers/guardians.



Sometimes, additional Reviews may be required - these may be referred to as **Interim reviews:**

Interim Reviews can take place at times other than the formal 12 monthly Annual Review.

They can be used to review situations where:

- Your child is at serious risk of disaffection or exclusion
- The Local Authority has to meet the February 15 deadline for naming a new middle or secondary school.
- Your child's needs have changed suddenly.
- At least two weeks before a school term, the Local Authority informs the Head teacher in writing about which pupils' statements/EHC Plans must be reviewed that term.

### **The SEN Code of Practice 2015 Says:**

9.176

- Within four weeks of the review meeting, the local authority must decide whether it proposes to keep the EHC plan as it is, amend the plan, or cease to maintain the plan, and notify the child's parent or the young person and the school or other institution attended
- If the plan needs to be amended, the local authority should start the process of amendment without delay (see paragraph 9.193 onwards)
- If the local authority decides not to amend the plan or decides to cease to maintain it, they must notify the child's parent or the young person of their right to appeal that decision and the time limits for doing so, of the requirements for them to consider mediation should they wish to appeal, and the availability of information, advice and support and disagreement resolution services.

For further support contact:

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