

Where a child or young person has an EHC plan, it **must** be reviewed at least **once a year** by the local authority (LA). This is to ensure it stays up-to-date and continues to provide the support the child or young person needs.

[Click here](#) to access guidance and an animation on "What is an Annual Review?" from the Council for Disabled Children.

### **The annual review (AR) process**

The first review of the EHC plan must be held **within** 12 months of the EHC plan being finalised. Subsequent reviews must be held **within** 12 months of the previous review.

If your child or young person is coming up to a **phase transfer** the LA must carry out the review well in advance of the move.

Phase transfer is the moving between particular stages of education:

- early years education to school
- infant to junior school
- primary to middle school
- primary to secondary school
- middle to secondary school
- secondary school to a post 16 setting

Deadlines for phase transfer reviews:

For those transferring from secondary school to a post-16 setting, the EHC plan must be reviewed and amended by 31 March in the year of transfer; for all other phases of transfer, the deadline is 15 February in the year of transfer.

When a young person is already attending a post-16 setting and it is proposed that they move from one post-16 setting to another at any time, the LA must review and amend the EHC plan at least five months before that transfer takes place.

After the review, the EHC plan should state that they will continue to attend their current setting until the end of the academic year (or another date if different). In Section I, it should name the setting or the type of setting that they will attend from the start of the next academic year.

These **deadlines** are set out in Regulation 18 of the [Special Educational Needs and Disability Regulations 2014](#).

From Year 9 onwards, the local authority has a duty to ensure that the annual review meeting “consider[s] what provision is required to assist the child or young person in **preparation for adulthood and independent living**” (Regulation 20(6) and Regulation 21(6) of the SEN and Disability Regulations 2014).

Please see our [Preparing for Adulthood Factsheet](#) for more information about this.

The following steps **must** take place in an annual review:

1. The LA must consult with the parent of the child or young person (and with the school or institution being attended if there is one) about the EHC plan, and take account of their views, wishes and feelings.
2. Information must be gathered from parents and young people and from professionals about the EHC plan and then circulated two weeks before the meeting.
3. An annual review meeting must take place to discuss the EHC plan.
4. After the meeting a report of what happened must be prepared and circulated to everyone who attended or submitted information to be discussed.
5. After the meeting the LA reviews the EHC plan.
6. The LA must notify the parent of the child or young person of their decision within four weeks of the meeting.

All of these steps – **not just the meeting** – must be followed for an annual review to be completed.

IPSEA provides an [annual review checklist](#) which contains further information on each of these steps. You can use this resource to check whether the necessary steps are being followed in your annual review.

## **Arranging the Annual Review**

Each term the LA must notify schools which of their pupils' EHC plans need to be reviewed in the coming term.

The next stage is for the school to organise a meeting between people involved in your child's education.

You must be given **at least two weeks' notice** of the date of the review meeting.

The following people must be invited (although they may not all need to attend and some may send written information instead of attending in person). Who attends will depend on your child's needs and circumstances.

- The child's parent(s) or the young person themselves if they are over 16.
- The headteacher of the school.
- Someone from the local authority special educational needs (SEN) department.
- Someone from the local authority social services department.
- A health professional.

The school will also ask the people they invite to send in written advice (**reports**) in advance. Any reports must be circulated to everyone invited **at least two weeks** before the meeting

The school may also invite other people involved in supporting your child, for example a teaching assistant, a speech and language therapist, or a specialist advisory teacher.

You may wish to inform the school that you intend to take along a friend or supporter.

### **Gathering your views**

The LA or school organising the review meeting will ask you to send your views in advance. They may send you a form to fill in, but you don't have to be limited by this.

[Contact](#) provide useful information about this, for example:

Think about the past year and **what has gone well, or not so well**, in your child's education. Has your child met any targets that were set at their last review? How is your child doing both academically and socially? If there have been any particular problems at school, for example, behaviour, bullying, attendance, or anxiety, describe these as well. If you need to ask any questions about your child's progress or support at school, **make a note** of these.

You should have received copies of any **written reports** that professionals have contributed to the annual review. Go through all these reports and **make a note** of anything you would like to discuss at the meeting. Do you agree with the views others have expressed about your child and the support they are receiving? Do the reports make any recommendations for changes to your child's support?

Next, **go through your child's EHC plan carefully**. Look particularly closely at the education sections B, F and I, as well as the outcomes in section E. The annual review is your chance to say if you think the EHC plan is still correct or if any changes need to be made. In particular:

## Section B - special educational needs

This should be an accurate description of how your child learns and what they can and cannot do. Does it still describe your child as you know them? If not, make a list of what you think should be taken out, changed, or added to this part of the EHC Plan.

## Section F - special educational provision

This describes all the extra help your child must get, for example 1-1 support from a teaching assistant, or weekly therapy. Is it clear how much and what kind of help your child must receive? Is it clear how often this help should be given and who should be giving it? Do you think your child's needs have changed in the past year? Do you think they need more help, or a different kind of help?

## Section I - education placement

Are you happy with the school placement or do you think your child should go to a different kind of school or college? If so, you can say what you would prefer.

## Section E - outcomes

How is your child progressing towards the outcomes set in section E? Do these need revising because they have been met or are no longer appropriate?

## Other sections

Depending on your child's needs, you may also want to ask for changes to be made to the health or social care sections of the EHC plan. If that is the case it is sensible to ask for relevant professionals to be involved in the review.

The annual review is also a chance to ask for a **personal budget** if you didn't do this when the EHC plan was first made.

You can find lots more information about this in our [\*\*Personal Budgets Factsheet\*\*](#)

## **The Annual Review meeting**

The meeting should begin with **introductions** of those who are attending, explaining who was invited and is unable to attend, and confirming what reports have been circulated and read.

The meeting should focus on your child's progress towards achieving the **outcomes** in the EHCP, whether changes are needed to the support specified for that purpose, and whether the outcomes themselves should be changed.

The **reports** will form the basis of a discussion about how your child has progressed towards meeting the targets and/or outcomes set out. You should have been sent all reports **at least two weeks** before the meeting but if new reports are produced at the meeting, ask for time to read them.

Any **changes** in your child's circumstances, special educational needs, and requirements for support should be raised.

If you (or your child) feel that changes should be made to his or her EHCP this is the time to raise your points.

If your child is attending the meeting, he or she should be allowed to speak.

It may be useful for you or your supporter to take notes.

[Click here](#) to access information and an animation on "What is Person-Centred Planning?" from the Council for Disabled Children.

### **After the Annual Review meeting**

It is the job of the school to write a **report** of the annual review meeting. If it is agreed that changes to your child's provision should be made, the report will include the recommendations. If there is no agreement because conflicting opinions are expressed at the meeting, the school should nevertheless record the different views so that the LA is aware of them. The report of the annual review meeting must be submitted to the LA and you **within two weeks** of the meeting.

At the end of the review, there are only **three decisions** the LA can make:

1. To **maintain** the EHC plan in its current format (not make any changes)
2. To **amend** the EHC plan (make changes)
3. To **cease** the EHC plan if they think it is no longer necessary for it to be in place

The LA must notify you and the school of their decision **within four weeks** of the AR meeting.

In each case, even if the LA decides not to make any changes, you can **appeal** to the Special Educational Needs and Disability Tribunal. The LA **must** send you details of the right to appeal and the availability of mediation.

This may be the case if:

- The local authority proposes to cease the EHC plan and **you want it to continue.**
- The local authority is leaving the plan as it is and **you want changes.**
- The local authority has made changes that **you disagree** with.

You can find lots more information about this in our [Appeals to SEND Tribunal Factsheet](#)

If the LA wants to amend (**make changes**) to the plan, they must send you an **amendment notice**. This sets out the changes it proposes to make and includes any evidence it is relying on to make this decision. You must be given **15 days** to give your views on the proposed changes. If you want a **change of school**, you can express your preference at this point.

### **Emergency/interim review**

If you feel that things have reached a crisis point and the educational placement is at risk of breaking down, you can ask the local authority to arrange an emergency review. This should always be considered where a child is at risk of permanent exclusion.

Any such review is at the discretion of the local authority, and there is **no legal duty** on them to arrange it. It will help if you can get the school's backing, for example if it is no longer a suitable placement. If you are requesting an emergency review, you could ask the local authority to run it as an annual review with the same timescales. That will then trigger appeal rights if you are not happy with the outcome.

### **Where can I get more information, advice or support?**

You can find more information about [annual reviews on the IPSEA website](#)

#### **Milton Keynes Special Educational Needs & Disability Information, Advice & Support Service (MK SENDIAS) can give you:**

- Information about SEND support, including information about SEND funding
- Advice about what to do if you are not happy with the support your school is providing
- Support to prepare for school meetings and Annual Reviews.
- Information and advice about your rights to request an EHC needs assessment and support with the process
- Help to navigate Appeals and Complaints procedures
- Information about other organisations, support groups and information services that could help

#### **You can contact us:**

- By completing a [referral form](#)
- Via our [website](#) for lots of useful information and factsheets
- To discuss your concerns by **phone** on 01908 254518
- By [email](#), briefly outlining your concerns
- On [Facebook](#)