



# WIAS

Wolverhampton Information, Advice and Support Service

## EHCP Annual Review

### What is an Annual Review?

An Annual Review is a statutory legal process of reviewing an Education, Health and Care plan (EHCP). Over time an EHCP is unlikely to remain the same so the annual review process will look at the needs, outcomes and provision specified in the EHCP. This is to ensure the EHCP is up to date and continues to provide the support a child or young person needs.

The local authority is responsible for ensuring an annual review is completed within 12 months of the first EHCP issued or within 12 months of the last annual review. The local authority delegates to the school or setting to coordinate the review. For children and young people who may be home educated a local authority SEND Officer will arrange the review.

The review process is an opportunity to highlight progress, celebrate success, review what is working well and what needs to change.

Wolverhampton Local Authority expects schools and settings to have regular meetings (at least one each term) with parents, carers and young people throughout the year to monitor progress towards short term targets.

*The SEND Code of Practice 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”. (Paragraph 9.167 )*

### For children and young people

It is important that you are able to share your views, wishes and feelings and are supported to participate throughout the review process.

If you are unable to attend the annual review meeting there are other formats you can use to share your views, e.g., in writing, in a short video, voice recording or a conversation with parents or a professional.

Think about what you feel is going well, what you feel you need more help with, your aspirations for the future and what support you may need to achieve these.

### For parents and carers

Your views along with your child’s views are most important and you should be supported to fully participate in the process. It is your opportunity to share your views about your child’s progress over the last year and if you feel the support provided is helping them to make progress towards their aspirations and outcomes.

IASS can help parents, carers and young people to fully participate in the annual review process.

FACTSHEET



## Prior to the annual review meeting

At least two weeks before the review the person arranging the review must invite and request information from:

- You (child or young person and their parents/carers)
- A representative of the school/setting
- A local authority SEND officer
- A health service representative
- A local authority social care representative
- Other individuals relevant to the review may include for example Educational Psychologist, Specialist Teacher, Learning Support Assistant, Occupational Therapist, Speech and Language Therapist or someone from the community or voluntary sector who may be involved.

All information gathered must be sent to those invited at least two weeks before the meeting.

## During the annual review meeting

The meeting will focus on the progress towards achieving the outcomes specified in the EHCP and how this will continue to be achieved. There will be an opportunity to discuss progress, including achievements, any changes in needs (including diagnosis), any difficulties that have arisen and if any changes are required to the special educational provision, health or social care provision. This enables everyone to evaluate the effectiveness of the support in place and consider if any amendments to the EHCP are necessary.

In year 9 and beyond, the annual review must consider what provision is required in preparation for adulthood and independent living. The review will focus on the young person's views and wishes for their future and ensure any additional needs they have are understood and incorporated in the planning process so the transition from school to adult life is smooth and seamless.

## Following the meeting

The school/setting or SEND Officer leading on the review must prepare a report within two weeks of the meeting and send to everyone who was invited. This report is submitted to the local authority SENSTART service responsible for EHCPs for the children and young people of Wolverhampton. The contents of the report must include:

- Recommendations such as changes to the EHCP
- Any differences of opinion between those attending the meeting
- Copies of the advice (professionals reports) and information

## The local authority can make one of three decisions:

- 1 To maintain the EHCP as it is with no changes
- 2 To amend the EHCP
- 3 To cease to maintain the EHCP if the EHCP is no longer required

The local authority must notify you and the school, setting or educational provider of its decision within 4 weeks of the annual review meeting. This should include the reasons for the decision.



Ask for reasons for the decision if the local authority does not provide them.

If an amendment to the EHCP is agreed, the local authority must start the process without delay. The amended EHCP must be issued as soon as practicable and within a further 8 weeks maximum.

Therefore, the total timescale for receiving an amended final EHCP should be within a maximum of 12 weeks from the annual review meeting.

## What to do if you disagree

### ***With the process:***

If you are not happy with the way the annual review has been carried out, or has taken longer than the legal timescale, your complaint must be registered through the local authority complaints procedure.

### ***With the information provided in a report:***

If you are not happy with any information or reports submitted as part of an annual review, your first point of call should be the person who wrote the report.

### ***With the local authority decision to amend, maintain or cease an EHCP:***

You can appeal to the Special Educational Needs and Disability (SENDIST) Tribunal service on decisions regarding the special education needs, special educational provision, or the school/setting within the EHCP. You have two months from the decision letter completing the annual review process or the date of the final amended EHCP to register an appeal and mediation must be considered. Our EHCP Booklet offers further advice on resolving disagreements, mediation and the appeal process.

<https://wolvesiass.org/assets/downloads/factsheets-leaflets/EHCP%20Booklet.pdf>

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