

Wolverhampton Information, Advice and Support Service

*“For Special Educational
Needs and Disability.”*



Email:

ias.service@wolverhampton.gov.uk

Tel: 01902 556945

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 the child or young person needs.

The review process is an opportunity to highlight progress, celebrate success, review what is working well and what needs to change. 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 review process will focus on progress, including achievements and any difficulties that may need to be resolved. This enables everyone to evaluate the effectiveness of the support in place and consider if any amendments to the EHCP are necessary.



What the law says:

...The Annual Review process, including the notification of the decision, must take place within 12 months of the issue of the final plan or the completion of the previous annual review. — *See s44 of Children and Families Act 2014*

... 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 of the SEND Code of Practice 2015*

The local authority can delegate to a 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.

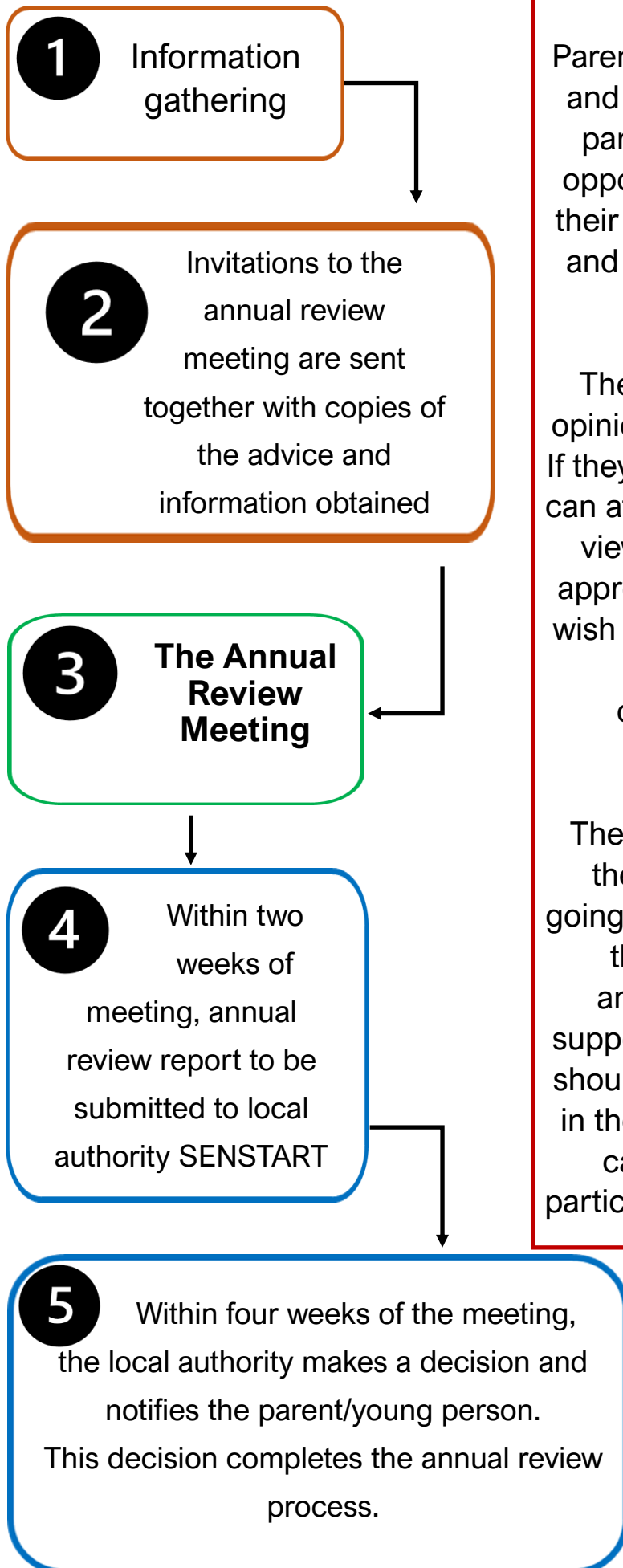


Prior to the annual review meeting:

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

- The child's parents or young person
- A representative of the school/setting
- A local authority SEN 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 in supporting the child or young person.

The Annual Review process



How is the family involved in this process?

Parent/ carers views are very important and they should be supported to fully participate in the process. It is their opportunity to share their views about their child's progress over the last year and if the support provided is helping them to progress.

The child/young person's voice and opinions are paramount to the meeting. If they feel comfortable in doing so, they can attend the meeting. Otherwise, their views should be shared in the most appropriate format for them. They may wish to write, make a short video, voice recording or feedback from a conversation with parents or a professional.

They should be encouraged to share their thoughts on what they feel is going well at the moment, what they feel they need more help with, their ambitions for the future and what support is needed to achieve this. They should be supported to fully participate in the process. IASS can help parents, carers and young people to fully participate in the annual review process.



During The annual review meeting:

The meeting must focus on the child or young person's progress towards achieving the outcomes specified in the EHCP, and on what changes might need to be made to the support that is provided to help them achieve those outcomes, or whether changes are needed to the outcomes themselves. During the annual review process, a request for a personal budget can be made. You can find further information regarding [personal budgets in our factsheet](#).

The annual review will focus on the progress the child or young person has made including their achievements throughout the last year and any difficulties that need to be resolved. The reports previously prepared and shared will be discussed.

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. This will ensure that their progression from school to adult life is smooth and seamless.

Please note that the review meeting is only part of the annual review process that finishes when the local authority makes its decision.

Following the meeting:

The school or setting that is 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 between those attending the meeting
- Copies of the advice (professionals reports) and information

Wolverhampton local authority can make one of three decisions:

1. **To maintain** the EHCP .e. no changes
2. **To amend** the EHCP
3. **To cease** to maintain the EHCP i.e. the EHCP is no longer required

The local authority must notify the parents or young person and the person providing the education 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' (SEND CoP 9.176) . 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 of the annual review meeting.**

CITY OF
WOLVERHAMPTON
COUNCIL


Wolverhampton
Clinical Commissioning Group



DRAFT/ FINAL

STATUTORY EDUCATION, HEALTH AND CARE PLAN
For X NameX

Date of Final Education, Health and Care Plan:	
Education, Health and Care Plan ID Number:	
Amended Date and Reason:	Amended on: By reason of:
How has the plan been co-produced?	



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 contents of a report: If you are not happy with any advice/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 child or young person's special education needs, special educational provision, or the school/ setting. 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.

We know it may be overwhelming to navigate the annual review and actions following the local authority decision.

Help is available from IASS at all stages of the process.

Contact us by telephone, email and our website [contact us](#) form.

Email:

ias.service@wolverhampton.gov.uk

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Impartial information, advice and support on matters relating to a child or young person's special educational needs or disability from birth to 25 years.



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