

Childrens Social Care and Lifelong Learning

Education, Schools and Inclusion, SEND Team

**How to prepare for and hold a statutory annual review of an Education Health and Care plan**(February 2024)

This guidance outlines how the statutory annual review process is managed for Gateshead children and young people. It is for:

* maintained schools
* all early years providers in the maintained, private, voluntary and independent sectors that are funded by the Local Authority
* academy schools
* non-maintained special schools
* independent education institutions approved under Section 41 of the Children and Families Act 2014
* youth custodial establishments.

**A person-centred approach**

Gateshead encourages all educational providers to use a person-centred approach in all statutory meetings. This is a practical way of ensuring the principles that underpin the Children and Families Act 2014 and the SEND Code of Practice 0 - 25 are upheld and those involved in the meetings feel that their views are listened to and respected. A person-centred way of working puts the child/young person and their parents at the heart of the process and makes it a more relaxed, informal experience. It is based on the belief that people should be in control of their lives, are listened to and are at the centre of any meeting when deciding on the next steps to take. In line with consultation of parent/carers views on their experiences in meetings across Gateshead, attention to the following format creates a balanced forum to discuss the needs of the child/young person openly and honestly.

**Purpose of the review meeting**

The statutory annual review should:

* gather information about strengths and needs across education, health and care
* monitor, report and reflect on progress made towards outcomes and longer term aspirations; particular attention should be on Preparing for Adulthood (Employment and Education, Independence, Community Participation and Health).
* assess effectiveness of provision using Gateshead Threshold document;
* consider if outcomes and supporting steps remain appropriate using the Gateshead Threshold document
* consider the continuing appropriateness of the EHC plan in the light of the child/young person’s progress or changed circumstances;

**Timescales**

Education Health and Care (EHC) plans should be used to actively monitor children and young people’s progress towards their outcomes and longer term aspirations. They must be reviewed by the Local Authority (LA) as a minimum every 12 months in order for the LA to comply with this statutory duty. Usually, the following timescales should be adhered to:

1. review meeting must be held within a minimum of 12 months after the final initial EHC plan date and annually each subsequent year.
2. the LA’s outcome decision is within 4 weeks of the review (i.e. within 12 months of the plan’s date).
3. any amendments to the plan sent to parents/carers within 8 weeks of the outcome decision (i.e. 12 weeks after the review meeting date).

The responsibility for organising and facilitating the review meeting should normally be undertaken by the school or setting. The SEND Code of Practice 0 - 25 states the Local Authority can require maintained schools and maintained nursery schools “to convene and hold the meeting on the Local Authority’s behalf”. (Reviews led by the educational institution will create the greatest confidence amongst the child, young person and their family).
Annual reviews for Children in our Care (CIOC) should be planned to coincide with the review of the child’s/young person’s Personal Education Plan (PEP). SENCOs should liaise closely with the school’s designated teacher for CIOC and the virtual school (CIOC) caseworker.
An EHC plan must be reviewed and amended in sufficient time prior to a child or young person moving between key phases of education to allow for planning and, where necessary, commissioning of support and provision at the new institution.

There will be a guidance date issued each year when the review paperwork must be received by the LA. The key reviews are:

* Early years provider to school- As early as possible in the Autumn term but no later than first week in December.
* Infant school to junior school- As early as possible in the Autumn term but no later than first week in December.
* Primary school to secondary school- As early as possible in the Autumn term but no later than first week in December.
* Secondary school to post 16 provider- As early as possible in the autumn term but no later than last working day in December.

Amendments must be completed by LA:

* Early years provider to school - 15th February
* Infant school to Junior school - 15th February
* Primary school to Secondary school -15th February
* Secondary school to post 16 provider - 31st March

**Attendance at the statutory review meeting**

The responsibility for organising and facilitating the review meeting should be undertaken by the school or setting which the child or young person attends. At the beginning of the academic year (or earlier where possible), thought should be given to setting up all review meetings in agreement with parents, carers and professionals. Some schools plan a year in advance. It is good practice to discuss a preferred date or venue with the family as soon as possible before setting a date, it is also useful to discuss who is currently involved in supporting the family and ensure they are invited accordingly.

The coordinator of the meeting (SENCO) should invite attendance from specialists or other parties where there has been:

* a direct request from children and young people and/or their parents/carers,
* significant change, or involvement within the review period from specialist agencies such as health and care professionals.

If attendance is not possible relevant, professionals should consider sending a colleague to deputise in order to field any questions arising. The co-ordinator of the meeting should send out the Health Advice and Social Care Advice forms at least 6 weeks before the meeting.

**Please note:** There is an expectation that professionals will be given **at least 6 weeks notice of the review meeting**. There is also an expectation that all professionals will send the report/advice to the school **no later than 2 weeks before the review meeting** for circulation to all review meeting attendees.

The co-ordinator of the meeting should also consider arranging telephone conference facilities, utilising mobile phones or a phone system on loudspeaker (with consent from parents) or on line access to meetings, to promote active participation in the meeting.

Schools and education settings should notify the Local Authority of all planned review dates for the academic year and contact **SENteam@Gateshead.gov.uk**as soon as possible. The Local Authority will endeavour to attend the annual review meeting for children and young people when requested by the setting. This may be due to the child/young person’s needs having significantly changed, which could include the likelihood of:

* a recommendation for the LA to cease the EHC plan
* a change of parental preference to a setting
* the LA having to undertake a re-assessment.

Direct liaison with the link caseworker should be established for this.

**Before the review meetings**

The school or setting should:

* + liaise with the **child’s or young person’s parent/carers** to organise the EHC Plan review meeting and invite the following to attend as early as possible before the date of the meeting:
		- the child or young person
		- any professional who is actively involved (or have been involved within the review period) across education, health and care e.g. education psychologist; specialist nurse; social worker; family worker.
	+ discuss possible attendance of a SEND Caseworker from Gateshead Local Authority.
	+ organise a room which is private and quiet with suitable seating to aid effective communication. If the school or setting is not felt to be appropriate then a neutral venue should be found (e.g. Council building, Family hubs etc)
	+ seek advice and information from everyone who is invited to the review meeting, about the child/young person’s progress towards achieving the outcomes specified in the EHC plan and any other matters relating to the child/young person’s progress.
	+ Ensure you know the CYP’s details, including how to pronounce their name, their history and details of medical conditions.
	+ Parents/carers and families who speak a different language must have an interpreter booked in advance and involved in the meeting in order to understand information.
	+ For those parents/carers that wish to do so, they may bring someone along to support.

Sharing information and views

* + ensure current EHC plan and all advice/reports are circulated to everyone invited to the review meeting **at least two weeks** before the meeting date. You may wish to use parent information letter to accompany these reports, which details when and where the meeting is, who is invited and the outline of the meeting.
	+ support the child or young person to prepare their views using a appropriate strategies or tools (use open questions: good things that have happened since the last review, what is working well and what is not working well, what’s important now and what is important in the future).
	+ Collect parent/carers views, where possible in advance of the meeting. Any concerns can be addressed in advance allowing more emphasis on finding solutions at the meeting. This also supports effective communication between home and school.
	+ Speak to parents, and if appropriate the CYP, before the meeting to ensure it is clear how the CYP voice will be heard, be that in the meeting itself or via alternative means.

**The statutory annual review meeting**

Starting the review meeting in a person-centred approach:

* + Arrive on time and if there are any delays, inform participants.
	+ Dress appropriately for a meeting.
	+ Provide/offer refreshments and stationery for note taking.
	+ Offer comfort breaks as needed.
	+ Begin with a round of introductions and use parents’/carers’ preferred names (not mum and dad). You may wish to have name cards throughout the meeting.
	+ Ensure the child/young person is present before the adults arrive. This makes it easier for them rather than entering a room full of people, some of whom they may not know well. Children/young people may leave the meeting at an appropriate point, depending on levels of concentration, understanding etc.
	+ Ensure parents/carers are shown into the room at the same time as the professionals.
	+ Provide access to the Threshold document either online or as a hard copy.

**Person-Centred Planning at the Statutory annual review meeting**

Person Centred Planning practice recommends that the voice of the child/young person should be considered first in the meeting. Other aspects of the meeting can then be discussed within the context of the child/young person’s wishes. The current EHC plan must be made available at the meeting as the basis for the review and any changes to be discussed.

**Conducting the meeting - Overview**

Introduction

* + Welcome everyone.
	+ **Why are we here?** - Explain that the meeting is to review the child / young person’s Education, Health and Care plan and to ensure that everything is in place to meet their needs.
	+ **What will we do?** - Explain the structure of the meeting (use the meeting minute form to support) and encourage participants to ask questions throughout if they are unsure of anything.
	+ **Who is here?** **What do they do?** - ask everyone to introduce themselves. An accurate record should be made for the EHC plan statutory review meeting record.

Discussion

* + Facilitate a safe atmosphere in which everyone present, and especially the child / young person, is able to express their views;
	+ **What we like and admire about...**
	+ **What has gone well for…** - celebrate achievements and progress
	+ **What is working well for…** - the support/arrangements in place
	+ **What is not working for…**
	+ **What is important/matters now…**
	+ **What is important/matters in the future…**
	+ For the last two bullet points, take care to distinguish between that which is important ***to*** the child/young person and that which is important ***for*** them.
	+ Clarify the Threshold level at which support is currently being provided and consider any change if necessary (movement can be up or down the Threshold levels)
	+ Dependent upon the child/young person’s age/stage of development it may be appropriate for them to leave after this discussion.

Review of the Education Health and Care plan

* Read through and review **all** sections of the plan, and based on evidence from discussion, professional feedback, educational advice and reports, amend the plan.
* Ensure the targets set are still appropriate and reflect the Preparation for Adulthood outcomes that the child/young person and their parents/carers have identified.
* Do not put participants on the spot to make decisions. They may require additional time to think about these decisions or wording for a plan.
* The facilitator should summarise the main points, clarify the Threshold level and complete the meeting minutes, which will identify who is responsible for any necessary follow up and how this will be monitored.

**Completing the EHC plan review record & other documents**

At the end of the meeting:

* + Explain to the parents/carers what happens next with the plan.
	+ Use the feedback questionnaire to obtain parent/carer & children/young people views of the process.
	+ All participants should leave the meeting at the same time so parents/carers do not feel as though discussions are taking place once they have left.

After the statutory annual review meeting

* + SENCO to amend the current electronic copy of the EHC plan, (if not already amended before or during the meeting) to reflect updated information and proposed changes, including new outcomes or change to the Threshold level.
	+ The EHC Plan Statutory Annual Review Meeting Record form must be completed and attached with the review documents.
	+ SENCOs in mainstream schools (from reception to year 11) **must** also complete a costed provision map to reflect any changes to provision**.**
	+ It is good practice to break down the 12 monthly outcomes into appropriate targets (on an individualised support plan) and start working on them immediately.
	+ All reports and advice must also be submitted to support changes within the plan.
	+ The documents should be e-mailed or sent within two weeks of the review meeting. Do not wait for any outstanding advice from health or social care professionals. Ensure this is ‘flagged up’ in the documentation so that the LA can follow this up.
	+ All documents must be emailed to **senteam@gateshead.gov.uk**

Local authority (LA) responsibility

* + All changes to the EHC plan submitted to the local authority are recommendations. Within four weeks of the annual review meeting, the LA must send a decision letter to parent/carers outlining whether the EHCP should be amended, ceased to maintain, or in exceptional circumstances, if a full re-assessment of needs will be carried out.
	+ Where the LA proposes to amend the plan, it will send a copy of the existing (non-amended) plan and a letter outlining the proposed amendments including copies of supporting evidence to the child’s parents/carers or young person. This will be within eight weeks of the decision letter. The child’s parents/carers or young person will be asked to respond to the proposed changes within 15 calendar days and informed that they may request a meeting to discuss the proposed changes.
	+ If the LA decides not to amend the plan or decides to cease to maintain it, they will notify the child’s parents/carers 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.
	+ If the LA decides a full re-assessment is required this would be completed within 14 weeks from the decision to re-assess to the issuing of the final EHC plan with the same timescales and rights of appeal for the child’s parent or the young person.