

FAQ'S: What is an Annual Review and what do they consist of?

The Local Authority must review an EHC Plan annually and this must take place ***within 12 months of the EHCP being made and then within every 12 months thereafter***. Parents are invited to the Review meeting (this is only part of the Review).

Information from the Review must be sent by the school or college to the Local Authority within **2 weeks**. If you are not happy with the Review meeting you can ***send your views to the local authority's SEN Case Worker*** in writing.

There are legal procedures that must be followed by the local authority and the school/college.

For pupils ***in Y9 onwards***, each annual review should include a ***Transition Plan***, to ensure that the young person receives necessary specialist help during their continuing education in preparation for leaving school.

The review should set new outcomes and targets for the next year or period.

Within four weeks of the Review the Local Authority must decide whether to:

- Keep the plan as it is.
- Amend the plan.
- Cease to maintain the plan, i.e. stop the EHC plan.

If the plan needs to be amended, the LA should start the process of amendment without delay.

If the LA ***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*** of 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.



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What do I do if the provision in the Plan does not meet my child's needs?

If the Plan does not include enough support, or the right sort of help, or the right school parents can:

- Ask the local authority to amend the EHC Plan.
- Ask the local authority to assess the child again.
- Ask the local authority to change the name of the school.

Following an Annual Review parents have the right of appeal if the local authority refuses to make changes to the plan or if parent does not agree with the amendments and/or change of school. This appeal is to the **First-Tier Tribunal** (Special Educational Needs and Disability).

If your child is not getting the help specified in their EHC plan see the FAQ – School is not following the EHCP, what can I do?



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Ceasing to maintain an EHC Plan:

The local authority may decide that an EHC plan is no longer necessary. However, for a plan to cease all the Outcomes written in the plan (**Section E**) must have been met and no necessity for new Outcomes to be created.

*Should a parent disagree with this decision the parent has a right of appeal to the **First-Tier Tribunal**.*

EHC plans are for young people aged 19 to 25.

The Local Authority must not cease an EHC plan just because a young person is aged 19 or over. However, there is no automatic entitlement to continued support at the age of 19 nor an expectation that those with an EHC plan should remain in education until 25.

What to expect at an Annual Review?

You can watch this short video and ensure you have understood what an Annual Review is and does, click on the link below:

<https://www.youtube.com/watch?v=D9n5EzYlwKA>



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