

## Annual review guidance

The purpose of this document is to provide advice and guidance to ensure that the annual review of Education, Health and Care Plans (EHCPs) process is carried out effectively, consistently, and in compliance with statutory requirements. Annual reviews are a legal obligation under the Children and Families Act (2014) and the SEND Code of Practice (2015), and they play a critical role in assessing the child's progress towards their agreed outcomes, evaluating the continued appropriateness of the EHCP, and making any necessary amendments.

This document is designed to support SENCOs, particularly new SENCOs, and other academy leaders involved in overseeing SEND provision and/or annual reviews. It aims to provide advice and guidance on aligning annual review processes with national legislation and guidance to ensure legal compliance, as well as sharing approaches which support best practice. This guidance document must be read alongside the relevant legislation and academy staff should seek further support and advice from their ED and/or SEND LP as required.

| Contents                           |                                               |      |
|------------------------------------|-----------------------------------------------|------|
|                                    | Section                                       | Page |
| <b>1. General information</b>      | <b>a. What is an annual review?</b>           | 2    |
|                                    | <b>b. Planning the year</b>                   | 3    |
|                                    | <b>c. Early/emergency reviews</b>             | 3    |
| <b>2. Before the annual review</b> | <b>a. Planning person-centred reviews</b>     | 5    |
|                                    | <b>b. Invitations</b>                         | 5    |
|                                    | <b>c. Collecting views</b>                    | 6    |
| <b>3. During the annual review</b> | <b>a. The annual review meeting</b>           | 8    |
|                                    | <b>b. Discussing each section of the EHCP</b> | 9    |
|                                    | <b>c. SMART outcomes and targets</b>          | 12   |
|                                    | <b>d. Preparation for Adulthood (PfA)</b>     | 13   |
|                                    | <b>e. Personal budgets</b>                    | 14   |
| <b>4. After the annual review</b>  | <b>a. The written report</b>                  | 15   |
|                                    | <b>b. The outcome of the review</b>           | 15   |
| <b>5. Further reading</b>          | <b>a. Useful resources</b>                    | 17   |
|                                    | <b>b. PD and training</b>                     | 17   |

# 1. General information

## 1a. What is an annual review?

An EHCP is a **legal document** that outlines the support a child or young person with special educational needs requires to achieve their agreed outcomes. As part of the legal process, the EHCP must be formally reviewed **at least once every year**.

The purpose of the annual review is to evaluate the child or young person's progress towards the outcomes set out in their EHCP and to determine whether the provision remains appropriate. This is a vital opportunity to ensure that the support in place continues to meet their needs effectively.

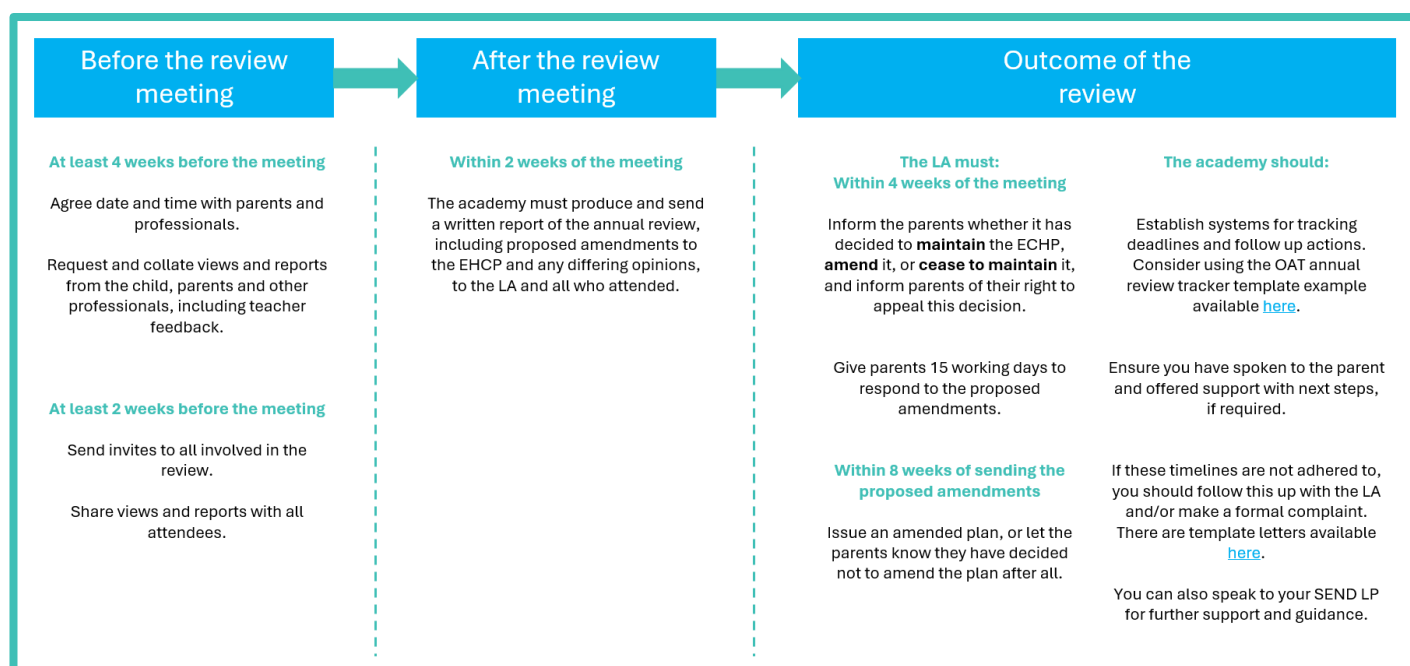
For children under the age of five, it is recommended that reviews take place more frequently (every 3 to 6 months) to ensure early and timely support adjustments.

Academies must work closely with children, families, professionals, and the local authority (LA) throughout this process to ensure a collaborative and person-centred process.

**CoP 6.56:** Where a pupil has an EHC plan, the local authority must review that plan as a minimum every twelve months. Schools must co-operate with the local authority in the review process and, as part of the review, the local authority can require schools to convene and hold annual review meetings on its behalf.

### Annual review timelines

The flowchart below provides an overview of the statutory timeframes for preparing for and following up an annual review meeting. It also summarises what the LA and academy are responsible for at each stage. The full-size flowchart can be accessed [here](#).



## 1b. Planning the year

### Annual review dates

The annual review must take place within 12 months of the most recent review, or for new EHCPs, within 12 months of the EHCP being finalised. It is good practice to **plan these meetings at the start of the year** and to consider the best times for these to take place for key year groups, in line with statutory transfer review deadlines (see below).

There is an **annual review tracker template** which may be helpful for planning and tracking annual review dates and follow up work ([click here](#)).

### Statutory deadlines for phase transfer reviews

Phase transfer is the moving between stages of education:

- early years education to school
- infant (KS1) to junior (KS2) school
- primary to middle school
- primary to secondary school
- middle to secondary school
- secondary school to a post-16 institution

EHCPs must be reviewed and amended in accordance with the deadlines below:

| Transfer phase                                                                                                                                | Deadline                                                  |
|-----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|
| Secondary school to a post-16 institution                                                                                                     | <b>31<sup>st</sup> March</b> , in the year of transfer    |
| Primary or middle school to secondary school (and all other phases of transfer)                                                               | <b>15<sup>th</sup> February</b> , in the year of transfer |
| When a child is already attending a post-16 institution and it is proposed that they move from one post-16 institution to another at any time | <b>5 months</b> before the transfer takes place           |

These deadlines are in place to allow sufficient time for review, amendment and potential appeals before the new academic year begins, as well as ensuring that the new setting has sufficient time to ensure a smooth transition and put the right provision in place. Some LAs may have their own specific requirements and you should ensure you are aware of these.

It is important to ensure the phase transfer starts at the right time; for example, discussions about transfer need to begin early in the autumn term. It is also useful, where possible, to hold Year 9 annual reviews before GCSE options are chosen.

## 1c. Early/emergency reviews

Parents or the academy can ask for an early or emergency EHCP review.

An early/emergency review can be held if:

- the child or young person's special educational needs change significantly and the description in the EHCP is no longer accurate

- the provision in the EHCP no longer meets their needs
- the child or young person has been excluded or is at risk of exclusion from school
- it is felt that the current placement can no longer meet the needs of the child or young person

If you believe an early review is necessary, the parent and academy should **write to the LA** to request this. There is a template letter available which you may wish to use: [click here](#).

If the LA agree to the early review, follow the usual processes and adhere to the usual timelines. If the LA do not agree to the early review, they will not be required to review the EHCP and/or follow the legal process/deadlines.

If the LA refuses to allow an early review, there is **no right to appeal** this decision. The family can either wait for the next annual review, gather further evidence and make another request for an early review, or, if appropriate, request a re-assessment of the child's needs.

## 2. Before the annual review

### 2a. Planning a person-centred review

A person-centred review is an inclusive approach to review meetings that places the child or young person, and their family, at the centre of the process. Rather than being led solely by services, this approach ensures that the review reflects the lived experiences, strengths, and aspirations of the individual.

The child or young person plays an active role in the review and is encouraged to participate directly in the meeting. The tone of the meeting is intentionally less formal, helping everyone to feel at ease. For example, each participant may be invited to share what they like and admire about the child or young person, helping to create a positive and supportive atmosphere.

Key principles of a person-centred review include:

1. **Listening to lived experiences** – ensuring that the voices of the child or young person, their family, and those who support them are central when reflecting on progress and provision.
2. **Creating a safe and open environment** – encouraging honest and respectful discussion in a setting where all contributions are valued.
3. **Celebrating success and identifying areas for change** – recognising what is working well and exploring what could be improved, leading to shared agreement on next steps and future outcomes.

This approach helps to build a more meaningful understanding of the child or young person's needs and strengths, fostering a collaborative partnership between families, academies, and other professionals.

For further information on holding a person-centred annual review, speak to your SEND LP and/or refer to the guidance from the Council for Disabled Children ([click here](#)).

### 2b. Invitations

All invitees **must** be given **2 weeks'** notice of the meeting. Best practice would be to arrange the meeting around 4 weeks before the planned meeting and then send out invites that meet the 2-week deadline along with all necessary reports and information (views of the child, parents, and any reports from professionals).

#### Who must be invited?

- Parent(s) and, where appropriate, the child or young person - it is good practice to check with parents when they are available before inviting other professionals.
- Representative(s) from the academy – this could be the SENCO, but it may be that there are other members of staff who have had training on how to run an annual review and they may be best placed to attend the meeting instead.
- LA SEN officer
- Health care representative (if applicable)
- Social care representative (if applicable)

Others may also be invited. For example:

- Therapists (e.g. Speech and Language Therapy, Occupational Therapy)
- Educational psychologist
- Specialist teachers
- Advocacy services
- Trusted professionals or support workers

### Information Sharing Obligation

**CoP 9.169:** Professionals from education, health, and care sectors must co-operate with local authorities in the annual review process.

The academy is responsible for:

- Seeking written advice and information from all invitees.
- Circulating this information to everyone invited at least **2 weeks** before the meeting.

### 2c. Collecting views

**CoP 9.169:** 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, including their right to request a Personal Budget.

Your LA is likely to have templates for obtaining child and parent views. It is important to ensure that methods for sharing views are accessible and that children and parents are supported in this process, where required. For example, you may consider written submissions, verbal contributions (before or during the meeting) and using visual or picture-based methods.

#### Obtaining the child or young person's views, wishes and feelings

Example questions may include:

- What do people like and admire about me?
- What do I need to stay safe and healthy?
- What is important to me now?
- What do I find difficult?
- What is currently working well? What am I proud of?
- What is currently not working well?
- What is important to me in the future?
- What will be important for me in the future?

#### Obtaining the parent's views, wishes and feelings

Example questions may include:

- What is working well?
- What is not working well?
- What is important to your child now?
- What is important to your child in the future?

- Have there been any changes since last review regarding your child's health or social care needs?

If you would like any support with obtaining child and/or parent views for annual reviews, speak to your SEND LP.

### Obtaining feedback from teachers

Teacher feedback plays a key role in an annual review. It helps assess progress, identify ongoing or new needs, and plan next steps. You should consider how to obtain the most useful information from teachers, ensuring responding to requests for this information are **manageable** and do not adversely impact workload.

You may want to consider some of the following options (and/or speak to your SEND LP for further support):

- **Digital forms with pre-filled sections:** Use tools like Microsoft Forms with dropdowns, checkboxes and short-text fields.
- **Shared online documents:** Create a shared document (e.g. a spreadsheet on OneDrive) with a table for each child which teachers can add comments to.
- **Use of existing data:** Use data from existing systems (e.g. Arbor) to reduce duplication and ask teachers to highlight any SEND-specific concerns or progress not captured in data.

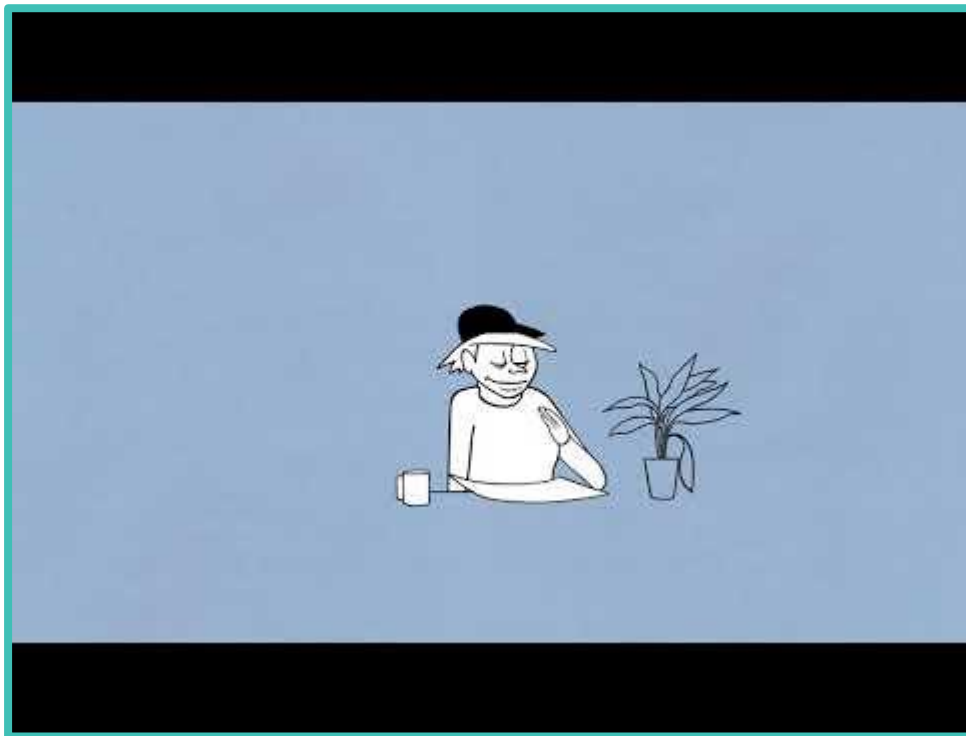
It is important to ensure teachers provide **objective, formal and professional** feedback, as it will be shared with parents and professionals.

Possible areas to consider for feedback includes:

- Progress towards EHCP outcomes and short-term targets
- Performance in core subjects (e.g. reading, writing, maths)
- Progress against age-related expectations (if appropriate)
- Interventions or strategies in place (e.g. small group support, sensory breaks etc.)
- Are the strategies on the one-page profile (or equivalent) still appropriate?
- Any new strategies that work well?
- Any emerging or changing needs?
- Patterns of attendance and punctuality
- Engagement and participation in learning
- Engagement with wider academy life (e.g. enrichment opportunities)

### 3. During the annual review

The following video from the Council for Disabled Children provides a useful summary of the annual review process ([click here](#)).



#### 3a. The annual review meeting

The annual review should enable a thorough review of the EHCP, it is not just a 'routine' meeting.

**COP 9.179:** Children, parents and young people should be supported to engage fully in the review meeting.

| A suggested agenda        |                                                                                                                                                                                                                               |
|---------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Agenda                    | Key discussions                                                                                                                                                                                                               |
| Welcome and introductions | Introduce the purpose of the meeting and allow everyone present to introduce themselves and their role in the child's education, health, and care.                                                                            |
| Views of the child        | Share the child's views, wishes and feelings.<br>The child may share these in person, themselves, independently or with support, or they may choose not to attend the meeting, and you can share their views on their behalf. |
| Views of the parent(s)    | Allow the parent(s) an opportunity to share their views, wishes and feelings.                                                                                                                                                 |
| Professional advice       | Discuss the reports and advice from any professionals involved.                                                                                                                                                               |

|                    |                                                                                                 |
|--------------------|-------------------------------------------------------------------------------------------------|
|                    |                                                                                                 |
| Review of the EHCP | Review each section of the EHCP (see section 3b).<br>Determine if any amendments are necessary. |
| Transition         | Where appropriate discuss transition plans and support.                                         |
| Actions            | Summarise the agreed action plan, the responsibilities of each party and a timeline.            |
| Close              | Thank all involved and agree a date for the next meeting.                                       |

### 3b. Discussing each section of the EHCP

| Section |                                                                                     | Discussion points                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|---------|-------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A       | The views, interests and aspirations of the child or young person and their parents | <p><b>The child/young person's views and interests</b> (refer to section 2c):</p> <p><b>Aspirations (short and long-term)</b><br/>These could relate to:</p> <ul style="list-style-type: none"> <li>• education (e.g. college, university, a particular subject or skill)</li> <li>• employment (e.g. a career or field of interest)</li> <li>• independent living (e.g. travel training, money skills)</li> <li>• social life and relationships (e.g. making friends, joining clubs)</li> <li>• health (e.g. being more active, managing a condition independently).</li> </ul> <p><b>Any changes since the last review</b>, for example: new experiences; diagnosis; hobbies; or family circumstances etc.</p>                                                             |
| B       | The child or young person's special educational needs (SEN)                         | <p>Check the <b>accuracy</b> of the needs outlined:</p> <ul style="list-style-type: none"> <li>• Do the listed needs reflect the child's current profile?</li> <li>• Are any needs missing, under-described, or mislabelled?</li> <li>• Are new diagnoses or observations (from school, professionals, or family) taken into account?</li> </ul> <p>Ensure the needs outlined in section B link to the outcomes in <b>Section E</b> and the provision in <b>Section F</b>.</p>                                                                                                                                                                                                                                                                                               |
| C       | Health care needs which relate to their SEN                                         | <p><b>New diagnoses or investigations:</b></p> <ul style="list-style-type: none"> <li>• Are there any new health conditions formally diagnosed (e.g. epilepsy, asthma, ADHD, chronic fatigue, etc.)?</li> <li>• Are they currently undergoing assessment or investigation (e.g. for neurodevelopmental or genetic conditions)?</li> </ul> <p><b>Changes in existing health conditions:</b></p> <ul style="list-style-type: none"> <li>• Has a previously stable condition worsened (e.g. increased seizures, fatigue, pain, or medication side effects)?</li> <li>• Has any condition improved, meaning less support or monitoring is needed?</li> <li>• Are there secondary impacts (e.g. health condition now affecting attendance, anxiety, or concentration)?</li> </ul> |

|   |                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|---|----------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|   |                                                                | Are there any <b>mental health needs</b> that are affecting the child or young person's progress?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| D | Social care needs which relate to their SEN or to a disability | <p><b>Has anything changed since the last review?</b> For example:</p> <ul style="list-style-type: none"> <li>• Change in family structure, housing, or living arrangement</li> <li>• Increased carer strain or sibling impact</li> <li>• Reduction or increase in respite care, short breaks, or access to social activities</li> </ul> <p><b>Any recent assessments:</b></p> <ul style="list-style-type: none"> <li>• Has there been a Child in Need (CIN) or Early Help assessment?</li> <li>• Has an adult social care or Preparing for Adulthood (PfA) assessment been requested or completed (if age 14+)?</li> </ul> <p><b>Emerging needs or new concerns:</b></p> <ul style="list-style-type: none"> <li>• Lack of access to appropriate clubs or social groups</li> <li>• Need for personal care, support with independence, or family-based stress impacting home life</li> </ul> |
| E | The outcomes sought for the child or young person              | <p><b>Are the outcomes still relevant?</b></p> <ul style="list-style-type: none"> <li>• Has the child/young person made significant progress?</li> <li>• Has a need changed, or a new one emerged?</li> <li>• Are outcomes still aligned with aspirations in Section A?</li> </ul> <p><b>Are the outcomes SMART?</b> (see section 3c).</p> <p><b>Review and update short-term targets:</b></p> <ul style="list-style-type: none"> <li>• Short-term targets (usually recorded in a one page-profile or provision map) support progress toward the long-term EHCP outcomes.</li> <li>• These should be discussed and new targets set for the next term or year.</li> </ul>                                                                                                                                                                                                                    |
| F | The special educational provision required to meet their SEN   | <p><b>Is there provision that directly matches each identified need?</b></p> <ul style="list-style-type: none"> <li>• For every need in <b>Section B</b>, there should be a corresponding intervention, strategy, or resource described in Section F.</li> <li>• Provision must be detailed and specific, and usually quantified, in terms of the type, hours and frequency of support, and level of expertise required.</li> <li>• Provision might include specialist teaching, therapies, assistive technology, adapted materials, or social care support.</li> </ul> <p><b>Effectiveness of the provision</b></p> <ul style="list-style-type: none"> <li>• Has the current provision had the expected impact on outcomes?</li> <li>• Are some strategies working better than others?</li> <li>• Does any provision need to be removed?</li> </ul>                                        |

|   |                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                       |
|---|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|   |                                                                                                                                                                                                                                                | <ul style="list-style-type: none"> <li>• Could different or additional provision improve progress? This could include new therapies, increased hours of support, different technology, or adjustments in teaching methods.</li> </ul> |
| G | Any health care provision reasonably required by the learning difficulties or disabilities which result in the child or young person having SEN                                                                                                | Anything included here requires agreement by the LA from the Clinical Commissioning Group (CCG). Any health provision, such as Speech and Language Therapy, which educates or trains, must be included in <b>Section F</b> .          |
| H | Any social care provision required from social services under the Chronically Sick and Disabled Persons Act 1970, and/or reasonably required by the learning difficulties or disabilities which result in the child or young person having SEN | Any provision included here will depend on what needs, if any, have been included in <b>Section D</b> . It must be reviewed and may have already changed since it was originally included.                                            |
| I | The name of the school or other institution to be attended by the child or young person, and the type of that institution (or just the type if no specific institution is named)                                                               | The type of placement named in Section I should be discussed to ensure it remains the most appropriate setting for the child's needs. If a parent is requesting a change of placement, this must be recorded.                         |
| J | Details of any direct payment which will be made                                                                                                                                                                                               | This is an opportunity to request a personal budget if the child/parent would like one (see section 3e).                                                                                                                              |
| K | Copies of all of the advice and information as obtained as part of the EHC needs assessment                                                                                                                                                    | This section essentially acts as an appendix, compiling all the reports considered as part of the EHC needs assessment. This section will not be reviewed.                                                                            |

### 3c. SMART outcomes and targets

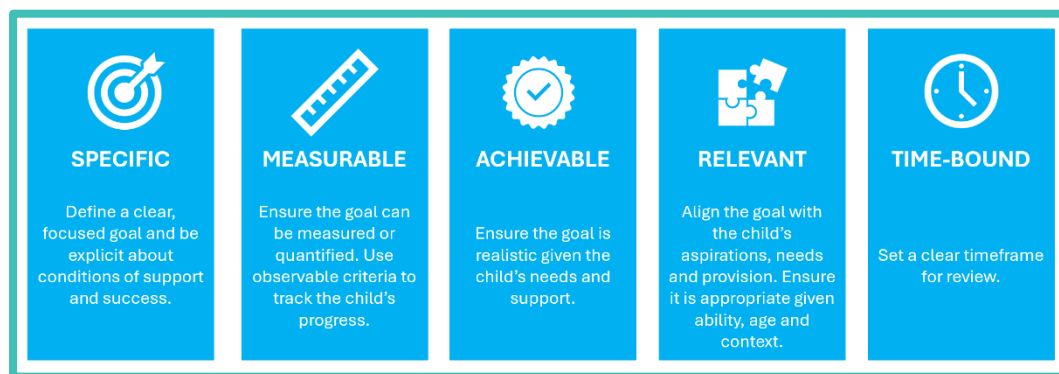
#### What is an EHCP outcome?

An outcome is a meaningful and measurable goal that supports a child or young person to make progress in a specific area of need outlined in their EHCP and should support aspirations for the future.

EHCP outcomes are generally long-term outcomes, usually setting out what needs to be achieved by the end of a phase or stage of education. From Year 9 onwards, the EHCP must include Preparation for Adulthood (PfA) outcomes (see section 3d).

EHCP outcomes are usually supported with short-term targets, which are recorded elsewhere, for example on a one-page profile. These are targets which break the outcome into smaller achievable steps. Progress towards these targets should be reviewed throughout the year, as well as during the annual review.

#### What are SMART outcomes and targets?



It is useful to use the following approach to writing good outcomes and targets:

**By... (give timescale), *the child* will be able to... (outline goal), in order to... (outline why it is important for the child).**

- **Non-example:** Joshua will make a choice.
- **Better example:** By the end of Year 1, Joshua will point to his choice of snack on 3 out of 5 times offered, when shown a choice of two snacks by his keyworker in a distraction free environment, in order to communicate his needs.

Your SEND LP can support with creating SMART outcomes and targets. Training resources can also be accessed here: [click here](#).

### 3d. Preparation for Adulthood (PfA)

**CoP 7.38:** Preparing for adulthood means preparing for:

- higher education and/or employment – this includes exploring different employment options, such as support for becoming self-employed and help from supported employment agencies
- independent living – this means young people having choice, control and freedom over their lives and the support they have, their accommodation and living arrangements, including supported living
- participating in society, including having friends and supportive relationships, and participating in, and contributing to, the local community
- being as healthy as possible in adult life

Young people should be supported to build on their achievements at school and to make progress towards adulthood. For those with EHCPs, this often requires more personalised and carefully planned pathways.

From **Year 9 (age 13–14) onwards**, EHCP reviews must include a focus on preparing for adulthood, exploring the young person's aspirations and considering the types of education or training that could help achieve them. Consideration should be made about how PfA is built into all year groups; for example, targets focusing on independence skills in the early years and option planning in KS3 etc.

What should be covered in the PfA section of the meeting?

- **Aspirations and goals:** What does the young person want to achieve in their adult life?
- **Desired outcomes:** What specific goals are they working towards?  
**Support needs:** What kind of support do they need to achieve their goals (e.g. education, training, therapy, social care)?
- **Transition planning:** How will they transition from school to adult life, including accessing further education, employment, housing, and healthcare?
- **Transition of services:** How will the transition of services be managed (e.g. moving from school to college, from child health services to adult health services)?
- **Financial planning:** Discuss financial planning, including setting up bank accounts, accessing benefits, and understanding budgeting.

Progression should be supported in stages. For example:

| Year | Focus                                                                                                                                                            | Support                                                                                                                                             |
|------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|
| 9    | Reviews should help the young person to explore their ambitions.                                                                                                 | Introduce the range of post-16 education and training options available, including vocational routes, academic pathways, and supported internships. |
| 10   | The focus should move towards identifying more specific courses or institutions.                                                                                 | Work with families to start shaping provisional post-16 plans and identify the support that may be needed.                                          |
| 11   | Plans should be confirmed and next steps finalised.<br>There should also be clear contingency planning in case plans need to change (e.g. due to exam outcomes). | Young people and families should be supported to familiarise themselves with the new setting, including visits or transition support.               |

The Council for Disabled Children provide further support and guidance on PfA: [click here](#).

The National Development Team for Inclusion provide a toolkit for PfA: [click here](#).

### 3e. Personal budgets

A personal budget is designed to allow families more choice and control over how the funding in the EHCP is used to meet a child or young person's needs. It is a **specific allocation of funding that families can manage** to purchase services, support, activities, or equipment outlined in the EHCP, that are not directly provided by the LA or NHS such as educational support, health and care services, or activities that are specified in the EHCP. It generally cannot be used for basic living expenses like food, clothing, or housing.

A personal budget can be considered during the initial drafting of an EHCP after an assessment, or during the annual review of an existing EHCP. The LA has a duty to consider a request for a personal budget and explain their decision if they decline it. If it is approved, the LA will provide guidance on how to manage the budget and may offer support in setting up direct payments to providers. If the LA refuses to identify a personal budget or make a direct payment, families cannot appeal to the SEND Tribunal against that decision, but they can ask for it to be formally reviewed by the LA.

If you have any questions about a personal budget, speak to your SEND LP.

## 4. After the annual review

### 4a. The written report

Following the meeting, the academy is usually responsible for producing the written report of the annual review. This report must include recommendations of any amendments required to the EHCP, any differences in recommendations and/or disagreements discussed at the review, as well as the information and advice obtained about the child or young person.

Most LAs have a template for the annual review report, although there is no legal requirement to use this template.

This report must be sent to everyone who attended or contributed to the meeting, as well as the LA, **within 2 weeks** of the annual review meeting.

### 4b. The outcome of the annual review

The LA must review the EHCP, in light of the annual review, and make one of three decisions (see below). The LA must inform the parents with their decision within **4 weeks** of the review meeting and must also inform them of their right to appeal through the Special Educational Needs and Disabilities (SEND) First Tier Tribunal.

| Decision                              | What this means and next steps                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|---------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Maintain the EHCP in its current form | <p><b>No changes required.</b> The EHCP will not be amended or updated at this time.</p> <p>If the LA decides not to make any amendments even though they have been requested during the annual review, they must inform the parent of their right to appeal through the SEND First Tier Tribunal.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Amend the EHCP                        | <p>If the LA agrees to make amendments to the plan, parents will be issued with a <b>draft copy of the EHCP with notice of the proposed amendments</b>, including any evidence supporting the amendments.</p> <p>It is good practice at this point to discuss the planned changes with the parents and child or young person within the <b>15 days</b> allowed for them to respond.<br/><b>Academies may not always receive a copy of the new draft so ensure that you have asked the parents to let you know when they receive it.</b></p> <p>If parents are not happy with the proposed amendments, they should ask that the draft plan is changed, giving their views in writing or by requesting a meeting with the LA. Once the plan has been finalised, if parents are still not happy with the EHCP, they have the right to appeal through the SEND First Tier Tribunal.</p> <p>Within <b>8 weeks</b> of sending the proposed amendments, the LA must issue an amended plan, or let parents know they have decided not to amend the plan after all.</p> |

|                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|-----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Cease to maintain the EHCP</p> | <p>Following an annual review (and only following a review) the LA could decide to cease to maintain the EHCP. There are two legal reasons the LA can decide to cease to maintain an EHCP if:</p> <ul style="list-style-type: none"> <li>• they are <b>no longer responsible for a child</b> or young person (e.g. if the child or young person has taken up paid employment; started a higher educational course; turned 25).</li> <li>• it is <b>no longer necessary to maintain the EHCP</b> (e.g. if the child or young person has made significant progress and their needs are no longer considered to require the level of support provided by an EHCP).</li> </ul> <p>The LA must also notify parents of their right to appeal this decision (following consideration of mediation) and the timescales in which to apply.</p> |
|-----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

## 5. Further reading

### 5a. Useful resources

- OAT annual review flowchart: [click here](#)
- OAT SEND statutory compliance audit: [click here](#)
- OAT annual review tracker template: [click here](#)
- Template letters for challenging LAs: [click here](#)
- The Council for Disabled Children's examples of good practice: [click here](#)
- The Council for Disabled Children's guidance on PfA: [click here](#)
- The National Development Team for Inclusion's toolkit for PfA: [click here](#)
- The National Development Team for Inclusion's guidance on supporting planning and writing good PfA outcomes: [click here](#)
- IPSEA legal advice and support: [click here](#)

### 5b. PD and training resources

| Resource                                                                                        | Description                                                                                                                                                                                                                                                            |
|-------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <a href="#">National Children's Bureau Learning Platform: Delivering quality annual reviews</a> | The course will help you understand the importance of a person-centred annual review process and meeting. Each lesson will take approximately 20-30 minutes and you can work through at your own pace. You do not need to complete all of the lessons on the same day. |
| <a href="#">OAT SEND spotlight on EHCPs - March 2022</a>                                        | This session covers what an EHCP is, in terms of how it is constructed, its content and how it should be implemented.                                                                                                                                                  |
| <a href="#">OAT training session template - Writing SMART outcomes and targets</a>              | These slides can be used for guidance and/or training on SMART outcomes and targets. Speak to your SEND LP if you would like any further support with this.                                                                                                            |

*You can also request further support from your SEND LP at any time.*