

# Annual Reviews

An EHCP is a legal document and as such is likely to need regular updating and amendment.

When the first EHCP is issued, there will be an indication of when the EHCP will be reviewed; as the name suggests, an Annual Review should take place every 12 months; however, for young children it is often the case that the first Review meeting takes place after 6 months.

Annual Review meetings usually take place in the educational placement – this will be referred to as the school on this page, but it can be a nursery, a college or a training provider.

The law requires that in advance of the date of the Annual Review meeting, invitations are sent to the parents or carers, the young person, the LA, and any education, health and social care professionals who have been involved. Any reports that have been obtained for the meeting should be circulated in advance (though in practice this rarely happens).

At the meeting, the views of the child or young person, and parents, must be heard, and there should be a discussion of the needs, outcomes, provision and placement issues of the EHCP. Reports from professionals can be considered.

Evidence of any progress – or lack of – needs to be recorded, as well as any changes in the situation.

Within **two weeks** of the Review meeting, the Headteacher should send a report to the local authority with any agreed actions or recommended amendments, and any instances where there is a difference of opinion.

The meeting itself is not the annual review; it is a meeting which informs the formal review undertaken by the LA.

Within two weeks of receiving the report, the LA should decide what the outcome of the annual review should be. This can be one of three actions:

- Maintaining the EHCP with no amendment
- Ceasing to Maintain the EHCP
- Amending some parts of the EHCP

In the case of the first two actions, there is a **right of appeal** – with the need to consider Mediation before any appeal – either to request some amendments to the EHCP (Sections B, F and/or I) or against the decision to cease the EHCP.

If the LA states that it will be making amendments, a *draft* amended EHCP would be sent within **four weeks** of the annual review meeting.

This gives the parent or carer, or young person an opportunity to consider any amendments and to propose others, including, if relevant, a change of placement.

Once a final amended EHCP is issued there is a right of appeal if dissatisfied with the contents of the new EHCP – including the **placement** named in Section I - with a need to consider mediation before this can be done.

For pupils in Year 9 and above, annual reviews should consider the transition into adulthood, with input from Careers Service, as well as other professionals.

# ANNUAL REVIEW TIMESCALE

