

Education, Health and Care (EHC) Review Process

What is an EHC Review?

The EHC Review process is just as important as the initial EHC Assessment Process. The EHC review process is part of the ongoing Assess, Plan, Do, Review cycle and provides a structure for the learner and all of those supporting the learner including parents and carers to actively monitor a learner's progress towards the outcomes in the EHC Plan while reviewing the accuracy of the information contained within the EHC Plan.

The SEND Code of Practice States *“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 feeling”*

The EHC Review Meeting is a key element of the EHC review process.

When will an EHC Review take place?

An EHC Plan must be reviewed by the Local Authority at least every 12 months. This will mean that a EHC Review Meeting will take place every year at approximately the same time. This is known as an Annual or scheduled review. For learners under the age of 5 the scheduled review should take place every 6 months.

A review of the EHC Plan at any other time will be identified as an additional review. An additional review may be held for a number of reasons:

- To inform a phase transfer (E.g Primary to secondary school)
- A change to a learner's needs or provision
- Because a parent or young person requests a review
- Other reasons including a learner being new to the city of Hull

What happens before an EHC Review Meeting?

Before an EHC Review Meeting the person convening the review meeting (in the majority of cases this will be the educational setting) should contact the parent/carer or Young person to agree the date, time and location of the meeting. This will also provide an opportunity for you to share the details of any new individuals who are involved in supporting the learner who should be invited to the Review Meeting.

The person convening the review meeting will gather information from everyone who will be invited to the meeting including parents/carers and learners. There is a form which might help parents/learners to share their thoughts, this can be found here: [EHC Annual reviews \(mylocaloffer.org\)](http://mylocaloffer.org)

All information and reports gathered must be circulated to all of those invited to the EHC Review Meeting 2 weeks before the meeting.

What happens at an EHC Review Meeting?

The EHC Review Meeting will be held allowing sufficient time to ensure all of those in attendance have an opportunity to share any achievements, progress updates and to discuss any concerns.

The meeting discussions will focus on:

- The learner's progress towards their outcomes and longer-term aspirations set out in the EHC Plan
- The learner's development of independence and how they are preparing for adulthood
- identify any changes to circumstances
- consider whether the current information remains appropriate
- consider whether there needs to be any changes to provision or the educational setting
- consider whether the EHC plan should continue

Within the meeting it is likely that notes will be taken to allow the meeting to be written up accurately.

What happens after an EHC Review Meeting?

Within 2 weeks of the review meeting the EHC Review Meeting documentation **MUST** be completed fully by the person convening the meeting. This together with any written advice which was gathered before the meeting will be sent to:

- The Local Authority SEND Assessment & Review Team
- parents/carers and/or the young person
- all attendees invited to the review meeting

Within 4 weeks of the review meeting the Local Authority **MUST** decide whether it proposes to Maintain the EHC plan as it is, Amend the EHC Plan or Cease to maintain the EHC Plan. The learner's parents, young person and the educational setting must be notified of this decision. This decision marks the end of the EHC Review Process and sets the date by which the next annual EHC Review must be complete.

What if the Local Authority agree to amend the EHC Plan?

EHC Plans are not expected to be amended on a very frequent basis, however there will be times when following an EHC Review the Local Authority propose to amend the EHC Plan.

The Local Authority SEND Assessment and Review Team will prepare a Notice of Amendment without delay. A copy of the existing plan which includes details of the proposed amendments will be sent to the learner's parent or young person, including copies of any evidence to support the proposed changes.



The parent or young person must be given at least 15 calendar days to comment on any proposed changes, including requesting a particular educational setting to be named in the EHC Plan.

Following comment from the learners' parents or the young person, if the Local Authority decides to continue to make the amendments, it must issue a final amended plan as quickly as possible and within 8 weeks of the original notice of amendment.

The amended EHC Plan must clearly state the date of the amended plan and the date of the original plan. This date does not affect the date by which the next EHC Annual Review is due.

Young people making their own decisions

After compulsory school age (the end of the academic year in which they turn 16) the right to make requests and decisions within the EHC process applies to them directly, rather than to their parents. Between the ages of 16 and 25, it is the young person who can request an EHC Review, make comments about the content of their plan, request a particular/type of educational setting, and appeal to the First-tier Tribunal, provided that they have sufficient understanding to do so. Parents can continue to support young people in making decisions, or act on their behalf, provided that the young person is happy for them to do so.

Further Information:

Should you require any further information please discuss this information with the setting's Special Educational Needs Co-ordinator (SENCO) and/or contact the LA SEND Assessment and Review Team

Relevant law and guidance:

- Children and Families Act 2014
- SEND Code of Practice 2015

How to resolve a disagreement:

A parent or young person has the right to appeal to the First-tier Tribunal if they do not agree with a decision made by the LA within the EHC processes. Disagreement Resolution Services and mediation are also available to help resolve disagreements. Further information about this can be found on the Local Offer.