 

Review of Education, Health and Care (EHC) Plan

Year 9 and Above

Process and Documentation Guidance

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# **What is an EHC Review?**

EHC Review processes are just as important as the new EHC assessment process.

The SEND Code of Practice states:

*“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 as a minimum every 12 months. Reviews must focus on the child or young person’s progress towards achieving the outcomes specified in the EHC plan. The review must also consider whether these outcomes and supporting targets remain appropriate”* (Pg194. S9.166)

EHC Reviews should also:

* Gather and assess information so that it can be used by the educational setting to support the learners progress and access to education
* Review the Special Educational provision in place for the learner to ensure it remains appropriate and effective
* Review the Health and Social Care provision in place for the learner to ensure is effectiveness in supporting the learner to make progress towards their outcomes
* Consider the appropriateness of the EHC Plan considering a learner’s changing circumstances and to ascertain whether any changes are required to the outcomes, provision or educational setting or if a EHC Plan should be discontinued
* Set new short-term targets and agree any new longer-term outcomes as required
* Review any short-term targets set at the previous EHC Review

*“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.”*

SEND Code of Practice (2015) (Pg194. S9.168)

The EHC review is a process of which the EHC Review Meeting is a key element. This Document sets out information detailing the EHC Review process through to completion. The EHC review is only identified as complete when the decision to Maintain, Amend or Cease (MAC decision) is communicated to the parents/carers and/or young person.

# **Preparation before the ECH Review Meeting**

*“The local authority can require the following types of school to convene and hold the meeting on the local authority’s behalf:*

*• maintained schools*

*• maintained nursery schools*

*• academy schools*

*• alternative provision academies*

*• pupil referral units*

*• non-maintained special schools*

*• independent educational institutions approved under Section 41 of the Children and Families Act 2014”*

SEND Code of Practice (2015) (Pg. 195. S9.173)

Prior to the holding of an EHC Review Meeting the SEND Code of Practice clearly states that the following people **must be invited and given at least two weeks’ notice** of the date of the meeting:

* Childs Parents or Young Person
* A representative of the educational setting
* A local Authority SEND Officer
* A health Service Representative
* A Local Authority Social Care representative.

Where named Caseworkers, Health Care or Social Care professionals are known they should be invited directly. Where there are no named professionals involved, general invites should be sent to:

* LA SEND Caseworker: SEND@HullCC.gov.uk
* Health Care Professionals: No central contact is currently in place and we are working with colleagues in Health to identify this as soon as possible
* LA Officer for Social Care: No central contact is currently in place and we are working with colleagues in Social Care to identify this as soon as possible

In the case of year 9 reviews Connexions should be invited in order to support discussions regarding post 16 options.

For learners who are likely to require support from social care services as they transition from children’s to adult’s services then from year 9 onwards invites should also be sent to highneedsteam@hullcc.gov.uk

Other individuals relevant to the review should also be invited. This may include Youth offending team or job coaches.

**Local Authority SEND Caseworker Attendance at EHC Review Meetings**

Due to the increasing number of EHC Plans which are being maintained by Hull City Council, SEND Caseworkers are not currently able to attend all EHC Review meetings and cases will be prioritised for attendance. When sending an invite to the Local Authority SEND Caseworker it should be clear if any of the following circumstances apply:

* The current placement is vulnerable or there is likely to be a request for a change of setting
* There is expected to be a request for an increase in funding
* The LA SEND Team have not attended a review for the learner in the last 3 or more years.

It is important to note that where a placement is vulnerable this should be addressed in the first instance through the vulnerable placements form which will allow advice and recommendations to be made in a quicker timescale. The vulnerable placement form can be found here: [SEND handbook prof area other templates (mylocaloffer.org)](https://hull.mylocaloffer.org/s4s/WhereILive/Council?pageId=5551)

The Code of Practice also outlines that the educational setting “**MUST seek advice** and information about the child or young person prior to the meeting from all of those invited, and **send any advice and information gathered to all of those invited at least 2 weeks before the meeting**.” SEND Code of Practice (2015) (Pg. 196. S9.176)

To support the educational setting in doing this the Local Authority should provide a list of learners who will require a review of their EHC Plan that term to all head teachers and principals of educational settings at least two weeks before the start of each term. SEND Code of Practice (2015) (Pg. 195. S9.172)

The duties detailed above require some significant planning to ensure compliant execution and therefore the process below is a recommendation on how educational settings may wish to manage this process.

1. In collaboration with the parent or young person **identify an appropriate date, time, and location for the EHC Review Meeting**. It is also recommended that a list of those who will be invited is agreed with parents/carers or young person, allowing them to identify anyone additional who supports the learner. The meeting should be held no more than 1 year later than the previous review meeting or 11 months later than the date of the Maintain, Amend or Cease (MAC) decision communicated, whichever is the earlier.
2. **Circulate an initial invite letter and request reports in preparation**. (A suggested template can be found here: [SEND handbook prof area other templates (mylocaloffer.org)](https://hull.mylocaloffer.org/s4s/WhereILive/Council?pageId=5551) It is recommended this initial invite is circulated approximately **6 weeks in advance** of the review meeting with a deadline for reports for 3 weeks in advance of the meeting. Requests for reports should also include requests for parental views and learner views. Templates for parents and learners to share their views can be found here: [SEND Handbk Needs Assmt Advice (mylocaloffer.org)](https://hull.mylocaloffer.org/s4s/WhereILive/Council?pageId=5549)

It is important to ensure that parents know where they can access support from to complete this documentation if they wish. The school may wish to offer support or parents may wish to seek support from KIDs SENDIASS. [Hull SENDIASS | KIDS](https://www.kids.org.uk/hull-sendiass)

Learner’s contributions should also be gathered with consideration on how this will be shared with others attending the meeting. This may be a video, power point presentation, a series of photographs (Further ideas can be found in the Spring 1 2021 SENCO Forum information here: [SENCO forums Primary (mylocaloffer.org)](https://hull.mylocaloffer.org/s4s/WhereILive/Council?pageId=5579) [SENCO forums Secondary schools (mylocaloffer.org)](https://hull.mylocaloffer.org/s4s/WhereILive/Council?pageId=5578)

1. **Circulate the formal invite and all gathered reports**. (A suggested template can be found here: [SEND handbook prof area other templates (mylocaloffer.org)](https://hull.mylocaloffer.org/s4s/WhereILive/Council?pageId=5551) This must be circulated at least 2 weeks before the EHC Review Meeting.

Gathered reports should include:

* Current EHC Plan
* EHC Review Documentation – Prepopulated where possible
* Parental Voice
* Learner Voice
* Professional Reports
1. **Hold the EHC Review Meeting.**  It will be important to allow sufficient time to discuss all the required information and for those in attendance to feel their contributions are valued. As a minimum an hour of time should be allocated for the meeting, with additional time for more complex cases or where there are a high number of attendees. It can be helpful to make notes during the meeting or to have a minute taker present. Where administrative support is not available at the time of the meeting it may be beneficial to ask permission to voice record the meeting to allow for the meeting notes to be typed up after the meeting accurately.

# **Guidance for completing the EHC Review documentation**

It is vitally important that all sections of the EHC Review Meeting notes document is completed fully and supported by appropriate up to date reports for all necessary partners and involved parties. This is the information required by the Local Authority to inform the decision-making process and to enable the most appropriate decision to be made on whether to Maintain, Amend or Cease the EHC Plan.

The guidance below details what is expected to be provided in each of the sections in the EHC Review documentation.

**Front Page**

This should clearly state the learner’s name and their date of birth.

**Learner’s Current Year Group:** This should detail the current academic year group in which the learner falls according to their age. Where a child is educated outside of their chronological age group this should clearly be detailed in outcomes and progress section.

**Current Educational Setting:** This should include the details of the current educational setting where the learner is on roll. Where learners are dual registered this should name both settings.

**Date of this Review Meeting:** This should state the date on which the EHC Review meeting is held to inform the EHC Review Process.

**Date of last Review Meeting:** This should provide the date on which the previous EHC review meeting was held to support the EHC Review process.

**What type of Review is this?**

A review should be identified as a scheduled review where it is being held within the 8 weeks prior to the anniversary date of the last annual review meeting.

**Scheduled Review:** This a review which is being held to support the required reviewing of the ECHP. Either on a 6-monthly basis for learners under the age of 5 or annually for all other learners with an EHCP.

**Additional Review:** This is a review which is being held in addition to the scheduled review. This may be for several reasons including:

**To inform a phase transfer:** For learner’s who are due to transfer between phases of education (into primary school, between primary and secondary school, from secondary school to post 16) an additional review may be required. This is to allow the Parents, Carers and Young People to express their preferences for the next educational setting and to ensure the information used to inform the consultation process is up to date.

The annual review in Year 11 can be used to inform applications to post 16 provision, for this reason where a scheduled EHC Annual Review does not fall in the autumn term of Year 11 or the final half term of Year 10, an additional review will be required to support phase transfer consultations to be complete by 31st March of Year 11.

Where an annual review falls in the second half of the summer term the Year 10 the review will be used to inform consultations and then the Year 11 annual review will be held as usual inviting the post 16 provider to support transition.

**Change to Learners Needs or Provision:** Where there has been a change to the learners needs or provision required and the information in the EHC Plan is no longer accurate. This may include a recent confirmed diagnosis or changes to additional and different provision as detailed by a professional report.

**Parental Request:** Parents may request an additional review of the EHC Plan, where this is the case it is important to understand why the parents feel the additional review is required.

**Other:** Where the review is being held for other reasons these reasons should be detailed here. This may be at the request of the Local Authority in response to being alerted to a vulnerable placement or to support the New in City Process.

**Agenda of EHCP Review Meeting:**

This is a proposed agenda which schools may wish to follow, and this aligns with the layout of the documentation. This will support those who attend the meeting to know what will be discussed to support them to prepare any relevant information.

Settings may wish to amend this to suit the individual learner and how they wish to contribute to the review. For example, Learner’s voice may be better being included at the beginning of the meeting or later on in the meeting to support their attendance and to work around their timetable.

**Learner’s Personal Details**

This information should be prepopulated and confirmed with the learner as this will be used to ensure that the contact details held by the Local Authority are up to date.

**Full name:** This should include the learner’s full **legal** name

**I like to be known as:** This should state how the learner prefers to be known. For example: This may be by a shortened version of their first name, they may be known by their middle name or they may prefer to be known by an alternative surname.

**Home Address:** This should be the address where the learner is resident most of their time

**Telephone Number:** This should be the contact number of the learner if post 16 and the person with parental responsibility if the learner is under the age of 16.

**Social Care Status:** Please ensure that you check the appropriate box to represent the learners social care status.

**UPN:** This number is the learners Unique Pupil Number and should be found on the setting Management Information System.

**NHS No:** This number helps identify the learner and their relevant health records. This can often be found on correspondence from medical professionals. Please do not worry if the setting or parents do not know this number.

**Parent/Carer Details**

This section should be prepopulated with the contact details of both parents if both parents hold parental responsibility and confirmed for accuracy within the meeting.

Where a learner is currently a Child Looked After (CLA) this may include the details of the foster carer and/or birth parents but this should be confirmed with the relevant Social Worker to ensure that we remain GDPR compliant.

It is important to clearly state who has parental responsibility for learners to ensure GDPR compliance and data protection reasons. If the learner is post 16 then this information should only be provided with the learner’s consent.

**Preferred method of communication:** This will allow the SEND Team to liaise with families by the most appropriate method.

**First Language:** This should clearly state the parent’s first language and give an understanding of the level of proficiency in English

**Any Support Needs:** This should detail any support needs the parents or carers have to support them to access information. This may include (but is not limited to):

* Enlarged font
* British Sign Language interpreter for spoken conversations
* Additional Language interpreter for spoken language
* Documents translated into an additional language
* Spoken information due to written literacy skills level

**For Learners Aged 16 and Over** it is important that under the mental capacity act they give their consent for the information to be shared with parents and carers. It should be clearly noted if they consent to information being shared or not. If the young person is unable to respond, then the reasons for this should be clearly detailed with due consideration to the Mental Capacity Act.

**Social Worker Details**

This section should be prepopulated with the contact details of any social worker currently involved with the learner. Where there is no Social Worker involved please note N/A.

**People involved in this review meeting**

This section should be prepopulated to detail the name, role and contact details of all those who have been invited to the review meeting.

Invitations must be made to:

* Parent and/or learner
* Educational Setting
* LA SEND Caseworker
* Health care professionals
* LA Officer for Social Care

Invitations should also be circulated to any other individuals relevant to the review. This may include colleagues from the education outreach services, support staff in school, outside or voluntary agencies who are involved with the learner.

It is important to remember that while invites should be sent to those identified above the are not all required to attend. Clarity on who attended the meeting and who sent apologies should be included at the meeting and noted during the introductions.

**Reports and Assessments included within this Review:**

This section should be prepopulated and should include all reports which have been received to inform the review meeting as well as any additional reports which have been written in the last 12 months.

Where Health or Social Care professionals have contributed to an EHC Plan recommending desired outcomes or required provision there is an expectation that as the professional making these recommendations, they review the progress and provision to determine if they remain appropriate.

Reports should be circulated to all of those invited to attend 2 weeks in advance of the meeting to allow time for those in attendance to read and process the information from the reports.

Information and reports should also include learner views and parental views. Templates for the learner views and parental views to be gathered can be found here: [SEND Handbk Needs Assmt Advice (mylocaloffer.org)](https://hull.mylocaloffer.org/s4s/WhereILive/Council?pageId=5549) along with professional’s advice forms. For learners in year 9 and above careers advice must also be included with the EHC Review form.

**Year 9 Reviews**

Schools have a duty to provide independent, impartial careers guidance for their pupils. This must include providing information on the full range of post 16 options. Local Authorities have a duty to support all vulnerable young people including those with EHCPs to participate in education, training or employment with training at post 16.

The year 9 annual review will play an important role in starting to consider and plan for the young person’s post 16 transition. It must involve consultation with a qualified careers guidance practitioner. In most cases in Hull this will be a Connexions adviser but may involve a careers adviser employed by the school.  The post 16 options discussed at the year 9 annual review should be recorded on the annual review document. The Connexions/careers adviser should be invited

Other reports which educational settings may wish to include are:

* Attendance Reports
* Latest Academic Report
* Teachers Feedback
* Support Staff Feedback
* PEP or LAC review meeting notes

**Attendance:** This should detail the attendance for the current academic year and the previous academic year.

If learners have an attendance of below 95%, then the patterns or periods of absence should be commented upon.

Where Attendance is below 90% this **must** be commented upon as this is the threshold for Persistent Absentees.

**Exclusion:** This should detail any fixed term exclusions the learner has been issued over the last 2 academic years. It is also important to note any permanent exclusions the learner has received.

Significant patterns may relate to reasons for exclusion, timings of exclusions or any identified connections to wider circumstances. Such information can allow the moderating group to have a greater understanding of whether behaviours/actions are related to particular triggers or circumstances or life events which have occurred or learnt behaviour.

**Educational Offer:** A learner has a full time offer of education if they are currently in receipt of a full curriculum offer in line with age related expectations. Please note what is considered a full time offer of education in legislation differs in relation to age. E.g., Early years, Statutory school age and post 16.

Circumstances where a learner may not be in receipt of a full curriculum offer may include:

* Reduced offer due to a medical need
* Reduced hours in setting due to a phased return
* A temporary part time timetable
* Partial in setting and online educational offer

Where a learner is not in receipt of a full-time educational offer detail should be given including:

* What the current offer is
* The reasons for a full time offer not current being provided
* The planned steps back to accessing a full entitlement of educational provision

**Developing Independence, Self-Care and Preparation for Adulthood (PfA)**

The SEND Code of Practice States:

*“Being supported towards greater independence and employability can be life transforming for children and young people with SEN. This support needs to start early and should centre around the child or young person’s own aspirations, interests and needs.”* (Pg 122. S7.37)

It goes on to detail:

*“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”* (Pg. 122. S7.38)

This section of the Annual Review will likely form the main focus of the meeting and key discussion points should detail any current plans or thoughts in relation to the key areas, any areas of concern and any support or provision which could be implemented to encourage progress or development in each of the areas. This information may lead to recommended changes to the EHC Plan.

Areas for consideration should include:

**Education and Employment**

What plans does the learner have for the future? What are their aspirations? What qualifications will they need to work towards this goal? Which educational route do they wish to take?

What information came out of the latest careers guidance? Do visits to other settings need to be arranged/supported?

Does the young person have a part time job? Have they completed any work experience or voluntary work? Is this something that could be considered or explored? What skills would they need to be able to achieve this?

**Independent Living Skills**

Where would the learner want to live in the future?

**Independent Living** – Own accommodation without support

**Supportive Living** - Supported living is a service designed to help people with a wide range of support needs retain their independence by being supported in their own home. People in supported living have their own tenancy and are responsible for their own bills and cost of living. The following link may be helpful: [Supported Living | Hull (connecttosupport.org)](https://hull.connecttosupport.org/stay-independent/housing/supported-living/)

**Residential or Assisted Living** - **This is when** an individual lives in a self-contained residence such as a flat or bungalow and can receive assistance or care from staff who are available 24 hours a day. This may include central communal areas such as a dining room or living room.

**Staying with parents** – It will be important to understand how this is to be managed and supported in the long term.

Do the family require support or adaptations to the home to facilitate this as the learner becomes older?

It is also important to consider independent living in the widest sense:

What skills will the learner need to live in the future?

Can the learner travel independently? Are they able to use public transport? Do they require travel training?

Does the learner understand their own personal care needs? Do they have a healthy personal care routine? Do they need support or adaptations to manage their personal care?

Does the learner understand the skills to run a home safely? For example, using the washing machine, cleaning, fire safety?

Is the learner able to manage their own money? Do they understand the difference between debit and credit cards? Can they budget? Do they know what costs will be incurred from future living? Are they accessing any appropriate funding to support their needs?

**Maintaining Good Health**

What transition plans are in place or required from children to adult’s health services? This may include therapy services, mental health services or other specialise health services

What skills will the learner need to lead a healthy life? Do they understand how to ensure a balanced diet which meets their individual needs?

Do they have the appropriate awareness of managing their sexual health, safe relationships, and consent?

Can they manage their own health needs and medication?

**Participation in Society and Friendships**

What planning arrangements are in place to support the young person to access social and community activities / friendships?

Are there particular interests the young person has which they wish to explore but are not able to access at present?

Does the learner have any support needs to access the community in which they live? This may be the physical environment or local services.

What future Social Care input will be required under the care act

Are the family aware of the Mental Capacity Act and how this will impact the EHC process from the age of 16? Those holding the meetings should ensure that families have this information from the start of year 9. An information leaflet to support this can be found here: [Prof Area Templates EHC Annual reviews (mylocaloffer.org)](https://hull.mylocaloffer.org/s4s/WhereILive/Council?pageId=5550)

Is a mental capacity assessment required?

**Future intended outcomes under the PFA Headings:**

The year 9 annual review should clearly detail intended outcomes under the four PfA Headings. These will then be reviewed through future EHC Review Meetings.

From year 9 onwards, there must be a focus on preparing for adulthood. This focus should alight with the learner’s future aspirations. Support to prepare for adulthood should include four key themes:

* Further or Higher Education and/or Employment
* Decision making and Independent Living
* Maintaining Good Health
* Participation in Society and Friendships

An outcome is the goal of the intervention, it is not the intervention or provision in itself. Outcomes should make reference to the views and aspirations of the learner and should specify the difference an intervention or provision will make to them. Outcomes should be SMART (Specific, Measurable, Achievable, Realistic, Time bound).

Further information on writing SMART outcomes can be found here:

[developingoutcomesgraphicposter.pdf (helensandersonassociates.co.uk)](http://helensandersonassociates.co.uk/wp-content/uploads/2016/10/developingoutcomesgraphicposter.pdf)

[Microsoft Word - Developing outcomes for Young People - towards best practice v1.1 rsfv AfC.docx (rackcdn.com)](https://5f2fe3253cd1dfa0d089-bf8b2cdb6a1dc2999fecbc372702016c.ssl.cf3.rackcdn.com/uploads/ckeditor/attachments/2043/Developing_outcomes_for_Young_People_-_towards_best_practice_v1.1_rsfv_AfC.pdf)

[developing\_outcomes\_in\_ehc\_plans\_issued.pdf (bathnes.gov.uk)](https://www.bathnes.gov.uk/sites/default/files/developing_outcomes_in_ehc_plans_issued.pdf)

*Examples:*

1. *By the end of year 9, Eric will be able to make his own way to school every day.*
2. *By the end of Daryl’s college course, she will have learned how to successfully budget her allowance to last her the full month.*

Support for writing outcomes with a focus on Preparing for Adulthood can be found here:

[Updated 2017 PfA Outcomes Tool (preparingforadulthood.org.uk)](https://www.preparingforadulthood.org.uk/downloads/education-health-and-care-planning/pfa-outcomes-tool.htm)

**Outcomes and Progress**

**Current Educational Attainment/ Developmental milestones:** Please reference baseline assessments or attainment levels at the last annual review to summarise progress, giving a clear indication of current levels of educational attainment and stating assessment systems used. It might be useful to include comparisons to NC year group expectations.

The current attainment information may be a screen shot or copy of the most recent academic report. Please ensure that any appropriate key is provided to explain their reporting system. It is also important to understand how this compares to a learner’s predicted academic progress and age-related expectations.

**Other areas of celebration:** This should be used to identify key areas of celebration from both within and outside of school. It might be that the child can now fasten their own shoelaces, a particularly good piece of work in English or a sporting achievement for example.

**Progress towards Outcomes:**

This section should be prepopulated with the outcomes as detailed in the most recent finalised EHC Plan.

Each outcome should be addressed in turn to detail if it has been achieved or whether it remains ongoing.

Where an outcome is achieved evidence of this should be included in the comment on progress section and it should be struck through on the annotated EHC Plan.

Where progress towards an outcome remains ongoing a brief comment on what progress has been made towards this should be included along with any next steps or short-term targets to support progress towards the outcome.

Where an outcome remains ongoing but is no longer relevant again a comment should be included to explain why the outcome is no longer appropriate and any recommended changes to the outcome or the wording of the outcome should be detailed on the annotated EHC Plan.

**Any other changes in need or circumstances:**

This section should detail any changes to the learners needs or provision which is required to meet need. This may include changes to their identified SEND, recent outcomes of assessments or diagnoses. This may also include changes to health or social care needs.

It can also be helpful to include any significant changes to the make up of the home setting E.g the arrival of a new sibling, or the loss of important family members which may impact upon the needs and wellbeing of the learner.

**Summary of any other key discussion points**

This section should detail any further discussion points included within the EHC Review meeting. This should include a review of the accuracy of the information in the EHC Plan, any updates on actions from the previous EHC Review, any concerns which were raised through the learner or parental contributions.

Where there are mixed views on a particular discussion point it is important that all views are clearly documented, and it is clearly noted who shared which view.

**Travel Planning**

The first question must be clearly answered for all learners with an EHCP.

Where the answer to the first question in Yes, and the learner is in receipt of Local Authority Funded Transport the Transport Review Form must also be completed. This can be found here: [Prof Area Templates EHC Annual reviews (mylocaloffer.org)](https://hull.mylocaloffer.org/s4s/WhereILive/Council?pageId=5550)

If transport remains appropriate, then consideration should also be given to how independent travel skills are being supported at an age-appropriate level.

For some learners they or their parents may be in receipt of a personal transport budget rather than transport itself and this should be detailed in this section too.

All Learners who access LA Funded Transport should have an up-to-date travel support plan. This should be reviewed and attached if up to date. It this requires an update because the information is out of date this should be noted so that the transport team can follow this up appropriately.

For those learners who have previously displayed challenging behaviours on Local Authority Transport a Travel Risk Assessment will be in place. As above this should be reviewed and attached if up to date. It this requires an update because the information is out of date this should be noted so that the transport team can follow this up appropriately.

For those learners who have additional medical needs or may require the administering of medication on Local Authority Transport a medical care plan for transport will be in place. As above this should be reviewed and attached if up to date. It this requires an update because the information is out of date this should be noted so that the transport team can follow this up appropriately.

**Where there are questions or concerns regarding transport these should be directed to SEND Transport:**

**Email:** SENtransport@hullcc.gov.uk

**Telephone:** 01482 300 300

**Funding Arrangements**

This section should be used to detail what funding is currently in place to support the learner.

**SEN Element 2 funding** is the amount of funding available from the SEN Notional Budget within a mainstream school setting. This is often considered to be up to £6000 in a mainstream setting.

**SEN Element 3 funding** is the amount of additional funding being provided to the educational setting to support the learners needs and provide the provision detailed in the EHC Plan. In a nursery or school setting this will be the funding allocated through the banding or exceptional funding process. For post 16 settings this will be guided by the banding on the EHCP.

**Other funding** will be any additional funding which is in place to support the learner. This may include Pupil Premium Funding or CLA funding.

This section will also allow educational settings to identify if they do not feel the funding, they are currently in receipt of is sufficient. This will replace the previous banding increase request form.

If the educational setting believe that alternative banding is required, they can detail what level of banding they believe is most appropriate and they should highlight the information within the annual review which would evidence the need for this increase in the EHC Banding. It should be clearly state what additional provision this would provide and what difference this funding would make to the learner. Further guidance on requesting a banding increase can be found here: [Prof Area Templates EHC Annual reviews (mylocaloffer.org)](https://hull.mylocaloffer.org/s4s/WhereILive/Council?pageId=5550)

There may be circumstances where the educational setting wishes to request financial support for a one-off purchase. For example, this may include specialist equipment to support a learners SEN or accessibility.

**Personal Budgets and Direct Payments**

Personal budgets are an individual’s overall support package which may include a direct payment element”

This section should be completed in discussion with parents, carers or young person. It is important to note whether they are in receipt of a direct payment or personal budget and the area which this is intended to support.

It is important to note what provision this is providing and what the ongoing intentions are in relation to this.

It is also important that parents or the young person are offered the opportunity to request a personal budget. Information relating to personal budgets can be found here: [Personal Budgets (mylocaloffer.org)](https://hull.mylocaloffer.org/s4s/WhereILive/Council?pageId=2942)

If parents or young person wish to request a person budget it is important to understand for what element of provision they wish to request this for.

**Recommendations to the Local Authority**

**This section should be clearly completed at the end of the annual review process and details the recommendations from the Annual Review Meeting to the Local Authority.**

If a request for change of banding is marked yes the additional details must be included in the funding arrangements section and supporting evidence provided.

The meeting should recommend whether to continue with the EHC plan or whether it is believed that the EHC Plan should be ceased.

The SEND Code of Practice (2015) states *“A local authority may cease to maintain an EHC plan only if it determines that it is no longer necessary for the plan to be maintained, or if it is no longer responsible for the child or young person.” (Pg 202. S9.199)*

Additionally “*The circumstances where a local authority may determine that it is no longer necessary for the EHC plan to be maintained include where the child or young person no longer requires the special educational provision specified in the EHC plan. When deciding whether a young person aged 19 or over no longer needs the special educational provision specified in the EHC plan, a local authority must take account of whether the education or training outcomes specified in the EHC plan have been achieved. Local authorities must not cease to maintain the EHC plan simply because the young person is aged 19 or over.”* (Pg203. S9.200)

The circumstances where a Local Authority is no longer responsible for the learner include the following:

* A young person aged 16 or over leaves education to take up paid employment (including employment with training but excluding apprenticeships)
* The young person enters higher education
* A young person aged 18 or over leaves education and no longer wishes to engage in further learning
* The child or young person has moved to another Local Authority Area

**If recommending that the EHC Plan should continue** it should be made clear whether this is with:

**No Amendments** – The EHC Plan remains accurate and should be maintained as it is

**Minor Amendments** - Minor changes regarding updating factual accuracy of information. E.g., year group. Contact details or Section A of the EHC Plan

**or**

**Significant Amendments** - Significant changes may include changes to the description of need, revised outcomes and/or changes to resources/provision.

**If amendments are required, please ensure that an annotated plan is attached with any relevant supporting evidence.**

Annotated plans are the way in which professionals will be able to communicate any recommended changes to the EHC Plan. It is important these changes are communicated to the LA SEND team to ensure that EHC Plans are as accurate and current as possible. Particularly where information may be outdated. Where amendments to Sections C,D,G and H are recommended this should be supported by the appropriate reports from Health and Social Care colleagues. Schools should not be recommending changes to these sections without permission to do so.

Recommended changes should be detailed on the most recent finalised EHC Plan by striking through ~~striking through~~ any information which they recommend should be removed as it is no longer appropriate and by highlighting in yellow any newly included wording or information.

**You will also need to clearly note on the annual review document which sections of the EHC Plan you are recommending changes for.** *Please note these annotations are recommendations and any final decision will be made by the LA SEND Assessment and Review Team.*

**Where it is believed the review meeting may lead to the placement in section I being deemed no longer appropriate** the following steps should be taken in advance of the EHC Review Meeting:

1. A discussion should be held with SEND Caseworker prior to review meeting taking place. The SEND Caseworker may choose to attend to clarify the process for parents or young person
2. Evidence from outreach services and EP recommending the changes to provision which they identify as required to support the change of provision must be included. It is important to note that these services will not recommend a change of setting but the additional special educational provision which is required to support the learners needs
3. Parent and Learners views regarding the current placement and any preferences
4. An annotated plan will also need to be provided with significant changes required in needs and provision as evidenced by professional reports

**Confirmation of Review Meeting Notes by Chair of the Meeting**

This should detail the signature, name and role of the person chairing the meeting.

Electronic signatures are acceptable for an annual review document.

**Authorisations and Consents**

These final checks should be completed with parents or learners over the age of 16.

Young people over the age of 16 **MUST** give their own consent unless they have been assessed and deemed not to have capacity to do so.

From the young person’s 18th birthday (where they have capacity), information will not be shared routinely with parents / carers without the young person’s consent and all correspondence will be sent directly to the young person in the first instance.

If parents or the learner are not happy that all discussions points have been raised these should be noted in the Summary of Key Discussion Points section.

If parents or the learner are not in agreement with the proposals these should be clearly detailed in the summary of key discussion points section.

It should be checked that parents continue to give consent for information to be shared. While many parents will be happy to continue to provide consent there may be occasions where they request certain information (such as parental views or information relating to social circumstances) are not shared with others (for example where there are concerns for the welfare of others)

It is also important to ensure that the appropriate consents from the authors of reports are included. This is particularly important in circumstances such as LAC Review documentation, PEPs or CP or CIN Plans.

Once completed the Head Teacher or Principle should sign off the EHC Review Documentation. As before this may be an electronic signature and should be clearly dated.

# **Following the Review Meeting**

After the EHC Review Meeting the documentation must be completed fully and together with any written advice, be sent to the SEND Assessment & Review Team via the EDT or SFX secure email to SEND@Hullcc.gov.uk , **within 2 weeks of the review meeting.** Additional copies of the documentation should also be provided to:

* parents/carers and/or the young person
* all attendees invited to the review meeting

**Documentation should not be sent via none secure email or password protected via EDT or SFX.**

All supporting reports should be clearly saved with the number from the Reports and Assessments section at the start of the file name. The EHC Review Meeting notes should be saved with a filename in the format:

Date of meeting (in DD-MM-YY format) - Learner initials - EHC Review Meeting.

**For example,** for Joe Bloggs Review which was held on the 19th of October 2021 the file name should be:

19-10-21-JB-EHC Review Meeting

On receipt of the review meeting documentation the Local Authority will date the documentation on the front page.

**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.

When this decision is communicated this marks the end of the EHC Review Process and sets the date by which the next EHC Annual Review decision must be made and communicated.

If the Local Authority propose to maintain the plan as it is or decides to cease the plan, they MUST notify the learner’s parents or the young person of their right to appeal that decision and the time limits for doing so.

Where the Local Authority proposed to amend an EHC Plan the local Authority must start the process of Amendment without delay.

**Process of Amendment**

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.

Once a Notice of Amendment is prepared, a copy of the existing (non-amended) plan and the Notice of 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 representation 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 with 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.

**Appendix 1: Summary of Duties in relation to the EHC Annual Review Process**

Parents

Local Authority

Educational Setting