

Jargon buster

Proposed Amended Education, Health and Care (EHC) plan This is the document which highlights significant changes to the child/young person's needs, desired outcomes, and support assessed as needed to reach the outcomes. The parents (or young person) are sent the proposed amendments, and they can express their views to the LA, including their preference of education placement.

Final Education, Health and Care (EHC) plan This is the legal document the LA issues after deciding on which amendments are necessary. Section I of the final EHCP names the education placement.

Outcome An outcome is 'the benefit or difference made to an individual as a result of an intervention'. Outcomes usually set out what needs to be achieved by the end of a phase or stage of education, to enable the child/young person to progress to the next phase or stage. The outcomes are written in Section E of the EHC plan.

Preparing for adulthood This includes the support given to young people to help plan successfully for their move into adulthood. It covers the areas of employment, independent living and participation in society.

www.preparingforadulthood.org.uk

Local Authority (LA) Nottinghamshire's Integrated Children's Disability Service (ICDS) is the part of the local authority which works in co-operation with education settings to monitor the EHC plan, making sure the child/young person is making progress towards their outcomes.

Relevant law and guidance:

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

Further information about EHC plan reviews

Please speak to the person in the education setting who is responsible for co-ordinating the child/young person's special educational needs, e.g. in schools this is the SENCO. For additional advice, please contact the Assessment Team, Integrated Children's Disability Service, using the details below.

How to resolve a disagreement:

A parent or a young person has the right to appeal to the First-tier Tribunal if there is disagreement with a decision made by the LA following an annual review. Disagreement Resolution Services and mediation are also available to help resolve disagreements. Information can be found on the Local Offer - www.nottinghamshire.sendlocaloffer.org.uk

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Reviewing an Education, Health and Care plan

Information for parents/carers

Review of an Education, Health and Care (EHC) plan: information for parents/carers

What is an 'annual review'?

All children and young people who have an Education, Health and Care plan (EHCP) will have it reviewed at least once a year. Children under 5 years old may have EHCP reviews more often. Children/young people will have other reviews during the year as well.

What will happen before the 'annual review'?

The education setting (or local authority if the child/young person is not in a setting) will arrange the review of the EHC plan. Reports are requested from people involved with the child/young person, e.g. professionals from education, health and social care. Parents/carers are asked for their views, usually by answering some written questions. The child/young person will also be asked for their views. Reports should be shared with parents/carers and relevant professionals before the annual review meeting.

Who will come to the 'annual review' meeting?

As well as parents/carers, a member of staff from the education setting will attend and facilitate the EHC plan review meeting. Other involved professionals will also be invited, e.g. educational psychologist, specialist teacher, social worker, paediatrician, speech and language therapist.

In schools, the special educational needs co-ordinator (SENCO) usually coordinates and runs the EHC plan review process, following written guidance from the local authority (LA).

The child/young person will be involved in the review of the EHC plan, and the education setting will consider how best to do this, depending on their age and needs. From Year 9 onwards, the review of the EHC plan will have an increased focus on the child/young person being involved and learning to share their views, wishes and feelings.

What will happen at the 'annual review'?

The reports and evidence will be considered. There will be a discussion about any changes to the child/young person's special educational needs. Progress towards outcomes in the EHC plan will be discussed, including whether the outcomes are still appropriate. New outcomes may be considered, and short term targets will be identified. The education, health and social care provision will be reviewed, looking at how the extra support is helping the achievement of outcomes.

The meeting will consider whether the EHC plan remains necessary, bearing in mind the progress made. If the review recommends that sections of the EHC plan should be amended, then this will be highlighted to the LA with evidence.

The person leading the review will ensure that thorough minutes are taken during the meeting.

What will happen after an 'annual review'?

After the meeting, within two weeks, the person leading the review will send all the completed forms, reports and minutes of the meeting to the LA, highlighting any actions that are recommended. If there are suggested changes, then the review organiser will send the LA the EHCP with electronic annotations, linking the suggested changes to the supporting evidence.

The LA will consider the information and will inform the parents and/or young person of intended actions, e.g.:

- to keep the EHC plan as it is
- to amend the EHC plan
- to cease to maintain the EHC plan

If the LA proposes to amend the EHC plan, suggested amendments will be sent to the parents and/or young person, giving 15 days to comment on the proposed changes. **It is at this point that parents (or the young person) have the right to request a particular setting be named in the EHC plan.** The LA will consider the comments/request, and a *final EHC plan* will then be issued, with a right of appeal about the amendments.

It is not expected that the EHC plan will be amended very frequently. There will be situations where suggested amendments are noted by the LA but the EHC plan is not amended, e.g. where amendments are not substantial.

EHC plan reviews ahead of a transition

Reviews help to plan for transitions to the next setting (e.g. school, college, supported internship). During the year before the move, there will be work done by the LA to secure an appropriate education placement.

The EHC plan review, in the year before the education placement is confirmed, should include discussions about options for future placement, e.g. at the Year 5 review ahead of the child's move to secondary school.

During the year before the transition, the EHC plan will be amended to name the education setting which the child will move on to, e.g. during Year 6 the EHC plan will be amended to name the secondary school.

When a young person is due to leave education, the annual review should include good exit planning.

Preparing for adulthood

All annual reviews from Year 9 onwards must focus on *preparing for adulthood*. This should include discussing options for the next phase of education.

At the end of the academic year in which the young person turns 16, the right to make decisions within the review process applies to them directly, rather than to their parents. A young person aged 16-25 can make representations about the content of their plan, provided they have sufficient understanding to do so. With the young person's agreement, parents can support with decision-making or act on their behalf.

What should I do if my child is due to move education placement?

The parent, or young person (aged 16-25), can make a request for a particular setting (e.g. school or college). It is sensible to find out about possible settings well in advance of the move, e.g. for secondary transition, find out about and visit schools early in Year 5. For information, click on the 'Education' tab of the Local Offer: www.nottinghamshire.sendlocaloffer.org.uk