

# Annual Review Guidance

## September 2025

This document has been written to support professionals who are involved in reviewing Education, Health and Care Plans (EHCPs) to ensure that Annual Review meetings are conducted effectively, focusing on the needs and aspirations of the child or young person. This document covers the roles of facilitators, the person-centred approach, meeting structure, and key checks during the review, and draws upon good quality practice. This document should not be shared without prior consent from Hertfordshire County Council.

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# What is an Annual Review of an EHCP?

An EHCP is a legally binding document in the UK, which is designed to support children and young people up to the age of 25 who have special educational needs and disabilities (SEND). An EHCP outlines specific educational, health, and social care needs of the child or young person, and details how these needs should be met. An EHCP should be used to actively monitor children and young people's progress towards their outcomes and longer-term aspirations.

An EHCP annual review is a statutory process designed to evaluate and update an EHCP. An EHCP must be reviewed by the local authority, at a minimum, every 12 months, for children and young people of statutory school age, and at least every 6 months for children under the age of 5. Annual reviews are required to ensure the EHCP remains relevant and effective in meeting a child or young person's needs. It should focus on the child or young person's presenting needs, aspirations, progress towards achieving the outcomes specified (and whether these outcomes remain appropriate) and the provision required to achieve those outcomes.

The Code of Practice states that an Annual Review **must**:

- ✓ Be held at least every 12 months, for children and young people of statutory school age, and at least every 6 months for children under the age of 5.
- ✓ Focus on the child or young person's progress towards achieving outcomes specified in the EHCP.
- ✓ Consider whether these outcomes and supporting targets remain appropriate.
- ✓ Review the Special Educational/Health/Social Care Provision to ensure it is effective and ensuring access to teaching and learning and good progress
- ✓ Be carried out in partnership with the child or young person and their family.
- ✓ Take account of the views of the child or young person and their family.

Annual Reviews are most effective when led by an education setting. This is because the education setting knows the child/young person's educational progress best, has the closest contact with the child or young person and their family, and has information about progress and next steps. Reviews led by education settings invoke the greatest confidence amongst the child, young person and their family.

There are however some exceptions to this, where it will be most appropriate for the review meeting to be held by the Local Authority.

Statutory guidance regarding annual reviews can be found in the Children and Families Act 2014 Part 3 Section 44 which is the statute for reviews, the SEND regulations 2014 sections 18-22 and the Code of Practice (2015; page 194-205).

# The Annual Review process and timescales

The process for reviewing an EHCP can be broken down into the following stages:

- The local authority provides the school/setting with a list of review meetings due each term, at least **2 weeks** before the start of each term
- The school/setting gathers updated advice and views from the child or young person, their parent carers, any relevant professionals involved, including health services, social care and the Educational Psychology service, **10 weeks** before the review meeting is scheduled to take place
- The educational setting organises the review meeting and circulates invitations, along with all evidence gathered to all relevant parties, at least **2 weeks** before the review meeting
- The annual review meeting takes place
- The educational setting circulates the final report from the meeting to all relevant parties including the local authority, no later **than 2 weeks** after the review meeting.
- The local authority makes a decision and notifies the parent carer and the child or young person, and the school/setting of the decision, and the proposed amendments within **4 weeks** of the review meeting.
- If the decision is made to amend the EHCP, a final EHCP must be issued within **8 weeks** of the decision notification.





**2 weeks** before  
the start of  
each term

Local authority provides  
the school/setting with a  
list of review meetings due  
each term

**10 weeks** before  
the review  
meeting

School/setting gathers  
updated advice/views from  
the child/young person,  
parents/carers, any relevant  
professionals involved

**2 weeks** before  
the review  
meeting

School/setting organises  
review meeting and  
circulates invitations and  
all evidence gathered to  
all relevant parties

## Annual Review Meeting takes place

**2 weeks** after  
the review  
meeting

Meeting organiser  
completes a report of the  
meeting & sends it to the  
local authority alongside  
advice, evidence, and  
relevant information  
(Annual Review  
Paperwork).

**4 weeks** after  
the review  
meeting

Local authority decision  
made, notifies parent/carer,  
child/young person, school/  
setting, of decision and  
proposed amendments

**8 weeks** of  
decision  
notification

If decision was made to  
amend, final amended  
EHCP must be issued

## Reviews for Early Years

The SEND Code of Practice recommends annual reviews for children in early years should be conducted at least every 6 months to accommodate rapid developmental changes in young children. Hertfordshire County Council commit to reviewing an EHC plan for children under the age of five at least every six months to ensure that the provision continues to be appropriate. These reviews may be streamlined and not necessarily require the attendance of the full range of professionals, dependent on the needs of the child. The child's parent/carer must be fully consulted on any proposed changes to the EHC plan and made aware of their right to appeal to the Tribunal.



## Annual Reviews for Year 9+

Reviews taking place from Year 9 at the latest and onwards must include a focus on preparing for adulthood, including employment, independent living and participation in society. The annual review process should be person-centred, involving the young person and their family in discussions about their aspirations and support needed to achieve their goals.

Key elements to these annual reviews should include:

1. Early Planning - Starting discussions about future goals and support needs early, ideally before Year 9.
2. Person-centred approach - Ensuring the young person's views, wishes, and feelings are central to the review process.
3. Transition planning - Focusing on the steps needed to support the young person's transition to adulthood, including education, training, and independent living
4. Collaboration - Involving all relevant parties, including educators, health professionals, and social care providers, to ensure a comprehensive support plan
5. Outcomes-focused - Setting clear, ambitious outcomes that align with the young person's aspirations and abilities

Annual review meetings taking place in Year 9 should have a particular focus on considering options and choices for the next phase of education. Where appropriate, the review meeting organiser should invite representatives of post-16 institutions to these annual review meetings, particularly where the young person has expressed a desire to attend a particular institution.

Transition planning must be built into the EHC plan and, where relevant, should include effective planning for young people moving from children to adult care and health services.

There should be:

- Structured careers advisory session(s) prior to the annual review meeting and an action plan produced from this should form part of the discussion.
- Transition planning to new settings where appropriate.
- Focus on the preparing for adulthood areas: Further/Higher Education and/or Employment, Independence and Independent living, Community Inclusion and Friendships, and Maintaining Good Health.

\*In specific circumstances, such as where a young person has a life-limiting condition it may however not be appropriate to use the Preparing for Adulthood headings. Therefore, in circumstances where, following discussion and collaboration with the family, a professional such as a Teacher believes it is not appropriate to use Preparing for Adulthood headings, then they will write their annual review paperwork using the 4 areas of need headings. These are:

1. Cognition and Learning
2. Communication and Interaction
3. Social Emotional and Mental Health
4. Sensory and/or Physical Needs

Importantly, the professional must however provide a rationale in their report to explain why they have chosen to use these headings as opposed to the Preparing for Adulthood headings and make it clear that this has been with the agreement of the family; always ensuring a person-centred and collaborative approach.



# Phase Transfers

If the child or young person is starting school for the first time, moving from a nursery/pre-school setting to primary school, from an infants only school to a junior school, from primary to secondary school or going to college, this is known as a 'Phase Transfer', as the child or young person is moving on to the next phase of their education. The EHCP must be reviewed and amended on an altered timescale in these circumstances.

An EHC plan must be reviewed and amended in sufficient time prior to a child or young person moving between key phases of education, to allow for planning for and, where necessary, commissioning of support and provision at the new institution.

## **Phase Transfers include**

- Early year's provider to Primary/Infant school
- Infant to junior school
- Primary to secondary school
- Secondary school onto post-16 or 19 provision

The full annual review process must be completed by the Local Authority before the 15th of February in the calendar year of the child's transfer.

For a young person moving from secondary school to a Post 16, Post 19 setting or an apprenticeship, the full annual review process must be completed by the Local Authority before the 31st of March in the calendar year of the transfer to the setting (CoP 9.180) As children approach the transition point, schools and colleges should help children and their families with more detailed planning.

It is good practice, prior to each change of phase of education, for the current school or setting to engage with the next school or setting to help plan and prepare for a successful transition, by inviting them to attend the annual review meeting, and by sharing information with the school or setting that the child or young person is moving to. The outcomes considered as part of the review meeting should include those needed to make successful transitions between phases of education and to prepare for adult life, therefore outcomes should reflect the child or young person's ambitions.

All annual reviews from Year 9 onwards must include a focus on preparing for adulthood, including employment, independent living community inclusion, and health, with a particular focus on considering options and choices for the next phase of education.

The current school/setting may invite the child or young person's next preferred school, to review and discuss outcomes and provision to ensure the receiving setting are able to offer the provision detailed in the EHCP or consider how it would be delivered differently from the setting which the child or young person currently attends. There may be a transition plan developed alongside the EHCP to support the child or young person's transition into their new phase of education.

Key discussion points at Phase Transfer may vary depending on the current and next phase but could include: transition visits involving the child or young person visiting their new setting and staff from the new setting visiting the child or young person in their current setting to build relationships pre-transition, in-person/virtual tours of the new environment, explaining to parent carers how provision can look different in different environments and making sure outcomes have a clear preparation for adulthood focus which a college environment could provide and that historical information has been removed where no longer appropriate.

### **Key dates for Transfer Reviews**

For those who have a deadline of 15th of February, it is best practice to conduct the transfer review (annual review with a focus on transition) during the previous summer term, e.g. a child due to start year 7 in September 2026, should have their transfer review between April and July 2025, while still in year 5.

For those who have a deadline of 31st of March, it is best practice to conduct the transfer review (annual review with a focus on transition) during the late summer/early autumn term, e.g. a young person due to start college in September 2026, should have their transfer review between June and October 2025, while in year 12/13.

# Requesting an early Annual Review

A parent, carer or the education setting can ask for an early review if:

- A child or young person's special educational needs change significantly and the description in the EHC plan is no longer accurate
- The provision in the child or young person's EHC plan no longer meets their needs
- The child or young person has been excluded or is at risk of exclusion from school/education setting
- There is a problem, and it seems the school/setting may not be meeting the child or young person's needs.

It is important to consider a request for an earlier annual review carefully, to determine whether there has been a significant change as outlined in the above bullet points. There are alternative methods which could be explored to resolve the query, for example, could it be resolved through an information review or within the graduated approach. It is important to note, annual reviews must take place at least annually, when holding an annual review earlier than when it is due, this changes the next meeting date to within 12 months' time.

A parent carer can ask their child/young person's setting for a meeting at any time. They do not have to wait until the annual review to talk about things like:

- how the school/setting is implementing the EHC plan
- any concerns about the child/young person's progress

The school/setting should contact the parent carer and local authority if they think the child/young person's EHCP requires reviewing.

- Although the annual review process is described in the Children and Families Act and the SEND Code of Practice, the actual format of the meeting may differ from setting to setting but should cover the key principles of a person-centred review.

# Person-Centered Approach

A person-centred approach to conducting any meeting puts the child or young person and their parent/carers at the heart of the process within the school or setting rather than it being service led. It is essential that a child or young person is part of the process and is invited to participate in any meeting or annual review meeting. Participants may be encouraged to give their views in a less formal way for example, each member of the review could be asked what they like and admire about the child or young person.

At the heart of ensuring that we are person-centred, we need to remember that an EHCP is about and for a child or young person, and so they should know and be involved in deciding and having purposeful opportunities to feedback on what they are working towards, their feelings, aspirations, and progress. Including the child or young person should be meaningful and a focused point to the meeting rather than a 'tick-box' exercise.

Making sure that everyone is truly considering the experiences of the person, their family and those supporting them when reviewing how well things are going.

Creating an environment where people are made to feel comfortable in expressing themselves honestly.

Giving everyone the opportunity to acknowledge and celebrate what is working and not working so well. This results in jointly agreed outcomes.



## Before the Annual Review

In Hertfordshire, a list of children and young people of statutory school age who require an annual review, is shared at the beginning of the academic year with education settings. Lists are also shared each term indicating when a child or young person's EHCP is due for an annual review within the term. This is to enable schools and settings to plan accordingly for annual reviews throughout the academic year. Schools may decide to provisionally set dates for the whole year, or termly. Timely organisation for annual reviews really is the key to ensuring all are held at the right time. It may be useful, as early as possible and no later than the beginning of each term, to book a date/time/location for annual reviews (at the setting/other space/virtual).

Schools/settings should ensure to set short term targets throughout the academic year (alongside the child or young person and their parent carers). These should be regularly reviewed by the education setting (termly as a minimum) and should help the child or young person to progress towards the outcomes identified in the EHCP.

The EHCP is about a child or young person, and them being at the centre of knowing and giving feedback on their targets and outcomes through the year as part of the graduated approach, is best practice. Before the annual review, this may involve asking the child or young person how they want to attend/be represented at the annual review meeting. The child/young person may for example not want to attend but write/record/draw information to be shared instead, or they may wish to attend with the support of an advocate/peer.. It is important to ask the child/young person where they would feel most comfortable, e.g. in a specific room within school/outside. In addition, it is important to ask it the parent carer how they would like to attend or be supported in the annual review meeting.

The child or young person **must** be given enough time to complete the 'This is Me' form, with a trusted adult where they are not able to complete this independently. The form may need to be completed in smaller chunks, where required. If the child or young person is attending the annual review meeting, it is important to ensure they have the questions they will be asked in advance so that they can think and prepare what they might want to say or share. It would also be beneficial to allocate time with the parent/carers to ascertain their views and look through the plan prior to the meeting.

The Code of Practice specifies that all attendees must be given at least two weeks' notice of the planned date of the Annual Review meeting, ideally more if possible. All reports/advice gathered must be circulated to relevant parties at least two weeks prior to the meeting.

Schools and settings **must** seek advice and information about the child or young person from all those invited to the annual review meeting, and any relevant parties in advance of the meeting. With this request for advice or information, it is vital to include the most recent 'This is Me' and the parent carer 'This is My Child' (where consent to share has been ascertained). This will support to inform high-quality advice-giving, ensuring a person-centred approach and a focus on the child or young person's views/needs/aspirations.

In Hertfordshire, we ask schools/settings to request relevant advice **at least 10 weeks before** the planned Annual Review meeting date to ensure advice-givers have sufficient time to complete and return information, and for it to be circulated to all parties in advance of the meeting taking place. It is important to be clear, when requesting this advice, to state the date that it needs to be returned by, i.e. 3 weeks prior to the annual review date. It is a statutory requirement to circulate all documentation at least 2 weeks in advance of the meeting. This enables all attendees to consider the information and advice in advance of the meeting.

'Relevant' refers to seeking advice only from those with involvement with the child or young person at that time. This is also a good opportunity to clarify if a child or young person has been discharged from a service, if the setting has not already been notified of this. Relevant parties include the Local Authority (LA). The LA must be invited to the annual review; to inform the LA that the annual review is taking place. Please note that this does not necessarily mean that the LA are required to attend the meeting.

## Requesting advice from Social Care

Prior to seeking advice, if there is no current social care involvement, education settings need to triage to determine if social care advice is needed. This could involve checking with the Designated Safeguarding Lead (DSL) to make sure there have been no updates or changes to circumstances and checking with parents and carers directly. If there is no new involvement or intervention, and it is not felt intervention or referral is required, then this would need to be specified on the Annual Review form; if it is not specified it may be unclear that this has been checked, and this could result in incorrect/historical information in the EHCP.

If the child or young person is known to a social care service, then advice must be sought from the known contact (e.g. social worker)

However, if you are unsure, please contact the Customer Service Centre on 0300 123 4043 or contact 0-25 central (SLD/MLD schools) to enquire whether the child or young person is currently known to a social care team.

As mentioned above, giving sufficient time and notice to complete this step is important.

Any changes to Social Care sections of an EHCP (D/H1/H2) must be evidence-based. Educational settings should not add provision without Social Care input confirming it is appropriate.



## Requesting Advice from Health

Prior to seeking advice from health services, schools/settings need to determine which health services are involved; this is particularly important if the child/young person was previously awaiting an appointment (and that is stated within their EHCP) but could now have been seen by the service so more up to date advice is available. Good practice would be to check with the parent carer, the Class Teacher and/or SENCo and also reach out to any health services previously listed in current EHCP appendices. If the above shows that there is no new involvement, and/or reports have been received hence further advice is not required, then this would need to be clearly specified on the Annual Review form. If it is not specified, it may be unclear if all relevant information has been collated and could result in incorrect/historical information within the EHCP. Any new diagnoses added to the EHCP document must be evidenced by a health professional; this should be evidenced by a report or letter from the relevant practitioner and may need to be reviewed by an NHS provider if the diagnosis has been made privately.

If the child or young person is known to the service, advice must be sought through the specific contact details within previous reports (if known) or the general contact details. Health services will only be able to respond to advice requests for those who have had active or recent (since the last issued EHCP) involvement from the specified service. If a child or young person is not known to a health service but a need has now been identified, a referral should be made to relevant service by the setting/school/parent carer and/or GP as relevant.

All health services require at least 8 weeks' notice for advice for scheduled annual review meetings. Any change in recommendations or provision will have been discussed with parent carers prior to submission of advice. A discharge notification/ letter from the service can also be used as advice to inform an annual review. Changes in provision and/or discharge from the service must lead to the EHCP document being amended.

Any changes to health sections of an EHCP must be evidence-based. Educational settings should not add provision without health input confirming it is appropriate.

## Requesting Advice from Educational Psychology

A request for input from the Educational Psychology Service to inform an annual review will be considered on an individual basis by the Service. Decisions on whether input at annual review is required will be dependent on each child or young person's individual circumstances.

A request for change of provision does not require involvement from the Educational Psychology Service as it is expected that the education setting will provide robust evidence of a need for change of provision. Similarly, a request based on the child not having been seen by Educational Psychology for a long time would not be a sufficient reason for requesting Educational Psychology involvement for Annual Reviews.



# The role of the Local Authority at an Annual Review

In collaboration with other agencies and education settings, the following indicators have been identified that might require a conversation between an educational setting and the local authority about their attendance at an annual review meeting:

- Risk of permanent exclusion – where a child or young person has a history of suspensions or other equivalent sanctions, the attendance of a local authority representative may help in identifying and agreeing suitable next steps to try to reduce the likelihood of any incident(s) that could result in a permanent exclusion where services already working with the child or young person would find further input of value.
- Risk of placement breakdown – where a child or young person's placement stability is at risk and those supporting the child or young person feel that there is uncertainty about whether corrective measures will stabilise it, a local authority representative may help as part of the conversation with the child or young person, their family and other practitioners in identifying and agreeing a suitable next step. This may involve additional special educational provision or the agreement for a setting to prepare, as part of the review meeting paperwork, a submission for the provision panel.
- Phase Transfers where there is an identified risk of onward placement being uncertain or at high risk (in the year before their last, i.e. year 5, Year 10).

**It is important to note that decisions around funding, placement and suitability of placement cannot be made within an annual review meeting.** Some decisions may require submission and review by the Provision and Placement panel. Should you require information on these types of decisions, the LA can provide this in advance of the meeting, this would not necessarily be a reason for the local authority to attend the Annual Review meeting. SENCos can utilise their Keep in Touch (KIT) meetings to discuss upcoming reviews where attendance has been identified as potentially required.

# The Annual Review Meeting

The annual review meeting should be a collaborative, focused meeting, by which point, as previously mentioned in this guidance, you would have advice, information or attendance from relevant services/staff, information from the parent carer 'This is My Child' and the 'This is Me' from the child or young person to help shape the meeting and discussion. The annual review is a review of the information in the EHCP and should be specified as such.

The meeting should consist of:

- Welcome – introductions, particularly making sure the child or young person and parent carer know everyone in the room/on the meeting call and how the child or young person would like to be referred to (preferred name and pronouns)
- What we appreciate/value about the child/young person – start positively and by focusing straight away on the child or young person
- What are their aspirations for the future?
- What is important to the child/young person now?
- What are they good at and improving on (identified strengths)
- What do they find difficult/are the barriers to them (identified needs)
- What does good support look like for the child/young person?
- What skills have they developed or do they need to develop for preparation for adulthood (living independently, employment, community and friendships, health and well-being)
- [PfA-Outcomes-Framework.pdf \(ndti.org.uk\)](https://www.ndti.org.uk/PfA-Outcomes-Framework.pdf)
- Evaluation of progress towards current outcomes specified in their EHCP, with clear recording of how progress has been tracked
- Make sure everyone agrees that outcomes are appropriate and SMART
- If not, what new outcomes are required (what evidence supports these?)
- Do outcomes link to the child or young person's aspirations?
- What is working and not working from different perspectives around the room – use this when looking at provision, making changes to the provision where evidenced and required
- Agree an action plan, do any referrals need to be made? Do any further assessments need to be completed? Who will do this and when? Make sure everyone is aware of the agreed actions, next steps and what will happen next.

If the child or young person is attending part of the meeting (as they may express that they do not want to attend the meeting in its entirety), the meeting should start with the child or young person's contribution and their views and feelings.

The chair of the meeting should always ask the child or young person first (with questions they are prepared to answer), otherwise they may feel pressured to agree if others speak before them.

The chair should ensure the involvement of the child/young person is not tokenistic but instead they are the focus and centre of an Annual Review.

Having a large number of professionals in a room can potentially be intimidating or overwhelming, particularly if sat formally. Considering the layout and seating style of the room can help the child or young person feel more comfortable, as can reducing the number of professionals in the room whilst the child or young person is there. Feedback from some of our Hertfordshire 'experts by experience' was that often they were brought in as an 'add on' at the end of a meeting when decisions had already been made or asked for their input last. Having the child or young person in the meeting from the start makes them the focus and asking them for their views first keeps them at the forefront and as the main decision maker to then steer the rest of the meeting.



# Key checks at Annual Review

It is important to ensure the following has been discussed as part of the checks mentioned above. Any changes to an EHCP **must be informed by evidence**.

**Section A** – The aspirations and views of the child or young person and their parent carer must be reviewed to see if they remain the same. There is likely to be additional information to be included due to new experiences, interests or circumstances which may change the outcomes and provision in the plan. This information should have been gathered in advance of the meeting via the This is Me form. The focus should be on a positive and holistic approach.

**Section B** - New needs may have emerged or existing needs may have changed and are having an impact on other areas of the child or young person's life, or the parent/carers or child/young person may not feel their needs are described accurately or are a true representation of who they are. An example may be where a need has been described in the EHCP as a behaviour issue when the underlying reason behind the behaviour has now been identified as being due to a communication disorder or learning difficulty. It is important to ensure both strengths and needs have been included/updated. Historical information which is no longer relevant must be considered and removed where appropriate.

**Section C** – Any new diagnoses or changes to existing ones must be evidenced by a health professional. Health conditions included may have stabilised or improved. Alternatively, what had previously been reported, as a relatively stable health condition, may now be less so.

**Section D** – Changes of circumstances may have occurred or a more up to date information may have been provided to be included or referenced. The parent carer or child/young person may request an assessment of their social care needs; this should be considered, and a referral made where appropriate.

**Section E** – Long term outcomes are expected to last for two to three years but they must be reviewed to see if they remain relevant or require an update. In Hertfordshire we do not use the term 'short-term targets', we use 'Steps Towards'. These must also be reviewed and new 'steps towards' outlined if applicable. If no progress is happening, it is important to consider whether the long-term outcome is appropriate for the child or young person, whether it is SMART, and whether the provision/interventions in section F have been delivered and remain appropriate. It is also important to consider any other circumstances which may have impacted progress, e.g. any changes to the child or young person's health/home life.

**Section F** - There should be provision to match each need specified in section B. Perhaps some of the provision has not been as effective as expected or perhaps there is an alternative approach that could be considered that is more effective for the child or young person. Equally, if the EHCP is working and they are making progress towards their outcomes, the provision might need to change or reduce as the support they require lessens. It is important to check specificity and quantify provision where required.

**Section G** - Anything included here requires agreement by the Local Authority from the Clinical Commissioning Group (CCG). Any health provision, such as Speech and Language Therapy that educates or trains must be included in Section F.

**Section H1 & 2** – Any provision included here will depend on what needs, if any, have been included in Section D. It must be reviewed and may have changed since it was originally included.

**Section I** – If relevant the suitability of the education setting or placement may also be discussed. The parent carer/young person may want to ask for a different school/educational setting or type of school/educational setting if they believe it will provide a better match to their needs.

The process of requesting a special school place for a child or young person requires a lot of input from many different professionals, as well as parent carers and education settings, and requires careful consideration. It is not a decision which can be made during the annual review meeting, and the request would need to be presented to panel, for a multi-agency decision.

**Section J** - Any Personal Budget already in place should be reviewed particularly where provision has been amended. This is also an opportunity for a parent carer or child or young person to request a Personal Budget. Please note that a new request for a Personal Budget would have to be considered at panel and is not a decision which can be made during the annual review meeting.

For further information and guidance on how to request a Personal Budget, please access the link below:

[Managing your child's support - personal budgets](#)

**Section K** – In terms of advice, it is important to ensure that any advice received as part of the Annual Review process is recorded in this section, and shared with those in attendance, particularly the child or young person and parent carer and is sent to the Local Authority alongside the Annual Review paperwork.

EHCPs are not expected to require frequent changes and updates (CoP 9.193). When they do need amending (changing and updating), there should be supporting evidence to inform any changes.

Evidence plays a crucial role in the amendment process of an EHCP. It is essential to provide comprehensive, person-centred, holistic evidence to support the needs of the child or young person. This evidence is essential to ensure the EHCP accurately reflects the child's health, social and educational needs

## What might evidence look like?

| Section                              | Suggested changes                                                                                                                                                                                                             | Evidence from                                                                                                                   |
|--------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|
| A - Views, interests and aspirations | Is information still relevant? If not then what should they say?                                                                                                                                                              | Parent and young persons views.<br>This is Me<br>Updated information in AR form                                                 |
| B - Special Educational Needs        | Are strengths and needs accurate and articulated? If not what should change?<br>Do needs reflect current assessments (e.g. learning levels)?                                                                                  | School assessments, APDR, observations and reports<br>Involved services - updated reports, service discussions                  |
| C - Health needs                     | Are health diagnosis and needs included and accurate? Have they changed                                                                                                                                                       | Health reports and advice from health professionals                                                                             |
| D - Care needs                       | Are care needs included and accurate? Have they changed?                                                                                                                                                                      | Social care reports or advice from social care teams                                                                            |
| E - Outcomes                         | Are outcomes relevant? Are they SMART?<br>Are key areas covered?<br>The Annual Review meeting is the process to make suggested additions and changes to outcomes plus the time to set new interim targets for the coming year | Annual review meeting, support from involved services                                                                           |
| F - SEN Provision                    | Is all currently delivered provision in place that is required included in the plan?<br>Is there additional provision that has been identified?                                                                               | Provision map, APDR, observations and support from advisory services and other advice givers where provision educates or trains |
| G - Health provision                 | Is health provision in place or identified by health practitioners included in the plan?<br>Health provision that 'teaches and trains' is in Section F                                                                        | Health reports and advice from health professionals                                                                             |
| H1/H2 - Care provision               | Is care provision in place or identified and agreed by services included in the plan?                                                                                                                                         | Social care reports or advice from social care teams                                                                            |

This list is not exhaustive.

## Requesting a specialist setting

If a parent carer feels that their child's needs would be best met in a special school or setting, this should be clearly stated within the annual review documentation submitted to the local authority; the LA will then manage the request for a special school place and will gather evidence to support the request. The LA will arrange for the request to go to a panel and will process the consultations for the consideration of placement which occurs after.

For further information and guidance on the process of requesting a special school place, please see the links below:

[Requesting a special school place](#)

[Admissions and Exit Guidance to Specialist Provision](#)



## Provision and Placement panels

The SEND provision and placement panels are where the child or young person's proposed amended EHCP will be presented and discussed by panel members. The panel may recommend the type of provision it feels is most suitable for the child or young person.

Through the EHCP annual review process, the local authority will work with the parent/carer and school to gather all the information needed from different professionals. This includes evidence from professionals such as educational professionals, health professionals, educational psychologists, social workers etc. It is important that the evidence gathered is as detailed as possible to enable a panel to determine whether a special school place is needed.

The SEND provision and placement panels consider requests for: bespoke packages of education, specialist resource provision, special school places, independent and non-maintained school places, personal budgets, Education Otherwise Than in School (EOTIS) and any other request that may require a multi-agency discussion and recommendation.

Panel meetings are held every 2 weeks to discuss the requests, and take place in four different areas of the county, with a SEND panel manager who chairs the meeting in each area.

- North Herts and Stevenage; Delivering Special Provision Locally (DSPL) 1 and 2,
- East Herts, Broxbourne, Welwyn and Hatfield; DSPL 3,4 and 5,
- Hertsmere, Watford and Three Rivers; DSPL 6 and 9,
- St. Albans and Dacorum; DSPL 7 and 8.

A range of professional partners are invited to attend the panel to contribute to the decision-making process. Panel members include representation from special schools, mainstream schools, health, social care and education advisors.

The SEND provision and placement panel considers every request on an individual basis. The decisions they make are based on the evidence provided and in line with the SEND law and regulations.

When deciding, the provision panel consider all the evidence of the child or young person's strengths and needs which has been submitted to support the request. They will also consider responses from school consultations.

## After the Annual Review

Schools/settings must submit all paperwork following the Annual Review, in a timely manner. Settings **must** submit annual review paperwork within **2 weeks** of the annual review meeting being held.

The annual review paperwork must set out recommendations on any proposed amendments to the EHCP required, including details where views differ.

It is important that the documentation returned to the local authority includes reports and contributions from involved professionals, including from health and social care colleagues, particularly if the review is requesting any significant changes to the plan or if there is a request for a change of placement.

The Code of Practice states that the Local Authority must issue a decision about the EHCP within **4 weeks** of the date the Annual Review meeting takes place. For the Local Authority to do this, they are reliant on schools/settings submitting the completed paperwork and all supporting documents at the earliest opportunity.

The Local Authority must notify the parent carer and/or child or young person in writing within **4 weeks** of the Annual Review which of the following decisions they have made:

- To maintain the EHCP without changes
- To make amendments to the EHCP
- To cease the EHCP

### Decision to maintain the plan (no changes to be made)

When a local authority decides to maintain an EHCP following an annual review, it means that the current provisions and support outlined in the plan will continue without changes.

9.193 of the Code of Practice states that EHC plans are not expected to be amended on a very frequent basis. The outcome of most Annual Reviews should be a decision by the Local Authority to maintain the EHCP with no changes.

Where no amends have been made to a child or young person's EHCP, but the child or young person has given their updated views and aspirations, this will be acknowledged within the correspondence, thanking them for taking the time to complete and ensuring the child or young person knows that their contributions will be kept on record.

## **Decision to amend the EHCP**

When a Local Authority decides to amend an EHCP following an annual review, it means that significant changes have been identified that require updates to the plan. This decision is based on the child's evolving needs, progress, or changes in circumstances, such as a new school placement or updated health and social care requirements.

If the Local Authority (LA) decides that changes are required to the EHCP, it must send a copy of the existing plan and a copy of the proposed changes to the parent carer and/or child or young person, including any evidence to support the proposed changes, within 4 weeks of the decision letter. Parent carers and/or the child or young person have 15 calendar days to respond. The LA must issue the final amended plan within 8 weeks of the original decision letter. The date the amended EHCP is issued does not alter the next Annual Review date. Right of appeal must be issued with the final amended plan.

## **Decision to cease the EHCP**

When a local authority decides to cease maintaining an EHCP, it means that the plan will be formally ended, and the local authority will no longer be responsible for ensuring the special educational provision specified in the EHCP is made. This decision can only be made on two grounds: either the Local Authority is no longer responsible for the child or young person, or it is determined that the EHCP is no longer necessary to meet their needs.

If the LA decides to cease the EHCP, it must inform the parent carer and/or the child or young person of the proposal to cease the plan and consult with the parent carer and/or child or young person and the school/setting named in the EHCP and must notify the parent carer and/or child or young person of their right of appeal. Parent carers and/or the child or young person have 15 calendar days to respond to the initial decision letter and 2 months to appeal the final decision to cease to maintain the plan.

The following circumstances would warrant a decision to cease the EHCP:

- 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
- A child or young person no longer requires the special educational provision specified in the EHCP – this is a positive and means the child or young person has made sufficient progress, has been well supported by the provision in their plan to successfully achieve their outcomes.

The plan would usually be ceased at the end of the academic year.



# The Annual Review Cycle

| Timeframe                                                                                    | Outcome                                                                                                                                                               |
|----------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Throughout the year                                                                          | Information gathered throughout the year as part of the Assess – Plan – Do – Review to contribute to the Annual Review                                                |
| At least 2 weeks before start of term                                                        | The Local Authority provides educational settings with a list of review meetings due in the term                                                                      |
| In advance of Annual Review Meeting (at least 10 weeks)                                      | Education provider requests updated information from child or young person, family and involved services to inform review                                             |
| At least 2 weeks before Annual Review Meeting                                                | The meeting organiser issues Annual Review meeting invites and circulates reports to all parties                                                                      |
| <b>Annual Review Meeting takes place</b>                                                     |                                                                                                                                                                       |
| Within 2 weeks of the meeting                                                                | Meeting organiser completes a report of the meeting & sends it to the local authority alongside advice, evidence, and relevant information (Annual Review Paperwork). |
| Within 4 weeks of the meeting                                                                | The local authority notifies parents/ young people and education provider of the outcome of the Annual Review                                                         |
| A final amended EHC Plan must be issued 8 weeks after the amendment notice.                  | This then restarts the cycle and the Assess-Plan-Do-Review (graduated approach) starts again.                                                                         |
| Annual Review meeting to take place at least 12 months after the previous annual review date | This then ensures the continuation of the cycle and best practice in planning timeframes                                                                              |

## Useful links:

SMART in Herts [smart-in-herts](#)

Vision for Provision [the-vision-for-provision-in-herts](#)

Ordinarily Available Provision [Ordinarily available provision - Hertfordshire Grid for Learning](#)

Preparing for Adulthood <https://www.ndti.org.uk/assets/files/PfA-Outcomes-Framework.pdf>

The Children and Families Act (2014)

The Education Act 1996

The Equality Act 2010

The Special Educational Needs and Disability Regulations (2014)

The Special Educational Needs (Personal Budgets) Regulations (2014)

The SEND Code of Practice (2015)

SEND and alternative provision improvement plan: right support, right place, right time (March 2023)

[Understanding your education options in Hertfordshire](#)

[Special schools and special provision in Hertfordshire](#)

