



EHCP AND ANNUAL REVIEW POLICY

SEPTEMBER 2022

> 1. What is an Annual Review?

An Education Health and Care Plan(EHCP) requires a review at least every 12 months. The annual review is the meeting in which the plan is discussed and reviewed by the parent or carer and school. This is the opportunity to voice any concerns, propose amendments or ask questions.

> 2. When will the Annual Review take place?

At the beginning of each academic year, you will be made aware of when your child's Annual Review is scheduled to take place. The meeting will take place within 12 months of your last review. Some meetings may need to be scheduled earlier than expected if your child has a significant change in diagnosis or in the years which involve phase transfer discussions (Year 5 and Year 9).

The SEND Team will send an invite to a teams meeting. They will ensure that an invite is sent to all the necessary attendees: this may include other professionals (see Who attends the review). The meeting will be confirmed 2 weeks prior to the review date.

> 3. Who is involved in the Annual Review?

The Annual Review meeting is led by the school and is carried out on behalf of the local authority. Either the SENDCo and/or her team or an assistant head will chair the meeting. Parents and carers are required to attend the meeting to share their views of the EHCP. Your SEN Caseworker may be asked to attend the review. Case workers are invited to all meetings where phase transfers are discussed (Year 5, Year 9); they should also attend all reviews of looked after children.

The EHCP may also stipulate those other professionals such as Occupational Therapists, Speech and Language therapists or Educational Psychologists attend. The SEN department will ensure that all the required professionals are invited to attend.

> 4. What does the Annual Review process entail?

Before the review (6 weeks prior):

Parents/carers will be sent a copy of the EHCP to review and annotate ahead of the meeting. The parent/ carer should make notes directly on the document and cross out any parts they believe should be removed. This document should then be returned to school. We ask that this is returned at least 2 weeks prior to the meeting so that the necessary paperwork can be prepared.

The class teacher will also review the current EHCP and use the red and green indicators: red is used to indicate statements that are no longer relevant or accurate; green is used to indicate what could be added to the document or comments towards the progress of a particular target.

Teachers will look at the long-term targets set in the current EHCP and comment on their observations of progress towards these. Teachers may suggest alternative or more specific targets during this progress. These will be discussed during the annual review.

Other contributors (SaLT, OT, therapist) as required by the current EHCP will prepare any paperwork necessary for the annual review. The contributions expectations may differ for some therapies, it may mention that a therapist should make regular contributions. This could be through regular discussion and feedback from the class teacher, discussions with parents throughout the year or a short-written contribution. It may mention that a report be given, this means that the therapist is required to give a written report. This report will be included in the documentation sent out 2 weeks prior to the meeting.

**It is important to note that according to the SEN Code of Practice, EHCPs do not need to be changed or amended at each Annual Review meeting. All contributions and recommendations shared during the annual review process are sent to the LA where they are reviewed, and a decision is made as to what changes are included in the updated EHCP.*

Reports from external therapists:

Reports conducted by any therapists are independent and external to Merrywood. At the annual review, you will have the opportunity to talk through any reports and together with the school, update the EHCP with any recommendations.

Before the review (2 weeks prior):

The Parent/Carers will receive a copy of the paperwork for the annual review. This will include any written reports required by the current EHCP and the class teacher's annotations.

Before an annual review, the views and thoughts of the young person will be collected. This will happen at school and will be carried out by a trusted adult. The purpose of this is to include the child's voice in the process and allow them an opportunity to share how they are feeling; capture their views and share their wishes.

The SEND Team will confirm the meeting arrangements with all attendees.

> 5. At the Annual Review Meeting:

The SENDCo and/ her team or Assistant Head will chair the meeting. At Merrywood, meetings will follow the same structure

Part 1

Introductions - to ensure that everyone is aware of each other's role in the meeting as well as in the young person's life

Part 2

Teacher views - the class teacher will provide the attendees with a general update of how the child is doing in school

Parent views - the parent/carer will be asked to share their views on how the young person is getting on at school and at home.

Part 3

Discussion on amendments and changes - the SENDCo will then go through key sections of the EHCP, drawing attention to any proposed changes and opening these up for discussion. The SENDCo will make note of any points raised to capture in the follow up paperwork.

Phase transfer discussions - this only takes place in EHCP review where a phase transfer needs to be discussed. This will take place in Year 5 and again in Year 9. Here both parents/carers and the school will share their views on whether or not the school can meet the needs of the young person during their next phase of education.

The SEN Case officer will be in attendance to capture the views of both parties. If Merrywood is no longer the correct provision, the SEN Case officer will then start to consult with other schools. If Merrywood remains the correct provision, the Case Officer will then name Merrywood Education the school in the next phase of education.

It is important to note that if your child is in year 5 or 9, their annual review may take place earlier than expected. This is to ensure sufficient time for the LA to consider the phase transfer recommendations made by school and the requests from parents and carers.

> 6. After the annual review (2 weeks post)

Schools responsibility - The paperwork and viewpoints shared in the meeting will be captured in Local Authority specific documentation. This paperwork will then be submitted to the local authority within 2 weeks of the meeting date. A copy of the paperwork submitted will be sent to the parent/carer.

Local Authority - The LA will receive all the necessary paperwork from the school. All paperwork provided will be reviewed and the local authority will then make the decision as to whether to amend the EHCP; leave the EHCP unchanged or cease the EHCP.

**It is important to note that according to the SEN Code of Practice, EHCPs do not need to be changed or amended at each Annual Review meeting. All contributions and recommendations shared during the annual review process are sent to the LA where they are reviewed, and a decision is made as to what changes are included in the updated EHCP.*

> 7. After the annual review (within 4 weeks)

Within four weeks of the review meeting, the LA must make a decision about the recommendations in the review report and notify the parent/carer of this. The decision might be:

- To cease (end) the plan.
- To leave the plan as it is.
- To make amendments (changes) to the plan.

The LA's written decision concludes the review process.

Beginning of the academic year	6 weeks prior to meeting	2 weeks prior to meeting	Date of annual review	2 weeks post meeting	4 weeks post meeting	12 weeks post meeting
	→	→	→	→		
Set date for the AR, inform the LA, invite all attendees (teams). Parents to confirm time of AR to ensure LA are invited to attend if needed.	Parents/carers are sent a copy of the EHCP to annotate, meeting reminder for all attendees. Time confirmed.	All reports and annotated EHCPs are sent to parents/carers. Parents/carer sends in annotated EHCP.	Hold the annual review meeting.	Send completed annual review form and supporting documents to LA and all attendees.	Parent/carer to receive communication from LA to indicate if the EHCP will remain as is, be amended or cease.	Parent to receive updated EHCP from LA. *Please send a copy of this to school so that records can be updated.

> 8. What happens if the Local Authority decide to amend the EHCP?

If the local authority wants to make changes to the plan, they must send you an amendment notice. This sets out the changes it proposes to make and includes any evidence it is relying on to make this decision. You must be given 15 days to give your views on the proposed changes. If you want a change of school, you can express your preference at this point.

If the local authority goes ahead with the amendments, they must issue an amended EHCP within 8 weeks of the initial notification. This means that you should be sent an amended EHCP within 12 weeks of the meeting date.

> 9. When will the changes made to the EHCP come into effect at school?

Within 4 weeks of the annual review the parent/carer and school should be notified of the LA's decision. If amendments are to be made, the school will need to receive the draft EHCP in order to start to plan for these amendments. If there are significant changes to the EHCP, this may not be able to occur immediately and could take up to 12 weeks to come into effect. Merrywood will endeavour to make changes as soon as possible but is not required to do so until the final updated EHCP is completed by the LA.

Where changes are agreed mutually by both the parent and the school, these will be added to an agreed actions document. This could include a change to provision as a result of a professional recommendation. In this case, the school would then be able to start planning for these amendments and try to update the provision as soon as possible or where there is availability.

Some amendments may include recommendations which are above Merrywood Education's core offer. The school would then engage in a conversation with regards to additional funding. If this is not agreed by the LA, the school may not be able to provide the support required and this may need to be sourced externally. If the LA does not agree to additional funding, this can be challenged at tribunal.

> 10. Emergency Annual Reviews (EAR)

An Emergency Annual review can be called by the school or parent/carer at any point in the academic year. EARs are called if there is a significant change in diagnosis which may result in a change to the provision needed; where there is a concern by either the parent/carer or school as to whether school are able to meet need; where there is an application for additional funding in order to meet the needs of the child; and if the child is at risk of permanent exclusion.

If an EAR is requested, the SENDCo will notify the SEN Caseworker of the request and arrange a meeting. They will inform the caseworker of the reason for the EAR. The local authority should be in attendance at an emergency annual review as the result of the meeting will often need to reflect a change in the EHCP.

**It is important to note that the LA can refuse a request for an Emergency Annual Review. There is no right to appeal this decision and may require an additional request following further evidence.*

> 11. Requesting a formal assessment

At Merrywood, we do not carry out any formal assessments on our children. If you are wanting to request a formal assessment, this will need to be carried out through CAHMS or the local authority.

> 12. What is an IPP?

You may have heard the term IEP which stands for Individual Education Plan. This document was a requirement of the SEN Code of Practice but is no longer mentioned in the revised Code of Practice. However, at Merrywood, we see the value in setting regular targets to guide our children and help them to progress and achieve. As a school we send out IPP (Individual Pupil Pathways) documents three times a year: November, March and June.

The IPP documents detail the SMART targets set by teachers and the measures put in place to support these being achieved. The targets set are short term targets that can be achieved within a 12-week period. They are specific, measurable, achievable, relevant and timed. Targets are set by teachers and shared with parents/carers during parent day meetings and in the end of year report.

Date: September 2022

Date of review: September 2023



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