



# Guidance Notes

## Annual Review of an Education, Health & Care (EHC) Plan

### Background & Purpose

This document has been designed with stakeholders in the borough as guidance for carrying out an Annual Review of an EHC Plan in Enfield. It is intended as a helpful guide and we have simplified the Annual Review Meeting Record to make it more practical and efficient to use. The Annual Review Meeting Record has been split into two forms depending on the age of the Child or Young Person, one for EYFS to Key Stage 3 and one for Key Stage 4 and above.

Education, Health & Care (EHC) Plans are legal documents, that should be actively used to monitor progress towards the outcomes and longer-term aspirations of the children and young people they are written for. As a minimum, they must be reviewed every 12 months and should also consider whether the outcomes remain appropriate and if the identified provision to meet them is effective.

**It is really important to capture the views of the child and young person as well as those of the parent wherever possible.**

The form has been designed in such a way that it will lead the conversation of the meeting in a person-centred way by following a format of:

- What has worked well this year
- Progress towards outcomes, their appropriateness & any changes required
- Efficiency of the current provision & any changes needed
- If the needs are still accurately described

We suggest that settings pre-fill some sections of the form 4-5 weeks before the meeting and then circulate to the family, with a copy of the most recent EHC Plan to return their views and check the administrative information such as their contact details 2-3 weeks before meeting.

Settings can then circulate this pre-filled form, any new reports and data around attainment, attendance, evaluated and up-to-date Individual Education Plans (IEPs), incident logs and class teacher reports at least 2 weeks before the meeting.

Parents, young people and professionals currently working with them must be given a minimum of 2 weeks' notice of any review meeting. Although these people must be invited to attend, attendance is not compulsory.

## Timescales

The Annual Review date is the of the meeting, so **the next review must be held within 12 months of the last Annual Review meeting date.**

**At least 2 weeks before the meeting** invitations to attend the Annual Review must be sent to:

- Parent or young person
- EY provider, headteacher or principal
- Enfield SEN (education)
- Health care professional
- Enfield Social Care (if relevant)
- Any other individuals relevant to the review

**At least 2 weeks before the meeting** information and advice must be obtained from all those invited and circulated to all those invited. This information and advice should:

- Provide details about the child or young person's progress and their access to teaching and learning.
- Consider whether the current special educational provision is effective.
- Consider whether the current health and social care provision is effective.

**Within 2 weeks of the review meeting** the headteacher/principal (or Enfield Council SEN for those not in school) must send the Annual Review Meeting Record to all invitees setting out:

- Recommendations on any amendments to be made to the EHC plan.
- Any difference between those recommendations and the recommendations of others attending the meeting – this is important for parents to see easily.
- All the information and advice obtained about the child or young person.

**Within 4 weeks of the review meeting**, Enfield Council must decide whether to:

- Maintain the EHC plan in its current form or
- Amend the EHC plan or
- Cease to maintain the EHC plan

**Following notification of a decision to amend the EHC plan, Enfield SEN must without delay:**

- send a copy of the EHC plan to the parent or young person showing the proposed amendments and any evidence that supports the amendment
- inform the parent or young person of their rights to make representations about the content of the EHC plan and to request a particular school or institution
- give at least 15 calendar days for the parent or young person to comment and make representations on the proposed changes

Once the plan showing the proposed amendments has been issued, Enfield SEN must then:

- **issue the amended EHC plan as a final within 8 weeks**  
or
- notify the young person or parent within the same timescale of the decision not to make amendments

## Top tips for the meeting

- Consider where the meeting will take place to get the best outcome. Should it be held remotely, or in the setting? Is there a room that the CYP feels most comfortable in so that they can join?
- Enable parents and the child or young person to have their say – does the environment encourage them to do this? Is the layout set to facilitate positive conversations?
- Consider whether the space is big enough, does the IT work, is there room for flipcharts etc.
- Do parents and YP know how they can be supported? Have you signposted them to SENDIASS? Have you allowed them to bring a friend or supporter if necessary?

## Talking about what is working well

Part of the purpose of redesigning the Annual Review Meeting Record is to shape conversations with families, children and young people about what has been working well. An Annual Review should be a celebration of their achievements, even if there is a difficult message that might need to be delivered. Although it will differ from pupil to pupil, at different stages of their development, how much you discuss, talking about what is working well at the opening of the meeting helps the conversation to be both balanced, and allows all participants to feel that the meeting will be neutral. For ideas on what to cover in this section, you could discuss what they have liked to do in the setting over the last year, new things that have become important to them or activities they have chosen themselves as well as consolidation of any skills learned.

## Thinking about outcomes

Annual Reviews must focus on the child's progress towards achieving the outcomes specified in the EHC plan and whether outcomes remain appropriate. As they are planned to be worked upon over a period of time (which could be a key stage), they will not all be met at every annual review and as such, the CYP will continue to work towards them over a longer period. If outcomes have been met, please make suggestions for new outcomes (if required), on the EHC Plan as a tracked change.

**N.B.** Some pupils will have met outcomes and made appropriate progress as such that they will not require new outcomes where there is no longer need in that area.

## Preparing for Adulthood Outcomes

Outcomes should be linked to the Aspirations where possible and should focus on Preparing for Adulthood; Education & Employment, Friends, relationships and community involvement, Self-Help & Independence and Health & Wellbeing.

**PfA Outcomes across all ages:**

<https://www.preparingforadulthood.org.uk/SiteAssets/Downloads/yeded5wb636481748062535810.pdf>

**Outcome sandwich:**

<https://www.preparingforadulthood.org.uk/SiteAssets/Downloads/ezmykyzm636965383471707889.pdf>

## Significant Amendments

Significant amendments mean of a change of need following a formal diagnosis, significant change to presenting behaviours and therefore the provision needed to support those, or a change to an outcome at the end of a key stage or phase of education. In a small number of cases, recommendations of significant amendments may be requested to the outcomes or provision. Please highlight or use tracked changes on the CYPs EHCP and indicate which requests for amendments you have made on the virtual AR form. Any requests for amendments should always be supported by professional evidence. All such reports will need to be submitted alongside the AR form.

## Information sharing restrictions and Parental Responsibility

For children born in England or Wales, if the parents of a child are married when the child is born, or if they've jointly adopted a child, both have **parental responsibility**. A mother automatically has parental responsibility for her child from birth. A father usually has parental responsibility if he's either:

- married to the child's mother
- listed on the birth certificate (after a certain date, depending on which part of the UK the child was born in)

Both parents keep parental responsibility if they later divorce.

If a child is born outside of England or Wales and comes to live in the UK, parental responsibility depends on the UK country they're now living in.

Same-sex partners will both have parental responsibility if they were civil partners at the time of the treatment, e.g. donor insemination or fertility treatment.

More information is available here for anyone outside of those circumstances:

<https://www.gov.uk/parental-rights-responsibilities/who-has-parental-responsibility>

## The importance of Specificity and avoiding 'weasel words'

The Special Educational Needs and Disability Code of Practice: 0-25 years 2015 – 9.69 states that "Provision must be detailed and specific and should normally be quantified, for example, in terms of the type, hours and frequency of support and level of expertise". As a service, we have been working hard to ensure that all new plans meet this requirement and are amending existing plans at review. If you are able to identify provision that needs further specifying, you are welcome to flag some suggested changes to us for the review.

We are also actively discouraging the use of weasel words as they are unclear so please avoid using them. A weasel word, is an informal term for words and phrases aimed at creating an impression that something specific and meaningful has been said, when in fact only a vague or ambiguous claim has been communicated. Examples of weasel words are:

- Regular
- When necessary
- As advised
- May benefit from
- Access to
- Opportunities for

## Quality First Teaching and Special Educational Provision

All children and young people have an entitlement to high quality teaching that is carefully planned and takes account of prior learning. Lesson planning should be done by the class teacher, taking into account assessment feedback from everyone working with the CYP. This enables learning objectives to be specifically focused and differentiated appropriately. Teachers use assessment for learning within and between lessons to tailor their teaching to individual needs.

Quality First Teaching promotes Children & Young People to be motivated to achieve through high expectations, feel safe in their environment, develop independence & responsibility for their learning and develop resilience.

Quality first teaching is an expectation for all learners and ties in with the Graduated Approach; all learners should have access to universal support that should be high quality teaching.

- *'high quality teaching that is differentiated and personalised meet the individual needs of the majority of children and young people' (0-25 SEND Code of Practice 2015, section 1.24)*
- *'Special educational provision is underpinned by high quality teaching and is compromised by anything less.'* (0-25 SEND Code of Practice 2015, section 1.24)
- *'High quality teaching, differentiated for individual pupils, is the first step in responding to pupils who have or may have SEN. Additional intervention and support cannot compensate for a lack of good quality teaching.'* (0-25 SEND Code of Practice 2015, section 6.37)

Some learners will need targeted support which may be a mix of some direct interventions or SEN strategies and quality first teaching. They may even need support from external agencies at this point such as behaviour outreach teachers or SLT. A small number of learners will need specialist provision in addition to targeted support, which is when they would require an EHC Plan, however without high quality teaching, SEN provision wouldn't be as effective. Quality first teaching is embedded into the statutory framework for SEN learners. Section F should detail the special educational provision required for the child (0-25 SEND Code of Practice 2015, section 9.62). Special Educational Provision is that which is over and above, what is ordinarily available. You'll hear people reference it as "additional to or different from" which is from section 21 of the Children & Families Act.

As Quality First Teaching is part of the core curriculum for every child, it is not Special Educational Provision and therefore does not belong in Section F of an EHC Plan, because the curriculum should be differentiated and Quality First Teaching strategies should be in place for all learners. However, professionals are still likely to recommend QFT in their advice because as the framework says 'Additional intervention and support cannot compensate for a lack of good quality teaching' so they will want to be confident that settings understand the fundamental support that they need to put into place so in this instance, we do not include the Quality First Teaching (or Ordinarily Available Provision) in section F of the EHC Plan as the professional advice will remain an appendix to the EHCP.