

Author: Liesel Batterham, Education Rights Coordinator  
Organisation: The National Autistic Society  
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## **Education: Review of Education, Health and Care Plans - England**

### **Introduction**

The Children and Families Act 2014 introduces changes the arrangements for support that children and young people with special educational needs will receive at nursery, school and college. Statements of special educational needs will be replaced by Education, Health and Care Plans, referred to in this information simply as 'plans'. Like statements, plans need to be reviewed at least once a year. In this information we look at the review process.

### **What is the purpose of the review?**

The review is to make sure that at least once a year the parent and child meet with the local authority, the school and all the professionals involved in the child's education, health and care.

This is an opportunity to:

- Review progress made by the child
- Consider whether the provision in the plan is still needed
- Discuss any necessary changes to the plan

An early review may be called in certain circumstances, for example, if the child's needs have changed rapidly or they are at risk of being excluded.

A review is an important opportunity for the parent and child to share their views, and negotiate changes to the child's plan.

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## **What is the process of the Review?**

There are four steps to the review process:

1. Collection of information
2. Review Meeting
3. Head teacher's report of the meeting
4. Local authority reviews the plan

### **1. Collection of information**

The local authority (LA) must ensure that a meeting to review the child's plan takes place and can ask the school to arrange this on their behalf and provide a report of the meeting. Two weeks' notice must be given of the date of the meeting. The parent and any professional relevant to the child's plan must be invited. The school must seek advice and information about the child from all those invited to the review meeting and any information received should be circulated two weeks before the meeting takes place.

### **2. Annual Review Meeting**

The review meeting usually takes place at the school. It must focus on the child's progress towards achieving the outcomes set out in the plan. It should also consider any changes that might be needed to the outcomes, the way the child's needs are described, or to the provision set out in the plan. Parents should be given the opportunity to participate fully in the review meeting.

### **3. Head Teacher's report of the meeting**

Following the meeting, the school must prepare and send a report of the meeting to the LA and to everyone invited, within two weeks of the meeting date. The report must set out any changes that have been suggested, including where there may be a difference of opinion amongst those who attended the meeting about what those changes might be.

### **4. Local authority reviews the plan**

The actual review happens at the end of the process. The LA reviews the child's plan in light of the report. The LA must decide whether to keep the plan as it is, change the plan

or cease to maintain the plan. They must send the parent and the school their decision within four weeks of the review meeting.

If the LA decides to amend the plan, they must start the process straight away. The LA will send the parents a copy of the existing plan and a notice which sets out the proposed changes. Parents will have 15 days to respond to the proposed changes and can ask to meet with the LA to discuss them if desired. The LA must issue an amended final plan within eight weeks of sending the proposed changes and once the amended plan is issued, they must advise the parents of their right to appeal against the content of the plan to the First-tier Tribunal, SEN & Disability (SEND).

If the LA decides not to make any changes to the plan following a review, the parent will have the right to appeal to the First-tier Tribunal, SEN & Disability (SEND).

*Please also see the flowchart on Page 6*

## **How often must a review take place?**

A review of the child's plan must take place within 12 months of the date the plan was first issued or, the date of the previous review. *Note: The date of review is when the LA made a decision on the review, not the date of the review meeting.*

## **Parents have four opportunities in which to influence a review**

1. Once told by the school that a review meeting is to take place, the parent can write to the head teacher and LA to ask for any relevant person to be invited to attend the meeting and provide a report.
2. Parents should make sure they receive copies of reports from all those attending the meeting at least two weeks before the date of the meeting.
3. Before the meeting parents should make a list of ideas, requests and questions. See 'preparing for the review' below.
4. Once a parent receives a copy of the head teacher's review report (a copy will be sent to the LA as well) the parent can influence the LA's final decision by writing to them with their own comments.

## **Preparing for the review**

It's helpful to read through the child's plan before the meeting. Make sure that all the child's needs are accurately written in the plan and make a note of anything that is missing, no longer applies, or that needs greater or lesser emphasis. It's also a good idea to look at the special educational provision and health and social care provision set

out in the plan. Is there provision to meet all of the child's needs? Make a note of anything that is missing.

The review is a good opportunity to make sure that the plan sets out clearly what support the child will receive. The provision should be specific and quantified. Make a note of anything that needs to be clarified. The notes made can be shared at the meeting either in writing or verbally. The head teacher's review report after the meeting should accurately reflect the views of the meeting. If they haven't, parents can write to their LA separately, as in point 4 above.

## **Reviews during phase transfers**

A transfer between phases of education means a transfer from:

- Early years education to school
- Infant school to junior school
- Primary school to middle school
- Primary school to secondary school
- Middle school to secondary school

If the child is within 12 months of a transfer between school phases, the LA must review and, if necessary amend, the plan before the 15 February in the calendar year of their transfer. The amended plan should name the school that the child will attend following that transfer.

If the young person is moving from secondary school to a post-16 educational setting, the review must be completed by 31 March in the calendar year of transfer.

When the plan is amended to name a school, the parent will be given the right to appeal to the First Tier Special Educational Needs and Disability (SEND) Tribunal if they disagree.

## **Preparing for adulthood reviews**

Review meetings taking place in Year 9 should have a focus on considering options and choices for the next phase of education. All reviews taking place from Year 9 onwards must include a focus on preparing for adulthood, including looking at the child's future employment, independent living and participation in society. This transition planning must be built into the child's plan. It is particularly important in these reviews to seek

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and to record the child's views, wishes and feelings. The school should invite representatives of post-16 provision to these review meetings, particularly if the child has expressed a desire to attend one in particular.

## **Final year reviews**

A plan should be reviewed prior to the final exit from formal education or training. The plan should set out what will be happening as part of the transition to adulthood. There should be clear responsibilities with timescales so that the young person will know what will happen when their EHC plan ceases.

## **Further help**

You can also find a wealth of information on our website: [www.autism.org.uk](http://www.autism.org.uk)

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