



Education Health
and Care Plan (EHCP)
Annual Review:

**Checklist for Parents
and Carers of Children
with SEN**

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Annual Review: What you Need to Know

Your child has an Education Health and Care Plan (EHCP), but is it providing all the support they need?

Once your child has an EHCP in place, the local authority (LA) must by law carry out an annual review to look at whether any changes are required to it.

It is vital that parents, carers and young people understand what an EHCP should contain to prepare for an annual review.

What is an EHCP?

This is a legal document that sets out:

- A child or young person's special educational, health and social care needs
- The additional or specialist provision to meet their needs
- The outcomes that the extra support should help them to achieve
- The nursery, school or college they will attend

When is an annual review held?

The first annual review must be completed within 12 months of the date when the EHCP was issued.

Annual reviews must then be completed within 12 months of the last review for a child over five years. For under-fives, the EHCP must be reviewed at least every three to six months.

If the annual review process is not followed, a parent, carer or young person (16-25) can make a complaint to the local authority or pursue judicial review.

Please remember that while an EHCP must be reviewed annually, you can request a review at any time if you have concerns about your child's progress, the support being provided, or their nursery, school or college placement.

Annual Review Checklist: Before The Meeting

Step 1: Invitation

Timeline:

At least 2 weeks before the meeting

What to expect:

You should receive an invitation to attend the annual review.

Invitations will also be sent to the head of the nursery, school or college and other relevant representatives, such as the LA's education and social care officers, and a healthcare professional. Please note that, while they must be invited, attendance is not compulsory.

Tip:

If you have received less than two weeks' notice, you could ask the LA to postpone the meeting.

Step 2: Information

Timeline:

At least 2 weeks before the meeting

What to expect:

All persons invited to the annual review meeting (including you) will be asked to provide relevant information and advice relating to your child's progress and their access to learning, which should be circulated to all those invited.

The information is crucial as it will likely help you decide what suggested changes to the EHCP (if any) you want to put forward.

Tip:

If you have not received this information at least two weeks before the review meeting, ask for it to be rescheduled. This stage is one of the most often overlooked or not followed properly, but is crucial.

Step 3: Prepare

Timeline:

ASAP

What to expect:

It is really important to prepare as well as you can. You might think only a few tweaks are needed to your child's EHCP, or maybe you want a completely new school for them.

Whichever is the case, you want to make sure that everything is covered, so make notes and set out what should change – but give yourself plenty of time to do this.

Tip:

You could ask a supportive relative or friend to go with you to a review meeting. You might want a solicitor to attend with you or an organisation – like the Information, Advice and Support Services (IASS) who may also be able to send someone to help you.

Annual Review Checklist: After the Meeting

Step 1: Recommendations

Timeline:

Within 2 weeks of the meeting

What to expect:

The LA should provide all invitees a written report setting out:

- Any recommendations on how the EHCP should be amended
- How they differ from ones suggested at the review meeting
- All the information and advice been obtained about the child or young person

Tip:

Let the LA know as soon as possible if you think any mistakes have been made or if any information is missing.

Step 2: Decision

Timeline:

Within 4 weeks of the meeting

What to expect:

The LA must by law decide and inform you whether it will:

- Keep the EHCP as it is
- Amend it
- Cancel it ('cease to maintain')

Tip:

Make a note of the deadline – if the LA fails to issue its decision within four weeks of the review meeting, you can make a formal complaint or commence judicial review.

Annual Review Checklist: The Outcome

If the EHCP stays the same / the LA cancels it

What to expect:

The LA must give a parent, carer or young person:

- Notice of their right to appeal to a Special Educational Needs and Disability Tribunal (SENDIST) along with the relevant time limits
- Mediation information
- Information about disagreement resolution services and SEN advice

Tip:

If the LA has not given reasons for its decision (they usually do), ask for them.

If the EHCP is amended

What to expect:

The LA must give you:

- A copy of the amended plan and notice of proposed changes
- Evidence supporting those amendments
- The right to make representations about the plan content or proposed changes (at least 15 days)
- The right to request a named nursery, school or college (at least 15 days)

It must also:

- Make it clear that it is an amended plan
- Include the date it was amended, as well as the date of the original plan
- Append the review minutes, as well as other relevant information and advice

Tip:

If the LA have not agreed to all your changes and/or your chosen educational setting, you can appeal to the SEN Tribunal.

Remember:

If an LA fails to keep to the deadlines, it is in breach of the law, and you can make a formal complaint or commence judicial review.

Ready to get the support your child needs?

Our team is here to help.

[Email Thomas](#)

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