

Annual Reviews - COVID-19

Guidance for completing Annual Reviews of EHCPs during school closures

Ordinarily reviews are managed in line with statutory timeframes. EHCPs must be reviewed by the local authority as a minimum of every 12 months. It is an expectation that where the student attends a school that the school convene and hold the annual review on behalf of the local authority. Local authorities can request (but not require) that early years setting or further education or post 16 institution do so on its behalf.

The Law in relation to SEND as it stands is unchanged, the Coronavirus Act 2020 (CA20) has been enacted but any changes have not yet come into force.

Under the Act the Secretary State has the power to disapply the requirement to conduct an annual review of an EHCP but as yet this power has not been exercised.

Given the current situation a pragmatic view needs to be taken which balances the requirements to adhere to social distancing guidance, but also to comply with the requirements to use reasonable endeavour to comply with the Children and Families Act of 2014. We would recommend that where an annual review is due that schools discuss this with parents. Where parents would prefer to delay the review then schools should record this on the pupil's school record. Where parents are wanting the review to take place and this can be done remotely then this should take place. Where parents are requesting that other professionals attend it needs to be explained that this might not be possible due to other commitments of staff at the present time.

For reviews that must, or can take place, please consider the following:

- Speak to the parents to agree that the review can go ahead and arrange a date and means for holding the review. This could be via telephone call or video conferencing meeting if parents and school have the means to do so (where video calls are arranged, please ensure you follow your school's online safety and security protocols in order to do so safely)
- Ensure that any relevant documentation is sent to parents/carers a week or two prior to the review. If parents agree, this could be sent by email in line with your

data protection policy, but where necessary it should be posted home

- Include within the documentation both the parent/carer and pupil views and ask for these to be returned to you prior to the meeting if possible. If it is not possible for the parents/carers to return them to school prior to the meeting, please stress the importance that these are returned as soon as possible
- Ensure that you have all documentation and paperwork at hand ready for the phone/video call to take place in order to avoid unnecessary delays to the meeting
- Consider what needs to be discussed and make a list in preparation. When doing something in a different way it is easy to forget things
- Don't forget to review the EHC plan - there will be a temptation to focus on the current situation rather than the progress made towards the outcomes over the past year since the last review
- Remember to discuss possible short term targets. This will be more of a challenge than usual given that the learner may not be attending, or may be attending school but the format of school is very different. An agreement should be made with the family about what you all perceive to be the best course of action regarding short term targets at this current time
- Parents/carers may need some reassurances that once school resumes, the child's provision as set out in the EHCP will still be in place and in the meantime the school is making all reasonable endeavours to meet the child's needs

If there are professionals involved with the learner currently, it is advisable to make contact with them if possible and ask if they have anything they would like to or need to contribute to the review.

- If the child is a Looked After Child please ensure you liaise with the Independent Reviewing Officer to see if the review can still be aligned with the child's next Looked After Review
- If the child is open to a social worker please ensure you send an invitation to the named worker but also send a copy of the invitation to

socialcareannualreviewinvites@northumberland.gov.uk which will enable social care to track attendance at reviews and provision of review reports.

Any reports should always be shared with the parents/carers in advance of the meeting if they have not already received them. If you are conducting the meeting via video conferencing and the professional has the means and capacity to attend, please invite them to do so. Ideally, the review will take place within the usual timescales, despite the challenging circumstances. If the parents/carers have expressed concerns about the meeting taking place in this way and would prefer to wait until school recommences, please inform the SEN team that this is the case.

If you have any concerns, questions or queries please contact your EHCP Coordinator or Officer.