

DEEP DIVE ANNUAL REVIEWS

RBK SEND Partnership Board

JANUARY 2023



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Intention of session

1. To understand the Annual Review process
2. Identify the pressure points
3. Hear what partners are saying
4. Understand the data
5. Discussion - feedback from partners: schools and families
6. Suggesting solutions and activity planning
7. Questions

Annual Reviews: SEND Code of Practice

- *9.172 The local authority should provide a list of children and young people who will require a review of their EHC plan that term to all headteachers and principals of schools, colleges and other institutions attended by children or young people with EHC plans, at least two weeks before the start of each term... This will enable professionals to plan attendance at review meetings and/or provide advice or information about the child or young person where necessary. These lists should also indicate which reviews must be focused on transition and preparation for adulthood.*
- The SEND Service CA Team circulates AR schedules at the start of each academic year (this actually needs to be at the end of the preceding academic year)
- We anticipate that COs' prioritisation of/attendance at ARs will improve when they are allocated by schools

Annual Review Process

-8 Weeks

Education Setting
Notifies Family &
Involved
Professionals of
Annual Review Date

Education Setting
Invites Updates
from Family &
Involved
Professionals for
the Annual Review
Meeting

Professionals
Prepare & Submit
Updates to the
Education Setting

-2
Weeks

Education Setting
Circulates All
Updates to Family
& Professionals

Some circulate the
appendices & a
skeletal AR report
with the known
updates already
included at this
stage. This very
helpful approach
can focus the AR
meeting onto the
key issues, and
speed the
circulation of the
AR Report proper

0 Weeks
AR Meeting

Education Setting
Holds the Annual
Review

Education Setting
Prepares the
Annual Review
Report

Up-to +2
Weeks

Education Setting
Circulates the
Annual Review
Report To Family &
AfC SEND Service

Many education
settings tell us they
wait for the parents
to 'sign-off' the AR
report. This is not
necessary, nor a
statutory
requirement.
SENCOs should not
delay circulating AR
reports for this
reason

Up-to +4
Weeks

AfC notifies family
its intentions:

- Maintain
- Amend
- Cease

Case Law (March
2022) now requires
LAs to publish any
proposed
amendments to the
EHCP at this time.
In reality, all LAs are
finding this very
difficult to achieve

Annual Review Process: If Amending

Up-to +12
Weeks*

Up-to +14
Weeks

Up-to +16
Weeks

Up-to +18
Weeks

Up-to +20
Weeks

AfC prepares a
Draft Amended
EHCP

AfC Issues A Draft
Amended EHCP

Family Has 15
Calendar Days To
Comment On The
Draft Amended
EHCP &/Or Request
/ Make

Representations
(Education Setting
&/Or Personal
Budget)

AfC Considers
Family Comments /
Requests /
Representations (&
Prepares Personal
Budget If
Requested)

AfC Prepares A
Further Draft
Amended EHCP If
Needed

AfC Re-issues Draft
Amended EHCP

Family Has 15
Calendar Days

AfC Considers
Family Comments

AfC Consults With
Education Settings

Education Settings
Should Reply Within
15 Calendar Days

AfC Considers
Responses &
Applies Tests In
9.79 Of The SEND
Code of Practice

AfC Determines
The Content It Will
Include In The
Amended Final
EHCP, Including
The Education
Setting It Will Name

AfC Issues
Amended Final
EHCP

Next Annual
Review Meeting
Due **No Later
Than**** 12 Months
From The Date Of
The Previous
Annual Review
Meeting

The number of weeks taken are all 'up to' - where the process can be accelerated, it will be

Amending EHCPs

- Amending EHCPs is equivalent to a EHCNA or reassessment in scale of activity and length of time. Amending EHCPs outside of phase transfer really should be a genuine exception, but is becoming almost routine
- EHCPs should only be amended if there are **significant** changes to need and provision
- **Significant changes** are not well understood / agreed on e.g. while a diagnosis of, say, ASC may feel significant especially to the family, does it realistically change what professionals already knew about a child's presentation, needs or provision in the EHCP?

A Word About 'Early' Annual Reviews

- Per the legislation, AfC requires education settings to convene and hold Annual Review meetings no-later than 12 months from the date the EHCP was published, or the preceding Annual Review. AfC sets the AR schedule at +52 weeks
- Education settings or families may **request** AfC for permission to convene an earlier Annual Review, but there is **no such thing as an 'emergency' Annual Review**
- Early Annual Reviews should be used to support casework planning (e.g. phase transfer or reduce risk of exclusion). If agreed, the same pre-Annual Review work (in weeks -8 to week 0, accelerated as necessary) **must** be undertaken for the meeting to be considered an Annual Review
- At all other times, any early or emergency meeting should be considered to be an Education Planning Meeting, or Professionals' Meeting or another appropriate meeting title

AR Pressures: SENCOs' Feedback

Not enough capacity due to staffing and need to cover lessons - AR timeliness suffers

Parents' non-attendance & need to reschedule

Missing / waiting for SLT / OT update advice (X8)

Waiting on parents to sign-off the AR Report

Workload - no SENCO admin support - its all down to me

I'm a part-time SENCO, 2.5 days/week

Having to chase everyone - parents, COs, professionals

Parents suggesting (*demanding*) changes to the AR report

AR Report form is clumsy & repetitive

Staffing e.g. sickness & no cover

Unable to contact the CO - unsure which CO I should be contacting

Just too much form filling

AR Pressures: EHC Coordinators' Feedback

Incomplete AR Reports - I have to chase missing information from SENCOs, causing delays

ARs held at the end of term, then submitting AR report at the start of the next term, losing 2 more weeks.

Documents listed in AR1 not attached

Internal tracking & forecasting is not always updated. COs sometimes don't know an AR is scheduled

AR reports shared at the last possible minute (end of 2 weeks), leaving no flex in the remaining 2 weeks

Update advice/evidence missing e.g. health, EP etc. SENCOs not evidencing proposed amends

SENCOs sending AR reports to COs - they must go to CAs (the general SEND email address)

Difficult to clearly determine which AR is a 'priority' - increasingly, they all are!

Too many ARs recommending EHCP amendments

Too many recommendations for change of placement - there aren't any spare places in special

Missing Personal Budget reports or confusing advice about them

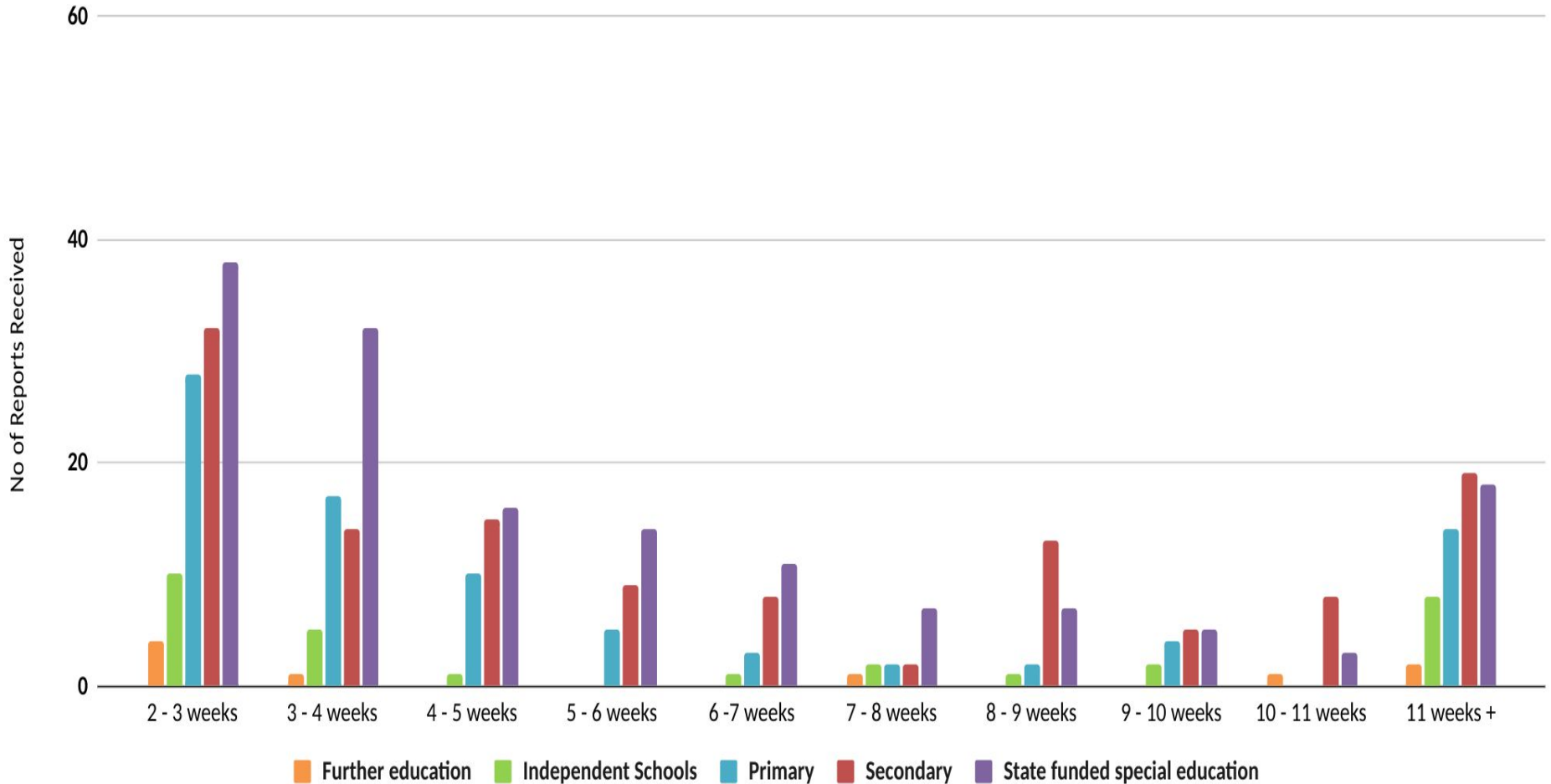
Poor quality of draft amended EHCPs getting stuck in QA loop

Annual Review data including phase transfer:

Kingston	Sep 21 - Aug 22			Sep 22 - Dec 22		
	On Time	Total	%	On Time	Total	%
Decisions Made Within 4 Weeks	630	1499	42%	147	459	32.03%
Amended EHC Plans issued within 8 Weeks of Draft Amended	603	689	88%	152	199	76.38%
Amended EHC Plans issued within 20 Weeks of Review Mtg	420	688	61%	59	199	29.65%

Kingston Annual Review Data January 2022 to December 2022

Kingston School Reports Received Late 2022



Type of Setting	Total Reports Received	Total Reports Received On Time		Total Reports Received Late		Average no of days it took to receive the report
Awaiting Provision	1	0	0.0%	1	100.0%	24.0
Educated Elsewhere (LA arranged)	9	5	55.6%	4	44.4%	24.3
Educated Elsewhere (Parent arrangement)	19	9	47.4%	10	52.6%	33.8
Further education	305	157	51.5%	148	48.5%	35.2
Independent Schools	261	127	48.7%	134	51.3%	28.3
NEET	53	33	62.3%	20	37.7%	22.9
Primary	589	364	61.8%	225	38.2%	22.1
PRU	8	6	75.0%	2	25.0%	39.3
Secondary	473	200	42.3%	273	57.7%	33.8
State funded special education	603	353	58.5%	250	41.5%	22.1
Unknown	148	75	50.7%	73	49.3%	30.9

Summary of the last quarter:

● What is the Data and analysis telling us:

- From 01/09/2022 - 31/12/2022 459 reviews took place. Only 147 reviews were received within 4 weeks of the meeting taking place (approx 32%)
- The average time it takes for a school/college to return an annual review is 79 days.
- There is significant variability and some provisions are better than others, and only take a few days to return their review, but they are still late.
- The statistics for issuing decisions has also improved and is currently standing around 56% for Kingston, compared with last year at 33% when excluding phase.
- The SEND team are responsible for about 8% of the late decisions, due to capacity/ performance etc.
- Independent Schools have a big impact on timeliness and we are working hard in developing and monitoring those contacts through SEND Commissioning.

Thoughts To Relieve Some Pressures

- COs and SENCOs pro-actively scheduling particular year groups' Annual Review meetings
- More thoughtful timing of EHCNAs including bringing forward
- COs & SENCOs agreeing priority ARs
- SENCOs requesting update advice in advance of ARs
- All SENCOs circulating skeletal AR Reports at the -2 weeks stage
- Redesigning and culling unnecessary parts of the AR Report template
- Fewer, higher-level and more holistic outcomes in EHCPs, and short-term targets appended to the EHCP (to monitor in ARs)

More careful & pro-active timing of ARs

Autumn Term

Priority Annual Reviews

Year groups other than those in the Summer Term

It may be necessary to bring forward an Annual Review to fit this window and create capacity in the Summer term

Spring Term

Priority Annual Reviews

Year groups other than those in the Summer Term

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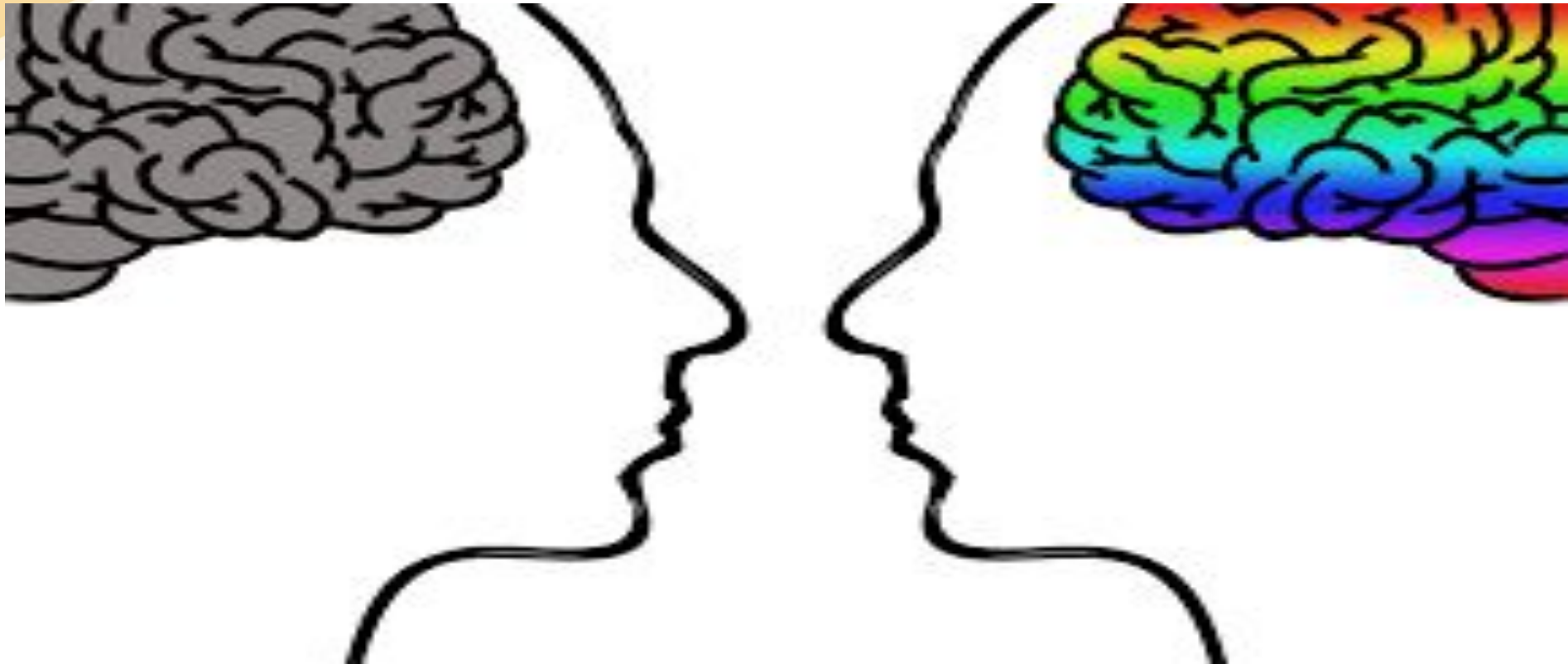
Summer Term

Priority Annual Reviews

Years 2, 5, 8, 10, 13 & 13+
to enable phase transfer activity in the following Autumn & Spring terms to complete by statutory dates

It may be necessary to bring forward the Annual Review to fit this window

Thoughts and reflections from School partners...





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