

TRANSFER OF STATEMENT TO EHCP

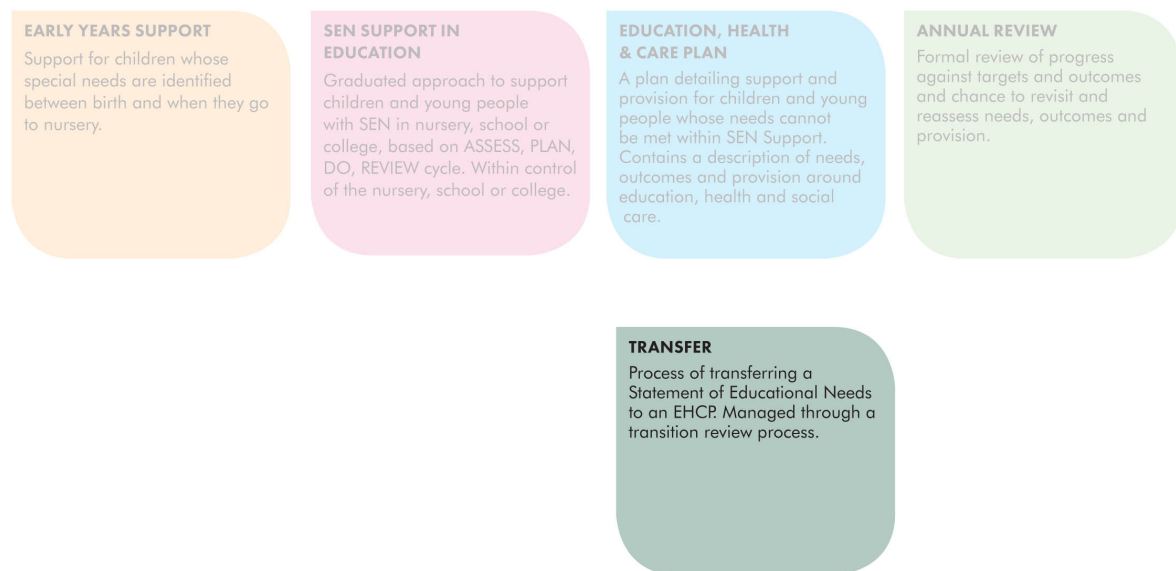
Children or young people with a statement of SEN

Since 1 September 2014 changes have been taking place for

- children with statements of special educational needs; and
- young people with learning difficulty assessments (LDA).

These children and young people will be going through a process referred to as 'transition' which involves changing from their statements and LDAs to education, health and care plans (EHCPs) within the new legal framework under the Children and Families Act 2014.

Completing the transition process is a duty on the local authority where the child or young person lives. The local authority must have completed this process for children with statements by 1 April 2018. For young people with LDAs the deadline is 1 September 2016.



Statements of SEN will remain in force until the transition to an EHCP has been completed, as will all the review arrangements. The legal framework supporting Statements will also continue to apply until all Statements have been transitioned to EHCPs.

If a young person has an LDA, they can request EHC needs assessment at any time. If the local authority does not agree with that request then the decision can be appealed to the SEND Tribunal.

In the case of a child with a statement, there is a timetable for the transition from statements to EHCPs. For details of the timetable, see below.

If your child has a statement you can ask the local authority to carry out the transition before their intended time but if they do not agree you cannot appeal against that decision. The right to request an EHC needs assessment has been suspended for children with statements for the transition period. You can however still ask for a re-assessment under the Education Act 1996 during the transition period, which you can appeal if refused. If the tribunal finds in your favour they may direct the local authority to undertake an EHC needs assessment.

Code of Practice xi: The legal test of when a child or young person requires an EHCP remains the same as that for a statement under the Education Act 1996. Therefore, it is expected that all those who have a statement and who would have continued to have one under the current system, will be transferred to an EHCP – no-one should lose their statement and not have it replaced with an EHCP simply because the system is changing.

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Kingston and Richmond councils' proposed transfer plan

Taking account of the phased transfer requirements, Achieving for Children (AfC) intends to carry out the transfer reviews in line with DfE guidance, but will also give careful consideration to other groups of children and young people where it appears in their best interest to be transferred to the new system. The initial plan for transferring children and young people to the new system will be undertaken in four main phases between 1 September 2014 and 31 March 2018 as follows.

AfC's detailed transfer plan is outlined below.

Phase number	To take place between	Year groups	Phase status
1	1 September 2014 and 31 August 2015	1, 5, 9, 11	Past
2	1 September 2015 and 31 August 2016	1, 5, 9, 11	Current
3	1 September 2016 and 31 August 2017	1, 5, 9,	Future
4	1 September 2017 and 31 March 2018	1, 5, 9,	Future

There may be variance to the proposed timetable based on individual circumstances.

School year group in 2015/16	Transfer date	Phase number	Phase status
1	1 September 2015 and 31 August 2016	2	Current
2	1 September 2014 and 31 August 2015	1	Past*
3	1 September 2017 and 31 March 2018	4	Future
4	1 September 2016 and 31 August 2017	3	Future
5	1 September 2015 and 31 August 2016	2	Current
6	1 September 2014 and 31 August 2015	1	Past*
7	1 September 2017 and 31 March 2018	4	future
8	1 September 2016 and 31 August 2017	3	Future
9	1 September 2015 and 31 August 2016	2	Current
10	1 September 2014 and 31 August 2015	1	Past*
11	1 September 2015 and 31 August 2016	2	Current
12	1 September 2014 and 31 August 2015	1	Past*
13	1 September 2015 and 31 August 2016	2	Current
14	1 September 2014 and 31 August 2015	1	Past*
15	1 September 2014 and 31 August 2015	1	Past*

*Please note the remaining children in Phase 1 whose statements did not transfer to an EHCP have been carried over to Phase 2

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Help for families and young people during the transition process

The process of transitioning to an EHCP can be daunting and complex and many families and young people find that they need support with the process.

There are a number of organisations that will help you fill in forms and give you guidance and advice. A good place to start is with your local independent supporters.

independentsupport@richmondaid.org.uk

Telephone: 020 8831 6076

or

RichmondKingston@kids.org.uk

Telephone: 020 8831 6179

For other organisations that can help you see the Local Offer or the "Who is Who in SEN" Section in this guide.

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Statutory process for transfer of statement of SEN to EHCP



**If The decision is not to issue EHCP (this is rare) Parents/young person will be notified by letter and given details of how to appeal. They will also be offered the chance to meet their EHCP Coordinator to discuss. The child or young person should continue to be supported through SEN Support.*

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Role of the lead professional

When and how to identify the lead professional

It is helpful for a lead professional to support the family or young person during the process of the transfer from statement to EHCP. Anyone can be a lead professional. It is important that it is someone the family trusts and who is available to take on the role. For children at school, the SENCo or another member of school staff may be the most obvious person as they may well know the child best, however each child is different and it could also be a speech and language therapist, a family member, or independent supporter – to name a few possibilities. It is worth noting that although a family may request that a professional take on the role of lead professional, that professional is not obliged to accept. Some feel that they do not have the time or expertise to be able to support the process in this way. In this case the family may consider asking someone else or managing the coordination on their own behalf. For families that do not have someone who can act as Lead Professional and do not feel able to manage the role themselves they are strongly recommended to seek support from the independent supporters or a voluntary sector organisation which has knowledge of the EHCP process. Some families or young people may decide that they do not want to nominate a lead professional at all (the role is optional).

Why have a lead professional?

The lead professional role is available for the entire lifetime of an EHCP, although who takes this role may change over time as the child grows and circumstances change.

The lead professional is a contact point for parents and families who will help ensure that the provision of services and support are joined up and that the input needed for an EHCP is coordinated. They can also act as advocates for the family or young person where there are concerns or issues around the process or the content of the plan.

The lead professional is a person who the parent, carer and/or young person feel comfortable working with and vice versa. They may have some professional or therapeutic expertise from which the family can learn as they navigate their path through SEND support.

It is helpful for the lead professional to know and understand the background of the family. This can be particularly helpful for the family in reducing the need to re-tell their story.

Following meetings, the lead professional is able to re-visit the discussion with the family and reassure them about agreed actions, rationale and next steps (as appropriate). They will raise concerns with relevant services as/if appropriate although they are not accountable for the actions of other professionals or services.

What does the lead professional do?

- Acts as a main point of contact for the child and the family
- Supports families in ensuring that all needs are properly identified and that suitable outcomes for the child or young person are included in the EHCP
- Keeps an overview of the case and be included in communication about what is happening
- Using their knowledge of the overall situation, helps to identify any concerns or issues
- Supports families in ensuring that agreed actions are carried out
- Hears concerns from parents and help to signpost them in terms of services or facilitate communication with others as needed
- Reduces overlap and inconsistency

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Transfer of statement of SEN to EHCP – Step-by-Step



After Step 5 process for issue of plan same as new EHCP

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1. Annual review meeting - the trigger for transferring

Every child with a statement of special educational needs has an annual review meeting. The annual review, the year before the child is due to transition, will be used as part of the evidence gathering to inform the EHC assessment. Professional advice will be requested. This advice should focus on the outcomes for the child or young person as well as their needs.

At the annual review meeting the child's needs, progress towards outcomes and provision will be discussed as usual. There will be a keen focus on discussing and agreeing appropriate outcomes, which will be included in the annual review paperwork. In most cases the statement will be transferred to an education, health and care plan. Additional details of the annual review meeting are provided in Chapter 7 of the Golden Binder – specifically under the section defining sample agendas for various types of annual review.

For some children or young people who are making good progress, a statement may no longer be necessary to support them, they may be able to access all the support that they need through the SEN support process. If this is the case it should be discussed and agreed at the annual review meeting. This constitutes a success for the child or young person, as well as the interventions provided and should be recognised at the meeting. This recommendation should then be submitted to the local authority (Achieving for Children), which will carefully consider it if they agree will confirm the decision to the family or young person in a formal letter. If a decision is taken to cease a statement, the statement remains in place until the appeal deadline. If the parents decide to appeal the decision, the statement remains in place until the end of the appeal. If a child or young person no longer has a statement, the school becomes responsible for putting in place a package of support, documented in an SEN support plan for the child (see section on SEN support).

For most children however, the higher level of support provided by the statement will need to remain in place, and the process of transitioning to an EHCP should be started. It is recommended that during the annual review meeting there is discussion about any changes of need, or whether further professional advice is required in order to determine the child's needs, provision and outcomes. The law allows for a full reassessment (request for updated advice) from professionals unless the parents, professionals and local authority all agree that the existing advice is sufficient. It should be documented as part of the review which professionals will be asked for new or updated advice and what the 'purpose for involvement is' for that professional. Once Achieving for Children receives the annual review paperwork from the school, they will start the process (this may not happen immediately).

Preparation for a transfer from statement to an EHCP

Often the information contained in a statement of educational needs is somewhat out of date – in particular with respect to the profile of the child and in some cases the professional guidance that is referred to in the statement and upon which it is based. The transition process allows for the local authority to seek professional advice, and it is obliged to do so if there is not sufficient information to make an EHCP. However, it is for each service to determine what that advice is. Paragraph 9.49 in the Code of Practice sets out the professionals whose input must be sought during a needs assessment, unless the family, professional and local authority all agree that the existing advice is sufficient to write a needs assessment.

There may, however, be additional professionals (such as specialist health professionals or voluntary sector therapy providers) whose input the family or young person may wish to have considered as part of the needs assessment. They are entitled to do this, the local authority must consider any reports that the parents submit as part of the needs assessment. Professionals not commissioned by AfC may not be subject to the same timeframes associated with seeking advice.. Therefore it is advisable to seek updated information ahead of the planned transfer review meeting, in accordance with the schedule.

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To ensure a good quality EHCP document it is worth the family, young person or school giving some thought to appropriate outcomes and to what should go in section A as early as possible after the annual review meeting. There is time during the transfer review process to give consideration to these, but parents may want start earlier to allow more time. Outcomes will be reviewed and discussed in detail at the assessment summary review meeting, once professionals have also had their opportunity to provide their recommendations for outcomes.

2a. Initiate transfer review

Once the local authority receives the annual review paperwork from the school they will consider the contents of the minutes from the review meeting and will make a decision whether to initiate an EHC assessment (in almost all cases) or propose to cease to maintain the statement. The EHC coordinator will make contact with the family in either of these outcomes.

If the decision is to proceed with a transfer review and EHC assessment the EHC coordinator will contact the family and/or young person to agree a date for a meeting, which will be the transfer review meeting. This may be via email or via a phone call.

At the same time, they will email a copy of the section A to the family or young person, with information on where to get help filling it in. If contact is made via a phone call they will explain what section A is all about and how to fill it in.

The family or young person should consider who they would like to nominate as their lead professional.

At this point the local authority will also send a formal letter, 'trigger letter' to the family or young person confirming that the transfer review process has started. This **must** be **at least** two weeks before the date of the transfer review meeting.

If the decision is to cease to maintain the statement the parents and young person, if over 16, will have the right to appeal the decision. The statement will remain in place until the end of any such appeal.

2b. Section A: Draft outcomes

Once the transfer review process has been initiated, it is strongly recommended that the family or young person organises a 'paperwork' meeting with the school to discuss section A of the form and also to discuss possible outcomes (section E), which should link clearly to the aspirations expressed in section A. If a lead professional other than the SENCo has been nominated, then it is advisable to include that lead professional in the meeting. More detailed guidance on filling in the form can be found under the section 'Detailed guidance on completing an EHCP form'.

One of the most difficult and important parts of the form to complete is section E on outcomes, which do not appear explicitly in a statement of SEN and will therefore need to be written during the transfer process. During the annual review process there is opportunity to think about the outcomes, which should be linked to the identified needs and provision and aspirations. These will be documented on the review form and will provide a base to further enhance. It is also worth noting professionals that provide their input will also suggest outcomes, based on the aspirations and goals in section A, and any draft outcomes submitted by the family or young person as well as their professional assessment of suitable outcomes for the child or young person. All the outcomes (along with needs and provision) will be reviewed by everyone at the assessment summary review meeting.

If a child is not in school or does not feel that the SENCo is the right person to support with defining outcomes then they can ask their lead professional to help them define some draft outcomes or they can complete section A and outcomes on their own.

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Defining outcomes

Defining effective outcomes is important as it provides clarity around what the child or young person is working towards in order to meet their aspirations. The outcomes in the final EHCP (if one is issued) will be finally agreed by everyone involved at the assessment summary review meeting but it is important that those involved in drafting input for the plan understands the importance of defining appropriate outcomes and how to write them. Below is a tool that helps when writing outcomes. More detailed can be found in the appendices.

How to write an outcome:

- **By (time period)**
- **X will have gained the (description of skill)**
- **so that they can (measureable impact /behavioural observation)**

Example:

Time Period	Description of the skill that will be gained	Description of what the pupil will be doing differently
By the end of Year 6...	...Malie will have gained understanding and use of spoken language skills...	...so that she can hold conversations with other children and adults, describing (in simple detail) things about her everyday life

What the Code of Practice Says about outcomes:

9.64 EHCPs must specify the outcomes sought for the child or young person in Section E. EHCPs should be focused on education and training, health and care outcomes that will enable children and young people to progress in their learning and, as they get older, to be well prepared for adulthood. EHCPs can also include wider outcomes such as positive social relationships and emotional resilience and stability. ...

9.65 Long-term aspirations are not outcomes in themselves – aspirations must be specified in Section A of the EHCP. A local authority cannot be held accountable for the aspirations of a child or young person. ...

9.66 An outcome can be defined as the benefit or difference made to an individual as a result of an intervention. It should be personal and not expressed from a service perspective; it should be something that those involved have control and influence over, and while it does not always have to be formal or accredited, it should be specific, measurable, achievable, realistic and time bound (SMART).

9.67 When agreeing outcomes, it is important to consider both what is important to the child or young person – what they themselves want to be able to achieve – and what is important for them as judged by others with the child or young person's best interests at heart...

9.68 Outcomes underpin and inform the detail of EHCPs. Outcomes will usually set out what needs to be achieved by the end of a phase or stage of education in order to enable the child or young person to progress successfully to the next phase or stage..... In all cases, EHCPs must specify the special educational provision required to meet each of the child or young person's special educational needs. The provision should enable the outcomes to be achieved.

9.69 The EHCP should also specify the arrangements for setting shorter term targets at the level of the school or other institution where the child or young person is placed...

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For young people, post-16, it is particularly important to draft clear outcomes to carefully plan for that young person's transition in to adulthood and the various pathways within them. Clear consideration has to be given for young people or their parents who wish to remain in education post-19 and what outcome they aim to achieve. For young people up to 25, an EHCP may be maintained under certain conditions if there are outcomes that have not been met and the young person requires more time to meet those outcomes (and continues to make progress towards them).

Conversely, if a young person is capable of, and wishes to work, AfC can offer support to help him or her to find a traineeship or apprenticeship in the local area. This can be stipulated in the EHCP.

3. Transfer review meeting

The transfer review meeting is an opportunity for the family or young person to discuss: the process of the transfer with their EHCP coordinator, the annual review report and advice within it, review the current statement, and to consider whether the advice already available is sufficient or whether further advice should be sought. In most cases there will be existing reports from professionals already involved with the child, which may be deemed sufficient for the purposes of the needs assessment so no new advice needs to be sought. However, if the family or young person or the professional deem that the information is not sufficient for the purpose of drafting an EHCP the local authority must request updated advice.

Code of Practice 9.47: The local authority should consider with the child's parent or the young person ... the range of advice required to enable a full EHC needs assessment to take place. The principle underpinning this is 'tell us once', avoiding the child's parent or the young person having to provide the same information multiple times. The child's parent or the young person should be supported to understand the range of assessments available so they can take an informed decision about whether existing advice is satisfactory. The local authority must not seek further advice if such advice has already been provided (for any purpose) and the person providing the advice, the local authority and the child's parent or the young person are all satisfied that it is sufficient for the assessment process. In making this decision, the local authority and the person providing the advice should ensure the advice remains current.

The Code of Practice (9.49) sets out advice that must be sought during a Needs Assessment (if parents, the local authority and professionals do not agree that existing advice is sufficient)

- The child's parent or the young person
- Educational advice from the head teacher or principal of the school or post-16 or other institution. If that is not available e.g. the child is not at school, the local authority must get advice from the person teaching them (which could include the parent) or someone with experience of teaching children or young people with SEN, or knowledge of SEN provision which may be called for in different cases to meet those needs
- Medical advice and information from a health care professional identified by the relevant commissioning body
- Psychological advice and information from an educational psychologist
- Advice and information in relation to social care
- Advice and information from any other person the local authority thinks is appropriate
- Where the child or young person is beyond year 9, advice and information in relation to provision to assist them in preparation for adulthood and independent living
- Advice and information from any person the child's parent or young person reasonably requests
- Advice from a specialist visual or hearing impairment professional if relevant

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At the transfer review meeting the family or young person has the opportunity to discuss and review section A and the draft outcomes, as potentially outlined in the annual review report, with the EHCP coordinator. Following the meeting the EHCP coordinator will send these, along with the request for an assessment, to all professionals who have been identified as needing to provide input.

Code of Practice 9.50: The local authority must give to those providing advice copies of any representations made by the child's parent or the young person, and any evidence submitted by or at the request of the child's parent or the young person.

Following the transfer review meeting the EHCP coordinator will ask that the school organise a meeting for the Assessment Summary Review where the Assessment Summary outcomes will be reviewed in detail.

Transfer review meeting – suggested agenda

Attendees: EHCP coordinator and family or young person. Lead professional if already nominated.

- Discussion of transfer review process and the main steps and timing
- Review of the annual review minutes and associated documents, current statement of SEN and existing reports
- Discussion of which professionals input is needed, whether the current advice is sufficient and whether further advice should be sought. Agreement on whether this advice will be requested by the local authority (for school, EP, community paediatrician, therapy, social care and other local authority input e.g. teacher of the deaf)
- Discussion of section A and outcomes, drafted by family or young person (with or without the help of school or a lead professional)
- Possible dates and timing of the transfer review follow-up meeting (where the draft EHCP will be reviewed in detail). This should be around seven to eight weeks after the transfer review meeting.
- Initial discussion around placement. Many children going through the transfer process will remain in their existing placement successfully – however the EHCP coordinator should discuss this with the family or young person and understand whether there are considerations to change of placement. (This is by no means a decision at this point).
- Personal budgets. The EHCP coordinator should make the family or young person aware that they may request a personal budget as part of the process if they choose, and should provide them with details of where to get more information and support

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4. Professional input

Professionals whose advice is sought following the transfer review meeting will have six weeks to provide their advice. It is for each professional agency to determine what their advice is.

If professionals receive a request for advice as part of a needs assessment they must provide it; it is not sufficient to say, 'not known to this service'. It is however possible that the advice provided by the service is 'does not meet our referral criteria' or 'our advice is that this child or young person does not need an assessment'. The request for advice from social services is particularly important for young people over 16, even if not previously known to social services.

Code of Practice 9.51: "The evidence and advice submitted by those providing it should be clear, accessible and specific. They should provide advice about outcomes relevant for the child or young person's age and phase of education and strategies for their achievement."

Professionals should provide their input in a format that makes clear the needs of the child, the recommended provision and the suggested outcomes. More detailed information on wording and

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phrases that are recommended or should be avoided can be found in the Section on detailed guidance on completing an EHCP.

The professional input will be used to populate sections B – H2 of the EHCP. More detailed notes on how these sections should be populated can be found in the section 'Detailed guidance on completing an EHCP form'.

AfC is responsible for requesting advice (when required) from services listed in Para 9.49 of the Code of Practice (see previous page). Families may also request or provide additional reports over and above those requested by the local authority. These may include reports from specialist health professionals (e.g. consultant surgeons or specialist paediatricians), private therapy providers or private educational psychologists. The local authority has a duty to review and consider all such information submitted by parents. The local authority may ask a professional from the local authority teams to review the information provided if they deem it necessary.

The EHCP coordinator will take all this input and the existing statement and use it to populate a draft of the EHCP template. Before the assessment summary review meeting they will review the draft with their supervisor to agree whether it looks likely that a plan will be issued, or whether in fact it looks as though the child's or young person's needs can be adequately met through SEN support, without issuing an EHCP. At this stage no decision is taken, however, it is helpful for the EHCP coordinator to have a sense of this before the review meeting, so that the possibility that an EHCP may not be needed can be explicitly considered at the review meeting. A final decision on whether to issue a plan or not will in any case only be taken after the review meeting, and will usually involve a review by the SEN panel.

5. Assessment summary review meeting

The EHC Coordinator will summarise the information from the reports collated during the assessment. They will produce an assessment summary, which will be sent to all relevant parties ahead of the pre-arranged assessment summary meeting. It is not an EHCP until it has been considered by the SEN Team and, or Panel and they have decided to issue a plan.

The SENCo is responsible for organising it and inviting the necessary participants to the assessment summary review meeting. If the parent is unable to attend or wishes a particular professional to attend they may ask the SENCo to reschedule the meeting.

If the child is not in school (or nursery or college) then the EHCP coordinator will organise the assessment summary review meeting.

At least five days prior to the meeting the EHCP coordinator should send out the draft EHCP document to all participants (including the parent or young person) if the EHCP coordinator is in receipt of the reports, so that everyone can review it in advance of the meeting.

Purpose of the meeting

The purpose of the meeting is to focus on sections E (Outcomes) and F (SEN provision) ensuring that needs, provision and outcomes are clearly linked, challenging and personalised to that child. Needs and provision should have been detailed in the written advice provided by professionals and should only need minor adjustment during the meeting. If substantial change is needed to sections B, C, D or F, G, H1, H2 then professionals may need to update their written advice so that their reports are consistent with the content of the assessment summary.

The meeting should ensure that there is a 'golden thread' running through the assessment summary, from aspirations (section A) through strengths and needs (Section B, C, D) to provision (Section F, G, H1 and H2) and outcomes. The meeting will primarily focus on identifying and agreeing the outcomes and making sure that they are specific, measurable, attainable, realistic and timely (SMART).

Outcomes are defined as 'the benefit or difference to be made to the child or young person as the result of the intervention' (provision). **Provision should be identified for each need specified** and should support the child or young person in reaching the defined outcomes. This should all be backed up by

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the professionals' reports. The EHCP coordinator will have numbered the needs, provision and proposed outcomes as part of the assessment summary to help show the linkage.

At the meeting

The SENCo should agree a chair for the meeting. Normally this would be the SENCo, however they may ask the EHCP coordinator or other professional to chair. The chair is responsible for ensuring that the meeting meets its objectives and for ensuring that the young person is engaged and parents feel comfortable in expressing their views. The EHCP coordinators will attend those meeting where a school, parent has required higher level of support and or complex areas arising throughout the process.

During the meeting it is helpful to have access to a laptop and interactive whiteboard so that updates to the assessment summary can be made and seen by all throughout the meeting.

Suggested assessment summary review meeting agenda

- Review of sSection A – in particular aspirations
- Review B, C and D – needs and strengths. Ensure that they represent a full list of the child's or young person's SEN. Major edits should not be required at this stage as these should be provided by the advice from professionals.
- Discussion of Section E – Outcomes. Draft outcomes should already be included based on the advice provided during the needs assessment and, or the initial meeting between parent and SENCo. It is important that these draft outcomes are discussed and agreed and that there is a clear "golden thread" running through Aspirations (Section A), Needs (Sections B, C and D), Provision (Sections F, G and H1 and H2) and Outcomes (Section E).
- Discussion of Provision specified in Sections F, G, H1 and H2. It is important the appropriate needs and provision are matched, for example attention difficulties that may relate to speech, language and communication needs are matched to communication rather than cognition provision. Provision should be specific, detailed and normally quantified.
- If the parent or young person wishes to request a personal budget it should be recorded in this meeting. Any request for a personal budget has to go to the SEN panel for agreement. Personalised budgets have to be used to meet the outcomes and provision identified in the EHC. More details on eligibility etc. can be found in the section 'Personal budgets.
- School preference. It is helpful to identify what the young person, parents and professionals thoughts are around the school placement. For children already in an educational setting there should be discussion around what is working well and perhaps not so well. In some cases considerations may be given to alternative provision. For children not yet in an educational establishment there should be discussion around what type of provision might be appropriate. This should be documented.
- Transport. Some children will be entitled to transport to schools (in line with the new Kingston and Richmond SEN Transport policy). This should be discussed at the assessment summary review meeting so that the parent or young person is aware of what transport options may be available.
- If the proposal from the meeting is to issue feedback, rather than an EHCP the SEN Panel will consider this and make a final decision following this meeting. If this happens parents or young people have a right to appeal.

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Follow up

Following the meeting the EHCP coordinator will update the assessment summary. If professionals who the local authority had sought advice from were not able to attend the meeting, they will circulate to them and ensure that any input has been collated, only in relation to outcomes, before finalising the assessment summary. At this stage the assessment summary should be ready to go to Panel so that the decision can be made whether or not to issue a plan.

From this point the steps are the same as for a new EHCP. Refer to that section for details of decision making, issue of plan, school placement, etc.

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Transfer of a statement to an EHCP - Who does what?

Educational setting's role

- Ensure that the annual review paperwork is submitted to the SEN team in a timely manner, paying particular attention to outcomes. Support the family or young person with completing section A of the EHCP and in defining some appropriate draft outcomes. Organise a meeting including the lead professional (if not the SENCo) to do this if appropriate.
- Signpost additional help and support to families and young people (e.g. SENDIASS, independent support, parent or carer forum - SEND Family Voices).
- Be prepared to act as Lead Professional (SENCo most likely to be asked) if asked to do so.
- Support the family and the SEN Team to ensure that all the professionals who need to provide input to the needs assessment are identified.
- Prepare any plans and documentation relating to the special needs of the child or young person from a school setting in particular based on the existing statement and provision as input to the draft EHCP.
- Schedule the assessment summary review meeting where the assessment summary will be reviewed. Be prepared to chair the meeting if asked.
- Attend the assessment summary review meeting and contribute at the meeting, in particular ensuring that all needs, provision and outcomes are documented.

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SEN Team role

- Initiate the transfer review process once it has been agreed to proceed with a transfer review.
- Ensure that all children in the year identified as going through the transition process are identified and are notified of their transfer review.
- Contact the family and/or young person following receipt of the annual review paperwork to arrange a suitable time for the transfer review meeting, or discussion about a decision to cease to maintain.
- Send the section A and outcomes sections to the family or young person so that they can complete in advance of the transfer review meeting.
- Schedule and attend the transfer review meeting, ensuring that the lead professional is invited (as well as the family or young person).
- At the transfer review meeting ensure that a complete list of the advice that is needed is identified, and whether any new advice will be sought an existing report is deemed sufficient. The views of the parent or young person in this are paramount.
- Ensure that advice to complete a needs assessment is requested from professionals unless there is agreement from parent, professional and local authority that the existing advice is sufficient.
- Request that the school schedule the assessment summary review meeting and invite all professionals that need to be involved.
- Create the assessment summary based on input from parent, child or young person (section A) and school and professionals (Sections B-H2).
- Chase up any input that has not been received.
- Prior to the assessment summary review meeting discuss with supervisor whether the evidence suggests that a plan will be issued. If it looks as if a plan may not be issued, set the agenda for the Transfer Review follow-up meeting accordingly.
- Attend, where applicable, the assessment summary review meeting ensuring that everyone is clear about the purpose and the outcomes are clearly defined linking to provision, needs and aspiration.
- Amend the assessment summary incorporating further advice following the meeting. Ensure that any professional, who were consulted for advice, that was not able to attend has a chance to comment and provide input.
- Prepare the assessment summary or the decision on whether to issue. Attend the panel meeting to put the case.
- In the case of a decision not to issue an EHCP and issue feedback, send letter to parent or young person regarding feedback and offer a feedback meeting. Send details of how to challenge the decision.
- In the case of a decision to issue an EHCP, issue the proposed EHCP to everyone involved and send a formal letter for the parents and young person asking for their comments on the draft, and also for their school preference.
- Following the request for a placement from the family or young person, formally liaise and consult as appropriate in line with COP. Ask for the placement to confirm.
- Finalise the EHCP, including section I, placement and issue the plan.

TRANSFER OF STATEMENT TO EHCP

Guidance for parents, carers and young people

- Be proactive with getting reports from professionals that are beyond the scope of the local authority (this may include specialist doctors, voluntary sector organisations, private health or EP reports). If you wish these to be considered as part of the needs assessment then you will need to make sure that the information is available during the six to eight weeks of the drafting of the plan. Doctors' appointments often take months to set up so do try to do this as early as possible.
- Complete section A and provide your suggestions for outcomes (Section E) in a timely manner as this will ensure that your submission can be circulated to all professionals who need to provide input. Do ask your school or lead professional (if not the SENCo) to help with this.
- Ensure that you have discussed with the EHCP coordinator at the transfer review meeting which existing reports you are happy to use for the needs assessment (as they are still relevant) and which new advice the local authority should request (this could include SaLT, OT, CAMHS etc).
- Think about who would be the most suitable person to act as the lead professional during the preparation of the plan as this will be discussed at the transfer review meeting.
- Start thinking early about suitable placements for your child. In many cases the placement will not change when a child moves from a statement to an EHCP, but if you are thinking of a change in placement you should be aware that the statutory process only allows 15 days for the formal response from you regarding placement and this does not allow much time to visit possible schools.
- Consider whether you would like to request a personal budget and find out what is in scope and whether it will be practical.
- Be aware that at the end of the EHCP needs assessment (after the transfer review follow up meeting) it is possible that the decision is not to proceed with the creation of a plan but to meet the needs of the child or young person within the contact of SEN support within the educational setting. You have the right to appeal this decision.

Other professionals

- Attend annual review, where appropriate, and ensure that reports are up to date and in a format which supports the new format for EHCPs (needs, provision, outcomes) as far as possible.
- Provide written professional advice relating to a child's needs, outcomes and suggested provision to support the needs assessment request and the EHCP content.
- Wherever possible submit information in standard formats (such as the health advice form) and structuring advice around needs, outcomes and provision.
- If professional input requested by AfC, this must be supplied within six weeks of the request.
- If advice is requested it must be provided; it is not sufficient to say that the child or young person is not known to the service
- Attend the transfer review follow-up meeting to review the draft EHCP, or if unable to attend, provide input in writing.