

EHCP POSSIBLE MEETINGS

This document is designed to give you an idea of the meetings that you may have throughout the EHCP process. You may not have all these meetings or any of them, but you will usually have at least one of these through the EHCP process, whether you are applying for an EHCP or having an Annual Review

This document will detail each possible meeting and its purpose. It will explain what to expect and who you would normally expect to be in attendance. It may give you some hints about things to look out for and things that you are entitled to ask for to assist you get the most from each meeting.

WAY FORWARD MEETING

This meeting is usually held when the Local Authority have refused to assess for, or to issue an EHCP. The purpose of the meeting is to see if the LA, School and parents can find a way to move forward without an EHCP. The usual attendees are the SEN Officer from the LA, the school SENCo or Head Teacher and the child or young person and their parents.

The focus of the meeting should be on the needs of the child and what interventions are needed to support that child or young person. The school and LA then need to agree who is going to provide those interventions. If it is found that the interventions are over and above what a typical school in England should provide for a child with SEND, then the LA may want to return the application to Panel for it to be reassessed. (Details of some 'Reasonable Steps' as detailed in the SEND Code of Practice Jan 2015 are at the end of this document)

If Parents have more information and further evidence that wasn't considered by the Panel they can ask the LA to send the application back to Panel for another assessment. If the LA refuse to reconsider, then the Parents have the right to appeal the decision to the SEND Tribunal.

Often a parent is offered a Way Forward Meeting when they have lodged their appeal to the Tribunal. This appeal should not be withdrawn until the LA have agreed in writing that they will Assess or Issue the EHCP.

WRITTEN FEEDBACK MEETING

This meeting might occur after they have undertaken an EHC Needs Assessment. This meeting usually (but not always) indicates that they will not be issuing an EHCP. The written feedback is to review what information has come to light during the assessment and looks at the way the recommendations from the professionals can be implemented. The usual attendees are the SEN Officer from the LA, the School SENCo or Head Teacher, The child or young person and their parents. Professionals may be invited to this meeting as well.

The written feedback document should contain all the information from the Professionals reports, especially the areas of need identified and the recommendations for provision. The written feedback should be read through thoroughly and parents can ask for more information from the reports to be added if they feel it is required. The focus should be on the identified needs of the child and the provision needed to meet those needs. If the recommended provision is over and above what a typical

school in England should provide for a child with SEN then the LA may wish to reconsider their decision on whether or not to issue the EHCP.

If the LA decide not to issue an EHCP the parents have the right to appeal that decision to the SEND Tribunal. If the appeal is lodged before the Written Feedback Meeting it should not be withdrawn until the LA agree in writing to issue and EHCP.

PLANNING MEETING

A Planning Meeting is the meeting that is arranged for everyone to have their input into the Draft EHCP. This usually occurs around weeks 14-16 of the Application Process. The usual attendees are the SEN Officer from the LA, the current school SENCo or Head Teacher, the child or young person and their parents and then any professionals that have been asked to contribute to the EHC assessment, given availability. The parent can request anyone else they feel appropriate to attend as well. It is recommended that parents seek independent support for these meetings. They can request support from SENDIASS or other Independent SEN Advisors. If they are unable to access these services, then it is recommended that they take a friend just for moral and emotional support and to take notes. Kids Hub can also be used for moral and emotional support and to take notes and minutes of these meetings.

There can be a pre-populated draft plan which may be circulated before the meeting. This document should have the observations, opinion and recommendations of all the professional who were asked to contribute to the EHC Assessment. This is pulled from the reports each professional has provided.

The usual format of these meetings is that everyone introduces themselves and stipulates their job role and reason for attendance at the meeting. This information is noted and will appear on the 'People involved in preparing my Education, Health and Care Plan' section at the end of Section A.

The plan is usually read through line by line or section by section and everyone is asked if they agree or want to suggest any changes. Parents can request any inaccuracies be corrected and any information that may be missing, be included.

If there is a difference of opinion regarding any aspect of the plan that is not resolved in the meeting, then this should be noted in the minutes. Parents can request any information that is in the reports be added to the plan or if the professional who wrote the report is in attendance and agrees to amend it then the amendment can be made there and then. The SEN Officer should note these changes in the minutes or notes of the meeting, so it is clear where the information has come from.

The focus of the meeting should be the child or young person's needs, outcomes they hope to achieve, and the provision needed to meet those needs. All needs must be identified in Section B and all provision in Section F. The details in the plan must be written to meet the needs of the child, not the provision that the school is able to provide. It must be person centered and should be individual and not expressed from a service perspective.

At the end of the meeting the SEN Officer should advise what the legal timeframes are for the EHCP and when the draft and then the final is due to be issued. Parents should be informed of their 15 day period to comment on the draft and then the 15 day consultation that the schools receive. If it has been identified that a Specialist Provision may be required, then the parents can ask for this to be taken to

Provision Panel as soon as possible. The SEN officer should inform the parent when the next available Provision Panel is occurring

ANNUAL REVIEW MEETING

The Annual Review Meeting is part of the Annual Review process. The Annual Review Process starts approximately two weeks before the Annual Review Meeting. You should receive all the reports and the invitation to the meeting at least two weeks before the Annual Review Meeting. You can prepare for the meeting by reading all reports before the meeting and highlight any queries for discussion:

- Make a list of anything that you feel needs changing: are SEN adequately described? Do they need updating, and do you have supporting evidence?
- Are aspirations the same or need updating? Does Section A in general need updating?
- Consider outcomes – are you still happy with them? Are they SMART? Do you need more/different ones?
- Check your EHCP – does it comply with requirements, eg description of SEN, SEP, SMART outcomes?
- Make a list of what amendments you'd like made and bring it to the meeting; could also circulate before the meeting, along with any supporting evidence (eg CAMHS report).
- Put any concerns in writing, eg in preparation for the meeting.
- If you feel that an assessment of some kind is necessary, eg SALT or EP, contact the LA **as early as possible before the meeting** and put forward your reasons, in writing (Don't rely on school to do this for you), eg if you feel that Section B is a very poor description of child/young person's needs.
- Be very specific what kind of amendments you want to be made to the current EHCP, if you're asking for changes. EG, replace wording on p3, para 3 'xyx' with 'abc'.

What happens at the meeting?

- Introductions – does parent/young person know everyone there? SEN Officers from the LA do not usually attend Annual Review Meetings but should be in attendance if asked to be by the parent.
- If new reports are produced, ask for reading time to read them before the meeting starts proper.
- The meeting should be person-centred – must enable full involvement of parent, child/young person and consider their views, wishes and feelings.
- The child/young person can attend, sometimes attendance is just for a short period, depending on need or ability. They don't have to attend.
- There should be discussion of the reports and progress. Meeting **must**:
 - Focus on progress made towards achieving targets.
 - Establish whether current outcomes remain appropriate, if necessary agree new ones.
 - Review SEP and arrangements for delivering it to ensure it is still appropriate and enabling good progress; will any new outcomes require additional SEP?
 - Review any health/social care provision.
- Have there been any notable changes that need to be included to SEN, eg a new diagnosis? Evidence may be required.
- Is anyone seeking change of placement (eg parents, school); for what reasons?
- Any differences of opinion should be resolved as best as is possible or recorded in the notes.

REASONABLE STEPS (AS DETAILED IN SEND CODE OF PRACTICE JAN 2015)

9.91 What constitutes a reasonable step will depend on all the circumstances of the individual case. The following are some of the factors that may be taken into account:

- Whether taking the step would be effective in removing the incompatibility
- The extent to which it is practical for the early years provider, school, college or local authority to take the step
- The extent to which steps have already been taken in relation to a particular child or young person and their effectiveness
- The financial and other resource implications of taking the step, and
- The extent of any disruption that taking the step would cause

9.92 The following are examples of reasonable steps that might be taken in different circumstances:

- Reasonable steps to ensure that the inclusion of a child with challenging behaviour in a mainstream primary school setting is not incompatible with the efficient education of others may include:
 - addressing factors within the class that may exacerbate the problem, for example using circle time to discuss difficult relationships and identify constructive responses
 - teaching the child alternative behaviour, for example by taking quiet time in a specially designated area at times of stress
 - providing the child with a channel of communication, for example use of peer support
 - using a carefully designed system of behaviour targets drawn up with the child and linked to a reward system which, wherever possible, involves parents or carers
 - ensuring that all staff coming into contact with the child are briefed on potential triggers for outbursts and effective ways of heading off trouble at an early stage
 - drawing up a contingency plan if there is an outburst in class, for example, identifying with the child a key helper who can be called to remove the child from the situation, and
 - ensuring that if there is any possibility that positive handling may need to be used to prevent injury to the child, young person or others or damage to property, relevant

- staff have had training in appropriate techniques, that these have been carefully explained to the child and that the circumstances in which they will be used are recorded in a written plan agreed with and signed by the child and their parents or carers
- Reasonable steps taken to ensure that the inclusion of a child with autistic spectrum disorder who is distracting and constantly moves around in a mainstream secondary school is not incompatible with the efficient education of others may include:
 - ensuring all possible steps are taken to provide structure and predictability to the child's day, for example by the use of visual timetables, careful prior explanation of changes to routines and clear instructions for tasks
 - ensuring that the child is taught a means of communicating wants and needs using sign, symbol or spoken language
 - working with a member of staff on a structured programme of activities designed to prepare him or her for joining in class or group activities, for example by using 'social scripts' to rehearse appropriate behaviour
 - having an individual workstation within a teaching space where distractions can be kept to a minimum and everything needed for the work to be done can be organised in sequence, and
 - ensuring that all staff are briefed on the warning signs which may indicate potential behaviour challenge and on a range of activities which provide effective distraction if used sufficiently early
 - Reasonable steps taken to ensure that the inclusion of a young person with a learning disability who does not use verbal communication in a mainstream course at a further education college is not incompatible with the efficient education of others may include:
 - the involvement of staff from the college's learning support team in the school-based transition reviews
 - an orientation period during the summer holidays, to enable the student to find his or her way around the college campus and meet the learning support staff
 - opportunities to practise travelling to and from college
 - the development of an individual learning programme outlining longer term outcomes covering all aspects of learning and development, with shorter term targets to meet the outcomes

- supported access to taster sessions over a first year in college
- a more detailed assessment of the young person's needs and wishes provided by learning support tutors during a 'taster' year
- staff development to ensure an understanding of the student's particular method of communication
- use of expertise in access technology to identify appropriate switches or communication boards to facilitate the student's involvement in an entry-level course, and
- courses normally covered in one year planned over two years to meet the young person's learning needs

9.93 There may be a range of reasons why it may not always be possible to take reasonable steps to prevent a mainstream place from being incompatible with the efficient education of others – for example, where the child or young person's behaviour systematically, persistently or significantly threatens the safety and/or impedes the learning of others.

9.94 A decision not to educate a child or young person in a mainstream setting against the wishes of the child's parent or the young person should not be taken lightly. It is important that all decisions are taken on the basis of the circumstances of each case and in consultation with the parents or young person, taking account of the child or young person's views. Local authorities should consider reasonable steps that can be taken for mainstream schools and mainstream post-16 institutions generally to provide for children and young people with SEN and disabled children and young people.