# **Annual Reviews of Education, Health and Care Plans during Coronavirus (COVID -19)**

*This guidance applies for Annual Reviews of EHC Plans due to be held by Early Years Settings, Schools, Colleges, other Settings or Alternative Provisions.*

**Purpose of this guidance**

‘Some aspects of the law on education, health and care (EHC) needs assessments and plans are modified temporarily to give local authorities, health commissioning bodies , education settings and other bodies who contribute to these processes more flexibility in responding to the demands placed on them by coronavirus (COVID-19).’[[1]](#footnote-1)

This local guidance provides a summary of these legislative changes in regard to Annual Reviews of EHC Plans, and also confirms which key elements of the Annual Review process are unchanged.

**Introduction**

‘There is a power under the Coronavirus Act 2020 for the Secretary of State for Education by notice temporarily to disapply the duty to conduct annual reviews. However, he has not issued a notice under this power at this point in time, so the annual review requirements remain in place.

However, the government has legislated to provide extra flexibility for local authorities over the timing of these reviews.’1

Where practical and safe, all Annual Review Meetings which are due to take place should go ahead, and parents/carers and all key professionals should be invited to contribute to the meeting ensuring that the child/young person remains at the centre of the process and can engage in a meaningful way.

Where it is impractical for the completion an Annual Review of an EHC Plan within the prescribed timescales for a reason relating to the incidence or transmission of coronavirus, then it must be complete as soon as reasonably practicable.

**Checklist**

The checklist below gives guidance on how to safely hold an Annual Review and also provides a template to notify the Local Authority with.

| **Considerations** | **Yes/No** | **Comments** |
| --- | --- | --- |
| **Option 1 - Hold Annual Review in setting.** | | |
| Can you provide an appropriate health and safety risk assessment? |  |  |
| Can you effectively put in appropriate social distancing measures for all invited? |  |  |
| Do you have all appropriate PPE available? |  |  |
| *If answered no to the above, and there are no reasonable steps that can be taken to mitigate the presenting risks, please proceed to Option 2.* | | |
| **Option 2 - Hold Annual Review Remotely/Virtually.** | | |
| Do all invited have access to appropriate technology, resources and software such as Microsoft Teams?  **OR**  Can all invited access the meeting via telephone or conference call? |  |  |
| Can all invited to contribute to the meeting send appropriate documentation via email or post?  *(Please adhere to organisational email security guidelines for sharing of information).* |  |  |
| *If answered no to the above, please move to Option 3.* | | |
| **Option 3 -** If you consider it to be impractical and/or unsafe to complete the annual review meeting within the prescribed timescales for a reason relating to the incidence or transmission of coronavirus (COVID-19), then you will need to notify the Local Authority of this recommendation at the earliest opportunity.  In such instances, please complete the template below which will be considered by Local Authority Senior Management on an individual ‘case by case’ basis. | | |
| **Child/Young Person’s name:**  **Date of birth:**  **Setting:**  **Reason for recommendation:**      Please return notifications to [georgiapenny@wirral.gov.uk](mailto:georgiapenny@wirral.gov.uk) and [victoriabarnard@wirral.gov.uk](mailto:victoriabarnard@wirral.gov.uk) | | |

**Key Contacts for those convening the Annual Review**

If professionals are to be invited to the Annual Review, you need to provide at least 4 weeks' notice.

Designated Social Care Officer for SEND- [alisonwatson@wirral.gov.uk](mailto:wuth.reviewehcp@nhs.net)

Designated Clinical Officer (Health) - [wuth.reviewehcp@nhs.net](mailto:wuth.reviewehcp@nhs.net)

**Where to find support for Annual Reviews during Covid 19:**

If parent/carers are facing any challenges when arranging, or participating in, their son/daughter’s Annual Review of their EHC Plan, they can contact WIRED for support with this process – Telephone: 0151 522 7990 Email: [contact@wired.me.uk](mailto:contact@wired.me.uk) or visit the website [www.wired.me.uk](http://www.wired.me.uk)

If setting staff require any support or resources/guidance when holding Annual Reviews, please refer to Wirral’s Local Offer <https://localofferwirral.org/help-for-your-child/sen-and-disabilities/>

1. https://www.gov.uk/government/publications/changes-to-the-law-on-education-health-and-care-needs-assessments-and-plans-due-to-coronavirus/education-health-and-care-needs-assessments-and-plans-guidance-on-temporary-legislative-changes-relating-to-coronavirus-covid-19 [↑](#footnote-ref-1)