

## FREQUENTLY ASKED QUESTIONS EHCP PROCESS/CONVERSION PROCESS

### **Who will get an Education, Health and Care Plan?**

The legal test of when a child or young person requires an EHC plan remains the same as that for a Statement under the Education Act 1996. Therefore it is expected that all children and young people who currently have a Statement and who would have continued to have one under the current system will be transferred to an EHC plan. Similarly if a young person has an LDA and are likely to remain in further education or training during the transition period (i.e. up until September 2016) they will be issued with an EHCP.

### **Can we do other reviews (those not in years 2, 6, 9, 11) as Transfer Reviews to change Statements into EHC Plans?**

Due to the numbers of children and young people with Statements/Learning Difficulty Assessments in Years 2, 6, 9, 11, 12, 13 and 14 totalling 662 during the academic year 2014-2015, the Local Authority will struggle to transfer many more children and young people onto an EHCP during this time.

### **What will the process be for reviewing EHC Plans when it is not a Key Stage Review?**

We would encourage schools to continue to use a person centred approach to Annual Reviews. The format/process of the meeting can be determined by school, although it must consider the following (as set out in the Code of Practice 9.116 and 9.117):

- the child or young person's progress towards achieving the outcomes specified in the EHC plan.
- whether these outcomes and supporting targets remain appropriate.
- gathering and assessing information so that it can be used by early years settings, schools or colleges to support the child or young person's progress and their access to teaching and learning.
- the special educational provision made for the child or young person to ensure it is being effective in ensuring access to teaching and learning and good progress
- the health and social care provision made for the child or young person and its effectiveness in ensuring good progress towards outcomes
- the continuing appropriateness of the EHC plan in the light of the child or young person's progress during the previous year or changed circumstances and whether changes are required including any changes to outcomes, enhanced provision, change of educational establishment or whether the EHC plan should be discontinued

- setting new interim targets for the coming year and where appropriate, agree new outcomes
- reviewing any interim targets set by the early years provider, school or college or other education provider

### **Is there any paperwork for school to complete prior to the Transfer Review?**

Yes, school will need to complete the 'School Advice form:Transfer Review' (available on the extranet) and ensure that this, along with all other advice from other agencies, is sent to the Local Authority at least 2 weeks prior to the Review.

### **What will be the process / paperwork for applying for an Education, Health and Care needs assessment?**

The eligibility criteria and process for applying for an EHCP will be the same as the current eligibility criteria and process of applying for a Statutory Assessment.

Schools/settings/colleges will need to complete the 'Referral Form - Application for Additional Funding from the High Needs Block' (available on the extranet). This paperwork remains largely unchanged, the only exception being that there is a need to provide additional information regarding desired outcomes. This application form, along with a CAF and supporting evidence from support services, will then need to be sent to the Inclusion and Statutory Assessment Service as per current practice.

Parents, and young people over the age of 16, will also have the right to request an Education, Health and Care Needs Assessment. Parents and young people can do this by completing the appropriate form and sending it to the Inclusion and Statutory Assessment Service.

### **Who are the government organisation supporting parents?**

The Government have funded 'independent supporters.' The role of Independent Supporters will be to help parents navigate the new special educational needs process. Barnardo's North West have been awarded the contract to provide this service across much of the North West. In Bolton, Independent Support will be delivered by Together Trust, in partnership with Barnardo's. We do not yet have the details of how this support will work and how parents will be able to access this support locally. We will be liaising with Barnardo's regarding this over the coming weeks.

### **Will interpreters be made available for Transfer and Annual Reviews?**

It will be the responsibility of the school to ensure that appropriate support is provided for parents to enable them to engage fully in the Transfer Review and Annual Review process.

### **Will translated versions of paperwork be made available?**

There are no plans to publish translated versions of paperwork although the Local Offer website has a facility for translating information regarding Special Educational Needs and/or Disabilities into other languages.

### **Do Head Teachers know about Education, Health and Care Plans and the changes to the review process?**

Information regarding the SEND Reforms, including Statements being transferred to EHCP's via person centred Annual Reviews, has been shared with Primary Headteachers during Headteacher briefings and Secondary Headteachers during a BASH meeting. The detail regarding the transfer review process will have been shared with any Headteachers who have attended/plan to attend the Person Centred Review training. Information regarding the Education, Health and Care Needs assessment process and the draft Bolton EHCP have been shared with SENCO's via SENCO clusters and so this information may have been shared with Headteachers. Further information regarding the Bolton Education Health and Care assessment process, plan and review process will be shared during the SEND briefing sessions in September and further more detailed training during the Autumn Term for Headteachers and SENCO's regarding the new process is also planned.

### **Can someone else facilitate a Transfer Review for us?**

It is anticipated that someone within the school/setting/college will facilitate the transfer review, and that is why the person centred review training has been rolled out free of charge. Some schools/settings/colleges may, on occasion, ask a support service to facilitate the review however the facilitator of the review should be someone who is not also contributing. Schools/settings and colleges could consider purchasing time from the Educational Psychology Service for this purpose if they do not want to facilitate the review for themselves.

### **What if parents have opposing views on education / health / care provision?**

The Code of Practice is clear that the Local Authority must have regard to the views, wishes and feelings of the child, child's parent or young person, their aspirations, the outcomes that they wish to seek and the support they need to achieve them. Therefore the views of the child, child's parent's or young person must be sought during the assessment process and subsequent review processes, whether these reflect or oppose the views of others. It will be the role of the Local Authority (Inclusion and Statutory Assessment Service) to reconcile any opposing views during the drawing up/review of the Education, Health and Care Plan.

### **Will the information from a Year 6 Transfer Review be shared with the chosen Secondary School?**

Yes, the information gathered during the transfer review process for children in Year 6 will be used to draw up an Education, Health and Care Plan for the child. The EHCP and the information from the review used to write the plan (which will form the Appendices to the EHCP) will be shared with the secondary school once placements have been confirmed.

### **When do Year 6 Transfer Reviews have to be done by?**

Year 6 transfer reviews will all need to be held by 7<sup>th</sup> November 2014.

### **When do Year 11 Transfer Reviews have to be done by?**

Year 11 transfer reviews in the academic year 2014-2015 will need to be held by 20<sup>th</sup> February 2015. However for all subsequent years the transfer reviews for young people in Year 11 will need to be held by the end of the Autumn Term.

### **When should we hold year 12 / 13 Transfer Reviews?**

If a young person is remaining in the same educational placement the Year 12/13 review can be held at the usual time. However, if the young person is moving onto either another further education establishment or training placement in September 2015 the transfer review will need to be held by 20<sup>th</sup> February 2015 as an EHCP naming the next destination will need to have been issued by 31<sup>st</sup> May 2015.

### **Are there any deadlines to meet for Transfer Reviews of other year groups?**

Children who have a Statement in a Nursery setting and are transferring to a primary school in September 2015, will need to have had a transfer review by 7<sup>th</sup> November 2014. There are no deadlines to meet for the transfer reviews of other children. Due to the demands of transferring all of the Year 6 and Year 11 children during the first half of the academic year, it would be helpful if schools/setting and colleges were able to hold the transfer reviews for pupils in Years 6 and 11 during the first half of the academic year and the transfer reviews for children/young people in Years 2, 9 and 12-14 during the second half of the academic year or when the review of the Statement is due.

### **What paperwork should we use for parents to provide their advice prior to the Transfer Review?**

Paperwork designed to capture parent views and help parent's prepare for transfer reviews will be available on the extranet by September. The views of parents, and any additional information added during the course of the transfer review meeting, should also be reflected in the summary report from the Annual Review.

### **When will other Statements/LDA's become EHC Plans?**

It is planned to transfer all children with Statements to EHC Plans when they reach the end of a key stage during the academic years 2014-2015, 2015-2016, 2016-2017 and 2017-April 2018. For young people in post 16 provision, the plan is to transfer those with Statements/LDA's in Years 12-14 during the academic year 2014-2015 with those in Years 15-17 remaining in education or training during the academic year 2015-2016.

### **How can we send reports securely from health / from schools / to the authority?**

Reports can currently be sent securely to the Inclusion and Statutory Assessment Service (ISAS) by emailing/ringing ISAS and asking them to send you a secure email. If you then reply to this email the information that you send will be sent securely. The Local Authority are looking at ways of making all email correspondence between schools and the Local Authority secure.

### **Who is responsible for ensuring that the actions on the action plan are completed?**

The person identified on the action plan as undertaking the action will be responsible for ensuring that they complete what they have agreed to do.

### **Who is responsible for ensuring that actions to meet Aspirations, Outcomes and Targets are completed?**

The person/people responsible for delivering the provision determined to be required by the child/young person in order to meet the aspirations, outcomes and targets included in the EHCP is clearly identified in sections F, G and H of the EHCP. This will be reviewed on an annual basis via the Annual Review process.

### **Should Educational Psychologists be invited to the Transfer Review? – If so, will this cost schools?**

Schools should invite an Educational Psychologist to a transfer review if this is felt to be appropriate i.e. if the Local Authority, the child's parents or the young person and the

Educational Psychologists are of the opinion that the information within the Statement/previous Educational Psychology reports provided for any purpose are not recent and relevant enough to be used for the purpose of completing the transfer review. Unless there has been a significant change in the needs of a child, reports within 2-3 years of the transfer review are likely to be recent enough for the purposes of the transfer review. Educational Psychology re-assessments as part of the transfer process, and attendance at transfer reviews, will be classed as Statutory work and therefore will be carried out at no cost to a school.

### **Should Educational Psychologists complete an assessment prior to or after a Transfer Review? – If so, will this cost schools?**

If an Educational Psychology report is deemed to be necessary (as per paragraph above) then the Educational Psychologist can be asked to complete the assessment prior to the transfer review. Alternatively the need for updated advice from an Educational Psychologist may be identified as an action during the transfer review meeting in which case a request should be made following the transfer review. Educational Psychology re-assessments as part of the transfer process will be classed as Statutory work and therefore will be carried out at no cost to a school.

### **Which outside agencies should provide advice prior to the Transfer Review?**

The outside agencies asked to provide advice prior to a transfer review will usually already be involved with the child/young person and may include Ladywood Outreach, Behaviour Support, Sensory Support, Speech and Language Therapy, Educational Psychology, Physiotherapy, Occupational Therapy, CAMHS or Social Care. Schools should invite outside agencies to attend/provide advice for a transfer review if this is felt to be appropriate i.e. if the service is already working with the child/young person and/or Local Authority, the child's parents or the young person and the outside agency are of the opinion that the information within the Statement/previous reports provided for any purpose are not recent and relevant enough to be used for the purpose of completing the transfer review. The need for updated advice from an outside agency may be identified as an action during the transfer review meeting in which case a request to that outside agency should be made following the transfer review. This advice would need to be provided by the outside agency within a six-eight week time frame to enable the Local Authority to complete the transfer to an EHCP within the permitted 14 weeks.

### **What happens if parents do not attend a Transfer Review?**

Schools/settings and colleges should aim to arrange transfer review meetings for a time that is convenient for parents, thus maximising the chance of them attending. If parents do not attend a transfer review the school/setting/college should encourage the parent to complete the parental advice form so that their views are reflected within the EHCP. Parents who need

support in order to do this should be directed to Bolton Parent Partnership Service or an Independent Support Worker.

### **Who are the people who are being employed to support the transfer process?**

It is planned that there will be an additional three posts created within the Inclusion and Statutory Assessment Service in order to manage and facilitate the transfer process. These posts have been advertised within the Local Authority and schools as secondment opportunities and are now being advertised externally. The people employed to carry out these tasks will have been through a recruitment and selection process and will have been deemed to have the skills required to carry out the role.

### **How will parents find out about Transfer Reviews?**

The Local Authority will inform parents/young people individually regarding details of their/their child's transfer to the new system when their transfer is imminent. The Local Authority will also publish a local transition plan in September 2014 which will inform parents and young people about when they/their child will be transferred to the new system. This local transition plan will include the following information:

- the number of children and young people with statements and the number of young people receiving support as a result of an LDA that the local authority expects to transfer to the new system in each year of the transition period;
- the order in which children and young people with statements of SEN in the area will be transferred to the new system;
- how and when parents of children with SEN and young people with SEN, and their educational institution, will be made aware of the arrangements for a child or young person's transfer;
- details of the transfer review process;
- the arrangements for the transfer of young people who receive support as a result of a LDA;
- sources of independent SEN information and advice;
- who parents and young people can contact if they have queries about transition to the new system or if they have not been transferred to the new system in accordance with the local transition plan.

### **What should I do to transfer Blackburn / Salford / Wigan Statements?**

Schools/settings who have children/young people with Statements from another Local Authority should speak with the Special Educational Needs department of that Local Authority in order to determine the process that they intend to use and whether they wish for that process to be used or are happy for you to use the Bolton process.

### **How will schools outside of the Authority be transferring Bolton Statements to EHC Plans? Will they be expected to use the same process?**

Schools/settings who educate children and young people who have a Bolton Statement will be expected to follow the same transfer process and paperwork as Bolton schools/settings (in the same way as schools outside of Bolton educating a Bolton child/young person requesting a Statutory Assessment or reviewing a Bolton Statement should currently use existing Bolton paperwork and processes). The Local Authority will provide advice and support to these settings regarding the Bolton transfer process.

**When / where / how will the final paperwork be available?**

The final paperwork will be available during September 2014. This paperwork will be available on the Extranet and via the Inclusion and Statutory Assessment Service.

**Will "Notes in Lieu" be transferred to EHC Plans?**

No, Notes in Lieu are issued in cases where the Local Authority have determined that a Statement is not required in order to meet a child/young person's Special Educational Needs. As such any Notes in Lieu will not be transferred to an EHC Plan.

**Who is going to coordinate and be the responsible person ensuring that plans are kept up to date as a young person needs change.**

The Inclusion and Statutory Assessment Officers will be the people responsible for ensuring that plans are kept up to date and amended as necessary to reflect changes in needs.



