**WHAT TO EXPECT DURING THE TRANSFER OF STATEMENT TO EDUCATION, HEALTH AND CARE (EHC) PLAN**

**THE TRANSFER REVIEW PROCESS**

To transfer a Statement of Special Educational Needs to an EHC Plan, the Local Authority must carry out an EHC needs assessment. The whole process is called a ‘Transfer Review’.

There will be a meeting, usually near the beginning of the process, and often at the time that the annual review would usually take place in order for you and all of those involved with your child or young person to discuss what should go into the Plan. Ideally, the Transfer Review process will start at around the time that the annual review of the statement would have been due so that you are not expected to attend lots of meetings.

**BEFORE THE PROCESS STARTS**

Before the review meeting, you will need to think about aspirations for the future and the outcomes you would like your child or young person to achieve and what they would like to achieve for themselves in the future. Think of an outcome as something to aim for in roughly 2-3 years or at the next key stage. You will be given a booklet to complete with your child / young person. This gives you the opportunity to share your expertise with the professionals who are also working with your child.

The school/college will be able to help you to complete the booklet and you may also request an Independent Supporter from Amaze to work with you. The quality of the booklet can make a big difference to the quality of the final EHC Plan. Young people (16-25) may choose an Independent Supporter to work just with them.

**HOW LONG DOES IT TAKE?**

The transfer process takes fourteen weeks in total and the Local Authority will contact you at least two weeks before to tell you that the Transfer Review process will be starting. The letter must explain your rights of appeal and should give you information about sources of independent advice and support.

**WILL MY CHILD DEFINITELY BE TRANSFERRED TO A PLAN?**

No child or young person should lose the protection provided through a Statement purely as a result of transferring to an EHC Plan. There will be a few children or young people whose Statement would have ceased anyway because their needs have changed or because they have made good progress and their needs can be met from the resources normally available to school to meet special educational needs. If this is the case, the Local Authority must write to you by week 10 of the 14 week process to inform you and tell you about your right to appeal to the SEND Tribunal.

**WHAT INFORMATION GOES INTO THE PLAN?**

An officer from the Local Authority, often called an EHC Caseworker or Planning Coordinator, must meet with you as part of the EHC Needs Assessment process in order to seek your views about your child or young person’s education, health and social care needs. This might be at the annual review meeting or at another time. Ideally the officer who meets with you will be the person who will later draft the EHC Plan.

Everyone at the review will have to agree that the information and reports already available are suitable for the purposes of drawing up an EHC Plan. If so, then the Local Authority does not have to seek further information. If reports are old or do not reflect changes in your child/young person’s development, you or any professionals can ask the Local Authority to obtain it.

Usually it is best to request a meeting at the start of the process so that you can discuss what everyone needs to do and to make sure that the assessment is taking the direction you want it to.

**WHAT HAPPENS AFTER THE MEETING?**

Once the paperwork from the review meeting and all the professional reports have been gathered by the Local Authority a draft EHC Plan will be written and sent to you. Once you receive the draft Plan, you will have fifteen calendar days in which to respond and ask for any amendments that you would like to be made. If you have not already accessed Independent Support this may be something to consider. The Independent Supporters are trained to make sure that the draft is legally compliant and that the outcomes are appropriate.

When you return the draft Plan you should identify your school choice on the document.

You may wish to request another meeting with the Local Authority to discuss the amendments. Once the plan is agreed, the Local Authority will consult with the school for which you have expressed a preference.

A final plan naming a school must be issued by the end of week 14 of the Transfer Review process. If you do not receive your final EHC Plan within this time you should contact your Caseworker/Coordinator to ensure it is on its way.

**WHAT IF I’M NOT HAPPY WITH THE FINAL PLAN?**

If you are unhappy with Sections B (special educational needs) or F (educational provision) in the finalised EHC Plan you would need to consider mediation before lodging an appeal to the SEND Tribunal. If your concern is about Section I (placement) you can lodge an appeal directly.

If you are not happy with the Health or Social Care provision detailed in the plan there are separate complaints routes.

The Local Authority should send full details about appeal in the letter accompanying the final plan.

**CAN I REFUSE THE TRANSFER OR ASK FOR IT TO BE DELAYED OR BROUGHT FORWARD?**

Local Authorities have until April 2018 to transfer all children and young people with statements of SEN to the new Education, Health and Care (EHC) system. Check the Brighton and Hove or West Sussex Local Offer websites to view the timetable indicating when it will carry out transfers of particular year groups. In most cases you do not have the choice to refuse the statement being transferred to an EHC Plan in accordance with the Local Authority’s published timetable. The only exception is for children in Year 6 during the academic year ending in July 2015 as the Local Authority is required to take the family’s views and wishes into account. If you believe there are exceptional circumstances, however, you should contact the Local Authority.

if you feel that your child or young person’s needs have changed you can request a reassessment of the statement from the Local Authority. If a reassessment goes ahead it will be carried out under the 1996 regulations but the Local Authority can choose to transfer the Statement to an EHC Plan at this point and conduct a transfer review instead with your agreement.

**USEFUL LINKS**

1. Transfer timetables which will tell you when your child or young person’s statement is due to be transferred.

<https://westsussex.local-offer.org/information/4-transition>

<http://www.brighton-hove.gov.uk/sites/brighton-hove.gov.uk/files/Conversion%20of%20statements%20of%20special%20educational%20needs%20and%20learning%20difficulty%20assessments_0.pdf>

1. The IPSEA website provides advice on transfers to EHC Plans including a timeline

<http://www.ipsea.org.uk/file-manager/resources/ipsea-transition-timeline-final.pdf>

1. Independent Support available to you during the EHC assessment process

<http://amazebrighton.org.uk/services-and-support/advice-brighton-and-hove/independent-support-brighton-hove/>

<http://amazebrighton.org.uk/services-and-support/advice-west-sussex/independent-support/>