

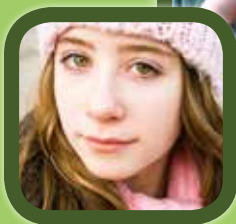


**Bromley Parent Voice**

working in partnership to give parents and carers a voice

# Parent, Carer, and Young Person's Guide to the Transfer Review

Information about the arrangements made by Bromley's SEN & Disability Service  
for children and young people who are undergoing a Transfer Review



BROMLEY SEN & DISABILITY SERVICES

Issue Date: 1st September 2015

Review Date: 1st April 2016

Please note that this should be treated as a live document that will be tested through its use,  
with feedback used at the review in April 2016.



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Following the implementation of the Children and Families Act 2014 on 1st September 2014, all existing Statements of Special Education Needs are required to be transferred to Education Health Care Plans (EHC Plan) by April 2018.

## When will this happen?

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Between now and April 2018, Bromley will be completing Transfer Reviews for specific groups of children and young people for whom they maintain a statement of Special Educational Needs in accordance with the Bromley Transition Plan which can be found on the Bromley My Life portal by following this link: [Bromley Transition Document](#).

We hope you find this guide useful in giving you information about the arrangements made by Bromley Local Authority for children and young people who are undergoing a Transfer Review.

## How will I know this is happening for my child or young person?

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To transfer a child or young person from a statement of SEN to an EHC plan, a local authority **must** undertake a Transfer Review. This will require them to undertake an **EHC needs assessment** under section 36 of the Children and Families Act 2014.

In order to initiate a Transfer Review, the local authority must notify the child's parents or the young person and the head teacher (or equivalent) of the school attended by the child or young person of the commencement date of the Transfer Review at least two weeks before it is due to start. This should be in writing.

The start date of a Transfer Review indicates when the actual review will commence, which starts with gathering information relating to the child/young person.

## Advice for the Transfer Review (EHC Needs Assessment)

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The local authority **must not** seek any advice required for an EHC needs assessment if such advice has previously been provided for any purpose and the person providing that advice, the local authority and the child's parents or the young person are satisfied that it is sufficient for the purposes of an EHC needs assessment.

In deciding whether existing advice is sufficient, consideration will be given to:

- how recently advice was provided;
- whether and how far the needs of the child or young person have changed since it was given; and
- whether it is sufficiently focused on the outcomes sought for the child or young person.

Parent/carers should consider whether existing advice is sufficient in advance of the transfer review process commencing.

## Timescales for the Transfer Review

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The timescale for the Transfer Review is in two phases and are as follows:

- Notification period – The local authority **must** provide a minimum of two weeks' notice of the date of the start of the Transfer Review process.
- Transfer Review process – There is a maximum period of 18 weeks from the notified start date.

## How do we prepare for the Transfer Review?

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The assessment and planning approach should be **person-centred** with families being at the centre of the process, supported and encouraged to be involved at every step. Planning should start with the individual and local authorities **must** have regard to the views, wishes and feelings of the child or young person and the child's parents, their aspirations, the outcomes they wish to seek and the support they need to achieve them.

You should receive, or be asked to complete a Personal Profile for your child/young person. It is really important that you and your child or young person, take time to consider what to include in the Personal Profile. This will inform Section A of the EHC Plan and should fully reflect what is important to and important for your child or young person and your family in terms of current needs and future hopes.

## What should be included in the Personal Profile?

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The purpose of the Personal Profile is to put your child or young person and your family at the centre of the assessment process, using the information that is important to you. There are two sections, one written from the point of view of your child, or young person, and the other from the family's point of view (which might include brothers and sisters or grandparents). This information will be used to identify the specific support that will help your child or young person to achieve the things that are important to them now and in preparing them for life after school.

## What is Mental Capacity and Supported Decision Making?

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From September 2014, under Part 3 of the Children and Families Act 2014, the right to make requests and decisions applies directly to disabled young people and those with SEN over compulsory schools age (the end of the academic year in which they turn 16) rather than to their parents.

The Mental Capacity Act applies to everyone aged 16 or over, so parents of a young person with a disability or condition which may affect a person's capacity (such as a learning disability), should have relevant information and understand the Mental Capacity Act's potential implications for themselves and their son or daughter.

Mental capacity is the ability to make decisions. This could be fairly small decisions like what we eat or the clothes we wear, or could be much bigger decisions, for example where we live and who we live with. Capacity is based on a single decision at a single time, so some people may have fluctuating capacity, meaning they can make a decision one day and not the next depending on their wellbeing.

The Mental Capacity Act 2005 sets out what should happen when people are unable to make one or more decisions for themselves. It clarifies the roles that different people play in decision-making, including family carers.

The parents of a young person who is unable to make a decision are likely to be involved in:

- Supporting them to make a decision
- Supporting during an assessment of their mental capacity
- Making a decision or acting on their behalf

- Being consulted when someone else makes a decision or acts on behalf of their young person
- Challenging a decision made on a relative's behalf.

## Will I have to attend a Transfer Review meeting?

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The local authority must ensure that the child's parents or the young person are invited to a meeting to contribute to the Transfer Review, in advance of the EHC plan being finalised. The way this is arranged can be determined on an individual basis, ideally in partnership with the school or college they attend.

## What will happen at the meeting?

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The meeting should be used to consult or engage the child's parents or the young person as part of the Transfer Review. The precise purpose of the meeting will vary depending on the point during the Transfer Review that it takes place. It is for local authorities to determine who should attend the meeting to ensure it achieves its purpose.

For example, the meeting may take the format of an annual review meeting which contributes to the EHC needs assessment, to which a range of relevant professionals are invited to consider the progress of the child or young person and the future provision required. Alternatively, the meeting may take place between the local authority and the child's parents or the young person to discuss the draft EHC plan.

Children and Young People and their families should be supported to prepare for and contribute to the Transfer Review meetings. **Everybody** involved in the Transfer Review will need to think about:

- What they are proud of/appreciate about the child/young person
- What is important to the child/young person
- What their hopes, dreams and aspirations are for the future
- What is important for them (assessed needs)
- What is working and not working, from their perspective
- What good support looks like

At the meeting it is important to formally agree whether the information/advice available for the child or young person is sufficient to complete the EHC needs assessment

or whether new advice is being sought. The EHC Caseworker, EHC Keyworker or SENCO will be present at the meeting to pull information together. Everyone that is participating in the EHC needs assessment will contribute information to the EHC meeting but may not be present.

During the meeting **outcomes** will be developed by starting with **aspirations** and finding out what the child/young person needs to do, experience or achieve towards those aspirations over the next phase of education. Where health and social care needs which are related to the child or young person's special educational needs are identified outcomes will be jointly agreed.

The focus is on what a child or young person can achieve and not needs. The outcome is what the child/young person will experience and should be SMART (Specific, Measurable, Achievable, Realistic and Time-limited).

For young people Y9 and above, there should be a discussion about outcomes for each of the four Preparing for Adulthood (PfA) areas:

- Preparing for and finding employment
- Independent living
- Maintaining good health
- Participating in society

Discussions at the meeting will not focus on an education placement, but will look at what provision is required to meet each of the outcomes agreed.

Next steps will be agreed in order to progress towards finalising the EHC Plan. It is important to remember that thresholds to access services have not changed.

## Who can help me?

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If you are notified that your child or young person will be having a Transfer Review, you can contact IASS, Bromley (formerly Parent Partnership) who provide impartial information, advice and support on SEN & Disability matters or to ask for an Independent Supporter to help you through the process, both in helping prepare the paperwork or attend the meeting with you.

Young people over 16 can request an Independent Supporter in their own right

If you feel you would like to know more please ask your child's keyworker or at your child's school or pre-school setting, or contact:

Bromley's Information and Advice Support Service  
Contact: [iass@bromley.gov.uk](mailto:iass@bromley.gov.uk)  
Telephone: 01689 881024

Bromley Independent Support  
Contact: [is@bromleymencap.org](mailto:is@bromleymencap.org)  
Telephone: 020 8466 0790  
[www.bromleyparentvoice.org.uk/independentsupport](http://www.bromleyparentvoice.org.uk/independentsupport)

The Government has produced statutory guidance "Special Educational Needs and Disability code of practice: 0-25years" for organisations about SEND assessment and planning. It is available to download at [www.gov.uk/government/publications/send-code-of-practice-0-to-25](http://www.gov.uk/government/publications/send-code-of-practice-0-to-25).

A parent guide is also available at:  
[www.gov.uk/government/publications/send-guide-for-parents-and-carers](http://www.gov.uk/government/publications/send-guide-for-parents-and-carers)

Further information is also available on the Bromley **Local Offer** Website <http://bromley.mylifeportal.co.uk/localoffer/> or search 'Bromley Local Offer'.

## Mediation / Appeal

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The Transfer Review should be person-centred with families being at the centre of the process, supported and encouraged to be involved at every step. Therefore, if you have any concerns during the EHC needs assessment process, please contact your EHC Keyworker or EHC Caseworker in the first instance, who will work with you to resolve any issues that you may have.

At the Draft EHC Plan stage, Section I will be left blank to enable the parents or young person to **state a preference** for a particular school or educational setting (including independent schools or specialist colleges which have been approved for this purpose by the Secretary of State). This may be the school or setting that the child or young person is already attending. Please note that parents or the young person has 15 days to make any comments on the draft EHC Plan and/or to state a preference. If the parents or young person do not respond within 15 days the local authority will proceed and issue the final EHC Plan. If you require more time to consider the draft EHC Plan please contact your EHC Keyworker or EHC Caseworker to request this.

The Local Authority must inform the child's parent or young person of their right to appeal to the Special Educational Needs and Disability Tribunal (SENDIST) and of the requirement for them to consider mediation should they wish to appeal, if they disagree with the final EHC plan. Mediation is arranged by the Local Authority,

unless the issues relate only to health, in which case the responsible commissioning body must arrange the mediation. The mediator must be independent of the local authority.

When a parent or young person wishes to bring an appeal about the special educational needs element of the plan, they may do so only if an independent mediation adviser has provided them with information about mediation and how it might help.

Parents and young people can then decide whether to go to mediation before they bring an appeal to the Special Educational Needs and Disability Tribunal (SENDIST). Where they decide against mediation, they will be able to go straight to appeal after receiving a certificate stating they have considered mediation.

Further information is also available on the Bromley **Local Offer** Website <http://bromley.mylifeportal.co.uk/localoffer/>.



## Roles and Responsibilities

There are many people that contribute to the Education, Health and Care Plan.

Role	Responsibilities
<b>EHC Keyworker (KW)</b>	A keyworker is the person allocated to the child's parent/s / carer's or young person to coordinate the EHC planning process. The keyworker provides the family and/or young person with a single point of contact and will support them to navigate the system and ensure they have the right information and guidance to enable them to participate in the process effectively. The keyworker will be a local authority officer .
<b>EHC Caseworker (CW)</b>	The Caseworker sits within the Special Educational Needs team and is responsible for overseeing the process, ensuring the local authority meets its statutory requirements in terms of timelines and content. The Caseworker is responsible for bringing together the EHC Plan following the EHC Needs Assessment, drawing all the information and advice received to bring the EHC Plan to draft stage.
<b>Child/Young Person</b>	The child/young person is the most important part of the process. Local authorities must ensure that the child/young person is fully included in the EHC Needs Assessment process from the start and are fully aware of their opportunities to offer their view and are consulted about the content of the EHC Plan. After compulsory school age (the end of the academic year in which they turn 16), the right to make requests and decisions under the Children and Families Act 2014 applies to them directly, rather than their parents (please see section 8.13 of the SEND Code of Practice).
<b>Parent/s or Carer/s</b>	Parents and Carers are crucial to the EHC Needs Assessment and planning process. Under the <b>Children &amp; Families Act 2014</b> , local authorities have a duty to pay particular attention to the views, wishes and feelings of children and their parents, and young people; the importance of them participating as fully as possible in decision-making and providing the information and support to enable them to do so.
<b>Independent Support</b>	The Independent Supporters can help parents, carers and young people to understand the EHC process (including the transfer review), provider information and support through the process where required. IS can provide information to help the family and young person understand personal budgets and also attend meetings to support the family and young person where requested. IS can also help the family and young person to review the draft EHC Plan is requested
<b>Social Worker (up to 18 years)</b>	Where the child is eligible for Short Breaks or a family receives support from the Children's Disability Team, the social worker is responsible for ensuring an assessment of need is completed and putting in place a support plan that provides support to meet the child/young person's need. The care manager is also involved in the EHC planning process, providing information that will be used to complete section D and H.
<b>Care Manager (18 years &amp; above)</b>	Where the young person (18 – 25 years) is eligible for care services, the care manager is responsible for ensuring an assessment of need is completed and putting in place a support plan that provides support to meet the child/young person's need. The care manager is also involved in the EHC planning process, providing information that will be used to complete section D and H.
<b>Health Professional/s</b>	The child/young person may have involvement from one or more health professionals, depending on their disability and level of need.
<b>Educational Psychologist</b>	<b>Educational Psychologists</b> are specialists, trained to assess a child's or young person's learning and can advise on how they might be helped if there are difficulties. The Educational Psychologist will talk with the child, child's parents and young person and with others who know the child or young person well. The psychologist will write about the child or young person's needs and how he/she may be helped to learn.

## Jargon Buster

<b>What's an "Aspiration"?</b>	<i>A hope or ambition of achieving something</i>	For example: to be independent, be healthy, get a job, go to college, have a friend.
<b>Personal Profile</b>	<i>The Personal Profile helps to find out what is important to the child, young person and their family so that all available resources can be used to help achieve their aspirations.</i>	
<b>What's an "Outcome"?</b>	<i>The benefit or difference made to an individual as a result of an intervention.</i>  <i>Steps towards reaching the long term goal.</i>	For example: <b>To be able to travel independently, on foot and by public transport, in and around Bromley, by the time I'm 19.</b>  <b>John will be able to take an active part in group discussions in his class using his communication aid by the end of Key Stage 2.</b>
<b>Person-centred</b>	<i>Outcomes should be personal and not expressed from a service perspective</i>	For example: I want to be able to talk to my friends.
<b>What's a "Need"?</b>	<i>A thing that is required. The state of requiring help....</i>  (It's not just the diagnosis, but the needs that arise from this)	Self Help: Needs help with their personal hygiene i.e. toileting, washing  Learning difficulties: Needs constant repetition in order to support learning
<b>What's "Provision"?</b>	<i>The action of providing or supplying something... a resource to meet need and achieve outcomes</i>	An education placement, support from a service or equipment.  For example: participation in a social communication group with 4-5 other children supported by a trained teaching assistant for 20 minutes once per week.



# Personal Profile

## (Guidelines for parents)

Section A: The **Views, Interests** and **Aspirations** of the child or young person and their parents/carers

A photograph of the child or young person can be inserted (optional)

It is important that the views of the child/young person and their parents/carers are captured first as part of the Education, Health and Care Plan.

### **What people like and admire about** (child's/young person's name)

- She has a wonderful smile
- She is determined to achieve and carries on even when she is in pain
- She has a really fun sense of humour

### **What is important to** (child's/young person's name)

- **Important to** is what really matters to the child/young person from their perspective.
- This should include what the child/young person is saying with their words and behaviours
- It should convey the things that really matter, things that make them feel happy, safe and content, fulfilled and things they look forward to enjoying
- This can include people and things

### **What is important for** (child's/young person's name)

- **Important for** is the help and support a person needs to stay healthy, safe and well.
- These things are clearly essential, but sometimes families and professionals may inadvertently put the main focus on important for which sometimes fails to ensure that there is an equal balance between the two
- This can include people and things

### **Details about the child or young person's wishes for the future:**

- This is the child/young person's views and can include wishes relating to education, family life, friends, social activities, employment and health
- for a very young child, this may be a little more difficult to capture, but may rather reflect the family's view. Where this is the case, it should be written as such, for example:

*'Katy is 4 years old and has not been able to give her views about the long term future, but it is clear that when Katy is happy, safe and engaged she learns best. This is when she is being supported by people who understand her needs and what motivates her. Katy's family and those supporting her who know her well have stated that they wish for Katy to be as happy and as healthy as possible, to live a fulfilled life with the right support in school to enable her to maximised her potential'*

### **Experiences and Achievements:**

- A summary of what the child/young person has achieved or experienced.
- For example, Stephanie can now instigate a conversation
- James and his family went out to dinner together and James was able to stay in his seat for the duration of the meal

### **How [Name] communicates:**

A summary of how to communicate with the child/ young person and engage them in decision-making. Include as necessary verbal/ non-verbal communication, e.g. eye-pointing, gestures, signing and speech  
Use of objects of reference, Makaton, symbols, PECS, etc

**Essential information you need to know about** (child's/ young person's name)

This section must include information that is vital for others to know in order to interact and support the child/ young person appropriately and effectively.

**How [Name] has been involved in their plan:**

This should include information about opportunities the child/young person has had to participate in the development of their plan.

**Family and Friends:**

This section should include information about the child/young person's friends, family and networks of support.

**History (summary)**

This section should include:

- A summary of the child's/young person's family, medical and educational history including a clear statement of any diagnoses or health issues and their current educational setting.
- A summary of involvement with services providing advice for the child/young person.
- There may be other pieces of information which are relevant to a child/young person's story.

**Parent/Carer's views****[Name's] family's views**

**This section enables the family to give their views about their child or young person.** It should include the child or young person's special educational needs or disability and how these impact on child's learning and everyday skills.

It should also include wishes for the future relating to education, family life, friends, social activities, employment and health, for example:

- For Luke to develop his Independent Living Skills, including basic self-care and functional skills in order that Luke can live independently of the family home in the future.
- For James to continue to develop his communication and social skills so that he becomes less dependent on those that understand him well and is able to engage in activities with his peers.
- For Olivia to continue to explore and enjoy opportunities to be active as this is crucial to her wellbeing and mental health and reduces her anxieties.
- We would like Francesca to develop strategies to manage her routines and anxieties in order that she learns to accept changes in her life.



