



EHCP REVIEW – PHASED TRANSFERS

WHAT IS IT?

Phase Transfer is the formal process of transferring a CYP with an EHCP to a new phase of education / educational setting at key points of transition:

- early years provider to school
- infant school to junior school
- primary school to middle school
- primary school to secondary school, and middle school to secondary school
- Secondary school to post-16 provision / apprenticeships
- Move between post-16 provisions / apprenticeships

You may also be requested by an LA to complete a form with your preference. It is not lawful for LA to request this, BUT there can be a risk if you do not. If you complete a preference form, **you can change your mind during the EHCP review.**

STATUTORY TIMELINES

The annual review for a phased transfer should take place in the autumn term before the deadline to allow sufficient time to review and consider provisions (regardless of when the last AR was held).

The EHCP review must be complete, and the new provision named by the following dates:

15th February in the year of the transfer for:

- early years provider to school
- infant school to junior school
- primary school to middle school
- primary school to secondary school, and middle school to secondary school

31st March in the year of the transfer for:

- Secondary school to post-16 provision / apprenticeships
- Move between post-16 provisions / apprenticeships

PHASED TRANSFER PROCESS

Annual Review Meeting:

See our [Annual review quick guide](#) and Guidance on [preparing for annual review](#)

Amending the EHCP:

- LA sends draft plan with proposed amendments to you within 4 weeks of the AR meeting (section I is blank)
- You have 15 days to respond to any changes and state your preferred school / provision
- LA will consult with schools (they will share the draft EHCP) and schools typically have 15 days to respond
- For specialist provision, these will go to a panel for final decision
- LA must issue a final amended plan by the statutory timelines.

APPEAL

Parents / young people can appeal decisions about school placement or the content of the EHCP e.g.:

- LA refuses to name your preferred school
- LA names a school you are not happy with
- Refuses to amend the EHCP
- You disagree with what is in sections B and F

You should be given details of how to request mediation / appeal the LA decision.

If you have an EHCP, LAs must not make you follow the normal admissions process

If you have an EHCP, LAs cannot require you to make requests for schools before receiving a draft plan following AR

The content of the whole EHCP can be reviewed, not just the placement