STATUTORY INSTRUMENTS

2014 No. 1530

EDUCATION

The Special Educational Needs and Disability Regulations 2014

Made - - - - 4th June 2014
Laid before Parliament 11th June 2014
Coming into force 1st September 2014

THE SPECIAL EDUCATIONAL NEEDS AND DISABILITY REGULATIONS 2014

PART 1

Introduction

- 1. Citation and commencement
- 2. Interpretation

PART 2

Children and young people with special educational needs

Assessments

- 3. Consideration of request
- 4. Determination whether or not special educational provision may be necessary
- 5. Decision whether or not to conduct an EHC needs assessment
- 6. Information and advice to be obtained of EHC Needs Assessments
- 7. Matters to be taken into account in securing an EHC needs assessment
- 8. Duty to co-operate in EHC needs assessments
- 9. Provision of advice, information and support to parents and young people
- 10. Decision not to secure an EHC plan

EHC Plans

- 11. Preparation of EHC plans
- 12. Form of EHC plan
- 13. Timescales for EHC plans
- 14. Sending the finalised EHC plan
- 15. Transfer of EHC plans

- 16. Change of responsible commissioning body
- 17. Restriction on disclosure of EHC plans

Reviews and re-assessments

- 18. Circumstances in which a local authority must review an EHC plan
- 19. Conduct of reviews
- 20. Review where the child or young person attends a school or other institution
- 21. Review of EHC plan where the child or young person does not attend a school or other institution
- 22. Amending an EHC plan following a review
- 23. Other circumstances in which a local authority must secure a re-assessment
- 24. Circumstances in which it is not necessary to re-assess educational, health care and social care provision
- 25. Notification of decision whether it is necessary to re-assess educational, health care and social care provision
- 26. Securing a re-assessment of educational, health care and social care provision
- 27. Amending or replacing an EHC plan following a re-assessment
- 28. Amending an EHC plan without a review or reassessment

Ceasing to maintain an EHC plan

- 29. Circumstances in which a local authority may not cease to maintain an EHC plan where the person is under the age of 18
- 30. Circumstances in which a local authority may not cease to maintain an EHC plan where the person is aged 18 or over
- 31. Procedure for determining whether to cease to maintain EHC plan

Mediation

- 32. Information to be included in notices sent by a local authority
- 33. Requirement to consider mediation
- 34. Where a parent or young person does not wish to or fails to pursue mediation
- 35. Mediation health care issues
- 36. Mediation no health care issues
- 37. Arrangements for mediation
- 38. Attendance at the mediation
- 39. Mediation certificate under section 55(5)
- 40. Training, qualifications and experience of mediators
- 41. Expenses
- 42. Steps to be taken by a local authority

Appeals

- 43. Powers of the First-tier Tribunal
- 44. Compliance with the orders of the First-tier Tribunal
- 45. Unopposed appeals

Miscellaneous provisions

- 46. Academic year
- 47. Disclosure of EHC plans in relation to higher education

Status: This is the original version (as it was originally made).

48. Remaining in a special school or special post-16 institution without an EHC plan

PART 3

Duties on schools

Special Educational Needs Co-ordinators

- 49. Prescribed qualifications and experience of SENCOs
- 50. Appropriate authority functions and duties relating to the SENCO

SEN information report

- 51. Prescribed information that must be included in SEN information report
- 52. Manner of publication of report

PART 4

Local Offer

- 53. Information to be included in the local offer
- 54. Consultation
- 55. Involvement of children, their parents and young people in preparation and review of local offer.
- 56. Publication of comments on the local offer
- 57. Manner of publication

PART 5

Approval of independent special schools and special post-16 institutions

- 58. Types of special post-16 institution that may be approved
- 59. Matters to be taken into account in deciding to give approval
- 60. Matters to be taken into account in deciding to withdraw approval
- 61. Procedure when the Secretary of State decides to withdraw approval
- 62. Publication of list of approved institutions

PART 6

Parents and young people lacking capacity

- 63. Where a child's parent lacks capacity
- 64. Where a young person lacks capacity
- 65. Mental Capacity Act 2005 Signature

SCHEDULE 1 — Information to be included in the SEN information report

- 1. The kinds of special educational needs for which provision is...
- 2. Information, in relation to mainstream schools and maintained nursery schools,...
- 3. Information about the school's policies for making provision for pupils...
- 4. In relation to mainstream schools and maintained nursery schools, the...
- 5. Information about the expertise and training of staff in relation...
- 6. Information about how equipment and facilities to support children and...

- 7. The arrangements for consulting parents of children with special educational...
- 8. The arrangements for consulting young people with special educational needs...
- 9. Any arrangements made by the governing body or the proprietor...
- 10. How the governing body involves other bodies, including health and...
- 11. The contact details of support services for the parents of...
- 12. The school's arrangements for supporting pupils with special educational needs...
- 13. Information on where the local authority's local offer is published....

SCHEDULE 2 — Information to be published by a local authority in its local offer

- 1. The special educational provision and training provision which the local...
- 2. The special educational provision and training provision the local authority...
- 3. The information in paragraphs 1 and 2 must include information...
- 4. The arrangements the persons specified in paragraphs 1 and 2...
- 5. Information, in relation to the persons specified in paragraphs 1...
- 6. Where further information about the bodies specified in paragraphs 1...
- 7. Where the strategy prepared by the local authority under paragraph...
- 8. Special educational provision and training provision the local authority expects...
- 9. Special educational provision and training provision the local authority expects...
- 10. Provision available in the local authority's area to assist children...
- 11. Information about support available to young people with special educational...
- 12. Health care provision for children and young people with special...
- 13. Social care provision for children and young people with special...
- 14. Transport arrangements for children and young people with special educational...
- 15. Sources of information, advice and support in the local authority's...
- 16. The procedure for making a complaint about provision mentioned in...
- 17. The procedure for making a complaint about any provision or...
- 18. Information about any criteria that must be satisfied before any...
- 19. Information about how to request an EHC needs assessment, and...
- 20. Information on where the list of institutions approved under section...
- 21. Arrangements for notifying parents and young people of their right...
- 22. Arrangements for mediation made in accordance with section 53 or...
- Arrangements for the resolution of disagreements made in accordance with...

SCHEDULE 3 —

- PART 1 References to a young person in the Act that are to be read as references to both a young person and an alternative person
- PART 2 References to a young person in the Act that are to be read as references to an alternative person
- PART 3 References to a young person in the Act that are to be read as references to both a young person and an alternative person
- PART 4 References to a young person in the Act that are to be read as references to an alternative person