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STATUTORY INSTRUMENTS

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**2014 No. 1530**

**The Special Educational Needs and Disability Regulations 2014**

**PART 2**

**Children and young people with special educational needs**

*Assessments*

**Information and advice to be obtained of EHC Needs Assessments**

**6.—(1)** Where the local authority secures an EHC needs assessment for a child or young person, it must seek the following advice and information, on the needs of the child or young person, and what provision may be required to meet such needs and the outcomes that are intended to be achieved by the child or young person receiving that provision—

- (a) advice and information from the child's parent or the young person;
- (b) educational advice and information—
  - (i) from the head teacher or principal of the school or post-16 or other institution that the child or young person is attending, or
  - (ii) where this is not available, from a person who the local authority is satisfied has experience of teaching children or young people with special educational needs, or knowledge of the differing provision which may be called for in different cases to meet those needs, or
  - (iii) if the child or young person is not currently attending a school or post-16 or other institution and advice cannot be obtained under sub-paragraph (ii), from a person responsible for educational provision for the child or young person, and
  - (iv) if any parent of the child or young person is a serving member of Her Majesty's armed forces, also from the Secretary of State for Defence;
- (c) medical advice and information from a health care professional identified by the responsible commissioning body;
- (d) psychological advice and information from an educational psychologist;
- (e) advice and information in relation to social care;
- (f) advice and information from any other person the local authority thinks is appropriate;
- (g) where the child or young person is in or beyond year 9, advice and information in relation to provision to assist the child or young person in preparation for adulthood and independent living; and
- (h) advice and information from any person the child's parent or young person reasonably requests that the local authority seek advice from.

(2) Where it appears to the authority, in consequence of medical advice or otherwise, that the child or young person in question is either or both—

- (a) hearing impaired;
- (b) visually impaired,

and any person from whom advice and information is sought as provided in paragraph (1)(b) is not qualified to teach children or young people who are so impaired, then the advice sought shall be advice given after consultation with a person who is so qualified.

(3) When seeking advice in accordance with paragraph (1)(b) to (h), the local authority must provide the person from whom advice is being sought with copies of—

- (a) any representations made by the child's parent or the young person, and
- (b) any evidence submitted by or at the request of the child's parent or the young person.

(4) The local authority must not seek any of the advice referred to in paragraphs (1)(b) to (h) if such advice has previously been provided for any purpose and the person providing that advice, the local authority and the child's parent or the young person are satisfied that it is sufficient for the purposes of an EHC needs assessment.