#### STATUTORY INSTRUMENTS

#### 2015 No. 62

### **EDUCATION, ENGLAND**

# The Special Educational Needs and Disability (Detained Persons) Regulations 2015

Made - - - - 26th January 2015
Laid before Parliament 28th January 2015
Coming into force 1st April 2015

## THE SPECIAL EDUCATIONAL NEEDS AND DISABILITY (DETAINED PERSONS) REGULATIONS 2015

#### PART 1

#### Introduction

- 1. Citation and commencement
- 2. Interpretation
- 2A Relaxation of time periods due to coronavirus exception

#### PART 2

Detained persons 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 a detained person's EHC needs assessment
- 6. Information and advice to be obtained for a detained person's EHC Needs Assessments
- 7. Matters to be taken into account in securing a detained person's EHC needs assessment
- 8. Duty to co-operate in a detained person's EHC needs assessment
- 9. Provision of advice, information and support to the appropriate person
- 10. Decision not to secure an EHC plan

#### EHC plans

- 11. Preparation of EHC plans for a detained person
- 12. Form of EHC plan
- 13. Timescales for EHC plans
- 14. Sending the finalised EHC plan
- 15. Needs assessments which are not completed
- 16. Transfer of a kept EHC plan
- 17. Restriction on disclosure of EHC plans

#### PART 3

#### Mediation

- 18. Information to be included in notices sent by a home authority
- 19. Requirement to consider mediation
- 20. Where the appropriate person does not wish to or fails to pursue mediation
- 21. Mediation
- 22. Arrangements for mediation
- 23. Attendance at the mediation
- 24. Mediation certificate under section 55(5) of the Act
- 25. Training, qualifications and experience of mediators
- 26. Expenses
- 27. Steps to be taken by a home authority

#### PART 4

#### Appeals

- 28. Powers of the First-tier Tribunal
- 29. Compliance with the orders of the First-tier Tribunal
- 30. Unopposed appeals

#### PART 5

#### Appropriate persons and detained persons lacking capacity

- 31. Where a child's parent lacks capacity
- 32. Where a young person lacks capacity
- 33. Mental Capacity Act 2005 Signature

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SCHEDULE —

PART 1

The regulations referred to in regulation 32(2)(a) are—PART 2

The regulation referred to in regulation 32(2)(b) is—regulation 17(3) (second reference).

**Explanatory Note** 

**Changes to legislation:**There are currently no known outstanding effects for the The Special Educational Needs and Disability (Detained Persons) Regulations 2015.