

STATUTORY INSTRUMENTS

2015 No. 62

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

PART 1

Introduction

Citation and commencement

1. These Regulations may be cited as the Special Educational Needs and Disability (Detained Persons) Regulations 2015 and come into force on 1st April 2015.

Interpretation

2.—(1) In these Regulations ^{M1}—

“the Act” means the Children and Families Act 2014;

[^{F1}“coronavirus” means severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2);]

“detained person's health services commissioner” has the same meaning as in section 74(8) of the Act;

“the home commissioning body” means the body which was responsible for commissioning health services for the detained person immediately before the detention.

Textual Amendments

F1 Words in reg. 2(1) inserted (temp.) (1.5.2020) by [The Special Educational Needs and Disability \(Coronavirus\) \(Amendment\) Regulations 2020 \(S.I. 2020/471\)](#), regs. 1, 19 (with reg. 2(2))

Marginal Citations

M1 The definitions in the Act are applied throughout these Regulations.

[^{F2}Relaxation of time periods due to coronavirus exception

2A.—(1) Where the coronavirus exception applies, any requirement in any of the regulations specified in paragraph (3) for action to be taken within a specified period of time or by a certain day is to be read instead as a requirement for such action to be taken as soon as reasonably practicable.

(2) The coronavirus exception applies where it is not reasonably practicable for a person to meet a requirement referred to in paragraph (1) for a reason relating to the incidence or transmission of coronavirus.

(3) The following regulations are specified for the purposes of paragraphs (1) and (2)—

(a) regulation 15(1) and (4) (needs assessments which are not completed);

- (b) regulation 16(2), (3) and (4) (transfer of a kept EHC plan);
- (c) regulation 17(1) and (2) (restriction on disclosure of EHC plans);
- (d) regulation 19 (requirement to consider mediation);
- (e) regulation 20(1) and (2) (where the appropriate person does not wish to or fails to pursue mediation);
- (f) regulation 21 (mediation);
- (g) regulation 24(1) and (3) (mediation certificate under section 55(5) of the Act);
- (h) regulation 27(3) (steps to be taken by a home authority);
- (i) regulation 29(2) and (6) (compliance with the orders of the First-tier Tribunal); and
- (j) regulation 30(3) and (6) (unopposed appeals).]

Textual Amendments

- F2** Reg. 2A inserted (temp.) (1.5.2020) by [The Special Educational Needs and Disability \(Coronavirus\) \(Amendment\) Regulations 2020 \(S.I. 2020/471\)](#), regs. 1, **20** (with reg. 2(2))

Changes to legislation:

There are currently no known outstanding effects for the The Special Educational Needs and Disability (Detained Persons) Regulations 2015, PART 1.