
STATUTORY INSTRUMENTS

2014 No. 1530

The Special Educational Needs and Disability Regulations 2014

PART 2

Children and young people with special educational needs

Reviews and re-assessments

Amending an EHC plan following a review

22.—(1) Where the local authority is considering amending an EHC plan following a review it must comply with the requirements of regulations 11, and 12, and with sections 33 of the Act, and with sections 39 and 40 of the Act (as appropriate).

(2) Where the local authority is considering amending an EHC plan following a review it must—

- (a) send the child's parent or the young person a copy of the EHC plan together with a notice specifying the proposed amendments, together with copies of any evidence which supports those amendments;
- (b) provide the child's parent or the young person with notice of their right request the authority to secure that a particular school is or other institution is named in the plan under section 38(2)(b)(ii)
- (c) give them at least 15 days, beginning with the day on which the draft plan was served, in which to—
 - (i) make representations about the content of the draft plan;
 - (ii) request that a particular school or other institution be named in the plan;
 - (iii) request a meeting with an officer of the local authority, if they wish to make representations orally.
- (d) advise them where they can find information about the schools and colleges that are available for the child or young person to attend.

(3) Where the local authority decides to amend the EHC plan following representations from the child's parent or the young person, it must send the finalised EHC plan to—

- (a) the child's parent or to the young person;
- (b) the governing body, proprietor or principal of any school or other institution named in the EHC plan; and
- (c) to the responsible commissioning body

as soon as practicable, and in any event within 8 weeks of the local authority sending a copy of the EHC plan in accordance with paragraph (2)(a).

(4) Where the local authority decides not to amend the EHC plan, it must notify the child's parent or the young person of its decision and its reasons for this as soon as practicable and in any

event within 8 weeks of the local authority sending a copy of the EHC plan in accordance with paragraph (2)(a).

(5) When sending a the finalised EHC plan to the child’s parent or the young person in accordance with paragraph (3), or notifying them in accordance with paragraph (4) the local authority must also notify them of—

- (a) their right to appeal matters within the EHC plan in accordance with section 51(2)(c) or 51(2)(e) of the Act (as appropriate);
- (b) the time limits for doing so;
- (c) the information concerning mediation, set out in regulation 32; and
- (d) the availability of—
 - (i) disagreement resolution services; and
 - (ii) advice and information about matters relating to the special educational needs of children and young people.