



# Children and Families Act 2014

## 2014 CHAPTER 6

### PART 3

#### CHILDREN AND YOUNG PEOPLE IN ENGLAND WITH SPECIAL EDUCATIONAL NEEDS OR DISABILITIES

##### *Education, health and care plans*

#### **44      Reviews and re-assessments**

- (1) A local authority must review an EHC plan that it maintains—
  - (a) in the period of 12 months starting with the date on which the plan was first made, and
  - (b) in each subsequent period of 12 months starting with the date on which the plan was last reviewed under this section.
- (2) A local authority must secure a re-assessment of the educational, health care and social care needs of a child or young person for whom it maintains an EHC plan if a request is made to it by—
  - (a) the child's parent or the young person, or
  - (b) the governing body, proprietor or principal of the school, post-16 institution or other institution which the child or young person attends.
- (3) A local authority may also secure a re-assessment of those needs at any other time if it thinks it necessary.
- (4) Subsections (1) and (2) are subject to any contrary provision in regulations made under subsection (7)(b).
- (5) In reviewing an EHC plan maintained for a young person aged over 18, or deciding whether to secure a re-assessment of the needs of such a young person, a local authority must have regard to whether the educational or training outcomes specified in the plan have been achieved.

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*Status: This is the original version (as it was originally enacted).*

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- (6) During a review or re-assessment, a local authority must consult the parent of the child, or the young person, for whom it maintains the EHC plan.
- (7) Regulations may make provision about reviews and re-assessments, in particular—
  - (a) about other circumstances in which a local authority must or may review an EHC plan or secure a re-assessment (including before the end of a specified phase of a child’s or young person’s education);
  - (b) about circumstances in which it is not necessary for a local authority to review an EHC plan or secure a re-assessment;
  - (c) about amending or replacing an EHC plan following a review or re-assessment.
- (8) Regulations under subsection (7) about re-assessments may in particular apply provisions of or made under this Part that are applicable to EHC needs assessments, with or without modifications.
- (9) Regulations under subsection (7)(c) must include provision applying section 33 (mainstream education for children and young people with EHC plans) to a case where an EHC plan is to be amended following a review.