
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 or replacing an EHC plan following a re-assessment

27.—(1) Where the local authority decides to amend or replace an EHC plan following a reassessment it must comply with the requirements of regulations 11, 12, 13(1) and 14, and with sections 33 and 38 of the Act and with section 39 or 40 of the Act (as appropriate).

(2) The local authority must send a copy of the finalised EHC plan in accordance with section 39(8) or 40(5) of the Act (as appropriate) as soon as practicable, and in any event within 14 weeks of the notification under regulation 25(1) or of deciding it is necessary to reassess under section 44(3) to—

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

(3) The local authority need not comply with the time limit referred to in paragraph (2) if it is impractical to do so because—

- (a) the authority has requested advice from the head teacher or principal of a school or post-16 institution during a period beginning one week before any date on which that school or institution was closed for a continuous period of not less than 4 weeks from that date and ending one week before the date on which it re-opens;
- (b) the authority has requested advice from the person identified as having responsibility for special educational needs (if any) in relation to, or other person responsible for, a child's education at a provider of relevant early years education during a period beginning one week before any date on which that provider was closed for a continuous period of not less than 4 weeks from that date and ending one week before the date on which it re-opens;
- (c) exceptional personal circumstances affect the child or his parent, or the young person during that time period; [^{F1} or]
- (d) the child or his parent, or the young person, are absent from the area of the authority for a continuous period of not less than 4 weeks, during that time period [^{F2}; or
- (e) of a reason relating to the incidence or transmission of coronavirus].

- (a) (4) (a) Where the local authority carries out a reassessment, it must review the EHC plan within 12 months of the date on which a copy of the finalised plan is sent to the child's parent or the young person in accordance with the requirements in Regulation 14; and

- (b) in each subsequent period of 12 months starting with the date on which the plan was last reviewed.

Textual Amendments

- F1** Word in reg. 27(3)(c) omitted (temp.) (1.5.2020) by virtue of [The Special Educational Needs and Disability \(Coronavirus\) \(Amendment\) Regulations 2020 \(S.I. 2020/471\)](#), regs. 1, **13(a)** (with reg. 2(2))
- F2** Reg. 27(3)(e) and word inserted (temp.) (1.5.2020) by virtue of [The Special Educational Needs and Disability \(Coronavirus\) \(Amendment\) Regulations 2020 \(S.I. 2020/471\)](#), regs. 1, **13(b)** (with reg. 2(2))

Modifications etc. (not altering text)

- C1** Reg. 27 applied (with modifications) (1.9.2014) by [The Children and Families Act 2014 \(Transitional and Saving Provisions\) \(No. 2\) Order 2014 \(S.I. 2014/2270\)](#), **arts. 1(2), 24(2)**, as amended (1.9.2015) by [The Children and Families Act 2014 \(Transitional and Saving Provisions\) \(Amendment\) \(No. 2\) Order 2015 \(S.I. 2015/1619\)](#), arts. 1, **5**

Changes to legislation:

There are currently no known outstanding effects for the The Special Educational Needs and Disability Regulations 2014, Section 27.