



Children and Families Act 2014

2014 CHAPTER 6

PART 3

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

Detained persons

72 Securing EHC plans for certain detained persons

- (1) Where, in the light of a detained person's EHC needs assessment it is necessary for special education provision to be made for the detained person in accordance with an EHC plan on release from detention, the home authority must secure that an EHC plan is prepared for him or her.
- (2) Sections 37(2) to (5) and 38 to 40 apply in relation to an EHC plan secured under subsection (1) as they apply to an EHC plan secured under section 37(1), with the following modifications—
 - (a) references to “the child or young person” are to be read as references to the detained person,
 - (b) references to the local authority are to be read as references to the home authority, and
 - (c) references to the child's parent or the young person are to be read as references to the appropriate person.
- (3) Section 33(2) to (7) apply where a home authority is securing the preparation of an EHC plan under this section as they apply where a local authority is securing a plan under section 37, with the following modifications—
 - (a) references to “the child or young person” are to be read as references to the detained person,
 - (b) references to the local authority are to be read as references to the home authority,

- (c) references to the child's parent or the young person are to be read as references to the appropriate person, and
- (d) the reference in subsection (2) to section 39(5) and 40(2) is to be read as a reference to those provisions as applied by subsection (2) of this section.