THE SPECIAL EDUCATIONAL NEEDS AND DISABILITY REGULATIONS 2014

PART 1
Introduction

1. Citation and commencement
2. Interpretation

PART 2
Children and young people with special educational needs

Assessments

3. Consideration of request
4. Determination whether or not special educational provision may be necessary
5. Decision whether or not to conduct an EHC needs assessment
6. Information and advice to be obtained of EHC Needs Assessments
7. Matters to be taken into account in securing an EHC needs assessment
8. Duty to co-operate in EHC needs assessments
9. Provision of advice, information and support to parents and young people
10. Decision not to secure an EHC plan

EHC Plans

11. Preparation of EHC plans
12. Form of EHC plan
13. Timescales for EHC plans
14. Sending the finalised EHC plan
15. Transfer of EHC plans
16. Change of responsible commissioning body
17. Restriction on disclosure of EHC plans

**Reviews and re-assessments**

18. Circumstances in which a local authority must review an EHC plan
19. Conduct of reviews
20. Review where the child or young person attends a school or other institution
21. Review of EHC plan where the child or young person does not attend a school or other institution
22. Amending an EHC plan following a review
23. Other circumstances in which a local authority must secure a re-assessment
24. Circumstances in which it is not necessary to re-assess educational, health care and social care provision
25. Notification of decision whether it is necessary to re-assess educational, health care and social care provision
26. Securing a re-assessment of educational, health care and social care provision
27. Amending or replacing an EHC plan following a re-assessment
28. Amending an EHC plan without a review or reassessment

**Ceasing to maintain an EHC plan**

29. Circumstances in which a local authority may not cease to maintain an EHC plan where the person is under the age of 18
30. Circumstances in which a local authority may not cease to maintain an EHC plan where the person is aged 18 or over
31. Procedure for determining whether to cease to maintain EHC plan

**Mediation**

32. Information to be included in notices sent by a local authority
33. Requirement to consider mediation
34. Where a parent or young person does not wish to or fails to pursue mediation
35. Mediation – health care issues
36. Mediation – no health care issues
37. Arrangements for mediation
38. Attendance at the mediation
39. Mediation certificate under section 55(5)
40. Training, qualifications and experience of mediators
41. Expenses
42. Steps to be taken by a local authority

**Appeals**

43. Powers of the First-tier Tribunal
44. Compliance with the orders of the First-tier Tribunal
45. Unopposed appeals

**Miscellaneous provisions**

46. Academic year
47. Disclosure of EHC plans in relation to higher education
48. Remaining in a special school or special post-16 institution without an EHC plan

PART 3
Duties on schools

Special Educational Needs Co-ordinators

49. Prescribed qualifications and experience of SENCOs
50. Appropriate authority functions and duties relating to the SENCO

SEN information report

51. Prescribed information that must be included in SEN information report
52. Manner of publication of report

PART 4
Local Offer

53. Information to be included in the local offer
54. Consultation
55. Involvement of children, their parents and young people in preparation and review of local offer.
56. Publication of comments on the local offer
57. Manner of publication

PART 5
Approval of independent special schools and special post-16 institutions

58. Types of special post-16 institution that may be approved
59. Matters to be taken into account in deciding to give approval
60. Matters to be taken into account in deciding to withdraw approval
61. Procedure when the Secretary of State decides to withdraw approval
62. Publication of list of approved institutions

PART 6
Parents and young people lacking capacity

63. Where a child’s parent lacks capacity
64. Where a young person lacks capacity
65. Mental Capacity Act 2005
Signature

SCHEDULE 1 — Information to be included in the SEN information report
1. The kinds of special educational needs for which provision is...
2. Information, in relation to mainstream schools and maintained nursery schools,...
3. Information about the school’s policies for making provision for pupils...
4. In relation to mainstream schools and maintained nursery schools, the...
5. Information about the expertise and training of staff in relation...
6. Information about how equipment and facilities to support children and...
7. The arrangements for consulting parents of children with special educational...
8. The arrangements for consulting young people with special educational needs...
9. Any arrangements made by the governing body or the proprietor...
10. How the governing body involves other bodies, including health and...
11. The contact details of support services for the parents of...
12. The school’s arrangements for supporting pupils with special educational needs...
13. Information on where the local authority’s local offer is published....

SCHEDULE 2 — Information to be published by a local authority in its local offer
1. The special educational provision and training provision which the local...
2. The special educational provision and training provision the local authority...
3. The information in paragraphs 1 and 2 must include information...
4. The arrangements the persons specified in paragraphs 1 and 2...
5. Information, in relation to the persons specified in paragraphs 1...
6. Where further information about the bodies specified in paragraphs 1...
7. Where the strategy prepared by the local authority under paragraph...
8. Special educational provision and training provision the local authority expects...
9. Special educational provision and training provision the local authority expects...
10. Provision available in the local authority’s area to assist children...
11. Information about support available to young people with special educational...
12. Health care provision for children and young people with special...
13. Social care provision for children and young people with special...
14. Transport arrangements for children and young people with special educational...
15. Sources of information, advice and support in the local authority’s...
16. The procedure for making a complaint about provision mentioned in...
17. The procedure for making a complaint about any provision or...
18. Information about any criteria that must be satisfied before any...
19. Information about how to request an EHC needs assessment, and...
20. Information on where the list of institutions approved under section...
21. Arrangements for notifying parents and young people of their right...
22. Arrangements for mediation made in accordance with section 55 or...
23. Arrangements for the resolution of disagreements made in accordance with...

SCHEDULE 3 —
PART 1 — References to a young person in the Act that are to be read as references to both a young person and an alternative person
PART 2 — References to a young person in the Act that are to be read as references to an alternative person
PART 3 — References to a young person in the Act that are to be read as references to both a young person and an alternative person
PART 4 — References to a young person in the Act that are to be read as references to an alternative person

Explanatory Note