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STATUTORY INSTRUMENTS

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**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*

**Review where the child or young person attends a school or other institution**

**20.**—(1) As part of a review of a child or young person's EHC plan, the local authority must ensure that a meeting to review that EHC plan is held and in the case of a child or young person attending a school referred to in paragraph (12), can require the head teacher or principal of the school to arrange and hold that meeting.

(2) The following persons must be invited to attend the review meeting—

- (a) the child's parent or the young person;
- (b) the provider of the relevant early years education or the head teacher or principal of the school, post-16 or other institution attended by the child or young person;
- (c) an officer of the authority who exercises the local authority's education functions in relation to children and young people with special educational needs;
- (d) a health care professional identified by the responsible commissioning body to provide advice about health care provision in relation to the child or young person;
- (e) an officer of the authority who exercises the local authority's social services functions in relation to children and young people with special educational needs.

(3) At least two weeks' notice of the date of the meeting must be given.

(4) The person arranging the review meeting must obtain advice and information about the child or young person from the persons referred to in paragraph (2) and must circulate it to those persons at least two weeks in advance of the review meeting.

(5) The child or young person's progress towards achieving the outcomes specified in the EHC plan must be considered at the meeting.

(6) When the child or young person is in or beyond year 9, the review meeting must consider what provision is required to assist the child or young person in preparation for adulthood and independent living.

(7) Where the child or young person attends a school referred to in paragraph (12), the local authority must ask the head teacher or principal of the school to prepare a written report on the child or young person, setting out that person's recommendations on any amendments to be made to the EHC plan, and referring to any difference between those recommendations and recommendations of others attending the meeting.

(8) Where the child or young person does not attend a school referred to in paragraph (12), the local authority must prepare a written report on the child or young person, setting out its

recommendations on any amendments to be made to the EHC plan, and referring to any difference between those recommendations and recommendations of others attending the meeting.

(9) The written report must include advice and information about the child or young person obtained in accordance with paragraph (4) and must be prepared within two weeks of the review meeting, and sent to everyone referred to in paragraph (2).

(10) The local authority must then decide whether it proposes to—

- (a) continue to maintain the EHC plan in its current form;
- (b) amend it; or
- (c) cease to maintain it,

and must notify the child's parent or the young person and the person referred to in paragraph (2) (b) within four weeks of the review meeting.

(11) If the local authority proposes to continue or to cease to maintain the child or young person's EHC plan, it must also notify the child's parent or the young person of—

- (a) their right to appeal matters within the EHC plan in accordance with section 51(2)(e) of the Act;
- (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) information and advice about matters relating to the special educational needs of children and young people.

(12) Schools referred to in this paragraph are—

- (a) maintained schools;
- (b) maintained nursery schools;
- (c) Academy schools;
- (d) alternative provision Academies<sup>(1)</sup>;
- (e) pupil referral units<sup>(2)</sup>;
- (f) non-maintained special schools<sup>(3)</sup>;
- (g) independent educational institutions approved under section 41 of the Act.

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(1) Alternative provision Academies has the meaning given in section 1C of the Academies Act 2010 . Section 1C was inserted by section 53(7) of the 2011 Act

(2) Pupil Referral Units has the same meaning given in section 19 of the 1996 Act

(3) Non-maintained special school has the same meaning given in section 342 of the 1996 Act