
STATUTORY INSTRUMENTS

2014 No. 1530

The Special Educational Needs and Disability Regulations 2014

PART 2

Children and young people with special educational needs

Ceasing to maintain an EHC plan

Procedure for determining whether to cease to maintain EHC plan

31.—(1) Where a local authority is considering ceasing to maintain a child or young person's EHC plan it must—

- (a) inform the child's parent or the young person that it is considering ceasing to maintain the child or young person's EHC plan; and
- (b) consult the child's parent or the young person;
- (c) consult the head teacher, principal or equivalent person at the educational institution that is named in the EHC plan.

(2) Where, following that consultation the local authority determines to cease to maintain the child or young person's EHC plan, it must notify the child's parent or the young person, the institution named in the child or young person's EHC plan and the responsible commissioning body of that decision.

(3) When notifying the child's parent or the young person of its decision to cease to maintain the EHC plan, it must also notify them of—

- (a) their right to appeal that decision;
- (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) advice and information about matters relating to the special educational needs of children and young people.