
STATUTORY INSTRUMENTS

2014 No. 2270

**The Children and Families Act 2014 (Transitional
and Saving Provisions) (No. 2) Order 2014**

PART 5

Children etc with statement on commencement: transfer to new regime

Exceptions to Articles 12 to 15: exceptional personal circumstances and appeals

16.—(1) Articles 12 to 15 do not apply in relation to a child or young person at any time when—

- (a) exceptional personal circumstances affect the child, the child's parent or the young person, and those circumstances mean that it is not appropriate to carry out an EHC needs assessment for the child or young person, in which case paragraph (2) applies; or
- (b) the parent of a child or young person had brought an appeal under section 326 of EA 1996 against any of the matters listed in subsection (1A) of that section, or under paragraph 8 of Schedule 27 to EA 1996, but the appeal had not been fully determined, in which case paragraph (3) applies.

(2) In the circumstances set out in paragraph (1)(a) the local authority that maintains the statement for the child or young person must secure that an EHC needs assessment for him or her is carried out and concluded as soon as is reasonably practicable after it becomes appropriate to carry out that assessment.

(3) In the circumstances set out in paragraph (1)(b) the local authority that maintains the statement for the child or young person must secure that an EHC needs assessment for him or her is carried out and concluded as soon as is reasonably practicable after the appeal has been fully determined.