



Children and Families Act 2014

2014 CHAPTER 6

PART 3

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

Education, health and care plans

40 Finalising EHC plans: no request for particular school or other institution

- (1) This section applies where no request is made to a local authority before the end of the period specified in a notice under section 38(2)(b) to secure that a particular school or other institution is named in an EHC plan.
- (2) The local authority must secure that the plan—
 - (a) names a school or other institution which the local authority thinks would be appropriate for the child or young person concerned, or
 - (b) specifies the type of school or other institution which the local authority thinks would be appropriate for the child or young person.
- (3) Before securing that the plan names a school or other institution under subsection (2)(a), the local authority must consult—
 - (a) the governing body, proprietor or principal of any school or other institution the authority is considering having named in the plan, and
 - (b) if that school or other institution is maintained by another local authority, that authority.
- (4) The local authority must also secure that any changes it thinks necessary are made to the draft EHC plan.
- (5) The local authority must send a copy of the finalised EHC plan to—
 - (a) the child's parent or the young person, and
 - (b) the governing body, proprietor or principal of any school or other institution named in the plan.