
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

Duty to secure EHC needs assessment for other children etc in period 2015-2018

14.—(1) This Article applies to a child or young person to whom this Part applies, other than a child to whom Article 12 applies.

(2) Paragraph (3) applies to the child or young person if during 2016 or 2017—

- (a) he or she is expected to transfer to a different phase of education, or
- (b) he or she comes to be in year 9.

(3) 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—

- (a) where the child is expected to transfer to a post-16 institution in that period, before 31st March in the calendar year in which the transfer takes place,
- (b) where the child or young person is otherwise expected to transfer to a different phase of education in that period, before 15th February in the calendar year in which the transfer takes place, or
- (c) where the child comes to be in year 9 in that period, before the child begins year 10.

(4) If the child or young person falls within paragraph (2) more than once in that period—

- (a) paragraph (3) requires an EHC needs assessment for the child or young person to be carried out and concluded before the earliest date that is applicable to him or her under that paragraph, but
- (b) that paragraph does not require more than one assessment to be carried out for him or her in that period.

(5) If the child or young person does not fall within paragraph (2) in the period mentioned in that paragraph, 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 before 1st April 2018.

(6) For the purposes of this Article a child transfers to a different phase of education if the child transfers—

- (a) from relevant early years education to school,
- (b) from infant to junior school,
- (c) from primary to middle school,
- (d) from primary to secondary school,
- (e) from middle to secondary school,

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- (f) from school to a post-16 institution,
 - (g) from mainstream school to special school, or
 - (h) from special school to mainstream school.
- (7) This Article is subject to Articles 16, 23 and 28.