

CEASING TO MAINTAIN A PLAN

Provision no longer needed

The circumstances where a local authority may determine that it is **no longer necessary for the EHC plan to be maintained** include where the child or young person **no longer requires the special educational provision specified in the EHC plan.**

Procedure for determining whether to cease to maintain the EHC plan

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

LA notifying the parents/young person

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.

Amendment Process

A local authority may cease to maintain an EHC plan only if it determines that it is no longer necessary for the plan to be maintained, or if it is no longer responsible for the child or young person.

Post-19 support

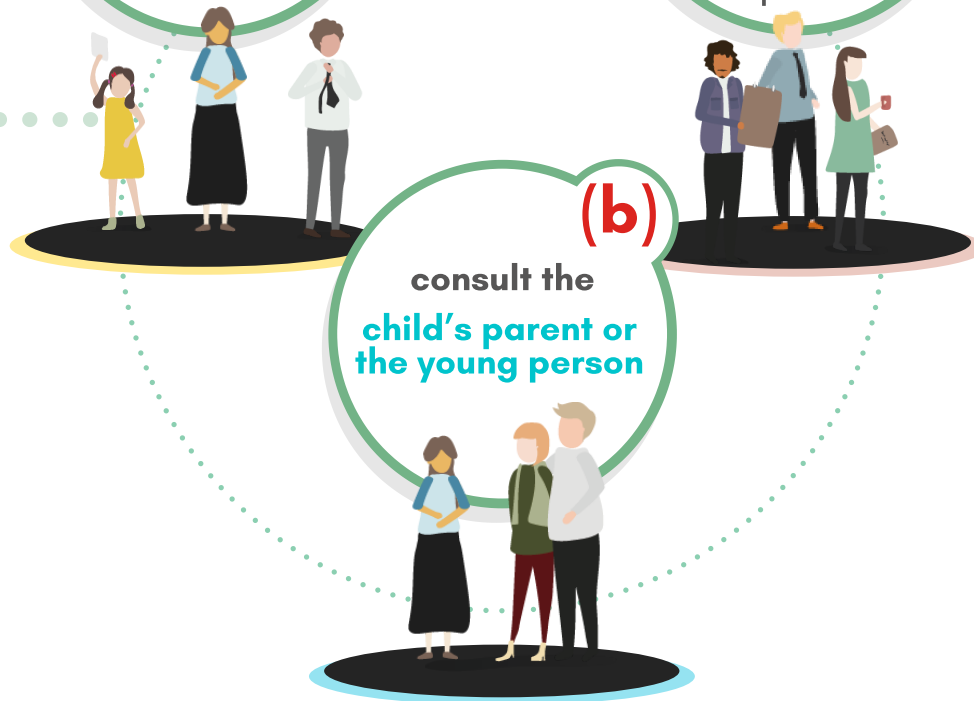
When deciding whether a **young person aged 19 or over** no longer needs the special educational provision specified in the EHC plan, a **local authority must take account of whether the education or training outcomes specified in the EHC plan have been achieved.**

inform the **(a)**
child's parent or the young person

that it is considering ceasing to maintain the child or young person's EHC plan; and

consult the **(c)**
head teacher, principal or equivalent person at the educational institution that is named in the EHC plan.

(b)
consult the **child's parent or the young person**



***Important points in law: section 45 of the Children and Families Act 2014 and Regulations 29, 30 and 31 of the SEND Regulations 2014**

*Find out more here

HERE



CEASING TO MAINTAIN A PLAN EXITING EDUCATION

Late education & beyond

It is important that a child or young person's exit from an EHC plan is planned carefully, to support smooth transitions and **effective preparation for adulthood**.



For young people with EHC plans, where it is known that a young person will **soon be completing their time in education and training**, the local authority should use the annual review prior to ceasing the EHC plan to **agree the support and specific steps** needed to help the young person to engage with the services and provision they will be accessing once they have left education.

This transition should be planned with **timescales and clear responsibilities** and the young person should know what will happen when their EHC plan ceases. During this planning process, the local authority must continue **to maintain the young person's EHC plan** as long as the young person needs it and **remains in education or training**.



TOP TIPS

Some of our tips that will guide you



- **Whether or not you are happy for the plan to be ceased, if you feel this may be on the cards, make sure you are prepared.**
- **Obtain your rights as soon as you can**



- **DO not leave a review to the last minute - YOU can request it to be earlier**
- **Know what arguments you can use**

