



COVID-19: End of Temporary changes to The Children and Families Act 2014

In response to the Coronavirus pandemic, significant changes were made to the duty to secure or arrange the provision set out in Education Health and Care Plans (EHCPs) for children and young people up to the age of 25 with special educational needs. EHC plans set out the provision that a local authority (in relation both to education and social care needs) and health commissioning bodies (in relation to health needs) must secure or arrange for the individual to meet their needs.

On 1 May 2020, a notice issued by the Secretary of State to modify section 42 of the Children and Families Act 2014 (the duty to secure special educational provision and health care provision in accordance with EHC plan) came into force. This changed the absolute duty for Local Authorities to make provision set out in an EHCP to Local Authorities using 'reasonable endeavours.'

However, this amendment to section 42 of the Children and Families Act 2014 was ceased on 31st July 2020, making the duty to secure special educational provision and health care for children and young people with EHC plan an absolute duty once again. Therefore, children and young people should expect to receive all of the provision detailed in section F of their EHC plan, although this may be delivered through alternative methods due to the need to minimise risk when returning to school. Schools should be holding conversations with parents, carers, children, and young people in advance in order to ensure that these provisions are in place and delivered appropriately to meet need.

Further information can be found in the government guidance:

<https://www.gov.uk/government/publications/guidance-for-full-opening-special-schoolsand-other-specialist-settings/guidance-for-full-opening-special-schools-and-otherspecialist-settings>

How can SENDiass4BCP support me during this time?

Currently, SENDiass staff are working remotely. We have changed our answerphone message to advise parent/carers to email their enquiry rather than telephone, as our offices aren't being staffed as per normal.

Information correct as of 07/08/2020

SENDiass staff will continue to offer telephone and/or email support rather than face to face, with the need to maintain safe distance between individuals.

So, we are changing our methods of contact based on wider advice – but at the current time it's business as usual in terms of offering information and advice.

Please check our website, www.sendiass4bcp.org - it will contain updates, as the situation changes. Our website also contains links to information that you may find helpful at this time, and a wide range of other information resources.

Information correct as of 07/08/2020