



Department
for Education



Department
of Health

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Respond by 9 December 2013
Ref: Department for Education

Consultation on Draft 0-25 Special
Educational Needs (SEN) Code of Practice,
Draft Regulations and Transitional
Arrangements

Consultation on Draft 0-25 Special Educational Needs (SEN) Code of Practice, Draft Regulations and Transitional Arrangements

The Children and Families Bill, currently in Parliament, will bring radical changes to the special educational needs (SEN) framework, subject to Royal Assent. We are consulting on a draft new 0-25 SEN Code of Practice. The Code is statutory guidance. We are also consulting on associated draft Regulations. The Bill proposes replacing SEN statements (for schools) and Learning Difficulty Assessments (for young people in further education and training) with single 0-25 Education, Health and Care Plans. We are consulting on the arrangements for the transfer to the new plans.

To Schools, colleges, early years providers, local authorities, parents, young people, SEN-sector organisations, unions, health providers.

Issued 4 October 2013

Enquiries To If your enquiry is related to the policy content of the consultation you can contact the Department on 0370 000 2288 or by e-mail: SENCodeOfPractice.CONULTATION@education.gsi.gov.uk

Contact Details

If your enquiry is related to the DfE e-consultation website or the consultation process in general, you can contact the Ministerial and Public Communications Division by e-mail: consultation.unit@education.gsi.gov.uk by telephone: 0370 000 2288 or via the Department's '[Contact Us](#)' page.

1 Executive Summary

1.1 The Government is reforming the system for supporting children and young people with special educational needs (SEN) in England. The Children and Families Bill, currently before Parliament, includes measures to:

- give young people with special educational needs in further education and training aged 16-25 rights and protections comparable to those in school;
- require local authorities and local health services to plan and commission education, health and social care services jointly;
- require local authorities to publish in one place a clear and easy to understand 'local offer' of education, health and social care services to support children and young people with SEN and their families;
- require co-operation between local authorities and a wide range of partners, including schools, academies, colleges, other local authorities and services responsible for providing health and social care;
- require local authorities to consult children and young people with SEN and their parents in reviewing special educational provision and social care provision;
- introduce a more streamlined process for assessing the needs of those with more severe and complex needs, integrating education, health and care services and involving children, young people and their parents;
- replace statements and Learning Difficulty Assessments with a new 0-25 Education, Health and Care Plan, which will co-ordinate the support for children and young people and focus on desired outcomes including, as they get older, preparation for adulthood;
- encourage parents and young people to consider mediation to resolve disagreements before they register a Tribunal appeal; and
- give parents and young people with an Education, Health and Care Plan the right to a personal budget for their support.

1.2 The [Bill](#) would place legal duties on local authorities, early education providers, schools, colleges, health bodies and those who work with them for identifying children and young people with SEN, assessing their needs and providing support to them and their families. The detailed requirements of those legal duties are set out in the draft regulations and guidance on carrying out the duties in the Bill and regulations are given in a draft 0-25 Special Educational Needs Code of Practice.

Subject to Parliament, the Bill will come into force from September 2014.

1.3 The Government is consulting on:

- [a draft 0-25 Special Educational Needs Code of Practice](#);
- [draft regulations](#); and
- [proposals for phasing in the changes from the current system to the new one – transitional arrangements](#).

2 How To Respond

- 2.1 Consultation responses can be completed online at www.education.gov.uk/consultations by emailing SENCodeOfPractice.CONULTATION@education.gsi.gov.uk or by downloading a response form which should be completed and sent to:

Ministerial and Public Communication Division (CSDSD Team), Department for Education, Area 1C, Castle View House, East Lane, Runcorn, Cheshire WA7 2GJ.

We welcome your views. The closing date for submitting comments is Monday 9 December 2013.

3 Additional Copies

- 3.1 Additional copies are available electronically and can be downloaded from the Department for Education e-consultation website at: www.education.gov.uk/consultations

4 Plans for making results public

- 4.1 We will take account of any changes that may be made as a result of Parliament's consideration of the Bill and the responses to consultation in developing versions of the Code of Practice and Regulations, including transitional arrangements. These will then be placed before Parliament for approval in the spring to come into force from September 2014 at the same time as the provisions in the Bill.

The results of the consultation and the Department's response will be published on the Department for Education e-consultation website in spring 2014.