

Transfer between Local Authorities/New in City Information Leaflet for Parents, Carers, Young People and Education Settings

Temporary placements for children and young people (CYP) with an EHC Plan when they move into Hull Local Authority from another Local Authority in England

Note: Throughout this leaflet New LA means 'Hull City Council'

The role of the parent/carers when a move to the Hull City Region is planned:

When a move into the Hull Local Authority is planned, parents/carers should let their existing Local Authority (LA) know the expected date of the move. Ideally this should be at least 15 days before the move is to take place. This will enable the EHC Plan to be transferred to Hull on the day of the move and Hull SEND Assessment and Review Team will become responsible for the maintenance of the EHC Plan on the day that you move into the city.

The role of the Local Authorities in transferring the EHC Plan:

On the day of the move, or as soon as the receiving LA (Hull City Council) has been informed of the move, (if it has already happened) the previous LA SEND Service **must** send the EHC Plan and any linked reports to Hull SEND Assessment and Review Team (send@hullcc.gov.uk) so that the responsibility for maintaining the EHC Plan can be transferred to Hull City Council. *(Where possible, the transfer of the EHC plan should take place on the day the child/young person moves to live in the area.)*

Once the EHC Plan has been transferred, the new LA (Hull City Council) has a responsibility to ensure that the child/young person continues to attend the education setting, (e.g., school, college) which is named in the EHC plan. However, if this is impractical (e.g., because it is too far to travel), the new LA must place the child/young person temporarily at another appropriate setting, until the EHC plan is formally reviewed and amended.

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The role of the Local Authority and parent /carer's in securing a temporary placement:

The new LA will check which type of placement is named in the EHC plan, e.g., if it is a mainstream or a special school. The new LA will aim to uphold the decision made by the previous LA about the 'type' of placement. This means that the new LA will look for a like to like setting based on the specificity in Section I. Occasionally, a similar setting may not be available locally in which case the new LA will explore a range of alternative options, so that the child/young person does not miss out on vital education.

The new LA will aim to secure an appropriate temporary educational placement within 20 school days (or sooner where possible), following the receipt of the EHC plan paperwork from the previous LA.

Please note, we may be unable to secure a school for you/ your child due to sufficiency challenges. If this is the case, the LA will secure a package of temporary provision to be delivered to you/ your child until we are able to secure a school placement.

Role of the Parent/Carer

The new LA will contact the parents to discuss which settings the LA considers to be appropriate for a temporary placement. The parents may suggest a preferred setting and the LA will pay regard to these wishes. **However**, at this point, parents do not have a statutory right to request that a particular school is named in the EHC plan, as this right arises when the existing plan is amended within the EHC plan review process.

Once a temporary placement is confirmed by the new LA, the identified setting must place the child/young person on the school roll and the parent/carers needs to ensure the child /young person attends.

The role of the education setting to admit a child or young person on a temporary placement:

The Children and Families Act 2014 (section 28 and 33) states that local partners (this includes most education settings including maintained schools and academies), **must** co-operate with the new LA in exercising its duties. This includes co-operating and working with the new LA to identify and secure a temporary education placement.

Section 33 (2) of the Children and Families Act 2014 says:

'In a case within section 39 or 40, the local authority must secure that the plan provides for the child or young person to be educated in a maintained nursery school, mainstream school or mainstream post-16 institution, unless that is incompatible with—

- (a) the wishes of the child's parent or the young person, or
- (b) the provision of efficient education for others.'

To this end the new LA will share the EHC plan and any associated reports with the schools and work with them to put in place support that is equivalent to the provision detailed in the EHC plan, including interim funding.

Once a temporary place is agreed the education setting should contact the family and arrange admission onto the school roll and agree transition arrangements.

Setting a date for the EHC Review meeting:

The new LA must tell the parents/carers the date that the EHC review meeting will take place within 6 weeks from the date that the EHC plan was transferred. In the case of a EHC Needs Re-Assessment being sought, then this must be communicated with parents within this 6-week timescale as well.

In most cases the initial New in City Process will start by securing an appropriate temporary placement and then the new LA will agree with all parties the date of the EHC review meeting.

The EHC plan review must be arranged before one of the following deadlines (Whichever is the latter)

- Within 12 months of the EHC plan being made or being previously reviewed by the old LA or
- Within 3 months from the date the EHC Plan was transferred to the new LA

A representative from the new LA will aim to attend the EHC review meeting to explain processes and support further considerations about naming a setting following the review process.

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Following the EHC Review Meeting:

Within 4 weeks of the EHC review meeting taking place the new LA will make one of 2 decisions:

- To Amend the EHC Plan or
- To Cease the EHC Plan

If the new LA agrees to amend the EHC Plan they will transfer the plan to the local EHC plan template and update any sections, as necessary. At this time parents/carers and young people will also have the right to request that a particular education setting is named in the EHC plan. This may be the temporary placement or a different setting.

The Notice of Amendment will be used to consult with parents preferred setting, and any setting the Local Authority deem to be appropriate which will include the temporary placement.

Following the consultation process the LA will seek to finalise the amended EHC Plan and to name an appropriate setting for the CYP to continue their education journey.