

Converting a Statement of SEN or an LDA into an EHC Plan

This information is about how the reforms to the SEND Code of Practice affect children and young people who have **Statements of Special Educational Need (SEN)**, and young people in further education or training who have special educational provision through a **Section 139A Learning Difficulty Assessment (LDA)**. It provides details of how Statements of SEN and LDAs will be converted into **Education, Health and Care Plans (EHC plans)**.

How has the law changed?

In September 2014 the Children and Families Act 2014 came into force. A new [SEND Code of Practice](#) covers children and young people with special educational needs and/or disabilities from birth to age 25. One big change is that **Education, Health and Care Plans (EHC plans)** will replace statements of SEN and LDAs.

The [SEND Code of Practice](#) says:

The purpose of an EHC plan is to make special educational provision to meet the special educational needs of the child or young person, to secure the best possible outcomes for them across education, health and social care and, as they get older, prepare them for adulthood. **(9.2)**

You might also want to look at our information on [Education, Health and Care Plans](#).

How does this affect those with Statements?

Local authorities **must** convert all Statements of SEN to EHC plans by 1 April 2018. They must publish a **Transition Plan**, which shows the order in which Statements will be transferred to EHC Plans, and how parents and young people will be told about the transfer.

Local authorities **must** transfer children and young people to the new system:

- in Year 9
- before they move from an early years setting to a school (including where the child remains at the same institution)
- before they transfer from:
 - infant to junior school
 - primary to middle school
 - primary to secondary school
 - middle to secondary school
 - mainstream to special school, or the other way around

Local Authorities should also give **priority** to transferring children and young people to the new system:

- in Year 6
- in Year 11
- when they leave custody
- when they move between one local authority and another

For more information about how this process will work in Lambeth, you might want to look at the [Lambeth Council transition plan](#).

What is a transfer review?

A **transfer review** replaces the **annual review** in the academic year that a child or young person transfers to the new SEND system. A transfer review involves an **EHC needs assessment** to decide what provisions and outcomes should be included in the EHC plan. You, your child or the young person **must** be invited to a meeting as part of the transfer review.

You might also want to look at our information on the [EHC needs assessment](#).

A transfer review ends when the local authority sends you a copy of the EHC plan, or when it informs you that an EHC plan will not be issued. The local authority **must** continue to maintain the statement, and all the support it outlines, until the end of the transfer review. If the local authority decides not to issue an EHC plan, it must maintain the statement until the end of the period for registering an appeal – if you decide to appeal, the statement must be maintained until the appeal has finished.

What are the differences between an EHC plan and a Statement?

Key differences between EHC plans and Statements include:

- a greater focus on outcomes
- better involvement of parents and young people
- improved integration of health and social care provision
- continuation to age 25 (where appropriate)
- more rights for young people.

You might also want to look at our information on [Education, Health and Care Plans](#).

How does this affect those with Learning Difficulties Assessments?

Local authorities **must** convert all LDAs to EHC plans by 1 September 2016, if the young person is staying in further education or training after that date.

Young people with an LDA who are in further education or training can also request an **EHC needs assessment** at any time. You might also want to look at our information on the [EHC needs assessment](#).

Where can I get more information, advice or support?

You can read more about transition arrangements in the [SEND Code of Practice](#), page 15.

The [Local Offer](#) includes more information on the local transfer process, including arrangements for EHC needs assessments.

[Lambeth Information, Advice and Support Service](#) can give you:

- information about transfer arrangements
- advice and support during the process of a transfer review
- details of other organisations, support groups and services that may be of help
- information, advice and support about your rights to make a complaint, seek independent **disagreement resolution** or **mediation**.