



Department  
for Education

# **Special educational needs: transfer of statements of SEN to education, health and care plans**

**Ad hoc notice**

**March 2018**

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## Background to the transfer of Statements of SEN to Education Health and Care Plans

The Special Educational Needs and Disability (SEND) provisions in the Children and Families Act 2014 were introduced on 1 September 2014. By 1 April 2018, local authorities must have transferred all children and young people with Statements of SEN who meet the criteria for an Education Health and Care (EHC) plan, or have made a decision that it was not necessary to issue an EHC plan. Local authorities must conduct a Transfer Review – that is an EHC needs assessment in accordance with The Special Educational Needs and Disability Regulations 2014.

We expect that all those who have a Statement of SEN and who would have continued to have one under the current system will be transferred to an EHC plan – no-one should lose their Statement and not have it replaced with an EHC plan simply because the system is changing. Any Statement of SEN for which a transfer review has not been completed by 31 March 2018 will remain in force until a transfer review has been completed and a decision made about future provision. This ensures that children and young people in this situation do not lose support.

Transferring children and young people with Statements of SEN to EHC plans has been phased. Timescales are set out in [Transition to the new 0 to 25 special educational needs and disability system: Departmental advice for local authorities and their partners \(October 2016\)](#).

An EHC plan details the education, health and social care support that is to be provided to a child or young person who has Special Educational Needs (SEN) or a disability. It is drawn up by the local authority after an EHC needs assessment of the child or young person has determined that an EHC plan is necessary, and after consultation with relevant partner agencies. See the [SEND code of practice: 0 to 25](#) for more detailed information on the reforms.

# Existing published data on progress transferring Statements to Education, Health and Care plans

## Data collection

Since the reforms were introduced, data has been collected annually from local authorities on the number of Statements and EHC plans and on the progress made in transferring Statements to EHC plans via the SEN2 return. This information is published each year in May. Further details about the SEN2 return can be found in the [Special educational needs survey 2018: guide](#).

## Published data on transfers from Statements of SEN to EHC plans

Data published from the SEN2 return shows there were 236,225 Statements of SEN on 31 August 2014, at the start of the transition period. Between 31 August 2014 and 19 January 2017, 104,285 children or young people with Statements had been issued with an EHC plan. The latest data published in May 2017 in [Statements of SEN and EHC plans: England, 2017](#) shows there were 112,057 Statements of SEN as at 19 January 2017. (There will also be some children and young people who were assessed and not issued with an EHC plan or who whose statement was discontinued due to leaving compulsory schooling; because their special needs were being met without a statement or for other reasons.)

## Next publication

On Thursday 24 May 2018, the latest data from the annual SEN2 return will be published. This publication will show the number of Statements of SEN and EHC plans as at 18 January 2018. This publication will include data at national and local authority level.

# **Additional data source on progress transferring Statements to Education, Health and Care plans**

## **Background**

Transferring children and young people from Statements to EHC plans has been phased from the introduction of the SEND reforms in September 2014 to end of March 2018.

During the last year of this transition period, the Department has collected monthly information from local authorities on the number of transfers of Statements of SEN yet to be completed. This has enabled the Department to monitor progress at more regular intervals and to provide support and advice to local authorities where necessary.

This release sees data from this source published externally for the first time and is intended to give the most recent information available.

## **Data collection**

Local authorities are emailed on the 1<sup>st</sup> of each month and asked to complete the following question giving their current position on the number of Statements of SEN.

How many transfers of SEN Statements have yet to be completed[1]?

[1] 'completed' means an EHCP is in place, or a decision not to produce an EHCP has been communicated to the family.

This collection is usually open for 10 working days and the exact date to which the data relates is not specified.

## **Data summary and context**

Data published from the SEN2 return from local authorities shows that there were 236,225 Statements on 31 August 2014, at the start of the transition period.

The latest MI data, based on the March return shows that there were 14,305 transfers of SEN Statements yet to be completed. This means that up to this date, 221,920 Statements (94%) have either been:

- a) transferred to an EHC plan
- b) assessed and a decision made not to transfer to an EHC plan or
- c) discontinued because they have left school at the end of compulsory schooling or after.
- d) reviewed and discontinued as special needs being met without Statement or EHC plan or for other reasons.

## **Future publications**

We are planning a further release of data from the monthly MI collection in May, which will show the position according to the 1 April 2018 data collection.



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