Transfer from one Local Authority to another in England or from Wales, Scotland or Ireland

Contact: senteam@cheshirewestandchester.gov.uk
or telephone: 0151 3376433

What does the family have to do?

The Local Authority where you currently live must transfer the EHCP to the “new” authority. It is therefore important that you inform your current or home local authority that you intend to move area. Contact the SEN team in your current area and give them your new address and the date you intend to move. The transfer of the EHCP must take place on the day of your move unless you weren’t able to give 15 days notice. Where this is the case, the 15 days starts from the date you informed them.

What does my current authority have to do?

They must transfer the EHCP and their opinion they have reached under the Disabled Persons Act 1986, that the child or young person is disabled. If your son/daughter doesn’t have a Plan but a statutory assessment is in progress they must also transfer all the information/advice received.

What does the new authority do?

Upon the transfer of the EHCP, the new authority becomes responsible for maintaining the Plan and for the special educational provision specified in it. There is an expectation that the child or young person will continue to attend the educational institution specified in the EHCP but where attendance would be impractical, for reasons such as the distance being too great, the new authority must place the child or young person temporarily at an appropriate educational institution.

The new authority may

- bring forward the arrangements for the review of the plan
- conduct a new assessment regardless of when the previous assessment took place.

The new authority must

- Tell the parent/young person within 6 weeks of the date of transfer, when they will review the Plan or whether they propose to reassess
- Or review the Plan within 12 months of the Plan being made, or
• Review the Plan within 3 months of it being transferred

**EHC needs assessment started but no Plan?**

The new authority has to decide whether it needs to carry out an EHC needs assessment themselves using the information provided by the previous authority.

**No Plan but has a Statement of SEN or moving from Wales, Scotland or Ireland?**

The requirements are not set out as above but Cheshire West and Chester Council will apply the same principals and would look to transition to an EHCP at the next planned review.

**What if my move also means I have a new Clinical Commissioning Group?**

The CCG is the Group that commissions all the health services for the area where you live. If your change of address also means that you now in the area of a new CCG, the old CCG must notify the new CCG on the day of the move or, where it has not become aware of the move at least 15 working days prior to that move, within 15 working days beginning on the day on which it did become aware.

**What other reasons might I change CCG’s?**

This might be a change of GP or move within a local authority’s area. The old CCG must notify the new CCG on the day of the move or, where it has not become aware of the move at least 15 working days prior to that move, within 15 working days beginning on the day on which it did become aware.

**What does the new CCG do?**

The new CCG must consider the health provisions set out in the Plan and where it is not practicable for the new CCG to secure the health provision specified in the Plan, the new CCG must, within 15 working days of becoming aware of the change of CCG, request that the local authority (SEN Team) to make an EHC needs assessment or review the Plan. The local authority must comply with any such request.

**Children of Service personnel in the Armed Forces**

Service personnel/families may relocate more often than the rest of the population and, sometimes, at short notice. Such transitions should be well managed to avoid Service children with Special Educational Needs (SEN) experiencing delays in having their needs assessed and met.
If you are a Service family moving into the area with a child who has an Education Health Care (EHC) plan or a Statement of Special Educational Needs you will need to contact:

**Children’s Education Advisory Service (CEAS)**

[https://www.gov.uk/childrens-education-advisory-service](https://www.gov.uk/childrens-education-advisory-service) can also help in the transfer process between LAs, ensuring that the needs of your child are met.

**What happens next?** Within 15 days from when you make us aware of your move we will obtain a copy the EHC plan or Statement of SEN from your previous local authority. From the transfer of the plan or Statement the new local authority must arrange the special educational provision set out in it, although a child may have to be placed in a school other than the one named on the plan if the distance of the move makes it impractical to send the child to the named school.

The moving schools pack is to help you, as a service parent, to support your child when moving schools and is available on the CEAS website: [https://www.gov.uk/government/publications/moving-school-packs](https://www.gov.uk/government/publications/moving-school-packs)

**Advice for schools:** To support the transfer of information on Service children with Special Educational Needs the Ministry of Defence (MoD) has developed the Pupil Information Profile for Service children, which includes details of a child’s SEN. It is available for use by schools across the UK and overseas and is available from the Children’s Education Advisory Service (CEAS) on the GOV.UK website.