



Information for parents and carers

Duty to notify the Local Authority of a child who has or is likely to have special educational needs or disability (SEND), Section 23

What is Section 23?

Section 23 is part of the Children and Families Act 2014

Under this Act, health professionals have a **duty** to let the Local Authority know if a child under school age has or is likely to have a special educational need or disability (SEND).

This means that they have a **legal obligation** to pass on this opinion to the Local Authority so that they comply with the UK General Data Protection Regulation (GDPR).

A child reaches compulsory school-age the school term after their fifth birthday.

What Special Educational Needs and Disabilities are covered?

This act covers a wide range of different needs. It is any need over and above that which a typical education placement can meet.

It covers learning disabilities, communication needs, physical needs and mental health needs.

Why is this information needed?

The Local Authority will use this information to help them plan education services to try to ensure that, in future years, they have enough education places of the right type for local children.

What will happen?

Health professionals will talk to you about your child's needs and let you know if they believe that your child may have a special educational need. They have a duty to pass this information on to the Local Authority.

What if they improve and don't need extra help?

Children develop and change during their pre-school years, so sometimes they might not need extra support after all when they start school. It's better to plan that they might need help and it's okay if they don't need it in the end.

Will this notification mean that my child will automatically get extra help?

This notification helps planning on a wider scale. It does not lead to direct support for individual children. There are other ways to get direct help, called SEN (special educational need) support. Early Years providers discuss this with families if they think it is needed.