

This case study is a case summary and has been developed solely as a training tool for the purposes of the DfE/IPSEA SEND Decision Making and the Law Workshop, delivered in Autumn 2019

### **Case Study 2: Naming an education provider**

For the purpose of this scenario, please imagine today's date is 15 June 2019.

Carl is 11 years old. He has a diagnosis of autism and has attended The Little School, which is the local mainstream primary school, since the age of 4. This is a small village school and Carl is well known by all the teachers and pupils at the school. Carl has an EHC plan which provides for full-time 1:1 support from a learning support assistant.

Carl is due to move to secondary school in September. In December last year, Carl's parents were asked to fill in the local authority's Common Application Form setting out their three preferences for Carl's secondary school placement. They put down The Medium School as their first choice which is an academy special school in the adjoining local authority's area. It is approximately 12 miles from the family home.

Carl's parents attended an annual review meeting in mid-February and they were asked at this which secondary school they'd like Carl to attend. They again said they wanted him to go to The Medium School. Carl's parents were sent an amendment notice at the end of May in response to which they made a third request for The Medium School to be named.

It is now 15 June and yesterday Carl's parents received a final amended EHC plan for Carl which names The Big School in Section I. This is the local maintained mainstream school, which is approximately 1.5 miles from the family home. Carl's parents were very upset to discover that the EHC plan does not name The Medium School. They called their SEN Officer as soon as they received the EHC plan to ask why their choice of school hadn't been named. The SEN Officer told them that because of Carl's autism, the local authority thinks it's important for him to continue his education with the children he has gone through primary school with. He also said that the local authority did consult The Medium School, but they said they were full. Carl's parents have lodged an appeal with the SEND Tribunal.