

## **COPY FOR HEALTHCARE PROFESSIONALS**

### **What is a Section 23 notification and how does this relate to me?**

Under Section 23 of the Children and Families Act 2014, local authorities are responsible for all children and young people with SEND in their area. A local authority is responsible for a child or young person if they have been identified as someone who has or may have special educational needs.

Health professionals and health bodies, all have a legal duty under Section 23 of the Code of Practice to notify the local authority of any child under compulsory school age.

This duty covers clinical commissioning groups (CCGs), NHS Trusts and NHS Foundation Trusts and any health professional currently working with children including paediatricians, GPs, health visitors, therapists and other community healthcare professionals.

This is a legal duty and means that:

- in the course of exercising functions in relation to a child who is under compulsory school age, a healthcare professional may form the opinion that the child has (or probably has) special educational needs and or disability.
- The healthcare professional will need to:
  - (a) inform the child's parent of their opinion and of their duty under subsection (3), and
  - (b) give the child's parent an opportunity to discuss their opinion with an officer of the relevant group or trust.
- The healthcare professional must then bring their opinion to the local CCG or Trust who will then inform the local authority in England.
- If the group or trust think a particular voluntary organisation is likely to be able to give the parent advice or assistance in connection with any special educational needs or disability the child may have, they must inform the parent of that

### **Why does Somerset County Council (SCC) need this information?**

Somerset County Council use this information to help them to plan education services and ensure that in future years, they have enough education places in the right areas of Somerset and support in place to ensure the needs of all children and young people with Special Educational Needs and/or Disabilities (SEND) are met.

### **What do you need to do?**

For the moment, we aren't asking you to do anything. We have developed a form, which is currently being trialled by local health visitors and once fully complete will be rolled out across the healthcare system in Somerset.

This form, which is being developed, will provide a single, consistent system for healthcare professionals in Somerset to use in relation to Section 23. One of the

main benefits of this form is that once a healthcare professional completes it, this will be shared with SCC directly.

We are hoping to roll out this form across Somerset by the summer 2021 – we will provide an update to all relevant health professionals once this has happened, with information on how to access and complete it.

### **I have some questions – who do I speak to?**

If you want to talk to someone about the requirements under section 23 or about the form please contact the Designated Clinical Officer or Deputy Designated Clinical Officer for SEND via [somccg.somersetcyp@nhs.net](mailto:somccg.somersetcyp@nhs.net)

### **Background**

Somerset County Council and NHS Somerset Clinical Commissioning Group are working hard together to improve Somerset's services for children and young people (aged 0-25) with Special Educational Needs and/or Disabilities (SEND).

We want to make sure that all children and young people are happy, healthy and prepared for adulthood, with fairer life chances and equal opportunity.

The work being undertaken is outlined within the Written Statement of Action (WSoA) and divided into Improvement Priority (IP) areas.

For more further information and advice about Somerset's SEND services, including details of local support or to share feedback from your own experience, visit Somerset's Local Offer website [here](#).