



Naming a School or Post-16 Institution*

What is an EHC Plan and Section I?

An EHC Plan must name the *type* of school or other institution and in most cases the EHC Plan will name the *particular* school or other institution which the child or young person will attend as well. The section of an EHC Plan which contains this information is Section I. This section will be empty in a draft plan until it is finalised. When you receive your draft plan you should let the local authority know if you want them to make any changes to the plan and which school you want, or the local authority will name your nearest local mainstream school in most cases.

Naming a school in a draft plan

Once a school or college is named in part I of a plan then the placement must admit the child or young person in most cases. A plan should not be written with any school or college in mind and should be about a child or young person's needs and the provision needed to achieve their outcomes not what any particular school or type of school can do. However, parents automatically have a legal right to have their child educated in a mainstream school so most plans will be written in this way and have an amount of funding included in the plan necessary if this is to happen.

What school can I name?

A parent can ask for any of the following in section I of the plan.

- a maintained school.
- a maintained nursery school.
- an Academy.
- an institution* within the further education sector in England.
- a non-maintained special school.
- an institution approved by the Secretary of State under [section 41](#)

A maintained school is one that is a local authority school including special schools.

A non-maintained special school is non-profit making and often run by a charity such as the National Autistic Society or Autism East Midlands schools.

The school you name does not have to be in your local authority.

You can find out more information about schools on the Derbyshire Local Offer, you should try to visit a school before you ask the local authority to name it schools should always agree to a visit, if they do not, let the local authority SEND team in your area know.

[Home - Derbyshire Local Offer](#)

When the LA receives your school request, they must consult the governing body of the school or institution and, if it is in another local authority, the other local authority.

The local authority that made the plan must name your preferred school unless:

- *the school or other institution requested is unsuitable for the age, ability, aptitude or special educational needs of the child or young person concerned, or*
- *the attendance of the child or young person at the requested school or other institution would be incompatible with—*
- *the provision of efficient education for others, or*
- *the efficient use of resources.*

The school or local authority may say that your preferred school is full, but this is not a reason to refuse to name it even if the school is in a different local authority.

What if I do not agree with the school on the plan?

If the local authority names a different school, you have the right to an appeal to the court and the local authority would have to prove that one of the conditions in the list above apply.

***A post-16 institution is a place that provides education or training for those over 16. This does not include higher education.**

Who can I contact if I need further help or advice?

**Parent / Carer Advice line
01629 533668**

**Staffed Monday – Friday 9.30am -
3.00pm**

Email: ias.service@derbyshire.gov.uk

**Leave a message and all calls and
emails will be returned as soon as
possible.**

See our website for other fact sheets.

[Derbyshire Information Advice and Support Service for Special Educational Needs and Disabilities website.](#)

Or you can use our **[online contact form.](#)**

If you, or someone you know, would like a copy of this information sheet in large print, an audio version or in languages other than English, please contact us.