

## What is a Section 23 notification?

Health professionals have a duty to tell the local authority if they believe a child under school age has, or is likely to have, special educational needs or a disability (SEND).

Usually this notification is made by a Paediatrician or designated medical officers, who must in the first instance:

- inform parents that they believe their child has (or is likely to have) SEND
- arrange for parents to discuss this opinion with appropriate health professionals
- inform parents that they have a duty to notify their child to the local authority
- advise parents of organisations that may be able to support them in relation to their child's SEND ([www.https://www.leicestershire.gov.uk/education-and-children/special-educational-needs-and-disability](https://www.leicestershire.gov.uk/education-and-children/special-educational-needs-and-disability))

### This duty is Section 23 of the Children and Families Act 2014

#### Children and Families Act 2014

##### Section 23

##### Duty of health bodies to bring certain children to local authority's attention

- (1) This section applies where, in the course of exercising functions in relation to a child who is under compulsory school age, a clinical commissioning group, NHS trust or NHS foundation trust form the opinion that the child has (or probably has) special educational needs or a disability.
- (2) The group or trust must —
- (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 group or trust.
- (3) The group or trust must then bring their opinion to the attention of the appropriate local authority in England.
- (4) 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.

As part of the Section 23, Health professionals will share information about the named child. The local authority will respond to the notification, and act upon the shared information through the Leicestershire County Council Early Years SEND Panel.

#### Note:

Prior to the implementation of the Children and Families Act 2014 in September 2014, this same duty was Section 332 of the Education Act 1996.