PRIVATE AND CONFIDENTIAL

**Insert your address**

**Telephone number**

**Email address**

 **[Insert name and address of local authority]**

**[Insert date]**

**- FORMAL COMPLAINT-**

Dear

**INSERT NAME OF CHILD OR YOUNG PERSON AND DOB**

**INSERT ADDRESS**

I am the parentof **[insert name of child or young person]** and am writing to make a formal complaint against the local authority for failing to arrange the special educational provision specified in **[insert name’s]** Education, Health and Care Plan.

Please treat this letter as a formal complaint under your complaints procedures.

Section 42 of the Children and Families Act 2014 states that the local authority must arrange must secure the specified special educational provision for the child or young person.

**[set out here details of the provision which is not being delivered and any other relevant background such as the steps you have already taken to resolve the matter or information the school have provided as to why the provision is not being delivered].**

This is an absolute duty and the local authority is required by law to ensure the provision is in place. There is no ‘best endeavours’ defence and the local authority are breaching their statutory duties.

**[set out here the impact the lack of provision is having on the child or young person].** The lack of provision therefore needs to be addressed urgently.

In the event that I do not receive a satisfactory response to this letter within 10 working days, i.e. by **[insert date 10 working dates after date of letter]**, I confirm that I will be taking legal advice in relation to a claim for judicial review against the local authority.

I hope that will not be necessary and look forward to hearing from you by return.

Yours faithfully

**[insert name]**