

*These notes refer to the Children and Families Act 2014  
(c.6) which received Royal Assent on 13 March 2014*

# CHILDREN AND FAMILIES ACT 2014

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **PART 3 - children and young people in England with special Educational Needs OR DISABILITIES**

##### **Special educational provision: functions of local authorities**

##### ***Section 61: Special educational provision otherwise than in schools, post-16 institutions etc***

285. A local authority may arrange for special educational provision to be made for a child or young person otherwise than in a school, college or provider of relevant early years education. But before it can do so it has to be satisfied that it would be inappropriate for provision to be made in one of those settings and must have consulted the child's parent or the young person.
286. This provision could include, for example, early years provision that is not part of the free early years provision under section 7 of the Childcare Act 2006.
287. This section replaces, in England, section 319 of the Education Act 1996.