



# Children and Families Act 2014

## 2014 CHAPTER 6

### PART 3

#### CHILDREN AND YOUNG PEOPLE IN ENGLAND WITH SPECIAL EDUCATIONAL NEEDS OR DISABILITIES

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

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

- (1) A local authority in England may arrange for any special educational provision that it has decided is necessary for a child or young person for whom it is responsible to be made otherwise than in a school or post-16 institution or a place at which relevant early years education is provided.
- (2) An authority may do so only if satisfied that it would be inappropriate for the provision to be made in a school or post-16 institution or at such a place.
- (3) Before doing so, the authority must consult the child's parent or the young person.

#### **Modifications etc. (not altering text)**

- C1** [S. 61\(3\)](#) modified (1.9.2014) by [The Special Educational Needs and Disability Regulations 2014 \(S.I. 2014/1530\)](#), regs. 1, 64(1)(b), 64(2), [Sch. 3 Pt. 2](#)

#### **Commencement Information**

- II** [S. 61](#) in force at 1.9.2014 by [S.I. 2014/889](#), [art. 7\(a\)](#) (with savings and transitional provisions in [S.I. 2014/2270](#) (as amended (1.4.2015) by [S.I. 2015/505](#) and (1.9.2015) by [S.I. 2015/1619](#)))

**Changes to legislation:**

There are currently no known outstanding effects for the Children and Families Act 2014, Section 61.