
Changes to legislation: Children and Families Act 2014, Paragraph 41 is up to date with all changes known to be in force on or before 10 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 3

SPECIAL EDUCATIONAL NEEDS: CONSEQUENTIAL AMENDMENTS

PART 1

AMENDMENTS TO THE EDUCATION ACT 1996

- 41 (1) Section 441 (choice of school: child with statement of special educational needs) is amended as follows.
- (2) In subsection (1)—
- (a) after “maintain” insert “ an EHC plan (in the case of a local authority in England) or ”, and
 - (b) after “section 324” insert “ (in the case of a local authority in Wales) ”.
- (3) In subsection (2) after “Where the” insert “ EHC plan or ”.
- (4) In subsection (3)—
- (a) after “Where the” insert “ EHC plan or ”, and
 - (b) after “amend the” insert “ EHC plan or ”.
- (5) After subsection (3A) insert—
- “(3B) An amendment to an EHC plan required to be made under subsection (3) (a) shall be treated as if it were an amendment made following a review under section 44 of the Children and Families Act 2014, and that section and regulations made under it apply accordingly.”
- (6) In subsection (4)—
- (a) in paragraph (a) after “maintain” insert “ an EHC plan or ”, and
 - (b) in paragraph (b) after “specified in the” insert “ plan or ”.
- (7) In the title, after “with” insert “ EHC plan or ”.

Commencement Information

- II** Sch. 3 para. 41 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)

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Changes and effects yet to be applied to :

- Sch. 3 para. 41(2)(b) and word omitted by [2018 anaw 2 Sch. 1 para. 6\(s\)](#)
- specified provision(s) amendment to savings and transitional provisions in SI 2014/2270 for commencing SI 2014/889 by [S.I. 2015/1619 art. 3-7](#)
- specified provision(s) amendment to savings and transitional provisions in SI 2014/2270 for commencing SI 2014/889 by [S.I. 2015/505 art. 3-8](#)
- specified provision(s) transitional and savings provisions for commencing SI 2014/889 art. 7(a) by [S.I. 2014/2270 art. 3-30](#)