



# Children and Families Act 2014

## 2014 CHAPTER 6

### PART 3

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

##### *Special educational needs etc*

#### **20 When a child or young person has special educational needs**

- (1) A child or young person has special educational needs if he or she has a learning difficulty or disability which calls for special educational provision to be made for him or her.
- (2) A child of compulsory school age or a young person has a learning difficulty or disability if he or she—
  - (a) has a significantly greater difficulty in learning than the majority of others of the same age, or
  - (b) has a disability which prevents or hinders him or her from making use of facilities of a kind generally provided for others of the same age in mainstream schools or mainstream post-16 institutions.
- (3) A child under compulsory school age has a learning difficulty or disability if he or she is likely to be within subsection (2) when of compulsory school age (or would be likely, if no special educational provision were made).
- (4) A child or young person does not have a learning difficulty or disability solely because the language (or form of language) in which he or she is or will be taught is different from a language (or form of language) which is or has been spoken at home.
- (5) This section applies for the purposes of this Part.

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**Changes to legislation:** Children and Families Act 2014, Section 20 is up to date with all changes known to be in force on or before 08 September 2018. 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)

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#### Annotations:

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#### Commencement Information

**II** [S. 20](#)

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:**

Children and Families Act 2014, Section 20 is up to date with all changes known to be in force on or before 08 September 2018. 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.

**Changes and effects yet to be applied to :**

- 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](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 91(5)(c) inserted by  
[2017 anaw 2](#)  
[Sch. 2](#)  
[para. 17](#)