



Children and Families Act 2014

2014 CHAPTER 6

PART 3

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

Education, health and care plans

43 Schools and other institutions named in EHC plan: duty to admit

- (1) Subsection (2) applies if one of the following is named in an EHC plan—
- a maintained school [^{F1}in England];
 - a maintained nursery school [^{F2}in England];
 - an Academy;
 - an institution within the further education sector in England;
 - a non-maintained special school [^{F3}in England];
 - an institution approved by the Secretary of State under section 41.
- (2) The governing body, proprietor or principal of the school or other institution must admit the child or young person for whom the plan is maintained.
- (3) Subsection (2) has effect regardless of any duty imposed on the governing body of a school by section 1(6) of SSFA 1998.
- (4) Subsection (2) does not affect any power to exclude a pupil or student from a school or other institution.

Textual Amendments

- F1** Words in s. 43(1)(a) inserted (1.9.2021) by [Additional Learning Needs and Education Tribunal \(Wales\) Act 2018 \(anaw 2\)](#), s. 100(3), [Sch. 1 para. 23\(3\)\(a\)](#); S.I. 2021/373, art. 8(j)(xxxviii)
- F2** Words in s. 43(1)(b) inserted (1.9.2021) by [Additional Learning Needs and Education Tribunal \(Wales\) Act 2018 \(anaw 2\)](#), s. 100(3), [Sch. 1 para. 23\(3\)\(b\)](#); S.I. 2021/373, art. 8(j)(xxxviii)

Changes to legislation: *There are currently no known outstanding effects for the Children and Families Act 2014, Section 43. (See end of Document for details)*

F3 Words in s. 43(1)(e) inserted (1.9.2021) by [Additional Learning Needs and Education Tribunal \(Wales\) Act 2018 \(anaw 2\)](#), s. 100(3), **Sch. 1 para. 23(3)(c)**; S.I. 2021/373, art. 8(j)(xxxviii)

Commencement Information

I1 S. 43 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 43.