



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

63 Fees for special educational provision at non-maintained schools and post-16 institutions

- (1) Subsection (2) applies where—
 - (a) a local authority maintains an EHC plan for a child or young person,
 - (b) special educational provision in respect of the child or young person is made at a school, post-16 institution or place at which relevant early years education is provided, and
 - (c) that school, institution or place is named in the EHC plan.
- (2) The local authority must pay any fees payable in respect of education or training provided for the child or young person at that school, institution or place in accordance with the EHC plan.
- (3) Subsection (4) applies where—
 - (a) a local authority is responsible for a child or young person for whom no EHC plan is maintained,
 - (b) special educational provision in respect of the child or young person is made at a school, post-16 institution or place at which relevant early years education is provided, and
 - (c) the local authority is satisfied that—
 - (i) the interests of the child or young person require special educational provision to be made, and
 - (ii) it is appropriate for education or training to be provided to the child or young person at the school, institution or place in question.

*Changes to legislation: There are currently no known outstanding effects for the
Children and Families Act 2014, Section 63. (See end of Document for details)*

- (4) The local authority must pay any fees payable in respect of the special educational provision made at the school, institution or place in question which is required to meet the special educational needs of the child or young person.
- (5) Where board and lodging are provided for the child or young person at the school, post-16 institution or place mentioned in subsection (2) or (4), the authority must also pay any fees in respect of the board and lodging, if satisfied that special educational provision cannot be provided at the school, post-16 institution or place unless the board and lodging are also provided.

Commencement Information

- II** [S. 63](#) 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 63.