



Children and Families Act 2014

2014 CHAPTER 6

PART 3

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

Supplementary

83 Interpretation of Part 3

(1) In this Part—

“EA 1996” means the Education Act 1996;

“ESA 2008” means the Education and Skills Act 2008;

“SSFA 1998” means the School Standards and Framework Act 1998.

(2) In this Part—

“appropriate person” has the meaning given by section 70(5);

“beginning of the detention” has the meaning given by section 70(6);

“detained person” has the meaning given by section 70(5);

“detained person’s EHC needs assessment” has the meaning given by section 70(5);

“education, health and care provision” has the meaning given by section 26(2);

“EHC needs assessment” has the meaning given by section 36(2);

“EHC plan” means a plan within section 37(2);

“health care provision” has the meaning given by section 21(3);

“the home authority” has the meaning given by section 70(6) (subject to subsection (7) of that section);

“mainstream post-16 institution” means a post-16 institution that is not a special post-16 institution;

“mainstream school” means—

Status: This is the original version (as it was originally enacted).

- (a) a maintained school that is not a special school, or
 - (b) an Academy school that is not a special school;
- “maintained school” means—
- (a) a community, foundation or voluntary school, or
 - (b) a community or foundation special school not established in a hospital;
- “post-16 institution” means an institution which—
- (a) provides education or training for those over compulsory school age, but
 - (b) is not a school or other institution which is within the higher education sector or which provides only higher education;
- “proprietor”, in relation to an institution that is not a school, means the person or body of persons responsible for the management of the institution;
- “relevant early years education” has the meaning given by section 123 of SSFA 1998;
- “relevant youth accommodation” has the meaning given by section 70(5);
- “social care provision” has the meaning given by section 21(4);
- “social services functions” in relation to a local authority has the same meaning as in the Local Authority Social Services Act 1970;
- “special educational needs” has the meaning given by section 20(1);
- “special educational provision” has the meaning given by section 21(1) and (2);
- “special post-16 institution” means a post-16 institution that is specially organised to make special educational provision for students with special educational needs;
- “training” has the same meaning as in section 15ZA of EA 1996;
- “young person” means a person over compulsory school age but under 25.
- (3) A child or young person has a disability for the purposes of this Part if he or she has a disability for the purposes of the Equality Act 2010.
- (4) A reference in this Part to “education”—
- (a) includes a reference to full-time and part-time education, but
 - (b) does not include a reference to higher education,
- and “educational” and “educate” (and other related terms) are to be read accordingly.
- (5) A reference in this Part to—
- (a) a community, foundation or voluntary school, or
 - (b) a community or foundation special school,
- is to such a school within the meaning of SSFA 1998.
- (6) A reference in this Part to a child or young person who is “in the area” of a local authority in England does not include a child or young person who is wholly or mainly resident in the area of a local authority in Wales.
- (7) EA 1996 and the preceding provisions of this Part (except so far as they amend other Acts) are to be read as if those provisions were contained in EA 1996.