

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”.