

SCHEDULES

SCHEDULE 3

SPECIAL EDUCATIONAL NEEDS: CONSEQUENTIAL AMENDMENTS

PART 2

AMENDMENTS TO OTHER ACTS

School Standards and Framework Act 1998 (c. 31)

- 69 (1) Section 123 (nursery education: children with special educational needs) is amended as follows.
- (2) In subsection (1), for the words from “(except” to the end substitute “to have regard to the provisions of the code of practice issued under section 77 of the Children and Families Act 2014 (in the case of education in England) or section 313(2) of the Education Act 1996 (in the case of education in Wales).”
- (3) After subsection (1) insert—
- “(1A) Subsection (1) does not apply in so far as the person in question is already under a duty to have regard to the provisions of the code of practice in question.”
- (4) In subsection (2)—
- (a) for “That code of practice” substitute “The code of practice in question”, and
- (b) after “functions under” insert “Part 3 of the Children and Families Act 2014 or (as the case may be)”.
- (5) In subsection (3)—
- (a) for “that code of practice” substitute “the code of practice in question”, and
- (b) after “functions under” insert “Part 3 of the Children and Families Act 2014 or (as the case may be)”.
- (6) In subsection (3A)(b) after “no” insert “EHC plan or”.