

# Appendix E

## Legislative requirements

### School Places

Education authorities have statutory duties to:

- Ensure sufficient school places (*Education Act 1996* Section 14).
- Increase opportunities for parental choice (Section 2 of the *Education and Inspections Act 2006*, which inserts sub-section 3A into S14 of the *Education Act 1996*).
- Comply with any preference expressed by parents provided compliance with the preference would not prejudice the provision of efficient education or the efficient use of resources (*School Standards and Framework Act 1998* Section 86).
- Ensure fair access to educational opportunity (Section 1 of the *Education and Inspections Act 2006* inserts sub-section 1(b) into S13 of the *Education Act 1996*).

### SEN

The Children and Families Act 2014 gives local authorities a number of statutory responsibilities relating to special educational needs (SEN), which are set out in the SEND Code of Practice and which include a role in securing suitable educational provision for children and young people with SEN who live in their area.

### Early Years

Local Authorities are required to secure sufficient early years and childcare provision (*Childcare Act 2016, Childcare Act 2006, Children and Families Act 2014, The Local Authority (Duty to Secure Early Years Provision Free of Charge) Regulations 2014*):

- Sufficient childcare means securing the right type and volume of provision, so far as is reasonably practicable, for working parents, or parents who are studying or training for employment, for children aged 0-14 (up to 18 for a disabled child).
- Sufficient early years provision means families being able to access their free early education entitlement of 570 hours over a minimum of 38 weeks per year for some 2 year old and all 3 and 4 year old children. The Childcare Act 2016 extends the future entitlement to free early education, doubling it to 1,140 hours for children, aged 3 and 4, of eligible working parents from September 2017.