



# Children and Families Act 2014

## 2014 CHAPTER 6

### PART 3

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

##### *Education, health and care plans*

#### **42 Duty to secure special educational provision and health care provision in accordance with EHC Plan**

- (1) This section applies where a local authority maintains an EHC plan for a child or young person.
- (2) The local authority must secure the specified special educational provision for the child or young person.
- (3) If the plan specifies health care provision, the responsible commissioning body must arrange the specified health care provision for the child or young person.
- (4) “The responsible commissioning body”, in relation to any specified health care provision, means the body (or each body) that is under a duty to arrange health care provision of that kind in respect of the child or young person.
- (5) Subsections (2) and (3) do not apply if the child's parent or the young person has made suitable alternative arrangements.
- (6) “Specified”, in relation to an EHC plan, means specified in the plan.

#### **Modifications etc. (not altering text)**

- C1** S. 42(5) modified (1.9.2014) by [The Special Educational Needs and Disability Regulations 2014 \(S.I. 2014/1530\)](#), regs. 1, 64(1)(b), 64(2), **Sch. 3 Pt. 2**

*Status: Point in time view as at 09/12/2021.*

*Changes to legislation: There are currently no known outstanding effects for the  
Children and Families Act 2014, Section 42. (See end of Document for details)*

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#### **Commencement Information**

- II** [S. 42](#) 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](#)))

**Status:**

Point in time view as at 09/12/2021.

**Changes to legislation:**

There are currently no known outstanding effects for the Children and Families Act 2014, Section 42.