

Independent Schools (Section 41)

Approved List of Independent Educational Institutions, Independent Special Schools and Post-16 Institutions

<https://www.gov.uk/government/publications/independent-special-schools-and-colleges>

Section 41 of the Children and Families Act 2014 allows the Secretary of State by order to publish a list of approved independent educational institutions, independent special schools and post-16 institutions for the purposes of satisfying Section 38 (Preparation of an Education, Health and Care (EHC) plan by local authorities) of the Act. Institutions can only be included on the list with their consent.

The list has been refreshed to include approved autumn term applicants and remove institutions who have not continued to meet the Section 41 eligibility criteria.

The Children and Families Act places specific duties upon institutions on the approved list:

- institutions on the approved list must “have regard” to the SEN Code of Practice;
- institutions on the approved list have a reciprocal duty to co-operate with the local authority on arrangements for children and young people with SEN;
- local authorities’ published local offer must refer to the institutions on the approved list;

The list will be updated termly and published on GOV.UK.



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