



IPSEA

Common Myths

Myth 1

Date of resource: September 2014

Myth: It is the responsibility of the school to arrange the special educational provision specified in a statement.

Fact: The legal responsibility for arranging the provision specified in a statement falls upon the Local Authority. This is an absolute obligation. If a school cannot make the provision specified in Part 3 of the statement from their own SEN budget, the Local Authority must arrange the provision.

Law: Section 324 (5) (a) (i) of the Education Act 1996 says “the authority shall arrange that the special educational provision specified in the statement is made for the child.”

NB: This is true not only for statements but also for EHC plans (Section 42 (2) of the Children and Families Act 2014).

For more information visit www.ipsea.org.uk