

# SPECIAL EDUCATIONAL NEEDS

## CHILDREN AND FAMILIES ACT 2014

### 20 When a child or young person has special educational needs

- (1) A child or young person has special educational needs if he or she has a learning difficulty or disability which calls for special educational provision to be made for him or her.
- (2) A child of compulsory school age or a young person has a learning difficulty or disability if he or she—
  - (a) has a significantly greater difficulty in learning than the majority of others of the same age, or
  - (b) has a disability which prevents or hinders him or her from making use of facilities of a kind generally provided for others of the same age in mainstream schools or mainstream post-16 institutions.
- (3) A child under compulsory school age has a learning difficulty or disability if he or she is likely to be within subsection (2) when of compulsory school

### LEARNING DIFFICULTIES

A child of **compulsory school age** or a young person has a learning difficulty if they have **significantly greater difficulty** in learning compared to the majority of others of the same age.

A child **under** compulsory school age has a learning difficulty if they are likely to have **significantly greater difficulty** in learning than the majority of others of the same age when they reach compulsory school age (or it would be likely when they reach compulsory school age, if no special educational provision were made for them).



### DISABILITY

A person has a disability if :

- (a) They have a **physical or mental impairment**, and
- (b) the impairment has a **substantial and long-term** adverse effect on their ability to carry out normal day-to-day activities.

There is a wide definition to disability, and it can cover physical or mental health problems, as well as conditions such as dyslexia, autism or specific learning difficulties.