

Current	Proposed additions	Notes
<p>436A Duty to make arrangements to identify children not receiving education</p> <p>(1)A local authority must make arrangements to enable them to establish (so far as it is possible to do so) the identities of children in their area who are of compulsory school age but—</p> <p style="padding-left: 40px;">(a)are not registered pupils at a school, and</p> <p style="padding-left: 40px;">(b)are not receiving suitable education otherwise than at a school.</p> <p>(2) In exercising their functions under this section a local authority must have regard to any guidance given from time to time by the Secretary of State.</p> <p>(3) In this Chapter, “suitable education”, in relation to a child, means efficient full-time education suitable to his age, ability and aptitude and to any special educational needs he may have (in the case of a local authority in England) or suitable to the child's age, ability and aptitude and to any additional learning needs the child may have (in the case of a local authority in Wales).</p>	<p>436N Amendment of school attendance order</p>	<p>Read relevant sections in Publications- Explanatory Notes, Delegated Powers Memorandum, Human Rights Memorandum</p>
	<p>(1) This section applies where a school attendance order under section 436I is in force in respect of a child, other than a child for whom the local authority maintains an EHC plan.</p>	
	<p>(2) If at any time—</p> <p style="padding-left: 40px;">(a) the person on whom the order is served applies for the child to be admitted—</p> <p style="padding-left: 80px;">(i) to a school maintained by a local authority, an Academy school or an alternative provision Academy, and</p> <p style="padding-left: 80px;">(ii) which is different from the school named in the order,</p> <p style="padding-left: 40px;">(b) the child is offered a place at the school as a result of the application, and</p> <p style="padding-left: 40px;">(c) the person requests the authority that served the order to amend the order by substituting that school for</p>	

	<p>the one currently named, the authority must comply with the request.</p>	
	<p>(3) If at any time—</p> <p>(a) the person on whom the order is served applies to the authority for the child to be admitted—</p> <p style="padding-left: 40px;">(i) to a school not maintained by a local authority, an Academy school or an alternative provision Academy, And</p> <p style="padding-left: 40px;">(ii) which is different from the school named in the order,</p> <p>(b) the child is offered a place at the school under arrangements made by the authority under which the fees payable in respect of the education provided at the school are to be paid by the authority under section 517, and</p> <p>(c) the person requests the authority to amend the order by substituting that school for the one currently named, the authority must comply with the request.</p>	
	<p>(4) If at any time—</p>	

	<p>(a) the person on whom the order is served applies for the child to be admitted—</p> <ul style="list-style-type: none">(i) to a school not maintained by a local authority, an Academy school or an alternative provision Academy,(ii) which is different from the school named in the order, and(iii) in respect of which no application is made under subsection (3), <p>(b) the child is offered a place at the school as a result of the application,</p> <p>(c) the school is suitable to the child's age, ability and aptitude and to any special educational needs the child may have, and</p> <p>(d) the person requests the authority to amend the order by substituting that school for the one currently named, the authority must comply with the request.</p>	
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