

Placement policies

Wandsworth Council is committed to increasing the opportunities for pupils with SEN to experience a mainstream education with their peers. Section 316 of the 1996 Education Act gives parents the **right to a mainstream education for their child** provided that it would not be incompatible with the efficient education of other pupils with whom he or she would be educated. If parents prefer a maintained special school the LEA no longer has a duty to secure a mainstream education, but parents do not have the right to veto a mainstream placement.

The LEA also has a duty under Schedule 27 to place a child at the maintained school preferred by his or her parents(s) provided that the placement is suitable to meet the child's needs and is not incompatible with the efficient education of other pupils or the efficient use of resources.

The LEA must consult the maintained school preferred by the parents prior to naming it in a statement. In the case of out-borough schools the LEA must also consult the other LEA.

The LEA's policy is to meet needs within its own provision whenever these can be appropriately met. A pupil with a statement naming mainstream school provision can attend a school outside the Borough if that is the parents' preference and a place has been offered, although transport would not be provided. In the case of special schools or units, the LEA would only agree to the parents' preference for an out-borough school if the child's needs could not be met within the Borough, since it would not normally be an efficient use of the LEA's resources to fund the extra cost involved.

Parents can make representations for a placement in an independent school but the LEA has no duty to name this in the statement. The LEA must however be able to offer suitable alternative provision in the maintained sector, unless the parents have opted to fund the independent school at their own expense. If the LEA can name a suitable maintained school it would generally represent an unreasonable use of public expenditure to fund an independent school.