

These notes refer to the Additional Learning Needs and Education Tribunal (Wales) Act 2018 (c.2) which received Royal Assent on 24 January 2018

ADDITIONAL LEARNING NEEDS AND EDUCATION TRIBUNAL (WALES) ACT 2018

EXPLANATORY NOTES

COMMENTARY ON SECTIONS OF THE ACT

Part 2 – Additional Learning Needs **Chapter 3 – Supplementary Functions**

Miscellaneous functions

Section 64 - Duty of health bodies to notify parents etc.

142. This section relates to situations in which a health body in Wales or England of a type listed in subsection (2) is exercising any of its functions in relation to a child who is under compulsory school age and for whom a local authority in Wales is responsible. If the health body forms the opinion that the child has (or probably has) ALN, the health body must bring its opinion to the attention of the local authority in Wales responsible for the child (or if the child is looked after, the authority that looks after the child), if the health body is satisfied that doing so would be in the best interests of the child.
143. Before doing so, the health body must inform the child's parent of its opinion and its duty to inform the appropriate local authority. This safeguard is to ensure that the parent has an opportunity to discuss the opinion with an officer of the health body, before the health body brings its opinion to the attention of the appropriate local authority and the discussion may also help inform the health body's assessment of the best interests of the child.
144. This section also places a duty on the health body to inform the parent about any voluntary organisations which it considers are likely to be able to provide the parent with advice or assistance in connection with any ALN that the child may have.