



Additional Learning Needs and Education Tribunal (Wales) Act 2018

2018 anaw 2

PART 2 **E+W**

ADDITIONAL LEARNING NEEDS

CHAPTER 2 **E+W**

INDIVIDUAL DEVELOPMENT PLANS

Ceasing to maintain plans

33 **Limitation on ceasing to maintain plans to allow reconsideration or appeal** **E** **+W**

- (1) A governing body of a maintained school may not cease to maintain an individual development plan under section 31(5) unless subsection (2) or (3) applies.
- (2) This subsection applies if the period prescribed under section 32(1)(b) has ended and no request has been made under that section.
- (3) This subsection applies if the local authority has decided under section 32 that the plan should cease to be maintained and—
 - (a) the period prescribed under section 75 within which an appeal may be brought against the local authority's decision has ended without an appeal having been brought, or
 - (b) an appeal has been brought before the end of the period prescribed under section 75, and has been fully determined.
- (4) A governing body of an institution in the further education sector acting under section 31(5), or a local authority acting under section 31(6), may not cease to maintain an individual development plan until the later of—

Status: Point in time view as at 01/09/2021. This version of this provision has been superseded.

Changes to legislation: Additional Learning Needs and Education Tribunal (Wales) Act 2018, Section 33 is up to date with all changes known to be in force on or before 17 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (a) the period prescribed under section 75 within which an appeal may be brought against a decision not to maintain the plan having ended without an appeal having been brought, or
- (b) an appeal having been brought before the end of the period prescribed under section 75, and having been fully determined.

Commencement Information

- I1** S. 33 in force at 1.9.2021 for specified purposes by [S.I. 2021/373](#), **arts. 3, 4** (as amended by [S.I. 2021/735](#), art. 2(2)(a) and [S.I. 2021/938](#), art. 2(3))
- I2** S. 33 in force at 1.9.2021 for specified purposes by [S.I. 2021/373](#), **arts. 6, 7** (as amended by [S.I. 2021/735](#), art. 2(3)(a) and [S.I. 2021/938](#), art. 2(4)(5))

Status:

Point in time view as at 01/09/2021. This version of this provision has been superseded.

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