



Additional Learning Needs and Education Tribunal (Wales) Act 2018

2018 anaw 2

PART 2

ADDITIONAL LEARNING NEEDS

CHAPTER 3

SUPPLEMENTARY FUNCTIONS

Functions relating to securing additional learning provision

47 Duty to take all reasonable steps to secure additional learning provision

- (1) Subsection (2) applies to a child or young person—
 - (a) who has additional learning needs,
 - (b) for whom an individual development plan is not being maintained, and
 - (c) who is a registered pupil at a maintained school in Wales or an enrolled student at an institution in the further education sector in Wales.
- (2) The governing body of the maintained school or institution in the further education sector (as the case may be) must, in exercising its functions in relation to the school or institution, take all reasonable steps to secure that the additional learning provision called for by the child's or young person's additional learning needs is made.
- (3) The Code under section 4 must include guidance about the exercise of the function in subsection (2) during the period in which an individual development plan is being prepared for a child or young person but has not been given.
- (4) Subsection (5) applies to a child or young person—
 - (a) for whom an individual development plan is being maintained by a local authority, and

Changes to legislation: Additional Learning Needs and Education Tribunal (Wales) Act 2018, Section 47 is up to date with all changes known to be in force on or before 25 April 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) View outstanding changes

- (b) who is a registered pupil at a maintained school in Wales or an enrolled student at an institution in the further education sector in Wales.
- (5) The governing body of the maintained school or institution in the further education sector (as the case may be) must take all reasonable steps to help the local authority that maintains the plan to secure the additional learning provision specified in it.

Commencement Information

- I1** S. 47 in force at 2.11.2020 for specified purposes by [S.I. 2020/1182, reg. 3\(2\)\(c\)](#)
- I2** S. 47 in force at 1.9.2021 for specified purposes by [S.I. 2021/373, arts. 3, 4](#) (as amended by [S.I. 2021/938, art. 2\(3\)](#))
- I3** S. 47 in force at 1.9.2021 for specified purposes by [S.I. 2021/373, arts. 6, 7](#) (as amended by [S.I. 2021/938, art. 2\(4\)\(5\)](#))
- I4** S. 47 in force at 1.1.2022 for specified purposes by [S.I. 2021/1245, arts. 3\(f\), 4](#) (with art. 1(4))
- I5** S. 47 in force at 1.1.2022 for specified purposes by [S.I. 2021/1243, art. 3\(f\)](#) (with arts. 4-23) (as amended by [S.I. 2021/1428, art. 2](#); (10.6.2022) by [S.I. 2022/663, art. 2](#) and (21.8.2023) by [S.I. 2023/932, art. 2](#))
- I6** S. 47 in force at 1.1.2022 for specified purposes by [S.I. 2021/1244, art. 3\(f\)](#) (with arts. 4-21) (as amended by [S.I. 2021/1428, art. 3](#); and (10.6.2022) by [S.I. 2022/663, art. 3](#); and (21.8.2023) by [S.I. 2023/932, art. 3](#))
- I7** S. 47 in force at 1.9.2022 for specified purposes by [S.I. 2022/894, art. 3\(f\)](#)
- I8** S. 47 in force at 1.9.2022 for specified purposes by [S.I. 2022/898, arts. 2\(f\), 3](#)
- I9** S. 47 in force at 1.9.2022 for specified purposes by [S.I. 2022/896, art. 3\(f\)](#) (with arts. 4-22) (as amended (21.8.2023) by [S.I. 2023/932, art. 5](#))
- I10** S. 47 in force at 1.9.2022 for specified purposes by [S.I. 2022/893, art. 4](#) (with art. 1(2))
- I11** S. 47 in force at 1.9.2022 for specified purposes by [S.I. 2022/897, art. 3\(f\)](#) (with arts. 1(8), 4-21) (as amended (21.8.2023) by [S.I. 2023/932, art. 6](#))
- I12** S. 47 in force at 1.9.2022 for specified purposes by [S.I. 2022/895, arts. 3\(f\), 4](#)
- I13** S. 47 in force at 1.9.2022 for specified purposes by [S.I. 2022/892, art. 3\(f\)](#) (with arts. 2, 4-18)
- I14** S. 47 in force at 1.9.2022 for specified purposes by [S.I. 2022/891, art. 3\(f\)](#) (with arts. 4-25) (as amended (21.8.2023) by [S.I. 2023/932, art. 4](#))

Changes to legislation:

Additional Learning Needs and Education Tribunal (Wales) Act 2018, Section 47 is up to date with all changes known to be in force on or before 25 April 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.

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Changes and effects yet to be applied to :

- s. 47 coming into force by [S.I. 2022/893 art. 2\(f\)](#)
- specified provision(s) coming into force by [S.I. 2021/381 art. 23](#) (This commencement not applied to legislation.gov.uk. S.I. 2021/381 revoked (12.8.2021) by S.I. 2021/938, art. 3)
- specified provision(s) coming into force by [S.I. 2021/383 art. 23](#) (This commencement not applied to legislation.gov.uk. S.I. 2021/383 revoked (12.8.20210) by S.I. 2021/938, art. 4)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 4(3)(ca)(cb) inserted by [2022 asc 1 Sch. 4 para. 39\(2\)](#)
- s. 5(1)(da) inserted by [2022 asc 1 Sch. 4 para. 39\(3\)](#)
- s. 65(4)(da)(db) inserted by [2022 asc 1 Sch. 4 para. 39\(5\)](#)
- Sch. 1 para. 4(32)(a)(i)para. 4(32)(a)(ii)(b) coming into force by [S.I. 2022/893 art. 2\(o\)\(xi\)](#)