



# Additional Learning Needs and Education Tribunal (Wales) Act 2018

2018 anaw 2

## PART 2

### ADDITIONAL LEARNING NEEDS

#### CHAPTER 2

##### INDIVIDUAL DEVELOPMENT PLANS

###### *Local authority reconsideration of governing body decisions and plans*

#### **29 Circumstances in which the duties in sections 26(2), 27(2) and 28(3) do not apply**

- (1) Following a request under section 26(1)(b), 27(1)(b) or 28(1)(b), the duty in section 26(2), 27(2) or 28(3) (as the case may be) does not apply in relation to a child or young person if any of the circumstances in subsection (2) apply.
- (2) The circumstances are—
- (a) the local authority has previously made a decision under the same section in relation to the same child or young person and it is satisfied that—
    - (i) the child's or young person's needs have not changed materially since the previous decision, and
    - (ii) there is no new information that would materially affect that decision.
  - (b) the request relates to a child who has become looked after by a local authority.

#### **Commencement Information**

- II** S. 29 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\(3\)](#))

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**Changes to legislation:** Additional Learning Needs and Education Tribunal (Wales) Act 2018, Section 29 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](#)

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- I2** S. 29 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))
- I3** S. 29 in force at 1.1.2022 for specified purposes by S.I. 2021/1244, **art. 3(c)** (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**)
- I4** S. 29 in force at 1.1.2022 for specified purposes by S.I. 2021/1243, **art. 3(c)** (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**)
- I5** S. 29 in force at 1.1.2022 for specified purposes by S.I. 2021/1245, **arts. 3(c), 4** (with art. 1(4))
- I6** S. 29 in force at 1.9.2022 for specified purposes by S.I. 2022/898, **arts. 2(c), 3**
- I7** S. 29 in force at 1.9.2022 for specified purposes by S.I. 2022/891, **art. 3(c)** (with arts. 4-25) (as amended (21.8.2023) by S.I. 2023/932, **art. 4**)
- I8** S. 29 in force at 1.9.2022 for specified purposes by S.I. 2022/893, **art. 4** (with art. 1(2))
- I9** S. 29 in force at 1.9.2022 for specified purposes by S.I. 2022/896, **art. 3(c)** (with arts. 4-22) (as amended (21.8.2023) by S.I. 2023/932, **art. 5**)
- I10** S. 29 in force at 1.9.2022 for specified purposes by S.I. 2022/892, **art. 3(c)** (with arts. 2, 4-18)
- I11** S. 29 in force at 1.9.2022 for specified purposes by S.I. 2022/895, **arts. 3(c), 4**
- I12** S. 29 in force at 1.9.2022 for specified purposes by S.I. 2022/897, **art. 3(c)** (with arts. 1(8), 4-21) (as amended (21.8.2023) by S.I. 2023/932, **art. 6**)
- I13** S. 29 in force at 1.9.2022 for specified purposes by S.I. 2022/894, **art. 3(c)**

**Changes to legislation:**

Additional Learning Needs and Education Tribunal (Wales) Act 2018, Section 29 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.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- s. 29 coming into force by [S.I. 2022/893 art. 2\(c\)](#)
- 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 (12.8.2021) 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\(o\)\(xi\)](#)