



Additional Learning Needs and Education Tribunal (Wales) Act 2018

2018 anaw 2

PART 2

ADDITIONAL LEARNING NEEDS

CHAPTER 2

INDIVIDUAL DEVELOPMENT PLANS

Ceasing to maintain plans

33 Limitation on ceasing to maintain plans to allow reconsideration or appeal

- (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Status: *This is the original version (as it was originally enacted).*

- (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.