



Additional Learning Needs and Education Tribunal (Wales) Act 2018

2018 anaw 2

PART 2

ADDITIONAL LEARNING NEEDS

CHAPTER 4

AVOIDING AND RESOLVING DISAGREEMENTS

Appeals and applications to the Tribunal

71 Decisions on appeals and applications under section 70

- (1) On appeal under section 70(2), the Education Tribunal for Wales may—
- (a) dismiss the appeal;
 - (b) order that a person has, or does not have, additional learning needs of a kind specified in the order;
 - (c) order the governing body of an institution in the further education sector in Wales or a local authority to prepare an individual development plan;
 - (d) order the governing body of an institution in the further education sector in Wales or a local authority to revise an individual development plan as specified in the order;
 - (e) order a governing body of a maintained school in Wales or an institution in the further education sector in Wales or local authority to continue to maintain an individual development plan (with or without revisions);
 - (f) order a local authority to take over responsibility for maintaining an individual development plan;
 - (g) order a governing body of an institution in the further education sector in Wales or local authority to review an individual development plan;

Status: This is the original version (as it was originally enacted).

- (h) remit the case to the governing body of an institution in the further education sector in Wales or local authority responsible for the matter for it to reconsider whether, having regard to any observations made by the Tribunal, it is necessary for a different decision to be made or different action to be taken.
- (2) On application under section 70(3) in respect of a child, the Education Tribunal for Wales may declare that the child either does or does not have the capacity to understand—
- (a) information or documents that must be given to a child under this Part, or
 - (b) what it means to exercise the rights conferred on a child by this Part.