
WELSH STATUTORY INSTRUMENTS

2022 No. 892

The Additional Learning Needs and Education Tribunal (Wales) Act 2018 (Commencement No. 9 and Transitional and Saving Provisions) Order 2022

Duty to give a notice

9.—(1) Where a local authority has served a notice under section 323 of the 1996 Act, and that assessment has not commenced by 1 September 2022, the appropriate local authority must either give an IDP notice or a No IDP notice to the child and the child's parent as soon as reasonably practicable after 1 September 2022.

(2) Where a request is made under section 329 or 329A of the 1996 Act and on 1 September 2022 the local authority has not determined whether to comply with the request, the appropriate local authority must either give an IDP notice or a No IDP notice to the child and the child's parent as soon as reasonably practicable after 1 September 2022.

(3) Where a local authority is conducting an assessment under section 323 or 331 of the 1996 Act on 1 September 2022, the appropriate local authority must either give an IDP notice or a No IDP notice to the child and the child's parent as soon as reasonably practicable after 1 September 2022.

(4) Where the period for bringing an appeal under section 325(2), 329(2) or 329A(8) of the 1996 Act has not expired on 1 September 2022, the appropriate local authority must either give an IDP notice or a No IDP notice to the child and the child's parent as soon as reasonably practicable after 1 September 2022.

(5) Where an appeal has been made to the Tribunal under section 325(2), 329(2) or 329A(8) of the 1996 Act and that appeal is ongoing on 1 September 2022, the appropriate local authority must either give an IDP notice or a No IDP notice to the child and the child's parent as soon as reasonably practicable after that appeal is finally determined.

(6) Where a local authority must make a statement under section 324 of the 1996 Act and on 1 September 2022 the making of the statement has not commenced or the statement has not been made, the appropriate local authority must either give an IDP notice or a No IDP notice to the child and the child's parent as soon as reasonably practicable after 1 September 2022.

Commencement Information

II Art. 9 in force at made date

Changes to legislation:

There are currently no known outstanding effects for the The Additional Learning Needs and Education Tribunal (Wales) Act 2018 (Commencement No. 9 and Transitional and Saving Provisions) Order 2022, Section 9.