
EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force provisions of the Additional Learning Needs and Education Tribunal (Wales) Act 2018 (“the Act”).

The Act establishes a statutory framework for supporting children and young people with additional learning needs. This replaces the legislation surrounding special educational needs and the assessment of children and young people with learning difficulties, and in particular, transfers the responsibility for securing educational provision for those with additional learning needs who are over compulsory school age from the Welsh Ministers to the relevant local authority.

The provisions listed in article 2 come into force on 1 September 2025 in relation to those who are over compulsory school age on 1 September 2022.

Sections 40 to 44 of the Act (additional learning provision for detained persons) come into force on 1 September 2022 for those who are over compulsory school age on 1 September 2022 (article 3).

The provisions listed in paragraphs (a) to (o) of article 2 come into force on 1 September 2022 for persons in relation to whom an individual development plan is being prepared or kept under section 40 or 42 of the Act, or prepared or maintained under section 14 of the Act as a result of regulation 23 of the Additional Learning Needs (Wales) Regulations 2021 (article 4).

Changes to legislation:

There are currently no known outstanding effects for the The Additional Learning Needs and Education Tribunal (Wales) Act 2018 (Commencement No. 10) Order 2022.