STATUTORY INSTRUMENTS

## 1996 No. 274 (N.I. 1)

## NORTHERN IRELAND

The Education (Northern Ireland) Order 1996

Made - - - - 14th February 1996 Coming into operation in accordance with Article 1(2) and (3)

### THE EDUCATION (NORTHERN IRELAND) ORDER 1996

#### PART I

#### INTRODUCTORY

- 1. Title and commencement
- 2. Interpretation

#### PART II

#### CHILDREN WITH SPECIAL EDUCATIONAL NEEDS

#### Introductory

3. Meaning of "special educational needs" and "special educational provision" etc.

#### *Code of practice*

- 4. Code of practice
- 5. Making and amendment of code

#### Special educational provision: general

- 6. Review of arrangements
- 7. Qualified duty to secure education in ordinary school of child for whom board maintains statement of special educational needs
- 8. Duties in relation to pupils with special educational needs in ordinary schools
- 9. Determination by Boards of Governors of policy in relation to provision of education for children with special educational needs

#### Special educational provision otherwise than in a grant-aided school

- 10. Special educational provision otherwise than in a grant-aided school
- 11. Special educational provision in institutions outside Northern Ireland
- 12. Special educational provision in institutions in Northern Ireland other than grant-aided schools

#### Identification and assessment of children with special educational needs

- 13. General duty of board towards children for whom it is responsible
- 14. Duties of health and social services boards and health and social services trusts
- 15. Assessment of educational needs
- 16. Statement of special educational needs
- 17. Appeal against decision not to make statement
- 18. Appeal against contents of statement
- 19. Reviews of statements
- 20. Assessment of educational needs at request of child's parent
- 21. Assessment of educational needs of children under two

#### Special Educational Needs Tribunal for Northern Ireland

- 22. Constitution of Tribunal
- 23. Tribunal procedure
- 24. Appeals from Tribunal

#### Special schools and other institutions

- 25. Religious education in special schools
- 26. Approval of institutions in Northern Ireland other than grant-aided schools

#### School attendance orders

27. School attendance orders

#### Supplementary

28. Regulations and orders

#### PART III

#### MISCELLANEOUS

- 29. Withdrawal of school from maintained status
- 30. Independent schools
- 31. Date of commencement of secondary education
- 32. Corporal punishment
- 33. School inspections
- 34. Key stages
- 35. Compulsory contributory subjects in key stage 4
- 36. Initiation of procedure for acquisition by school of grant-maintained integrated or controlled integrated status
- 37. Proposals for acquisition of grant-maintained integrated status
- 38. Publication and distribution of information with respect to institutions of further education
- 39. Powers of trustees of voluntary schools in relation to proceeds of disposal of school premises

- 40. Incorporation of Boards of Governors
- 41. Incorporation of governing bodies of institutions of further education
- 42. Direction to admit child to specified school

#### PART IV

#### AMENDMENTS AND REPEALS

43. Amendments

44. Repeals Signature

#### SCHEDULES

#### SCHEDULE 1 — MAKING OF ASSESSMENTS UNDER ARTICLE 15

#### Introductory

1. In this Schedule, "assessment" means an assessment of a child's...

#### Medical and other advice

2. (1) Regulations shall make provision as to the advice which...

#### Manner, and timing, of assessments, etc.

3. (1) Regulations may make provision— (a) as to the manner...

#### Attendance at examinations

4. (1) Where a board proposes to make an assessment, it...

#### Offence

5. (1) Any parent who fails without reasonable excuse to comply...

# SCHEDULE 2 — MAKING AND MAINTENANCE OF STATEMENTS UNDER ARTICLE 16

#### Introductory

1. In this Schedule, "statement" means a statement of a child's...

#### Copy of proposed statement

2. Before making a statement, a board shall serve on the...

#### Preference as to school

3. (1) Every board shall make arrangements for enabling a parent...

#### Representations

4. (1) A parent on whom a copy of a proposed...

#### Making the statement

5. (1) Where representations are made to a board under paragraph...

#### Service of statement

6. Where a board makes a statement it shall serve a...

Keeping, disclosure and transfer of statements

7. (1) Regulations may make provision as to the keeping and...

Change of named school

8. (1) Sub-paragraph (2) applies where— (a) the parent of a...

Procedure for amending or ceasing to maintain a statement

- 9. (1) A board may not amend, or cease to maintain,...
- 10. (1) Before amending a statement, a board shall serve on...
- 11. (1) A board may cease to maintain a statement only...

SCHEDULE 3 — Schedule 2 to the 1989 Order, as substituted

SCHEDULE 4 — INCORPORATION OF BOARDS OF GOVERNORS

Contracts of employment

1. Where Article 40 effects a transfer of rights and liabilities...

Dissolution of Board of Governors

2. (1) A Board of Governors incorporated under Article 40 is...

Directions as to transfer of property, rights and liabilities of dissolved Board of Governors

3. (1) Where it appears to the Department that a Board...

Division of property, rights and liabilities of Board of Governors of group of schools

4. (1) This paragraph applies where— (a) a Board of Governors...

Data protection

5. (1) Where personal data are transferred under Article 40(3) to...

SCHEDULE 5 — AMENDMENTS PART I — SPECIAL EDUCATION

The Health and Personal Social Services (Northern Ireland) Order 1972 (NI 14)

The Education and Libraries (Northern Ireland) Order 1986 (NI 3)

The Disabled Persons (Northern Ireland) Act 1989 (c. 10)

The Education Reform (Northern Ireland) Order 1989 (NI 20)

The Children (Northern Ireland) Order 1995 (NI 2)

PART II — OTHER AMENDMENTS

The Education and Libraries (Northern Ireland) Order 1986 (NI 3)

The Education Reform (Northern Ireland) Order 1989 (N.I. 20)

The Education (Student Loans) (Northern Ireland) Order 1990 (NI 11)

SCHEDULE 6 — REPEALS PART I — SPECIAL EDUCATION PART II — OTHER REPEALS

Explanatory Note