



Children and Families Act 2014

2014 CHAPTER 6

PART 3

CHILDREN AND YOUNG PEOPLE IN ENGLAND WITH SPECIAL EDUCATIONAL NEEDS OR DISABILITIES

Appeals, mediation and dispute resolution

59 Appeals and claims by children: follow-up provision

- (1) The Secretary of State may by order provide that children in England may—
 - (a) appeal to the First-tier Tribunal under section 51;
 - (b) make a claim to the First-tier Tribunal under Schedule 17 to the Equality Act 2010 (disabled pupils: enforcement) that a responsible body in England has contravened Chapter 1 of Part 6 of that Act because of the child's disability.
- (2) The Secretary of State may not make an order under subsection (1) until the end of two years beginning with the day on which the first order is made under section 58(1).
- (3) An order under subsection (1) may, in particular, make provision—
 - (a) about the age from which children may appeal or make a claim;
 - (b) in respect of appeals under section 51, about mediation and the application of section 55;
 - (c) about the bringing of appeals or making of claims by a child and by his or her parent concurrently;
 - (d) about determining whether a child is capable of bringing an appeal or making a claim, and the assistance and support a child may require to be able to do so;
 - (e) enabling a person to exercise a child's rights under an order under subsection (1) on behalf of the child;
 - (f) enabling children to have access to advice and information which is available to a parent or young person in respect of an appeal or claim of a kind mentioned in subsection (1);
 - (g) about the provision of advocacy and other support services to children;

Status: This is the original version (as it was originally enacted).

- (h) requiring notices to be given to a child (as well as to his or her parent);
 - (i) requiring documents to be served on a child (as well as on his or her parent).
- (4) An order under subsection (1) may—
- (a) amend, repeal or revoke a statutory provision, or
 - (b) apply a statutory provision, with or without modifications.
- (5) In subsection (4), “statutory provision” means a provision made by or under this or any other Act, whenever passed or made.