

*Status: This version of this provision is prospective.*

**Changes to legislation:** *There are currently no known outstanding effects for the Special Educational Needs and Disability Act (Northern Ireland) 2016, Section 8. (See end of Document for details)*



## 2016 CHAPTER 8

### *Appeals*

PROSPECTIVE

#### **Appeal following decision not to amend statement following review**

**8.—**(1) Part 2 of the 1996 Order is amended as follows.

(2) In Article 18(1)(c) (appeal against contents of statement) after “Article 15” insert “ or after conducting a review under Article 19 ”.

(3) In Article 19 (reviews of statements)—

(a) after paragraph (1) insert—

“(1A) If after conducting a review of a statement maintained under Article 16 the Authority does not propose to amend the statement, it shall give notice in writing of its decision and the reasons for making it to—

(a) the child concerned, if the child is over compulsory school age,  
or

(b) the parent of the child concerned in any other case.

(1B) In such a case the person to whom the notice is given shall have the right to receive, on request, a copy of any advice given to the Authority on which the decision is based.

(1C) A notice under paragraph (1A) shall provide information as to the right of appeal under Article 18(1) and contain such other information as may be prescribed.”;

(b) in paragraph (2)—

(i) at the end of sub-paragraph (b) omit the word “and”;

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(ii) after sub-paragraph (b) insert—

“(ba) that where the Authority is under a duty under this Article to serve any notice, the duty must be performed within the prescribed period; and”.

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