
STATUTORY RULES OF NORTHERN IRELAND

2005 No. 384

The Education (Special Educational Needs)
Regulations (Northern Ireland) 2005

PART III

STATEMENTS

Review of statement where child not aged 14 attends school

18.—(1) This regulation applies where—

- (a) a board carries out a review under Article 19(1);
- (b) the child concerned attends a school; and
- (c) regulation 19 does not apply.

(2) The Board shall by notice in writing require the principal of the child's school to submit a report to it under this regulation by a specified date not less than 2 months beginning with the date on which the notice is given and shall send a copy of the notice to the child's parent.

(3) The principal shall for the purpose of preparing the report referred to in paragraph (2) seek advice as to the matters referred to in paragraph (4) from—

- (a) the child's parent;
 - (b) any person whose advice the board considers appropriate for the purpose of arriving at a satisfactory report and whom it specifies in the notice referred to in paragraph (2);
 - (c) any person whose advice the principal considers appropriate for the purpose of arriving at a satisfactory report.
- (4) The advice referred to in paragraph (3) shall be written advice as to—
- (a) the child's progress towards meeting the objectives specified in the statement;
 - (b) the child's progress towards attaining any targets established in furtherance of the objectives specified in the statement;
 - (c) where the school the child attends is a grant-aided school—
 - (i) any modifications to or exclusions from the application of the Northern Ireland curriculum to the child;
 - (ii) the appropriateness of any provisions substituted for the provisions of the Northern Ireland curriculum in order to maintain a balanced and broadly based curriculum;
 - (d) where appropriate, and in any case where a transition plan exists, any matters which are the appropriate subject of such a plan;
 - (e) whether the statement continues to be appropriate;
 - (f) any amendments to the statement which would be appropriate;
 - (g) whether the board should cease to maintain the statement.

(5) The notice referred to in paragraph (2) shall require the principal to invite the following persons to attend a meeting to be held on a date before the report referred to in that paragraph is submitted—

- (a) the representative of the board specified in the notice;
- (b) the child’s parent;
- (c) a member or members of the staff of the school who teach the child or who are otherwise responsible for the provision of education for the child whose attendance the principal considers appropriate;
- (d) any other person whose attendance the principal considers appropriate; and
- (e) any person whose attendance the board considers appropriate and who is specified in the notice.

(6) The principal shall not later than 2 weeks before the date on which a meeting referred to in paragraph (5) is to be held send to all persons invited to that meeting copies of the advice he has received pursuant to his request under paragraph (3) and by written notice accompanying the copies shall request the recipients to submit to him before or at the meeting any written comments on that advice and any other advice which they think appropriate.

(7) The meeting referred to in paragraph (5) shall consider—

- (a) the matters referred to in paragraph (4);
- (b) any significant changes in the child’s circumstances since the date on which the statement was made or last reviewed.

(8) The meeting referred to in paragraph (5) shall recommend—

- (a) any steps which it concludes ought to be taken, including whether the board should amend or cease to maintain the statement;
- (b) any targets to be established in furtherance of the objectives specified in the statement which it concludes the child ought to meet during the period until the next review;
- (c) where a transition plan exists, the matters which it concludes ought to be included in that plan.

(9) If the meeting cannot agree the recommendations to be made under paragraph (8) the persons who attended the meeting shall make differing recommendations as it appears necessary to each of them.

(10) The report to be submitted under paragraph (2) shall be completed after the meeting is held and shall include the principal’s assessment of the matters referred to in paragraph (7) and his recommendations as to the matters referred to in paragraph (8), and shall refer to any difference between his assessment and recommendations and those of the meeting.

(11) Where the principal submits his report to the board under paragraph (2) he shall at the same time send copies to—

- (a) the child’s parent;
- (b) the persons from whom the principal sought advice under paragraph (3);
- (c) the persons who were invited to the meeting in accordance with paragraph (5);
- (d) any other person to whom the board considers it appropriate that a copy be sent and to whom it directs him to send a copy;
- (e) any other person to whom the principal considers it appropriate that a copy be sent.

(12) The board shall review the statement under Article 19(1) in light of the report and any other information or advice which it considers relevant, shall make written recommendations as to the

matters referred to in paragraph (8)(a) and (b) and, where a transition plan exists, shall amend the plan as it considers appropriate.

(13) The board shall send copies of the recommendations and any transition plan referred to in paragraph (12) to—

- (a) the child's parent;
- (b) the principal;
- (c) the persons from whom the principal sought advice under paragraph (3);
- (d) the persons who were invited to attend the meeting in accordance with paragraph (5);
- (e) any other person to whom it considers it appropriate that a copy be sent.