



Additional Learning Needs and Education Tribunal (Wales) Act 2018

2018 anaw 2

PART 2

ADDITIONAL LEARNING NEEDS

CHAPTER 2

INDIVIDUAL DEVELOPMENT PLANS

Additional learning provision for looked after children

16 Amendments to the Social Services and Well-being (Wales) Act 2014

- (1) Section 83 of the Social Services and Well-being (Wales) Act 2014 (anaw 4) (care and support plans) is amended as follows.
- (2) After subsection (2) insert—
 - “(2A) A care and support plan for a child must include a record of the arrangements made to meet the child's needs in relation to education and training (a “personal education plan”).
 - (2B) But subsection (2A) does not apply to a child if he or she is within a category of looked after child prescribed in regulations, for whom no personal education plan is to be prepared.
 - (2C) If—
 - (a) a child has additional learning needs, and
 - (b) the child's care and support plan includes a personal education plan,

Status: Point in time view as at 21/08/2023.

Changes to legislation: Additional Learning Needs and Education Tribunal (Wales) Act 2018, Section 16 is up to date with all changes known to be in force on or before 04 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

any individual development plan maintained for the child under section 19 of the Additional Learning Needs and Education Tribunal (Wales) Act 2018 must be incorporated within the personal education plan.

(2D) For the purposes of subsection (2C)—

- (a) a “child” means a person not over compulsory school age (within the meaning given by section 8 of the Education Act 1996 (c. 56));
- (b) “additional learning needs” has the meaning given by section 2 of the Additional Learning Needs and Education Tribunal (Wales) Act 2018.”

(3) In subsection (3), for “under review the plans that it maintains under this section” substitute “ a care and support plan under review ”.

(4) In subsection (4), for “plan”, the first time it appears, substitute “ care and support plan ”.

(5) In subsection (5)—

- (a) at the beginning, insert “ Subject to the provisions of Part 2 of the Additional Learning Needs and Education Tribunal (Wales) Act 2018, ”;
- (b) in paragraph (a), for “plans under this section” substitute “ care and support plans ”;
- (c) in paragraph (b), for “plan is to contain” substitute “ care and support plan is to contain (including what a personal education plan is to contain) ”;
- (d) in paragraph (c), for “plans” substitute “ care and support plans ”.

(6) In subsection (7), for “a plan under this section” substitute “ a care and support plan ”.

(7) In subsection (8), in paragraph (a), for “a plan under this section” substitute “ a care and support plan ”.

(8) In subsection (9), for “plan maintained under this section” substitute “ care and support plan ”.

(9) After subsection (9) insert—

“(10) References in subsections (2A) to (9) to a care and support plan are to be interpreted as references to a care and support plan prepared or maintained under this section.”

Commencement Information

I1 S. 16 in force at 2.11.2020 for specified purposes by S.I. 2020/1182, **reg. 3(1)(a)**

I2 S. 16 in force at 1.9.2021 by S.I. 2021/373, **art. 8(za)** (as inserted by S.I. 2021/735, **art. 2(5)(a)**)

Status:

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