



Additional Learning Needs and Education Tribunal (Wales) Act 2018

2018 anaw 2

PART 2 **E+W**

ADDITIONAL LEARNING NEEDS

CHAPTER 3 **E+W**

SUPPLEMENTARY FUNCTIONS

Additional learning provision in particular kinds of school or other institution

55 **Conditions applicable to securing additional learning provision at independent schools** **E+W**

- (1) A local authority may not exercise its functions under this Part to secure that a child or young person is educated at an independent school in Wales unless—
 - (a) the school is included in the register of independent schools in Wales, and
 - (b) the local authority is satisfied that the school can make the additional learning provision described in the child's or young person's individual development plan.
- (2) A local authority may not exercise its functions under this Part to secure that a child or young person is educated at an independent educational institution in England unless—
 - (a) the institution is included in the register of independent educational institutions in England (kept under section 95 of the Education and Skills Act 2008 (c. 25) (“the 2008 Act”)), and
 - (b) the local authority is satisfied that the institution can make the additional learning provision described in the child's or young person's individual development plan.

Status: Point in time view as at 21/08/2023.

Changes to legislation: Additional Learning Needs and Education Tribunal (Wales) Act 2018, Section 55 is up to date with all changes known to be in force on or before 19 May 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)

(3) In this section, “independent educational institution” has the meaning given by Chapter 1 of Part 4 of the 2008 Act.

Commencement Information

- I1** S. 55 in force at 1.9.2021 for specified purposes by [S.I. 2021/373](#), **arts. 3, 4** (as amended by [S.I. 2021/938](#), **art. 2(3)**)
- I2** S. 55 in force at 1.9.2021 for specified purposes by [S.I. 2021/373](#), **arts. 6, 7** (as amended by [S.I. 2021/938](#), **art. 2(4)(5)**)
- I3** S. 55 in force at 1.1.2022 for specified purposes by [S.I. 2021/1244](#), **art. 3(j)** (with **arts. 4-21**) (as amended by [S.I. 2021/1428](#), **art. 3**; and (10.6.2022) by [S.I. 2022/663](#), **art. 3**; and (21.8.2023) by [S.I. 2023/932](#), **art. 3**)
- I4** S. 55 in force at 1.1.2022 for specified purposes by [S.I. 2021/1245](#), **arts. 3(j), 4** (with **art. 1(4)**)
- I5** S. 55 in force at 1.1.2022 for specified purposes by [S.I. 2021/1243](#), **art. 3(j)** (with **arts. 4-23**) (as amended by [S.I. 2021/1428](#), **art. 2**; (10.6.2022) by [S.I. 2022/663](#), **art. 2** and (21.8.2023) by [S.I. 2023/932](#), **art. 2**)
- I6** S. 55 in force at 1.9.2022 for specified purposes by [S.I. 2022/894](#), **art. 3(j)**
- I7** S. 55 in force at 1.9.2022 for specified purposes by [S.I. 2022/897](#), **art. 3(j)** (with **arts. 1(8), 4-21**) (as amended (21.8.2023) by [S.I. 2023/932](#), **art. 6**)
- I8** S. 55 in force at 1.9.2022 for specified purposes by [S.I. 2022/895](#), **arts. 3(j), 4**
- I9** S. 55 in force at 1.9.2022 for specified purposes by [S.I. 2022/893](#), **art. 4** (with **art. 1(2)**)
- I10** S. 55 in force at 1.9.2022 for specified purposes by [S.I. 2022/896](#), **art. 3(j)** (with **arts. 4-22**) (as amended (21.8.2023) by [S.I. 2023/932](#), **art. 5**)
- I11** S. 55 in force at 1.9.2022 for specified purposes by [S.I. 2022/892](#), **art. 3(j)** (with **arts. 2, 4-18**)
- I12** S. 55 in force at 1.9.2022 for specified purposes by [S.I. 2022/898](#), **arts. 2(j), 3**
- I13** S. 55 in force at 1.9.2022 for specified purposes by [S.I. 2022/891](#), **art. 3(j)** (with **arts. 4-25**) (as amended (21.8.2023) by [S.I. 2023/932](#), **art. 4**)

Status:

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

Changes to legislation:

Additional Learning Needs and Education Tribunal (Wales) Act 2018, Section 55 is up to date with all changes known to be in force on or before 19 May 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.