



Additional Learning Needs and Education Tribunal (Wales) Act 2018

2018 anaw 2

PART 2

ADDITIONAL LEARNING NEEDS

CHAPTER 3

SUPPLEMENTARY FUNCTIONS

Additional learning provision in particular kinds of school or other institution

55 Conditions applicable to securing additional learning provision at independent schools

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Status: This is the original version (as it was originally enacted).

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