



# Additional Learning Needs and Education Tribunal (Wales) Act 2018

2018 anaw 2

## PART 2 **E+W**

### ADDITIONAL LEARNING NEEDS

## CHAPTER 2 **E+W**

### INDIVIDUAL DEVELOPMENT PLANS

*Local authority reconsideration of governing body decisions and plans*

#### 27 **Reconsideration by local authorities of plans maintained under section 12 **E** **+W****

- (1) Subsection (2) applies where—
  - (a) a governing body of a maintained school maintains an individual development plan for a registered pupil under section 12(1) or 12(3), and
  - (b) the child or young person or, in the case of a child, the child's parent requests the local authority responsible for the child or young person to reconsider the plan with a view to it being revised.
- (2) The local authority must reconsider the plan and decide whether or not to revise the plan.
- (3) Before it makes its decision, the local authority must inform the governing body of the request and invite representations from the governing body.
- (4) If the local authority decides that the plan should not be revised it must notify the child or young person and, in the case of a child, the child's parent of—
  - (a) the decision, and
  - (b) the reasons for the decision.

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**Changes to legislation:** Additional Learning Needs and Education Tribunal (Wales) Act 2018, Section 27 is up to date with all changes known to be in force on or before 02 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) View outstanding changes

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- (5) The local authority must give a copy of a notification under subsection (4) to the governing body.
- (6) If the local authority decides that the plan should be revised, or is ordered to revise it by the Education Tribunal for Wales, it must prepare a revised plan and either—
- (a) direct the governing body to maintain it, or
  - (b) exercise the power in section 28(6) to take over responsibility for maintaining the plan.
- (7) The local authority must give a copy of the revised plan to the governing body (for provision about others to whom a copy must be given, see section 23(11)).

#### Modifications etc. (not altering text)

- C1** S. 27(1)(b) modified (1.9.2021) by [The Additional Learning Needs \(Wales\) Regulations 2021 \(S.I. 2021/401\)](#), regs. 1(2), **35(1)(i)**
- C2** S. 27(1)(b) modified (1.9.2021) by [The Additional Learning Needs \(Wales\) Regulations 2021 \(S.I. 2021/401\)](#), regs. 1(2), **37(1)(l)**
- C3** S. 27(4) modified (1.9.2021) by [The Additional Learning Needs \(Wales\) Regulations 2021 \(S.I. 2021/401\)](#), regs. 1(2), **35(1)(i)**
- C4** S. 27(4) modified (1.9.2021) by [The Additional Learning Needs \(Wales\) Regulations 2021 \(S.I. 2021/401\)](#), regs. 1(2), **37(1)(m)**

#### Commencement Information

- I1** S. 27 in force at 1.9.2021 for specified purposes by [S.I. 2021/373](#), **arts. 3, 4** (as amended by [S.I. 2021/735](#), art. 2(2)(a) and [S.I. 2021/938](#), art. 2(3))
- I2** S. 27 in force at 1.9.2021 for specified purposes by [S.I. 2021/373](#), **arts. 6, 7** (as amended by [S.I. 2021/735](#), art. 2(3)(a) and [S.I. 2021/938](#), art. 2(4)(5))
- I3** S. 27 in force at 1.1.2022 for specified purposes by [S.I. 2021/1244](#), **art. 3(c)** (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. 27 in force at 1.1.2022 for specified purposes by [S.I. 2021/1245](#), **arts. 3(c), 4** (with art. 1(4))
- I5** S. 27 in force at 1.1.2022 for specified purposes by [S.I. 2021/1243](#), **art. 3(c)** (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. 27 in force at 1.9.2022 for specified purposes by [S.I. 2022/894](#), **art. 3(c)**
- I7** S. 27 in force at 1.9.2022 for specified purposes by [S.I. 2022/891](#), **art. 3(c)** (with arts. 4-25) (as amended (21.8.2023) by [S.I. 2023/932](#), **art. 4**)
- I8** S. 27 in force at 1.9.2022 for specified purposes by [S.I. 2022/895](#), **arts. 3(c), 4**
- I9** S. 27 in force at 1.9.2022 for specified purposes by [S.I. 2022/892](#), **art. 3(c)** (with arts. 2, 4-18)
- I10** S. 27 in force at 1.9.2022 for specified purposes by [S.I. 2022/896](#), **art. 3(c)** (with arts. 4-22) (as amended (21.8.2023) by [S.I. 2023/932](#), **art. 5**)
- I11** S. 27 in force at 1.9.2022 for specified purposes by [S.I. 2022/897](#), **art. 3(c)** (with arts. 1(8), 4-21) (as amended (21.8.2023) by [S.I. 2023/932](#), **art. 6**)
- I12** S. 27 in force at 1.9.2022 for specified purposes by [S.I. 2022/898](#), **arts. 2(c), 3**
- I13** S. 27 in force at 1.9.2022 for specified purposes by [S.I. 2022/893](#), **art. 4** (with art. 1(2))

**Changes to legislation:**

Additional Learning Needs and Education Tribunal (Wales) Act 2018, Section 27 is up to date with all changes known to be in force on or before 02 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.

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**Changes and effects yet to be applied to :**

- s. 27 coming into force by [S.I. 2022/893 art. 2\(c\)](#)
- specified provision(s) coming into force by [S.I. 2021/381 art. 23](#) (This commencement not applied to legislation.gov.uk. S.I. 2021/381 revoked (12.8.2021) by S.I. 2021/938, art. 3)
- specified provision(s) coming into force by [S.I. 2021/383 art. 23](#) (This commencement not applied to legislation.gov.uk. S.I. 2021/383 revoked (12.8.2021) by S.I. 2021/938, art. 4)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 4(3)(ca)(cb) inserted by [2022 asc 1 Sch. 4 para. 39\(2\)](#)
- s. 5(1)(da) inserted by [2022 asc 1 Sch. 4 para. 39\(3\)](#)
- s. 65(4)(da)(db) inserted by [2022 asc 1 Sch. 4 para. 39\(5\)](#)
- Sch. 1 para. 4(32)(a)(i)para. 4(32)(a)(ii)(b) coming into force by [S.I. 2022/893 art. 2\(o\)\(xi\)](#)