



Additional Learning Needs and Education Tribunal (Wales) Act 2018

2018 anaw 2

PART 2

ADDITIONAL LEARNING NEEDS

CHAPTER 4

AVOIDING AND RESOLVING DISAGREEMENTS

Local authority arrangements

69 Independent advocacy services

- (1) A local authority must—
- (a) make arrangements for the provision of independent advocacy services for the children and young people for whom it is responsible;
 - (b) refer any child or young person for whom it is responsible who requests independent advocacy services to an independent advocacy service provider;
 - (c) refer any person who is a case friend for a child for whom it is responsible and who requests independent advocacy services to an independent advocacy service provider.
- (2) In this section “independent advocacy services” means advice and assistance (by way of representation or otherwise) to a child, a young person or a case friend—
- (a) making, or intending to make, an appeal to the Education Tribunal for Wales under this Part,
 - (b) considering whether to appeal to the Tribunal, or
 - (c) taking part in or intending to take part in arrangements made under section 68.

Changes to legislation: Additional Learning Needs and Education Tribunal (Wales) Act 2018, Section 69 is up to date with all changes known to be in force on or before 23 April 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

- (3) In making arrangements under this section, a local authority must have regard to the principle that any services provided under the arrangements must be independent of any person who is—
- (a) the subject of an appeal to the Tribunal, or
 - (b) involved in investigating or adjudicating on such an appeal.
- (4) The arrangements may include provision for the local authority to make payments to, or in relation to, any person carrying out functions in accordance with the arrangements made under this section.

Commencement Information

- I1** S. 69 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. 69 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. 69 in force at 1.1.2022 for specified purposes by [S.I. 2021/1243](#), [art. 3\(m\)](#) (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](#))
- I4** S. 69 in force at 1.1.2022 for specified purposes by [S.I. 2021/1245](#), [arts. 3\(m\), 4](#) (with [art. 1\(4\)](#))
- I5** S. 69 in force at 1.1.2022 for specified purposes by [S.I. 2021/1244](#), [art. 3\(m\)](#) (with [arts. 4-21](#)) (as amended by [S.I. 2021/1428](#), [art. 3](#); (10.6.2022) by [S.I. 2022/663](#), [art. 3](#) and (21.8.2023) by [S.I. 2023/932](#), [art. 3](#))
- I6** S. 69 in force at 1.9.2022 for specified purposes by [S.I. 2022/893](#), [art. 4](#) (with [art. 1\(2\)](#))
- I7** S. 69 in force at 1.9.2022 for specified purposes by [S.I. 2022/891](#), [art. 3\(m\)](#) (with [arts. 4-25](#)) (as amended (21.8.2023) by [S.I. 2023/932](#), [art. 4](#))
- I8** S. 69 in force at 1.9.2022 for specified purposes by [S.I. 2022/896](#), [art. 3\(m\)](#) (with [arts. 4-22](#)) (as amended (21.8.2023) by [S.I. 2023/932](#), [art. 5](#))
- I9** S. 69 in force at 1.9.2022 for specified purposes by [S.I. 2022/898](#), [arts. 2\(m\), 3](#)
- I10** S. 69 in force at 1.9.2022 for specified purposes by [S.I. 2022/895](#), [arts. 3\(m\), 4](#)
- I11** S. 69 in force at 1.9.2022 for specified purposes by [S.I. 2022/894](#), [art. 3\(m\)](#)
- I12** S. 69 in force at 1.9.2022 for specified purposes by [S.I. 2022/897](#), [art. 3\(m\)](#) (with [arts. 1\(8\), 4-21](#)) (as amended (21.8.2023) by [S.I. 2023/932](#), [art. 6](#))
- I13** S. 69 in force at 1.9.2022 for specified purposes by [S.I. 2022/892](#), [art. 3\(m\)](#) (with [arts. 2, 4-18](#))

Changes to legislation:

Additional Learning Needs and Education Tribunal (Wales) Act 2018, Section 69 is up to date with all changes known to be in force on or before 23 April 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. 69 coming into force by [S.I. 2022/893 art. 2\(m\)](#)
- 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\(o\)\(xi\)](#)