
STATUTORY INSTRUMENTS

2005 No. 3221

EDUCATION, ENGLAND
DISABLED PERSONS, ENGLAND

**The Disability Discrimination (Prescribed Times
and Periods for Accessibility Strategies and
Plans for Schools) (England) Regulations 2005**

Made - - - - *18th November 2005*
Laid before Parliament *29th November 2005*
Coming into force - - *31st December 2005*

In the exercise of the powers conferred on the Secretary of State by section 28D(1)(b), (2), (8)(b), and (9) and section 67(3)(a) of the Disability Discrimination Act 1995(1), the Secretary of State for Education and Skills makes the following Regulations:

Citation, commencement, application and interpretation

1.—(1) These Regulations may be cited as the Disability Discrimination (Prescribed Times and Periods for Accessibility Strategies and Plans for Schools) (England) Regulations 2005 and, except for regulation 4, shall come into force on 31st December 2005.

(2) Regulation 4 shall come into force on 1st April 2006.

(3) These Regulations apply only in relation to England.

(4) In these Regulations “the Act” means the Disability Discrimination Act.

Prescribed times and periods for further accessibility strategies

2.—(1) For the purposes of sub-section (1)(b) of section 28D of the Act, the prescribed time shall be 1st March 2006 and subsequently at three yearly intervals.

(1) 1995 c. 50. Section 28D was inserted by section 14(1) of the Special Educational Needs and Disability Act 2001 (2001 c. 10). For the definition of “regulations” see section 28D(17). By virtue of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) the powers conferred by these provisions are exercisable by the Secretary of State only in relation to England.

(2) For the purposes of sub-section (2) of section 28 D of the Act, the prescribed period shall be a period of three years commencing on 1st April 2006 and subsequently commencing on 1st April at three yearly intervals.

Prescribed times and periods for further accessibility plans

3.—(1) Subject to paragraph (2), for the purposes of subsection (8)(b) of section 28D of the Act, the prescribed time shall be 1st March 2006 and subsequently at three yearly intervals.

(2) Where a school is established after any such prescribed time—

- (a) the first prescribed time for that school shall be one month after the date on which the school is established; and
- (b) the prescribed time thereafter shall be the same as for any school which was open on 1st March 2006.

(3) Subject to paragraph (4), for the purposes of sub-section (9) of section 28D of the Act, the prescribed period shall be a period of three years, commencing on 1st April 2006 and subsequently commencing on 1st April at three yearly intervals.

(4) Where a school is established after the commencement of any such prescribed period—

- (a) the first prescribed period for that school shall be the period commencing one month after the prescribed time referred to in paragraph (2) and ending at the same time as the prescribed period for any school which was open on 1st March 2006; and
- (b) the prescribed period thereafter shall be the same as for any school which was open on 1st March 2006.

Revocation

4. The Disability Discrimination (Prescribed Periods for Accessibility Strategies and Plans for Schools (England) Regulations 2002(2) are revoked.

18th November 2005

Andrew Adonis
Parliamentary Under Secretary of State
Department for Education and Skills

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe—

- (a) the times by which local education authorities must prepare, in relation to schools for which they are the responsible body, further accessibility strategies to facilitate the participation of disabled pupils in education and associated services provided by schools (*regulation 2(1)*); and
- (b) the periods to which such accessibility strategies must relate (*regulation 2(2)*).

These Regulations also prescribe—

- (c) the times by which the responsible bodies for schools must prepare further accessibility plans to facilitate the participation of disabled pupils in education and associated services provided by schools (*regulation 3(1 and (2))*); and
- (d) the periods to which such plans must relate (*regulation 3(3) and (4)*).