

EDUCATION (WALES) MEASURE 2009

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 1 – Education Appeals and Claims by Children

Special educational needs appeals

Sections 1- 8 insert new provisions into the Education Act 1996

Section 4 - Advice and information (amending section 332A and inserting a new section 332AA into the Education Act 1996)

15. Section 332A of the Education Act 1996 is amended so that it applies to England only.
16. A new section 332AA is inserted into the Education Act 1996.
17. Subsection (1) of the new section places a duty on Local Education Authorities in Wales to arrange for any child in their area with SEN, and any parent or case friend of such child, to be provided with appropriate advice and information about matters relating to the child's SEN.
18. Subsection (2) requires Local Education Authorities to have regard to any guidance given by the Welsh Ministers when making arrangements to provide advice and information to children, their parents or case friends.
19. Subsection (3) requires Local Education Authorities to comply with any regulations made by the Welsh Ministers that relate to advice and information arrangements.
20. Subsection (4) places a duty on Local Education Authorities to make children, parents, head teachers and proprietors of schools in their area, and such other persons as they consider appropriate, aware that advice and information services are available.