



Education (Wales) Measure 2009

2009 nawm 5

PART 1

EDUCATION APPEALS AND CLAIMS BY CHILDREN

Special educational needs appeals

1 Right of a child to appeal in respect of special educational needs

- (1) The Education Act 1996 (c. 56) is amended in accordance with this section.
- (2) After section 332 insert—

“Appeals by children

332ZA Right of a child to appeal to the Welsh Tribunal

- (1) This section applies to the rights of a parent of a child to appeal to the Welsh Tribunal under any of the following provisions—
 - (a) section 325(2) (appeal against decision not to make statement);
 - (b) section 326(1) (appeal against contents of statement);
 - (c) section 328(3)(b) (reviews of educational needs);
 - (d) section 329(2)(b) (assessment of educational needs at request of child's parent);
 - (e) section 329A(8)(b) (review of assessment of educational needs at request of responsible body);
 - (f) paragraph 8(3)(b) of Schedule 27 (change of named school);
 - (g) paragraph 11(2)(b) of Schedule 27 (ceasing to maintain a statement).
- (2) The child may exercise the rights conferred on the parent in respect of that child.
- (3) The child's rights are exercisable concurrently with the parent's rights.

Changes to legislation: Education (Wales) Measure 2009, Section 1 is up to date with all changes known to be in force on or before 29 July 2023. 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](#)

(4) The exercise of rights under this section is subject to provision made by regulations under sections 332ZC and 336(1).”.

Commencement Information

I1 S. 1 in force at 6.3.2012 by S.I. 2012/320, **art. 3(a)**

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Changes and effects yet to be applied to :

- s. 1-7 omitted by [2018 anaw 2 Sch. 1 para. 6\(m\)\(i\)](#)