



# Education (Wales) Measure 2009

2009 nawm 5

## PART 1

### EDUCATION APPEALS AND CLAIMS BY CHILDREN

#### *Disability discrimination claims*

#### 12 Resolution of disputes

After section 28IC of the Disability Discrimination Act 1995 (c. 50) insert—

##### **“28ID Resolution of disputes — Wales**

- (1) A local education authority in Wales must make arrangements with a view to avoiding or resolving disagreements between responsible bodies and disabled children in their area about matters made unlawful under this chapter or to be treated as discrimination by virtue of section 58.
- (2) The arrangements must provide for the appointment of independent persons with the functions of facilitating the avoidance or resolution of such disagreements.
- (3) In making the arrangements, the authority must have regard to any guidance given by the Welsh Ministers.
- (4) The arrangements must comply with any provisions made in regulations by the Welsh Ministers that relate to the arrangements.
- (5) The authority must take such steps as they consider appropriate for making the arrangements under subsection (1) known to—
  - (a) disabled children in their area,
  - (b) parents of disabled children in their area,
  - (c) head teachers and proprietors of schools in their area, and
  - (d) such other persons as they consider appropriate.

---

*Status: This is the original version (as it was originally enacted).*

---

- (6) The arrangements cannot affect the entitlement of any person to make a claim to the Welsh Tribunal, and the authority must take such steps as they consider appropriate to make that fact known to disabled children, to parents of disabled children and to case friends for disabled children in their area.”.