



Education (Wales) Measure 2009

2009 nawm 5

PART 1

EDUCATION APPEALS AND CLAIMS BY CHILDREN

Disability discrimination claims

15 Role of the Welsh Ministers

- (1) Section 28M (roles of the Secretary of State and the Welsh Ministers) of the Disability Discrimination Act 1995 (c. 50) is amended in accordance with this section.
- (2) After subsection (1) insert—
 - “(1A) If the Welsh Ministers are satisfied (whether on a complaint or otherwise) that a local education authority—
 - (a) has acted, or is proposing to act, unreasonably in the discharge of a duty imposed by or under sections 28IC, 28ID or 28IE, or
 - (b) has failed to discharge a duty imposed by or under any of those sections,they may give that body such directions as to the discharge of the duty as appear to them to be expedient.”.
- (3) In subsection (4), after “(1)” insert “, (1A)”.
- (4) In subsection (5), omit the words “or the Welsh Tribunal”.
- (5) After subsection (6) insert—
 - “(6A) Subsection (6B) applies if the Welsh Tribunal has made an order under section 28I(3) or section 28IA(4).
 - (6B) If the Welsh Ministers are satisfied (whether on a complaint or otherwise) that the responsible body concerned—

Status: This is the original version (as it was originally enacted).

- (a) has acted, or is proposing to act, unreasonably in complying with the order, or
 - (b) has failed to comply with the order,
- they may give that body such directions as to compliance with the order as appear to them to be expedient.”.
- (6) In subsection (7), after “(1),” insert “(1A),” delete the word “or” the first time that word appears, and after “(6)” insert “or (6B)”.