



Mesur Addysg (Cymru) 2009

2009 mccc 5

RHAN 1

APELAU A HAWLIADAU ADDYSG GAN BLANT

Apelau anghenion addysgol arbennig

5 Datrys anghydfodau

- (1) Diwygir adran 332B o Ddeddf Addysg 1996 (p. 56) yn unol ag is-adran (2).
- (2) Yn adran 332B (datrys anghydfodau)—
 - (a) yn y pennawd, ar ôl y gair “disputes” mewnosoder “— England”;
 - (b) yn is-adrannau (1) a (2), ar ôl y geiriau “local education authority” mewnosoder “in England”;
 - (c) yn is-adran (4), yn lle “given—” rhodder “given by the Secretary of State.”;
 - (d) yn is-adran (4), hepgorer paragraffau (a) a (b).
- (3) Ar ôl adran 332B mewnosoder—

“332BA Resolution of disputes — Wales

- (1) A local education authority in Wales must make arrangements with a view to avoiding or resolving disagreements between—
 - (a) authorities and children in their area about the exercise by authorities of functions under this Part, and
 - (b) authorities and parents of children in their area about the exercise by authorities of functions under this Part.
- (2) A local education authority in Wales must also make arrangements with a view to avoiding or resolving, in each relevant school, disagreements between—
 - (a) a relevant child and the proprietor of the school about the special educational provision made for that child, and

Statws This is the original version (as it was originally enacted).

- (b) the parents of a relevant child and the proprietor of the school about the special educational provision made for that child.
- (3) The arrangements must provide for the appointment of independent persons with the functions of facilitating the avoidance or resolution of such disagreements.
- (4) In making the arrangements, the authority must have regard to any guidance given by the Welsh Ministers.
- (5) The arrangements must comply with any provisions made in regulations by the Welsh Ministers that relate to the arrangements.
- (6) The authority must take such steps as they consider appropriate for making the arrangements under subsections (1) and (2) known to—
 - (a) children in their area,
 - (b) parents of children in their area,
 - (c) head teachers and proprietors of schools in their area, and
 - (d) such other persons as they consider appropriate.
- (7) The arrangements cannot affect the entitlement of a child or a parent of a child to appeal to the Tribunal, and the authority must take such steps as they consider appropriate to make that fact known to children, to parents of children and to case friends for children in their area.
- (8) In this section—
 - “authorities” means the governing bodies of maintained schools and the local education authority;
 - “relevant child” means a child who has special educational needs and is a registered pupil at a relevant school.
- (9) For the purposes of this section a school is a relevant school in relation to a child if it is—
 - (a) a maintained school or a maintained nursery school,
 - (b) a pupil referral unit,
 - (c) an independent school named in the statement maintained for the child under section 324, or
 - (d) a school approved under section 342.”.