

---

STATUTORY INSTRUMENTS

---

**1996 No. 274**

**The Education (Northern Ireland) Order 1996**

**PART II**

**CHILDREN WITH SPECIAL EDUCATIONAL NEEDS**

*Identification and assessment of children with special educational needs*

**Appeal against decision not to make statement**

**17.**—(1) If, after making an assessment under Article 15 of the educational needs of any child for whom no statement is maintained under Article 16, the board does not propose to make such a statement, it shall give notice in writing of its decision, of the reasons for making it and of the effect of paragraph (2), to the child's parent.

(2) In such a case, the child's parent—

- (a) shall have the right to receive, on request, a copy of any advice given to the board on which the decision is based; and
- (b) may appeal to the Tribunal against the decision.

(3) On an appeal under this Article, the Tribunal may—

- (a) dismiss the appeal,
- (b) order the board to make and maintain such a statement, or
- (c) remit the case to the board for it to reconsider whether, having regard to any observations made by the Tribunal, it is necessary for the board to determine the special educational provision which any learning difficulty the child may have calls for.