

**SPECIAL EDUCATIONAL NEEDS AND
DISABILITY (NORTHERN IRELAND) ORDER 2005**

S.I. 2005 1117

EXPLANATORY MEMORANDUM

COMMENTARY ON ARTICLES

Part I – Special Educational Needs

Article 10: Review or assessment of special educational needs at request of responsible body

33. This Article gives grant-aided schools, (including nursery schools) and independent schools the formal right to ask the Board to carry out a statutory assessment or re-assessment of a registered pupil at the school, in cases where no such assessment or re-assessment has taken place within the previous six months.
34. It places a duty on the Board to decide whether to make an assessment or re-assessment in response to a request from a school and to send a notice to the parent informing them that a request from the school has been made; of the procedure to be followed when making an assessment; the name of an officer of the Board who can provide further information, and of their right to make representations and provide written comments within a specified period.
35. Should the Board decide to assess the child's educational needs, Article 20A(7) requires them to notify the child's parent and the school which made the request. If they decide not to make an assessment, they are required to notify the parent and school of that decision, and the reasons for it under Article 20A(8). They also have to inform the parent of his right to appeal to the SENDIST, and give him any further information as required by regulations.