



Education and Inspections Act 2006

2006 CHAPTER 40

PART 9

MISCELLANEOUS

Special educational needs

173 Special educational needs co-ordinators

In section 317 of EA 1996 (duties of governing body or LEA in relation to pupils with special educational needs) after subsection (3) insert—

“(3A) The governing body of a community, foundation or voluntary school or a maintained nursery school shall designate a member of the staff at the school (to be known as the “special educational needs co-ordinator”) as having responsibility for co-ordinating the provision for pupils with special educational needs.

(3B) Regulations may—

- (a) require the governing bodies of schools falling within subsection (3A) to ensure that special educational needs co-ordinators have prescribed qualifications or prescribed experience (or both), and
- (b) confer on the governing bodies of those schools other functions relating to special educational needs co-ordinators.”

174 Time limits relating to statements of special educational needs

(1) Chapter 1 of Part 4 of EA 1996 (children with special educational needs) is amended as follows.

(2) In Schedule 26 (making of assessments under section 323), in paragraph 3(3)(a) after “or 329A” insert “, or under regulations under sub-paragraph (1)(b),”.

(3) In Schedule 27 (making and maintenance of statements under section 324)—

Status: This is the original version (as it was originally enacted).

(a) in paragraph 5, for sub-paragraph (3) substitute—

“(3) Regulations may provide that, where a local education authority are under a duty (subject to compliance with the preceding requirements of this Schedule) to make a statement, the duty to make the statement, or any step required to be taken for or in connection with the performance of the duty or the maintenance of the statement (including any step in relation to the amendment of the statement) must, subject to prescribed exceptions, be performed within the prescribed period.”, and

(b) in paragraph 11, after sub-paragraph (2A) insert—

“(2B) Where the local education authority determine to cease to maintain a statement following a periodic review or a re-assessment review, regulations may provide that a notice under sub-paragraph (2)(a) must be given within the prescribed period beginning with the date of the review.”

(4) Any regulations which were made under Schedule 26 or 27 to EA 1996 and are in force immediately before the commencement of this section are to have effect as from that time as if made under that Schedule as amended by subsection (2) or (3) (as the case may be).