
STATUTORY INSTRUMENTS

2001 No. 2218

EDUCATION, ENGLAND

**The Special Educational Needs (Provision of Information by
Local Education Authorities) (England) Regulations 2001**

<i>Made</i>	- - - -	<i>16th June 2001</i>
<i>Laid before Parliament</i>		<i>19th June 2001</i>
<i>Coming into force</i>	- -	<i>1st September 2001</i>

In exercise of the powers conferred on the Secretary of State by sections 29(5), and 569(4) and (5) of the Education Act 1996⁽¹⁾ the Secretary of State hereby makes the following Regulations:

Citation, commencement, interpretation and extent

1.—(1) These Regulations may be cited as the Special Educational Needs (Provision of Information by Local Education, Authorities) (England) Regulations 2001 and shall come into force on 1st September 2001.

(2) In these Regulations—

“health authority” has the same meaning as in the National Health Service Act 1977⁽²⁾;

“social services authority” means a local authority for the purposes of the Local Authority Social Services Act 1970⁽³⁾ acting in the discharge of such functions as are referred to in section 1A of that Act, and

“statement” means a statement of special educational needs made under section 324 of the Education Act 1996.

(3) These Regulations apply only in relation to England.

(4) Nothing in these Regulations applies in relation to—

- (a) nursery schools, or
- (b) children under compulsory school age.

Publication of information

2. A local education authority shall—

(1) 1996 c. 56.

(2) 1977 c. 49; amended by the Health Authorities Act 1995 (c. 17) and the Health Act 1999 (c. 32).

(3) 1970 c. 42; section 1A was inserted by the Local Government Act 2000 (c. 22), section 102(3).

- (a) publish information about the matters set out in the Schedule to these Regulations in accordance with regulation 3(1), (2) and (3);
- (b) keep that information under review, and
- (c) where there is a significant change in any of that information, revise the information accordingly and publish the revised information in accordance with regulation 3(5).

Manner of publication of information

3.—(1) The local education authority shall publish the information referred to in regulation 2(a) by—

- (a) providing a written copy of the information to any health authority or social services authority which in the opinion of the local education authority has an interest in that information;
- (b) making the information available on a website which the authority maintain on the Internet, and
- (c) providing a written copy of the information to any person on request.

(2) The information about the matters set out in paragraph 1 of the Schedule to these Regulations shall be published on or before 1st April 2002.

(3) The information about the matters set out in paragraphs 2 and 3 of the Schedule to these Regulations shall be published on or before 31st July 2002.

(4) Any information to be published pursuant to regulation 2(c) shall be published by the local education authority as soon as reasonably practicable after a revision has been made by—

- (a) providing the revised information to a health authority or social services authority previously provided with information by the local education authority pursuant to regulation 3(1)(a);
- (b) updating the website maintained by the authority on the Internet to display the revised information, and
- (c) notifying the maintained schools in the authority's area of the revisions by post or by electronic communication.

(5) Information published in accordance with this regulation shall be published free of charge.

16th June 2001

Estelle Morris
Secretary of State for Education and Skills

SCHEDULE

Regulation 2

Information to be Provided by Local Education Authorities

1. An explanation of that element of special educational provision for children with special educational needs (but without statements) which the local education authority expect normally to be met from maintained schools' budget shares and that element of such provision that the authority expect normally to be met by the authority from funds which it holds centrally.

2. The broad aims of the local education authority's policy in respect of children with special educational needs together with information about the action the authority is taking to—

- (a) promote high standards of education for children with special educational needs;
- (b) encourage children with special educational needs to participate fully in their school and community and to take part in decisions about their education;
- (c) encourage schools in their area to share their practice in making special educational provision for children with special educational needs, and
- (d) work with other statutory and voluntary bodies to provide support for children with special educational needs.

3. The general arrangements made by the local education authority, including any plans, objectives and timescales, for—

- (a) identifying children in their area with special educational needs;
- (b) monitoring the admission of children with special educational needs (whether or not those children have a statement) to maintained schools in their area;
- (c) organising the assessment of children's educational needs pursuant to section 323 of the Education Act 1996 in the local education authority's area including any local protocols for so doing;
- (d) organising the making and maintaining of statements in their area including any local protocols for so doing;
- (e) providing support to schools in their area with regard to making special educational provision for children with special educational needs;
- (f) auditing, planning, monitoring and reviewing provision for children with special educational needs in their area, both generally and in relation to individual children;
- (g) securing training, advice and support for staff working in their area with children with special educational needs, and
- (h) reviewing and updating the arrangements referred to in sub-paragraphs (a) to (g).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations place a duty on local education authorities to publish information about matters relating to the provision of education for children with special educational needs.

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

In particular they are required to publish an explanation of that part of special educational provision that they expect maintained schools to fund from their budget shares, and that element that the authority expect to fund themselves.

The must also publish information about the broad aims of their policy on special educational needs, as well as specific action the authority is taking on special educational needs issues.