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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations contain general provisions relating to the Special Educational Needs and Disability Tribunal (the Tribunal) and also deal with the procedures of the Tribunal for claims of disability discrimination in schools.

The general provisions relate to the exercise of the Tribunal's jurisdiction under Chapter 1 of Part IV of the Disability Discrimination Act 1995 and Part IV of the Education Act 1996. The Regulations make provision for:

- (a) the appointment of members of the lay panel by the Secretary of State (regulation 3);
- (b) the establishment of individual tribunals to exercise the jurisdiction of the Tribunal (regulation 4);
- (c) the selection of Tribunal members for hearings (regulation 5);
- (d) proof of documents (regulation 6).

These Regulations also contain provisions in relation to the making of claims of disability discrimination in schools, under Chapter 1 of Part IV of the Disability Discrimination Act 1995, and with the procedures of the Tribunal for the purpose of determining those claims.

The procedures are set out in Parts II to V of the Regulations and broadly follow, with modification, the Tribunal's procedures for special educational needs appeals under Part IV of the Education Act 1996, which are contained in the Special Educational Needs Tribunal Regulations 2001 (S.I.2001/600).

Regulation 27 prescribes the circumstances in which a disability discrimination claim may be heard with a special educational needs appeal.