
WELSH STATUTORY INSTRUMENTS

2021 No. 401

The Additional Learning Needs (Wales) Regulations 2021

PART 2

INDIVIDUAL DEVELOPMENT PLANS

*Time limits for section 20 referrals and requesting
reconsideration of decision to cease to maintain plans*

Time limit for NHS body responding to section 20 referral

11.—(1) An NHS body under a duty to inform under section 21(1) or (2) of the 2018 Act (individual development plans: Local Health Boards and NHS trusts) must comply with that duty promptly and in any event within the period prescribed by paragraph (2).

(2) The prescribed period—

- (a) begins with the day on which the NHS body receives the referral under section 20 of the 2018 Act, and
- (b) ends at the end of 6 weeks beginning with the day after the day mentioned in subparagraph (a).

(3) The NHS body need not comply with the duty to inform under section 21(1) or (2) within the period prescribed by paragraph (2) if it is impractical to do so due to circumstances beyond its control.

Time limit for requesting reconsideration of decision to cease to maintain plan

12.—(1) The period prescribed for the purposes of section 32(1)(b) of the 2018 Act (reconsideration by local authorities of decisions of governing bodies under section 31)—

- (a) begins with the day on which the governing body gives the notifications under section 31(8) and (9) of that Act, and
- (b) ends at the end of 4 weeks beginning with the day after the day mentioned in subparagraph (a).

(2) Where the notifications under section 31(8) and (9) are given on different days (whether because given to different persons on different days or given under each subsection on different days), the reference in paragraph (1)(a) to the day on which the governing body gives the notifications is a reference to the later of those days.