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*Changes to legislation: There are currently no known outstanding effects for the Special Educational Needs and Disability Act 2001, Paragraph 3. (See end of Document for details)*

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## SCHEDULES

### SCHEDULE 1

#### AMENDMENT TO STATEMENT OF SPECIAL EDUCATIONAL NEEDS

##### PART 1

##### PROCEDURE FOR MAKING AMENDMENT TO STATEMENT OF SPECIAL EDUCATIONAL NEEDS

3 For paragraph 2 substitute—

- “2 (1) Before making a statement, a local education authority shall serve on the parent of the child concerned a copy of the proposed statement.
- (2) But that is subject to sub-paragraphs (3) and (4).
- (3) The copy of the proposed statement shall not specify any prescribed matter.
- (4) The copy of the proposed statement shall not specify any matter in pursuance of section 324(4).
- ”

##### **Amendments to a statement**

- 2A (1) A local education authority shall not amend a statement except—
- (a) in compliance with an order of the Tribunal,
  - (b) as directed by the Secretary of State under section 442(4), or
  - (c) in accordance with the procedure laid down in this Schedule.
- (2) If, following a re-assessment review, a local education authority propose to amend a statement, they shall serve on the parent of the child concerned a copy of the proposed amended statement.
- (3) Sub-paragraphs (3) and (4) of paragraph 2 apply to a copy of a proposed amended statement served under sub-paragraph (2) as they apply to a copy of a proposed statement served under paragraph 2(1).
- (4) If, following a periodic review, a local education authority propose to amend a statement, they shall serve on the parent of the child concerned—
- (a) a copy of the existing statement, and
  - (b) an amendment notice.
- (5) If, at any other time, a local education authority propose to amend a statement, they shall proceed as if the proposed amendment were an amendment proposed after a periodic review.
- (6) An amendment notice is a notice in writing giving details of the amendments to the statement proposed by the authority.

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### **Provision of additional information**

- 2B (1) Sub-paragraph (2) applies when a local education authority serve on a parent—
- (a) a copy of a proposed statement under paragraph 2,
  - (b) a copy of a proposed amended statement under paragraph 2A, or
  - (c) an amendment notice under paragraph 2A.
- (2) The local education authority shall also serve on the parent a written notice explaining (to the extent that they are applicable)—
- (a) the arrangements under paragraph 3,
  - (b) the effect of paragraph 4, and
  - (c) the right to appeal under section 326.
- (3) A notice under sub-paragraph (2) must contain such other information as may be prescribed.”

#### **Commencement Information**

- II** Sch. 1 para. 3 wholly in force at 1.4.2002; Sch. 1 para. 3 not in force at Royal Assent see s. 43(3); Sch. 1 para. 3 in force for specified purposes for E. at 15.6.2001 and in force to the extent not already in force for E. at 1.1.2002 by [S.I. 2001/2217](#), [arts. 4, 5](#), [Sch. Pts. I, II](#); [S.I. 2001/2614](#), [art. 4](#); Sch. 1 para. 3 in force for specified purposes for W. at 8.12.2001 and in force to the extent not already in force at 1.4.2002 by [S.I. 2001/3992](#), [arts. 4, 5](#), [Sch. Pts. I, II](#)

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