

SCHEDULE 1

REASONABLE NEEDS FOR EDUCATION OR TRAINING

Additional programme of study

5.—(1) The programme of study that it is proposed the young person undertake is additional to further education or training which the young person has already undertaken.

(2) The factors, where relevant, that the local authority must take into account are—

- (a) that the young person is unable to benefit in a meaningful way from the previous further education or training due to—
 - (i) the previous further education or training falling so far below the expected standard that the provider of it cannot reasonably be said to have delivered the education or training necessary to meet the young person's desired outcomes in undertaking it,
 - (ii) a significant change in the personal circumstances or needs of the young person, or
 - (iii) any other exceptional circumstances;
- (b) where the previous further education or training was undertaken by the young person at a maintained school or institution in the further education sector, that an essential and substantial element of the further education or training necessary to meet the young person's desired outcomes could not have been delivered as part of that previous further education or training;
- (c) where the duration of the previous education or training was less than 2 years, the total duration of that previous education or training and that of the proposed programme of study and whether the extent to which that total duration exceeds 2 years is reasonable in all the circumstances;
- (d) whether there are any other exceptional circumstances to suggest that the young person has not received effective access to further education or training.

Commencement Information

II Sch. 1 para. 5 in force at 1.9.2021, see **reg. 1(2)**

Changes to legislation:

There are currently no known outstanding effects for the The Additional Learning Needs (Wales) Regulations 2021, Paragraph 5.