



Additional Learning Needs and Education Tribunal (Wales) Act 2018

2018 anaw 2

PART 2

ADDITIONAL LEARNING NEEDS

CHAPTER 3

SUPPLEMENTARY FUNCTIONS

Functions relating to securing additional learning provision

48 Duty to admit children to named maintained schools

- (1) Subsection (2) applies if a maintained school in Wales is named in an individual development plan prepared or maintained for a child by a local authority for the purpose of securing admission of the child to the school.
- (2) The governing body of the school must admit the child.
- (3) Before naming a school under this section, the local authority must consult—
 - (a) the governing body of the school, and
 - (b) in the case of a maintained school where neither the local authority nor its governing body is the admissions authority for the school, the local authority for the area in which the school is located.
- (4) A local authority may only name a maintained school in an individual development plan for the purpose of securing admission of a child if—
 - (a) the authority is satisfied that the child's interest requires the additional learning provision identified in his or her plan to be made at the school, and
 - (b) it is appropriate for the child to be provided with education or training at the school.

Status: This is the original version (as it was originally enacted).

- (5) Subsection (2) has effect despite any duty imposed on the governing body of a school by section 1(6) of the [School Standards and Framework Act 1998 \(c. 31\)](#) (limits on infant class sizes).
- (6) Subsection (2) does not affect any power to exclude a pupil from a school.
- (7) In this section, “admissions authority” has the meaning given by section 88 of the School Standards and Framework Act 1998.