



Additional Learning Needs and Education Tribunal (Wales) Act 2018

2018 anaw 2

PART 2

ADDITIONAL LEARNING NEEDS

CHAPTER 2

INDIVIDUAL DEVELOPMENT PLANS

Powers to direct governing bodies of maintained schools

38 Local authority power to direct governing bodies of maintained schools

Any power of a local authority under this Chapter to direct the governing body of a maintained school is not exercisable in respect of a school that the authority does not maintain unless the authority has consulted the local authority that maintains the school about its intention to exercise the power.

Commencement Information

- I1** S. 38 in force at 1.9.2021 for specified purposes by [S.I. 2021/373](#), **arts. 3, 4** (as amended by [S.I. 2021/938](#), **art. 2(3)**)
- I2** S. 38 in force at 1.9.2021 for specified purposes by [S.I. 2021/373](#), **arts. 6, 7** (as amended by [S.I. 2021/938](#), **art. 2(4)(5)**)
- I3** S. 38 in force at 1.1.2022 for specified purposes by [S.I. 2021/1244](#), **art. 3(d)** (with **arts. 4-21**) (as amended by [S.I. 2021/1428](#), **art. 3**; and (10.6.2022) by [S.I. 2022/663](#), **art. 3**; and (21.8.2023) by [S.I. 2023/932](#), **art. 3**)
- I4** S. 38 in force at 1.1.2022 for specified purposes by [S.I. 2021/1245](#), **arts. 3(d), 4** (with **art. 1(4)**)

Changes to legislation: Additional Learning Needs and Education Tribunal (Wales) Act 2018, Section 38 is up to date with all changes known to be in force on or before 13 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- I5** S. 38 in force at 1.1.2022 for specified purposes by S.I. 2021/1243, **art. 3(d)** (with arts. 4-23) (as amended by S.I. 2021/1428, **art. 2**; (10.6.2022) by S.I. 2022/663, **art. 2** and (21.8.2023) by S.I. 2023/932, **art. 2**)
- I6** S. 38 in force at 1.9.2022 for specified purposes by S.I. 2022/892, **art. 3(d)** (with arts. 2, 4-18)
- I7** S. 38 in force at 1.9.2022 for specified purposes by S.I. 2022/897, **art. 3(d)** (with arts. 1(8), 4-21) (as amended (21.8.2023) by S.I. 2023/932, **art. 6**)
- I8** S. 38 in force at 1.9.2022 for specified purposes by S.I. 2022/893, **art. 4** (with art. 1(2))
- I9** S. 38 in force at 1.9.2022 for specified purposes by S.I. 2022/896, **art. 3(d)** (with arts. 4-22) (as amended (21.8.2023) by S.I. 2023/932, **art. 5**)
- I10** S. 38 in force at 1.9.2022 for specified purposes by S.I. 2022/898, **arts. 2(d), 3**
- I11** S. 38 in force at 1.9.2022 for specified purposes by S.I. 2022/895, **arts. 3(d), 4**
- I12** S. 38 in force at 1.9.2022 for specified purposes by S.I. 2022/891, **art. 3(d)** (with arts. 4-25) (as amended (21.8.2023) by S.I. 2023/932, **art. 4**)
- I13** S. 38 in force at 1.9.2022 for specified purposes by S.I. 2022/894, **art. 3(d)**

Changes to legislation:

Additional Learning Needs and Education Tribunal (Wales) Act 2018, Section 38 is up to date with all changes known to be in force on or before 13 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to :

- s. 38 coming into force by [S.I. 2022/893 art. 2\(d\)](#)
- specified provision(s) coming into force by [S.I. 2021/381 art. 23](#) (This commencement not applied to legislation.gov.uk. S.I. 2021/381 revoked (12.8.2021) by S.I. 2021/938, art. 3)
- specified provision(s) coming into force by [S.I. 2021/383 art. 23](#) (This commencement not applied to legislation.gov.uk. S.I. 2021/383 revoked (12.8.2021) by S.I. 2021/938, art. 4)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 4(3)(ca)(cb) inserted by [2022 asc 1 Sch. 4 para. 39\(2\)](#)
- s. 5(1)(da) inserted by [2022 asc 1 Sch. 4 para. 39\(3\)](#)
- s. 65(4)(da)(db) inserted by [2022 asc 1 Sch. 4 para. 39\(5\)](#)
- Sch. 1 para. 4(32)(a)(i)para. 4(32)(a)(ii)(b) coming into force by [S.I. 2022/893 art. 2\(o\)\(xi\)](#)