
STATUTORY INSTRUMENTS

1996 No. 274

The Education (Northern Ireland) Order 1996

PART II

CHILDREN WITH SPECIAL EDUCATIONAL NEEDS

Identification and assessment of children with special educational needs

Assessment of educational needs

15.—(1) Where [^{F1}the Authority] is of the opinion that a child for whom it is responsible falls, or probably falls, within paragraph (2), it shall serve a notice on the child's parent informing him—

- (a) that [^{F1}the Authority][^{F2} is considering whether] to make an assessment of the child's educational needs,
 - (b) of the procedure to be followed in making the assessment,
 - (c) of the name of the officer of [^{F1}the Authority] from whom further information may be obtained, and
 - (d) of the parent's right to make representations, and submit written evidence, to [^{F1}the Authority] within such period (which shall not be less than twenty-nine days beginning with the date on which the notice is served) as may be specified in the notice.
- (2) A child falls within this paragraph if—
- (a) he has special educational needs, and
 - (b) it is necessary for [^{F1}the Authority] to determine the special educational provision which any learning difficulty he may have calls for.
- (3) Where—
- (a) [^{F1}the Authority] has served a notice under paragraph (1) and the period specified in the notice in accordance with paragraph (1)(d) has expired, and
 - (b) [^{F1}the Authority] remains of the opinion, after taking into account any representations made and any evidence submitted to it in response to the notice, that the child falls, or probably falls, within paragraph (2),

[^{F1}the Authority] shall make an assessment of his educational needs.

(4) Where [^{F1}the Authority] decides to make an assessment under this Article, it shall give notice in writing to the child's parent of that decision and of [^{F3}the Authority's] reasons for making it.

(5) Schedule 1 (which makes provision in relation to the making of assessments under this Article) shall have effect.

(6) Where, at any time after serving a notice under paragraph (1), [^{F1}the Authority] decides not to assess the educational needs of the child concerned it shall give notice in writing to the child's parent of [^{F3}the Authority's] decision and the reasons for making it.

Status: Point in time view as at 01/04/2015. This version of this provision has been superseded.

Changes to legislation: The Education (Northern Ireland) Order 1996, Section 15 is up to date with all changes known to be in force on or before 02 July 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)

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| <p>F1 Words in Order substituted (1.4.2015) by Education Act (Northern Ireland) 2014 (c. 12), Sch. 3 para. 1(1)(a) (with Sch. 2 para. 4(3), Sch. 3 para. 1(2)); S.R. 2015/35, art. 2(b)</p> <p>F2 2005 NI 6</p> <p>F3 Words in Order substituted (1.4.2015) by Education Act (Northern Ireland) 2014 (c. 12), Sch. 3 para. 1(1)(b) (with Sch. 2 para. 4(3), Sch. 3 para. 1(2)); S.R. 2015/35, art. 2(b)</p> |
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