
STATUTORY INSTRUMENTS

1996 No. 274

The Education (Northern Ireland) Order 1996

PART II

CHILDREN WITH SPECIAL EDUCATIONAL NEEDS

[^{F1}General duties of boards]

[^{F1}Resolution of disputes

21B.—(1) A board shall make arrangements with a view to avoiding or resolving disagreements between boards or Boards of Governors of grant-aided schools (on the one hand) and parents of children ^{F2}... (on the other) about the exercise by boards or Boards of Governors of functions under this Part.

(2) A board shall also make arrangements with a view to avoiding or resolving, in each relevant school, disagreements between the parents of a child who is a [^{F3}pupil attending] the school and has special educational needs and the Board of Governors or proprietor of the school about the special educational provision made for that child.

(3) In paragraph (2) “relevant school” means—

- (a) a grant-aided school;
- (b) an independent school which is named in the statement maintained for the child under Article 16.

(4) The arrangements under paragraphs (1) and (2) shall provide for the appointment of independent persons with the function of facilitating the avoidance or resolution of such disagreements.

(5) In making the arrangements, [^{F4}the Authority] shall have regard to any guidance given by the Department.

(6) The board shall take such steps as it considers appropriate for making the arrangements made under paragraphs (1) and (2) known to—

- (a) the parents of children ^{F2}...;
- (b) the principals and Boards of Governors of grant-aided schools ^{F2}...;
- (c) the principals and proprietors of independent schools ^{F2}...; and
- (d) such other persons as it considers appropriate.

(7) The arrangements do not affect the entitlement of a parent to appeal to the Tribunal.]

F1 2005 NI 6

F2 Words in art. 21A repealed (1.4.2015) by Education Act (Northern Ireland) 2014 (c. 12), Sch. 4 (with Sch. 2 para. 4(3)); S.R. 2015/35, art. 2(b)

Changes to legislation: *The Education (Northern Ireland) Order 1996, Section 21B is up to date with all changes known to be in force on or before 13 June 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*

- F3** Words in art. 21B(2) substituted (23.3.2007) by Education (Northern Ireland) Order 2006 (S.I. 2006/1915 (N.I. 11)), arts. 1(4)(c), 44(1), **Sch. 2 para. 37**; S.R. 2007/197, **art. 2(a)**
- F4** 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)

Modifications etc. (not altering text)

- C1** Arts. 6-21B: power to disapply or modify conferred (temp.) (25.3.2020) by **Coronavirus Act 2020** (c. 7), s. 87(1), **Sch. 17 para. 17** (with ss. 88-90)
- C2** Arts. 6-21B expiry of earlier affecting provision 2020 c. 7, Sch. 16 para. 17 (25.3.2022) by **Coronavirus Act 2020** (c. 7), **s. 89** (with s. 90)

Changes to legislation:

The Education (Northern Ireland) Order 1996, Section 21B is up to date with all changes known to be in force on or before 13 June 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.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- art. 21B(1) words substituted by [2016 c. 8 \(N.I.\) Sch. para. 13\(2\)](#)
- art. 21B(2) words substituted by [2016 c. 8 \(N.I.\) Sch. para. 13\(3\)](#)
- art. 21B(6)(a) words substituted by [2016 c. 8 \(N.I.\) Sch. para. 13\(4\)](#)
- art. 21B(7) word substituted by [2016 c. 8 \(N.I.\) Sch. para. 13\(5\)](#)
- art. 21B(7) words inserted by [2016 c. 8 \(N.I.\) s. 10\(3\)](#)

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

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

- Sch. 1 para. 3(1)(b)(i)(ii) and preceding word inserted by [2016 c. 8 \(N.I.\) Sch. para. 14\(2\)](#)
- Sch. 1 para. 4(1)(a)(b) and preceding word inserted by [2016 c. 8 \(N.I.\) Sch. para. 14\(4\)](#)
- Sch. 2 para. 2(1)(a)(b) and preceding word inserted by [2016 c. 8 \(N.I.\) Sch. para. 15\(2\)](#)
- Sch. 2 para. 9(1)(a)(b) and preceding word substituted by [2016 c. 8 \(N.I.\) Sch. para. 15\(12\)](#)
- Sch. 2 para. 13(2)(a)(i)(ii) and preceding word substituted by [2016 c. 8 \(N.I.\) Sch. para. 15\(20\)](#)
- Sch. 2 para. 11(1)(a)(aa) substituted for Sch. 2 para. 11(1)(a) by [2016 c. 8 \(N.I.\) Sch. para. 15\(14\)](#)
- art. 5A inserted by [2016 c. 8 \(N.I.\) s. 1](#)
- art. 6A inserted by [2016 c. 8 \(N.I.\) s. 2](#)
- art. 8(1)(d)-(f) inserted by [2016 c. 8 \(N.I.\) s. 3\(2\)\(c\)](#)
- art. 8(1A)-(1C) inserted by [2016 c. 8 \(N.I.\) s. 3\(3\)](#)
- art. 8(2A) inserted by [2016 c. 8 \(N.I.\) s. 3\(4\)](#)
- art. 8ZA inserted by [2016 c. 8 \(N.I.\) s. 3\(5\)](#)
- art. 10(3)(a)(b) substituted for words by [2016 c. 8 \(N.I.\) Sch. para. 4](#)
- art. 12A inserted by [2016 c. 8 \(N.I.\) s. 4](#)
- art. 14(4A)(4B) inserted by [2016 c. 8 \(N.I.\) s. 5\(3\)](#)
- art. 15(4)(a)(b) and preceding word inserted by [2016 c. 8 \(N.I.\) Sch. para. 5\(4\)](#)
- art. 15(6)(a)(b) and preceding word inserted by [2016 c. 8 \(N.I.\) Sch. para. 5\(5\)](#)
- art. 17(1)(a)(b) and preceding word substituted for words by [2016 c. 8 \(N.I.\) Sch. para. 7\(2\)](#)
- art. 18A(4)(ba) inserted by [2016 c. 8 \(N.I.\) s. 9\(4\)\(b\)](#)
- art. 19(1A)-(1C) inserted by [2016 c. 8 \(N.I.\) s. 8\(3\)\(a\)](#)
- art. 19(2)(ba) inserted by [2016 c. 8 \(N.I.\) s. 8\(3\)\(b\)\(ii\)](#)
- art. 20A(7)(a)(b) and preceding word inserted by [2016 c. 8 \(N.I.\) Sch. para. 11\(4\)](#)
- art. 20A(8)(a)(i)(ii) and preceding word substituted for words by [2016 c. 8 \(N.I.\) Sch. para. 11\(5\)](#)
- art. 21(5)-(10) added by [2016 c. 8 \(N.I.\) s. 9\(2\)](#)
- art. 21A(4)-(7) inserted by [2016 c. 8 \(N.I.\) Sch. para. 12\(4\)](#)
- art. 21B(3A)-(4) substituted for art. 21B(4) by [2016 c. 8 \(N.I.\) s. 10\(2\)](#)
- art. 21C inserted by [2016 c. 8 \(N.I.\) s. 10\(4\)](#)

- art. 21ZA inserted by [2016 c. 8 \(N.I.\) s. 9\(3\)](#)