

STATUTORY INSTRUMENTS

1996 No. 274

The Education (Northern Ireland) Order 1996

PART II

CHILDREN WITH SPECIAL EDUCATIONAL NEEDS

[^{F1}General duties of boards]

F1 2005 NI 6

[^{F2}Advice and information for parents

21A.—(1) A board shall arrange for the parent of any child ^{F3}... with special educational needs to be provided with advice and information about matters relating to those needs.

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

(3) The board shall take such steps as it considers appropriate for making the services provided under paragraph (1) known to—

- (a) the parents of children ^{F3}...;
- (b) the principals and Boards of Governors of grant#aided schools ^{F3}...;
- (c) the principals and proprietors of independent schools ^{F3}...; and
- (d) such other persons as it considers appropriate.]

F2 2005 NI 6

F3 Words in art. 21A repealed (1.4.2015) by [Education Act \(Northern Ireland\) 2014 \(c. 12\)](#), [Sch. 4](#) (with [Sch. 2 para. 4\(3\)](#)); S.R. 2015/35, art. 2(b)

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)

[^{F5}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

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children ^{F3}... (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 [^{F6}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 ^{F3}...;
- (b) the principals and Boards of Governors of grant-aided schools ^{F3}...;
- (c) the principals and proprietors of independent schools ^{F3}...; 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.]

F3 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)

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)

F5 2005 NI 6

F6 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)**

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Changes to legislation:

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Changes and effects yet to be applied to :

- [art. 21A\(1\) and heading substituted by 2016 c. 8 \(N.I.\) Sch. para. 12\(2\)](#)

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\(3\)](#)