

Status: Point in time view as at 05/05/2010.

Changes to legislation: Education Act 1996, Cross Heading: Copy of proposed statement is up to date with all changes known to be in force on or before 14 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)

SCHEDULES

SCHEDULE 27

MAKING AND MAINTENANCE OF STATEMENTS UNDER SECTION 324

Copy of proposed statement

- [^{F1}2 (1) Before making a statement, a [^{F2}local authority] shall serve on the parent of the child concerned a copy of the proposed statement.
- (2) But that is subject to sub-paragraphs (3) and (4).
- (3) The copy of the proposed statement shall not specify any prescribed matter.
- (4) The copy of the proposed statement shall not specify any matter in pursuance of section 324(4).]

Textual Amendments

- F1** Sch. 27 paras. 2-2B substituted for Sch. 27 para. 2 (15.6.2001 for E. for certain purposes and otherwise 1.1.2002 and 8.12.2001 for W. for certain purposes and otherwise 1.4.2002) by 2001 c. 10, s. 10, **Sch. 1 para. 3** (with s. 43(13)); S.I. 2001/2217, arts. 4, 5, Sch. Pts. I, II (as amended by S.I. 2001/2614, **art. 4**); S.I. 2001/3992, arts. 4, 5, Sch. Pts. I, II
- F2** Words in Act substituted (5.5.2010) by The Local Education Authorities and Children's Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158), **Sch. 2 para. 7(2)** (with Sch. 2 para. 7(4)(5))

Amendments to a statement

- ^{F3}2A (1) A [^{F2}local authority] shall not amend a statement except—
- (a) in compliance with an order of the Tribunal,
- (b) as directed by the Secretary of State under section 442(4), or
- (c) in accordance with the procedure laid down in this Schedule.
- (2) If, following a re-assessment review, a [^{F2}local authority] propose to amend a statement, they shall serve on the parent of the child concerned a copy of the proposed amended statement.
- (3) Sub-paragraphs (3) and (4) of paragraph 2 apply to a copy of a proposed amended statement served under sub-paragraph (2) as they apply to a copy of a proposed statement served under paragraph 2(1).
- (4) If, following a periodic review, a [^{F2}local authority] propose to amend a statement, they shall serve on the parent of the child concerned—
- (a) a copy of the existing statement, and
- (b) an amendment notice.

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- (5) If, at any other time, a [F²local authority] propose to amend a statement, they shall proceed as if the proposed amendment were an amendment proposed after a periodic review.
- (6) An amendment notice is a notice in writing giving details of the amendments to the statement proposed by the authority.

Textual Amendments

- F2** Words in Act substituted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), **Sch. 2 para. 7(2)** (with Sch. 2 para. 7(4)(5))
- F3** Sch. 27 paras. 2-2B substituted for Sch. 27 para. 2 (15.6.2001 for E. for certain purposes and otherwise 1.1.2002 and 8.12.2001 for W. for certain purposes and otherwise 1.4.2002) by [2001 c. 10, s. 10](#), **Sch. 1 para. 3** (with s. 43(13)); [S.I. 2001/2217](#), arts. 4, 5, Sch. Pts. I, II (as amended by [S.I. 2001/2614](#), **art. 4**); [S.I. 2001/3992](#), arts. 4, 5, Sch. Pts. I, II

Provision of additional information

- ^{F4}2B (1) Sub-paragraph (2) applies when a [F²local authority] serve on a parent—
- (a) a copy of a proposed statement under paragraph 2,
 - (b) a copy of a proposed amended statement under paragraph 2A, or
 - (c) an amendment notice under paragraph 2A.
- (2) The [F²local authority] shall also serve on the parent a written notice explaining (to the extent that they are applicable)—
- (a) the arrangements under paragraph 3,
 - (b) the effect of paragraph 4, and
 - (c) the right to appeal under section 326.
- (3) A notice under sub-paragraph (2) must contain such other information as may be prescribed.

Textual Amendments

- F2** Words in Act substituted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), **Sch. 2 para. 7(2)** (with Sch. 2 para. 7(4)(5))
- F4** Sch. 27 paras. 2-2B substituted for Sch. 27 para. 2 (15.6.2001 for E. for certain purposes and otherwise 1.1.2002 and 8.12.2001 for W. for certain purposes and otherwise 1.4.2002) by [2001 c. 10, s. 10](#), **Sch. 1 para. 3** (with s. 43(13)); [S.I. 2001/2217](#), arts. 4, 5, Sch. Pts. I, II (as amended by [S.I. 2001/2614](#), **art. 4**); [S.I. 2001/3992](#), arts. 4, 5, Sch. Pts. I, II

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