
WELSH STATUTORY INSTRUMENTS

2002 No. 152

**The Education (Special Educational
Needs) (Wales) Regulations 2002**

**PART III
STATEMENTS**

Review of statement where child does not attend school

22.—(1) This regulation applies where an authority review a statement under section 328 and the child concerned does not attend a school.

(2) The authority shall prepare a report addressing the matters referred to in regulation 20(5), including the matters referred to in regulation 20(5)(f) in any case where the review referred to in paragraph (1) is commenced after the child begins the tenth year of compulsory education, and for that purpose shall seek advice on those matters from the child's parent and on such of those matters from any other person whose advice they consider appropriate in the case in question for the purpose of arriving at a satisfactory report.

(3) The authority shall invite the following persons to attend a meeting to be held on a date before the review referred to in paragraph (1) is required to be completed—

- (a) the child's parent;
- (b) where the review referred to in paragraph (1) is the first review commenced after the child has begun the tenth year of compulsory education, a representative of the social services authority;
- (c) where sub-paragraph (b) applies, a representative of the Careers Service; and
- (d) any person or persons whose attendance the authority consider appropriate.

(4) The authority shall not later than two weeks before the date on which the meeting referred to in paragraph (3) is to be held send to all the persons invited to that meeting a copy of the report which they propose to make under paragraph (2) and by written notice accompanying the copies shall request the recipients to submit to the authority written comments on the report and any other advice which they think appropriate.

(5) A representative of the authority shall attend the meeting.

(6) The meeting shall consider the matters referred to in regulation 20(5), and in any case where the review is commenced after the child has begun the tenth year of compulsory education, the matters referred to in regulation 20(5)(f), and shall make recommendations in accordance with regulation 20(9), and in any case where the child has begun the tenth year of compulsory education, recommendations as to the matters which it concludes ought to be included in a transition plan.

(7) The report prepared by the authority under paragraph (2) shall be completed after the meeting referred to in paragraph (3) is held, shall contain the authority's assessment of the matters required to be considered by the meeting and their recommendations as to the matters required to be recommended by it, and shall refer to any difference between their assessment and recommendations and those of the meeting.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(8) The authority shall within one week of the date on which the meeting referred to in paragraph (3) was held send copies of the report completed under paragraph (7) to—

- (a) the child’s parent;
- (b) any person to whom they consider it appropriate to send a copy.

(9) The authority shall review the statement under section 328 in light of the report and any other information or advice which it considers relevant, shall make written recommendations as to the matters referred to in regulation 20(9) and in any case where the review is the first review commenced after the child has commenced the tenth year of compulsory education, prepare a transition plan, and in any case where a transition plan exists amend the plan as they consider appropriate.

(10) The authority shall within one week of completing the review under section 328 send copies of the recommendations and any transition plan referred to in paragraph (9) to the persons referred to in paragraph (8).

(11) In this regulation “school” has the same meaning as in regulation 18.