

ADDITIONAL LEARNING NEEDS AND EDUCATION TRIBUNAL (WALES) BILL – STAGE 2 GOVERNMENT AMENDMENTS

This table provides information about the amendments tabled in the name of Alun Davies AM on 21 September 2017. Further amendments for consideration at Stage 2 will be tabled by the Minister for Lifelong Learning and the Welsh Language in due course.

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
46	<p>Schedule 1, page 61, line 8, leave out ‘In section 36 of the Children Act 1989’ and insert—</p> <p>‘(1) The Children Act 1989 is amended as follows.</p> <p>(2) In section 23E(1A) (pathway plans)—</p> <p>(a) in paragraph (b), omit “Part 4 of the Education Act 1996 or”;</p> <p>(b) after paragraph (b), insert—</p> <p>“(ba) Part 2 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017;”.</p> <p>(3) In section 36’.</p>	<p>Atodlen 1, tudalen 61, llinell 9, hepgorer ‘Yn adran 36 o Ddeddf Plant 1989’ a mewnosoder—</p> <p>‘(1) Mae Deddf Plant 1989 wedi ei diwygio fel a ganlyn.</p> <p>(2) Yn adran 23E(1A) (cynlluniau llwybr)—</p> <p>(a) ym mharagraff (b), hepgorer “Part 4 of the Education Act 1996 or”;</p> <p>(b) ar ôl paragraff (b), mewnosoder—</p> <p>“(ba) Part 2 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017;”.</p> <p>(3) Yn adran 36’.</p>	<p>The purpose of this amendment is to substitute a reference to Part 4 of the Education Act 1996 (which is repealed by the Bill) with a reference to Part 2 of the Bill.</p> <p>The effect is that the statutory assessments of needs by a local authority in England which inform pathway plans for particular young people who were previously looked after, can be conducted at the same time as a consideration related to their additional learning needs is being conducted under Part 2 of the Bill.</p>
47	<p>Schedule 1, page 61, after line 14, insert—</p> <p><i>‘Tribunals and Inquiries Act 1992 (c. 53)</i></p> <p>[] In Schedule 1 to the Tribunals and Inquiries Act 1992 (tribunals to which the Act applies), in Part 1, in the table—</p>	<p>Atodlen 1, tudalen 61, ar ôl llinell 16, mewnosoder—</p> <p><i>‘Deddf Tribiwnlysoedd ac Ymchwiliadau 1992 (p. 53)</i></p> <p>[] Yn Atodlen 1 i Ddeddf Tribiwnlysoedd</p>	<p>The purpose of this amendment is to ensure that terminology used in the Bill is updated in existing primary legislation, so that the term “Special Educational Needs Tribunal for Wales” is removed and replaced by its new name of the Education Tribunal.</p>

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	<p>(a) in the first column, for “Special educational” substitute “Additional learning”;</p> <p>(b) in the second column, for paragraph 40B substitute “40B The Education Tribunal for Wales”.</p>	<p>ac Ymchwiliadau 1992 (tribiwnlysoedd y mae'r Ddeddf yn gymwys iddynt), yn Rhan 1, yn y tabl—</p> <p>(a) yn y golofn gyntaf, yn lle “Special educational” rhodder “Additional learning”;</p> <p>(b) yn yr ail golofn, yn lle paragraff 40B rhodder “40B The Education Tribunal for Wales”.</p>	<p>The effect is that Additional Learning Needs is added to the list of matters in the table at Schedule 1, while the Education Tribunal is correspondingly listed as a tribunal to which the provisions of the 1992 Act applies.</p>
48	<p>Schedule 1, page 63, line 1, leave out ‘an individual development plan in which a particular school is named for the purposes of any of section 12(6) and (7)(a), 17(5) and (6)(a) or 42 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017’ and insert ‘a child for whom an individual development plan is maintained in which a particular school is named’.</p>	<p>Atodlen 1, tudalen 63, llinell 1, hepgorer ‘an individual development plan in which a particular school is named for the purposes of any of section 12(6) and (7)(a), 17(5) and (6)(a) or 42 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017’ a mewnosoder ‘a child for whom an individual development plan is maintained in which a particular school is named’.</p>	<p>The purpose of this amendment is to clarify the existing amendment to s.438(1) of the Education Act 1996.</p> <p>The effect is unchanged, other than it is clearer that the section applies to children who do not have an IDP in which a particular school is named.</p>
49	<p>Schedule 1, page 63, line 9, leave out ‘which maintains an individual development plan for the child) the child’s additional learning needs’ and insert ‘) any additional learning needs the child may have’.</p>	<p>Atodlen 1, tudalen 63, llinell 9, hepgorer ‘which maintains an individual development plan for the child) the child’s additional learning needs’ a mewnosoder ‘) any additional learning needs the child may have’.</p>	<p>The purpose of this amendment is to clarify s.438(6)(c) of the Education Act 1996.</p> <p>The effect is unchanged, other than it is clearer that where a child has an IDP which does not name a school, one of the conditions to be met before a school is named in the school attendance order is that the school is suitable for any additional learning needs the child may have.</p>

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50	Schedule 1, page 63, line 16, leave out 'an individual development plan in which a particular school is named for the purposes of any of section 12(6) and (7)(a), 17(5) and (6)(a) or 42 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017' and insert 'a child for whom an individual development plan is maintained in which a particular school is named'.	Atodlen 1, tudalen 63, llinell 15, hepgorer 'an individual development plan in which a particular school is named for the purposes of any of section 12(6) and (7)(a), 17(5) and (6)(a) or 42 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017' a mewnosoder 'a child for whom an individual development plan is maintained in which a particular school is named'.	<p>The purpose of this amendment is to clarify the existing amendment to s.440(1) of the Education Act 1996.</p> <p>The effect is unchanged other than it is clearer that the section does not apply to a child who has an IDP which names a school.</p>
51	Schedule 1, page 63, line 24, leave out 'which maintains an individual development plan for the child) the child's additional learning needs' and insert ') any additional learning needs the child may have'.	Atodlen 1, tudalen 63, llinell 23, hepgorer 'which maintains an individual development plan for the child) the child's additional learning needs' a mewnosoder ') any additional learning needs the child may have'.	<p>The purpose of this amendment is to clarify the drafting of the existing amendment to s.440(4)(b) of the Education Act 1996.</p> <p>The effect is that it is clearer (in the case of a child for whom no IDP is maintained that names a school) that a school's suitability in respect of any additional learning needs the child may have is one of the matters that must be taken into account when a local authority in Wales is considering a parent's request to change the name of the school in the school attendance order to a school that is not maintained by the local authority (and for which the local authority is not required to pay the fees).</p>
52	Schedule 1, page 64, line 8, leave out 'they maintain an individual development plan naming a school' and insert 'an individual development plan is maintained in which a particular school is named'.	Atodlen 1, tudalen 64, llinell 8, hepgorer 'they maintain an individual development plan naming a school' a mewnosoder 'an individual development plan is maintained in which a particular school is named'.	The purpose of this amendment (together with amendments 53 and 54 is to apply the new section 441A relating to school attendance orders, inserted by paragraph 3(17) of Schedule 1 in to the Education Act 1996, to the case of any child who has an individual development plan that names a school, rather than just those

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			<p>children whose plan is maintained by the local authority that issues the order.</p> <p>The effect of this amendment is that where a child's individual development plan names a school, that same school must be named in the school attendance order.</p>
53	<p>Schedule 1, page 64, line 12, leave out 'a local authority maintain an individual development plan naming a school' and insert 'an individual development plan is maintained in which a particular school is named'.</p>	<p>Atodlen 1, tudalen 64, llinell 12, hepgorer 'a local authority maintain an individual development plan naming a school' a mewnosoder 'an individual development plan is maintained in which a particular school is named'.</p>	<p>The purpose of this amendment (together with amendments 52 and 54) is to apply the new section 441A relating to school attendance orders, inserted by paragraph 3(17) of Schedule 1 in to the Education Act 1996, to the case of any child who has an individual development plan that names a school, rather than just those children whose plan is maintained by the local authority that issues the order.</p> <p>The effect of this amendment is that where a child's individual development plan names a school, that same school must be named in the school attendance order.</p>
54	<p>Schedule 1, page 64, line 18, leave out 'a local authority do not maintain an individual development plan naming a school, and (b) the local authority begins to maintain an individual development plan naming a school'</p> <p>and insert - 'no individual development plan is maintained in which a particular school is named, and (b) an individual development plan in</p>	<p>Atodlen 1, tudalen 64, llinell 18, hepgorer 'a local authority do not maintain an individual development plan naming a school, and (b) the local authority begins to maintain an individual development plan naming a school'</p> <p>a mewnosoder - 'no individual development plan is maintained in which a particular school is named, and (b) an individual development plan</p>	<p>The purpose of this amendment (together with amendments 52 and 53) is to apply the new section 441A relating to school attendance orders, inserted by paragraph 3(17) of Schedule 1 in to the Education Act 1996, to the case of any child who has an individual development plan that names a school, rather than just those children whose plan is maintained by the local authority that issues the order.</p> <p>The effect of this amendment is that where a child's individual development plan names a</p>

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	which a particular school is named begins to be maintained’.	in which a particular school is named begins to be maintained’.	school, that same school must be named in the school attendance order.
55	Schedule 1, page 64, line 23, leave out ‘(4) For the purposes of this section, “an individual development plan naming a school” is a plan in which a particular school is named for the purposes of any of section 12(6) and (7)(a), 17(5) and (6)(a) or 42 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017.’.	Atodlen 1, tudalen 64, llinell 23, hepgorer ‘(4) For the purposes of this section, “an individual development plan naming a school” is a plan in which a particular school is named for the purposes of any of section 12(6) and (7)(a), 17(5) and (6)(a) or 42 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017.’.	The purpose of this amendment is to remove an unnecessary definition from the existing amendment. The effect is that s.441A will rely on the definition of individual development plan as set out in the Bill and applied by the Education Act 1996
56	Schedule 1, page 64, line 28, leave out ‘, in subsection (5)— (a) in the opening words, for “a statement under section 324” substitute “an individual development plan”; (b) in paragraph (a), for “or the statement” substitute “, or is named in the individual development plan for the purposes of any of section 12(6) and (7)(a), 17(5) and (6)(a) or 42 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017”; (c) in paragraph (b), for “the plan or the statement” substitute “the EHC plan or the individual development plan”.’ and insert— ‘— (a) in subsection (5)—	Atodlen 1, tudalen 64, llinell 28, hepgorer yn is-adran (5)— (a) yn y geiriau agoriadol, yn lle “a statement under section 324” rhodder “an individual development plan”; (b) ym mharagraff (a), yn lle “or the statement” rhodder “, or is named in the individual development plan for the purposes of any of section 12(6) and (7)(a), 17(5) and (6)(a) or 42 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017”; (c) ym mharagraff (b), yn lle “the plan or the statement” rhodder “the EHC plan or the individual development plan”.’ a mewnosoder— ‘— (a) yn is-adran (5)— (i) yn y geiriau agoriadol,	The purpose of this amendment is to separate out the England and Wales provisions regarding revocations of school attendance orders at the request of a child’s parent in s.442 of the Education Act 1996 and to make particular provision for Wales. The provisions applying to Wales now appear in a new subsection (6). The effect of the provision makes it clear that in Wales, the local authority that issued the school attendance order need not be the same as the local authority that maintains a plan. In the case of children with plans that name a school, subsection (6)(a) is similar to the existing provision at subsection (5)(a): it does not enable parents to request that the local authority revokes the order on the ground that arrangements have been made for the child to receive suitable education otherwise than at school. It also does not enable such parents to refer the question to the Welsh Ministers, so the Welsh Ministers cannot make a determination

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	<p>(i) in the opening words, omit “or a statement under section 324 (in the case of a local authority in Wales)”;</p> <p>(ii) in paragraph (a), omit “or the statement”;</p> <p>(iii) in paragraph (b), omit “or the statement”;</p> <p>(b) after subsection (5) insert—</p> <p>“(6) Where, in the case of a local authority in Wales, the child in question is one for whom an individual development plan is maintained by the authority or by another local authority—</p> <p>(a) subsections (2) to (4) do not apply if a school or other institution is named in the individual development plan, and</p> <p>(b) in any other case a direction under subsection (4) may require the authority maintaining the individual development plan to make such amendments to the</p>	<p>hepgorer “or a statement under section 324 (in the case of a local authority in Wales)”;</p> <p>(ii) ym mharagraff (a), hepgorer “or the statement”;</p> <p>(iii) ym mharagraff (b), hepgorer “or the statement”;</p> <p>(b) ar ôl is-adran (5) mewnosoder—</p> <p>“(6) Where, in the case of a local authority in Wales, the child in question is one for whom an individual development plan is maintained by the authority or by another local authority—</p> <p>(a) subsections (2) to (4) do not apply if a school or other institution is named in the individual development plan, and</p> <p>(b) in any other case a direction under subsection (4) may require the</p>	<p>under (4).</p> <p>Subsection (6)(b) applies to children whose plans name a school, and whose parents have made a referral to the Welsh Ministers for a determination. It is similar to the current subsection (5)(b) except that it makes it clear that the local authority maintaining the plan (whether or not it is the same as the one who issued the school attendance order) must amend the plan as the Welsh Ministers consider necessary or expedient in consequence of their determination under s.442(4)..</p>

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	<p>plan as is considered necessary or expedient in consequence of the determination.”.</p>	<p>authority maintaining the individual development plan to make such amendments to the plan as is considered necessary or expedient in consequence of the determination.”.</p>					
57	<p>Schedule 1, page 67, after line 6, column 1, insert—</p> <table border="1" data-bbox="224 805 824 944"> <tr> <td data-bbox="224 805 555 944">“the appropriate national authority (in Chapter2 of Part 4</td> <td data-bbox="555 805 824 944"></td> </tr> </table> <p>.</p>	“the appropriate national authority (in Chapter2 of Part 4		<p>Atodlen 1, tudalen 67, ar ôl llinell 6, colofn 1, mewnosoder—</p> <table border="1" data-bbox="855 837 1429 976"> <tr> <td data-bbox="855 837 1173 976">“the appropriate national authority (in Chapter2 of Part 4</td> <td data-bbox="1173 837 1429 976"></td> </tr> </table> <p>.</p>	“the appropriate national authority (in Chapter2 of Part 4		<p>The purpose of the amendment is to make provision consequential to section 51 of the Bill which omits the definition of “appropriate national authority” in s.337A of the Education Act 1996.</p> <p>The effect is that the definition is removed from the index in s.580 of the Education Act 1996.</p>
“the appropriate national authority (in Chapter2 of Part 4							
“the appropriate national authority (in Chapter2 of Part 4							
58	<p>Schedule 1, page 67, after line 6, column 2, insert—</p> <table border="1" data-bbox="224 1149 824 1220"> <tr> <td data-bbox="224 1149 506 1220"></td> <td data-bbox="506 1149 824 1220">Section 337A”;</td> </tr> </table> <p>.</p>		Section 337A”;	<p>Atodlen 1, tudalen 67, ar ôl llinell 6, colofn 2, mewnosoder—</p> <table border="1" data-bbox="855 1181 1429 1252"> <tr> <td data-bbox="855 1181 1120 1252"></td> <td data-bbox="1120 1181 1429 1252">Section 337A”;</td> </tr> </table> <p>.</p>		Section 337A”;	<p>The purpose of the amendment is to make provision consequential to section 51 of the Bill which omits the definition of “appropriate national authority” in s.337A of the Education Act 1996.</p> <p>The effect is that the reference to the section where the definition appears is removed from the index in s.580 of the Education Act 1996.</p>
	Section 337A”;						
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59	Schedule 1, page 67, line 32, leave out 'and 84' and insert ', 84 and 186'.	Atodlen 1, tudalen 67, llinell 34, hepgorer 'a 84' a mewnosoder ', 84 a 186'.	<p>The purpose of the amendment is to remove a reference to paragraph 186 of Schedule 30 to the School Standards and Framework Act 1998. The amendment is consequential to amendments made by paragraph 3 of Schedule 1 to the Bill (repeal of Chapter 1 of Part 4 of and Schedule 27 to the Education Act 1996).</p> <p>The effect is that amendments to paragraph 3 of Schedule 27 to the Education Act 1996, which we are repealing in the Bill, are removed.</p>
60	<p>Schedule 1, page 68, line 6, leave out 'and 6' and insert— , 6, 15, 17 (and the cross-heading that precedes it) and 18;</p> <p>() in Schedule 18, in paragraph 13, for "Special Educational Needs Tribunal for Wales under section 333(2) of the Education Act 1996 (c 56)" substitute "Education Tribunal for Wales under section of the Additional Learning Needs and Education Tribunal (Wales) Act 2017".</p>	<p>Atodlen 1, tudalen 68, llinell 7, hepgorer 'a 6' a mewnosoder— , 6, 15, 17 (a'r croesbennawd sy'n ei ragflaenu) a 18;</p> <p>() yn Atodlen 18, ym mharagraff 13, yn lle "Special Educational Needs Tribunal for Wales under section 333(2) of the Education Act 1996 (c 56)" rhodder "Education Tribunal for Wales under section 79(5) of the Additional Learning Needs and Education Tribunal (Wales) Act 2017".</p>	<p>The purpose of the amendment is to remove reference to paragraph 18 of Schedule 18 to the Education Act 2002 and to update the Tribunal's name in paragraph 13 of that Schedule. These amendments are consequential to amendments made by paragraph 3 of Schedule 1 to the Bill.</p> <p>The effect of removing paragraph 18 is that savings and transitional provisions relating to regulations made, or having effect as if made, under provisions of the Education Act 1996 that the Bill is repealing (sections 326A and 333 to 336A) in relation to the Special Educational Needs and Disability Tribunal (the precursor to the Special Educational Needs Tribunal for Wales) are removed.</p> <p>The effect of updating the tribunal's name in paragraph 13 is that the consultation on appointments to the lay panel of the tribunal usually required under s.10 of the Disabled Persons (Services, Consultation and</p>

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			Representation) Act 1986 continues to be disapplied to the tribunal under its new name.
61	Schedule 1, page 68, line 8, after '44', insert 'and 58'.	Atodlen 1, tudalen 68, llinell 9, ar ôl '44', mewnosoder 'a 58'.	<p>The purpose of the amendment is to remove a reference to paragraph 58 in Schedule 21 to the Education Act 2002 and is consequential to amendments made by paragraph 3 of the Schedule 1 to the Bill.</p> <p>The effect is that amendments to paragraphs 3A and 8 of Schedule 27 to the Education Act 1996, which we are repealing in the Bill, are removed.</p>
62	<p>Schedule 1, page 68, after line 19, insert— () in the Education and Inspections Act 2006 (c. 40)—</p> <p>(i) omit section 173 (special educational needs co-ordinators);</p> <p>(ii) omit section 174 (time limits relating to statements of special educational needs);'.</p>	<p>Atodlen 1, tudalen 68, ar ôl llinell 21, mewnosoder— () yn Neddf Addysg ac Arolygiadau 2006 (p. 40)—</p> <p>(i) hepgorer adran 173 (cydlynwyr anghenion addysgol arbennig);</p> <p>(ii) hepgorer adran 174 (terfynau amser sy'n ymwneud â datganiadau anghenion addysgol arbennig);'.</p>	<p>The purpose of the amendment is to omit paragraphs of the Education and Inspections Act 2006 and is consequential to amendments made by paragraph 3 of the Schedule 1 to the Bill.</p> <p>The effect is that sections 173 and 174 which make amendments to provisions of the Education Act 1996 which we are repealing in the Bill, are removed.</p>
63	Schedule 1, page 68, line 24, leave out 'omit subsections (2) and' and insert 'in subsection (2) omit paragraphs (a) and (b), and omit subsection'.	Atodlen 1, tudalen 68, llinell 26, hepgorer 'hepgorer is-adrannau (2) a' a mewnosoder 'yn is-adran (2) hepgorer paragraffau (a) a (b), a hepgorer is-adran'.	The purpose of the amendment is to omit certain paragraphs only of section 147(2) of the Education and Skills Act 2008. The change is consequential to amendments made by paragraph 3 of the Schedule 1 to the Bill.

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			<p>The effect is that references to the “appropriate authority” are removed from s.349 of the Education Act 1996, which we have amended in our Bill.</p>				
64	<p>Schedule 1, page 68, after line 25, insert— (iii) in Schedule 1 (amendments), in paragraph 11, omit the following entry—</p> <table border="1" data-bbox="232 603 826 707"> <tr> <td data-bbox="232 603 568 707">“the appropriate national authority (in Chapter 2 of Part 4)</td> <td data-bbox="568 603 826 707">section 337A”;</td> </tr> </table>	“the appropriate national authority (in Chapter 2 of Part 4)	section 337A”;	<p>Atodlen 1, tudalen 68, ar ôl llinell 27, mewnosoder— (iii) yn Atodlen 1 (diwygiadau), ym mharagraff 11, hepgorer y cofnod a ganlyn—</p> <table border="1" data-bbox="864 635 1429 738"> <tr> <td data-bbox="864 635 1187 738">“the appropriate national authority (in Chapter 2 of Part 4)</td> <td data-bbox="1187 635 1429 738">section 337A”;</td> </tr> </table>	“the appropriate national authority (in Chapter 2 of Part 4)	section 337A”;	<p>The purpose of the amendment is to omit an entry in Schedule 1 to the Education and Skills Act 2008. The change is consequential to amendments made by paragraph 3 of the Schedule 1 to the Bill.</p> <p>The effect is that references inserted in the Education Act 1996 to the “appropriate authority” and the relevant section reference, which our Bill is removing from the Education Act 1996, are also removed from Schedule 1 to the 2008 Act.</p>
“the appropriate national authority (in Chapter 2 of Part 4)	section 337A”;						
“the appropriate national authority (in Chapter 2 of Part 4)	section 337A”;						
65	<p>Schedule 1, page 68, after line 36, insert— () in Schedule 13 to the Education Act 2011 (consequential amendments), in paragraph 9, omit sub-paragraphs (4) and (5);’.</p>	<p>Atodlen 1, tudalen 68, ar ôl llinell 38, mewnosoder— () yn Atodlen 13 i Ddeddf Addysg 2011 (diwygiadau canlyniadol), ym mharagraff 9, hepgorer is-baragraffau (4) a (5);’.</p>	<p>The purpose of the amendment is to omit certain sub-paragraphs in Schedule 13 to the Education Act 2011. The change is consequential to amendments made by paragraph 3 of the Schedule 1 to the Bill.</p> <p>The effect is that amendments made by the 2011 Act to sections of the Education Act 1996 repealed by our Bill are also omitted from the 2011 Act.</p>				

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66	<p>Schedule 1, page 69, line 8, leave out paragraph 5 and insert—</p> <p>'5 (1) The School Standards and Framework Act 1998 is amended as follows.</p> <p>(2) In section 96(7) (direction to admit child to specified school), for “to any special educational needs” substitute “(in the case of a local authority in England) to any special educational needs or (in the case of a local authority in Wales) to any additional learning needs”.</p> <p>(3) In section 98(7) (admission for nursery education or to nursery or special school: children with statements of special educational needs or EHC plans), for “statements of special educational needs are maintained under section 324 of the Education Act 1996” substitute “individual development plans are maintained under Part 2 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017 in respect of which section 42 of that Act applies (duty to admit children to maintained schools)”.</p> <p>(4) In section 123 (nursery education - children with special educational needs)—</p> <p>(a) in subsection (1)(a), after “authority” insert “in England”;</p> <p>(b) in the words after subsection (1)(b), omit “or section 313(2) of the</p>	<p>Atodlen 1, tudalen 69, llinell 9, hepgorer paragraff 5 a mewnosoder—</p> <p>'5(1) Mae Deddf Safonau a Fframwaith Ysgolion 1998 wedi ei diwygio fel a ganlyn.</p> <p>(2) Yn adran 96(7) (cyfarwyddyd i dderbyn plentyn i ysgol benodedig), yn lle “to any special educational needs” rhodder “(in the case of a local authority in England) to any special educational needs or (in the case of a local authority in Wales) to any additional learning needs”.</p> <p>(3) Yn adran 98(7) (derbyn ar gyfer addysg feithrin neu i ysgol feithrin neu arbennig: plant â datganiadau anghenion addysgol arbennig neu gynlluniau AIG), yn lle “statements of special educational needs are maintained under section 324 of the Education Act 1996” rhodder “individual development plans are maintained under Part 2 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017 in respect of which section 42 of that Act applies (duty to admit children to maintained schools)”.</p> <p>(4) Yn adran 123 (addysg feithrin - plant ag anghenion addysgol arbennig)—</p> <p>(a) yn is-adran (1)(a), ar ôl “authority” mewnosoder “in England”;</p>	<p>The purpose of the amendment is to make substitutions to sections 96(7) and 98(7) to the list of amendments to be made to the School Standards and Framework Act 1998 (in addition to the amendments already proposed to s.123) so that additional learning needs and individual development plans are referenced in respect of Wales in the 1998 Act.</p> <p>The effect is that sections 96 and 98 now differentiate between EHC plans in respect of local authorities in England and individual development plans in respect of local authorities in Wales, ensuring that the terminology reflects the terminology introduced by this Bill. Section 98 (nursery admissions etc) disapplies the provisions of Chapter 1 of Part III (admissions) to the 1998 Act to children with individual development plans which include a duty under section 42 of the Bill to admit the children to maintained schools. The inclusion of the reference to the duty under section 42 is restricts the disapplication of the admissions provision in the 1998 Act to those children for whom a local authority has decided that their interests require the additional leaning provision identified in their plan to be made in a particular maintained school.</p>

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	<p>Education Act (in the case of education in Wales)”; (c) in subsection (2), omit “or (as the case may be) Part IV of the Education Act 1996”; (d) in subsection (3)(a), omit “or (as the case may be) Part IV of the Education Act”; (e) in subsection (3A)(b), omit “or statement under section 324 of the Education Act”; (f) in subsection (4), omit paragraph (b).’.</p>	<p>(b) yn y geiriau ar ôl is-adran (1)(b), hepgorer “or section 313(2) of the Education Act (in the case of education in Wales)”; (c) yn is-adran (2), hepgorer “or (as the case may be) Part IV of the Education Act 1996”; (d) yn is-adran (3)(a), hepgorer “or (as the case may be) Part IV of the Education Act”; (e) yn is-adran (3A)(b), hepgorer “or statement under section 324 of the Education Act”; (f) yn is-adran (4), hepgorer paragraff (b).’.</p>	
67	<p>Schedule 1, page 69, after line 29, insert— <i>‘Education Act 2002 (c. 32)</i> [] Omit section 174 (consent to placement).’.</p>	<p>Atodlen 1, tudalen 69, ar ôl llinell 31, mewnosoder— <i>‘Deddf Addysg 2002 (p. 32)</i> [] Hpgorer adran 174 (cydsyniad i leoliad).’.</p>	<p>The purpose of this amendment is to remove section 174 of the Education Act 2002. The amendment is consequential on a provision in the Bill at section 52 which repeals section 347:</p> <p>The effect is that amendments made by section 174 to section 347 of the Education Act 1996 are removed.</p>

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
68	<p>Schedule 1, page 70, after line 3, insert—</p> <p><i>'National Health Service Act 2006 (c. 41)</i></p> <p>[] In Schedule 1 to the National Health Service Act 2006 (further provision about the Secretary of State and services), in paragraph 2(1)(b)—</p> <p>(a) omit “or 319”;</p> <p>(b) after “the Education Act 1996 (c. 56)” insert “or section 47 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017”.</p>	<p>Atodlen 1, tudalen 70, ar ôl llinell 3, mewnosoder—</p> <p><i>'Deddf y Gwasanaeth Iechyd Gwladol 2006 (p. 41)</i></p> <p>[] Yn Atodlen 1 i Ddeddf y Gwasanaeth Iechyd Gwladol 2006 (darpariaeth bellach ynghylch yr Ysgrifennydd Gwladol a gwasanaethau), ym mharagraff 2(1)(b)—</p> <p>(a) hepgorer “or 319”;</p> <p>(b) ar ôl “the Education Act 1996 (c. 56)” mewnosoder “or section 47 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017”.</p>	<p>The purpose of this amendment is to replace a reference to s.319 of the Education Act 1996, which is repealed by this Bill, with a reference to the equivalent provision set out section 47 of the Bill.</p> <p>The effect is to allow a local authority in England to provide for any medical inspection or treatment of a child who is receiving additional learning provision otherwise than in a school.</p>
69	<p>Schedule 1, page 70, line 8, leave out ‘or section 47 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017’ and insert ‘section 47 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017 or section 61 of the Children and Families Act 2014 (c. 6)’.</p>	<p>Atodlen 1, tudalen 70, llinell 8, hepgorer ‘or section 47 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017’ a mewnosoder ‘section 47 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017 or section 61 of the Children and Families Act 2014 (c. 6)’.</p>	<p>The purpose of this amendment is add a reference to s.61 of the Children and Families Act 2014 and to secure appropriate reciprocity between Welsh additional learning needs and English special educational needs systems in relation to the power to provide for medical inspection and treatment.</p> <p>The effect is that the Welsh Ministers may, by arrangement with any local authority, provide for any medical inspection or treatment of any child or young person from England who is, in pursuance of section 61 of the Children and Families Act 2014, receiving special educational provision otherwise than at a school.</p>

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
70	<p>Schedule 1, page 70, after line 9, insert—</p> <p><i>‘Learner Travel (Wales) Measure 2008 (nawm 2)</i></p> <p>[] (1) The Learner Travel (Wales) Measure 2008 is amended as follows.</p> <p>(2) In section 1 (main terms used in the Measure), in subsection (4)—</p> <p>(a) in paragraph (c), for “statements maintained under section 324 of the Education Act 1996 (c.56)” substitute “individual development plans maintained under section 12 or 17 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017”;</p> <p>(b) for paragraph (h) substitute—</p> <p>“(h) independent special post-16 institutions within the meaning given by section 50 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017 which are named in individual development plans maintained under section 12 or 17 of that Act;”.</p> <p>(3) In section 3 (local authority duty to make transport arrangements), in the table—</p> <p>(a) in the first column—</p> <p>(i) for “named in a statement</p>	<p>Atodlen 1, tudalen 70, ar ôl llinell 9, mewnosoder—</p> <p><i>‘Mesur Teithio gan Ddysgwyr (Cymru) 2008 (mccc 2)</i></p> <p>[] (1) Mae Mesur Teithio gan Ddysgwyr (Cymru) 2008 wedi ei ddiwygio fel a ganlyn.</p> <p>(2) Yn adran 1 (y prif dermau a ddefnyddir yn y Mesur), yn is-adran (4)—</p> <p>(a) ym mharagraff (c), yn lle “datganiadau a gedwir o dan adran 324 o Ddeddf Addysg 1996 (p.56)” rhodder “cynlluniau datblygu unigol a gynhelir o dan adran 12 neu 17 o Ddeddf Anghenion Dysgu Ychwanegol a’r Tribiwnlys Addysg (Cymru) 2017”;</p> <p>(b) yn lle paragraff (h) rhodder—</p> <p>“(h) sefydliadau ôl-16 arbennig annibynnol o fewn yr ystyr a roddir gan adran 50 o Ddeddf Anghenion Dysgu Ychwanegol a’r Tribiwnlys Addysg (Cymru) 2017 a enwir mewn cynlluniau datblygu unigol a gynhelir o dan adran 12 neu 17 o’r Ddeddf honno;”.</p> <p>(3) Yn adran 3 (dyletswydd awdurdod lleol i wneud trefniadau cludo), yn y</p>	<p>The purpose and effect of the amendments to the Learner Travel (Wales) Measure 2008 is principally to ensure that terminology used elsewhere in primary legislation reflects the terminology introduced by this Bill.</p> <p>Therefore references to statements are replaced by individual development plans for learners attending a school or an institution named in the plan and who are looked after children (s.17 of the Bill) or those who are not looked after children (s.12 of the Bill), as appropriate. The effect of the references to a school or institution named in an individual plan is to restrict the application of the relevant provisions to cases where the reasonable needs of the child or young person cannot be met unless the local authority secures a place at a particular school or institution. The changes appear in the definition to the Measure and also when referring to the local authority duty to make transport arrangements.</p> <p>The amendment to section 14 (enforcement of travel behaviour code: withdrawal of travel arrangements) has the effect of requiring learning difficulties generally to be taken into consideration in decisions relating to the withdrawal of travel arrangements. No explicit reference is made to additional learning needs as learning difficulty and disability are referenced, They form two elements of the definition of additional learning needs but do not</p>

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
	<p>maintained for the child under section 324 of the Education Act 1996” the first and second time it appears substitute “or other institution named in an individual development plan maintained for the child under section 12 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017”;</p> <p>(ii) for “named in a statement maintained for the child under section 324 of the Education Act 1996” the third and fourth time it appears substitute “or other institution named in an individual development plan maintained for the child under section 17 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017”;</p> <p>(b) in the second column for “named in a statement maintained for the child under section 324 of the Education Act 1996” the first and second time it appears substitute “or other institution named in an individual development plan maintained for the child under section 12 of the</p>	<p>tabl—</p> <p>(a) yn y golofn gyntaf—</p> <p>(i) yn lle “a enwir mewn datganiad a gedwir mewn cysylltiad â’r plentyn o dan adran 324 o Ddeddf Addysg 1996” y tro cyntaf a’r ail dro y mae’n ymddangos rhodder “neu sefydliad arall a enwir mewn cynllun datblygu unigol a gynhelir ar gyfer y plentyn o dan adran 12 o Ddeddf Anghenion Dysgu Ychwanegol a’r Tribiwnlys Addysg (Cymru) 2017”;</p> <p>(ii) yn lle “a enwir mewn datganiad a gedwir mewn cysylltiad â’r plentyn o dan adran 324 o Ddeddf Addysg 1996” y trydydd tro a’r pedwerydd tro y mae’n ymddangos rhodder “neu sefydliad arall a enwir mewn Cynllun datblygu unigol a gynhelir ar gyfer y plentyn o dan adran 17 o Ddeddf Anghenion Dysgu Ychwanegol a’r Tribiwnlys Addysg (Cymru) 2017”;</p> <p>(b) yn yr ail golofn yn lle “a enwir mewn datganiad a gedwir mewn</p>	<p>necessarily require additional learning provision to be made. The learning difficulty or disability may not require such a high level of need to be demonstrated when considering whether travel arrangements should be withdrawn as it would if additional learning needs (which require additional learning provision to be made) were referenced in section 14.</p> <p>Amendments to the Education and Skills Act 2008 are consequential to the following sections of the Bill: section 51 (abolition of non-maintained schools), section 52 (abolition of approval of independent schools in Wales), while the amendment to Schedule 1 is consequential on section 44(5) of the Bill amending s.140 of the Learning and Skills Act 2000.</p> <p>The amendment to the Learning and Skills (Wales) Measure 2009 is consequential on amendments made to s.41 of the Learning and Skills Act 2000 by section 44(4) of the Bill (Welsh Ministers duties to secure post-16 Education and Training).</p>

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
	<p>Additional Learning Needs and Education Tribunal (Wales) Act 2017”.</p> <p>(4) In section 14 (enforcement of travel behaviour code: withdrawal of travel arrangements), in subsection (11), in paragraph (b)(ii) for ”special educational needs” substitute “learning difficulty”.</p> <p><i>Education and Skills Act 2008 (c.25)</i></p> <p>[] (1) Education and Skills Act 2008 is amended as follows.</p> <p>(2) Omit section 143(3) (religious education and worship in non-maintained special schools).</p> <p>(3) Omit section 146 (abolition of requirement of approval for independent schools: England).</p> <p>(4) Omit section 148 (approval of independent schools: transitional provision).</p> <p>(5) In Schedule 1 (minor and consequential amendments), omit paragraphs 75 (and the heading that precedes it) and 77.</p> <p><i>Learning and Skills (Wales) Measure 2009 (nawm 2)</i></p> <p>[] In the Schedule to the Learning and Skills (Wales) Measure 2009 (minor and</p>	<p>cysylltiad â'r plentyn o dan adran 324 o Ddeddf Addysg 1996” y tro cyntaf a'r ail dro y mae'n ymddangos rhodder “neu sefydliad arall a enwir mewn cynllun datblygu unigol a gynhelir ar gyfer y plentyn o dan adran 12 o Ddeddf Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru) 2017”.</p> <p>(4) Yn adran 14 (gorfodi cod ymddygiad wrth deithio: tynnu'n ôl drefniadau teithio), yn isadran (11), ym mharagraff (b)(ii) yn lle “anghenion addysgol arbennig” rhodder “anhawster dysgu”.</p> <p><i>Deddf Addysg a Sgiliau 2008 (p. 25)</i></p> <p>[] (1) Mae Deddf Addysg a Sgiliau 2008 wedi ei diwygio fel a ganlyn.</p> <p>(2) Hepgorer adran 143(3) (addysg grefyddol ac addoliad crefyddol mewn ysgolion Arbennig nas cynhelir).</p> <p>(3) Hepgorer adran 146 (diddymu'r gofyniad i gymeradwyo ysgolion annibynnol: Lloegr).</p> <p>(4) Hepgorer adran 148 (cymeradwyo ysgolion annibynnol: darpariaeth drosiannol).</p> <p>(5) Yn Atodlen 1 (mân ddiwygiadau a diwygiadau canlyniadol), hepgorer paragraffau 75 (a'r pennawd sy'n ei ragflaenu) a 77.</p>	

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
	consequential amendments), omit paragraph 10.’.	<p><i>Mesur Dysgu a Sgiliau (Cymru) 2009 (mccc 2)</i></p> <p>[] Yn yr Atodlen i Fesur Dysgu a Sgiliau (Cymru) 2009 (mân ddiwygiadau a diwygiadau canlyniadol), hepgorer paragraff 10.’.</p>	
71	<p>Schedule 1, page 70, line 18, leave out paragraph 10 and insert—</p> <p>‘10 (1) The Education (Wales) Measure 2009 is amended as follows.</p> <p>(2) Omit sections 17 to 19 (piloting of provisions about appeals and claims by a child).</p> <p>(3) In section 24 (orders and regulations) —</p> <p>(a) omit subsection (3);</p> <p>(b) in subsection (4) omit “18 or”.</p> <p>(4) Omit section 25 (orders under section 18: procedure).’.</p>	<p>Atodlen 1, tudalen 70, llinell 18, hepgorer paragraff 10 a mewnosoder—</p> <p>‘10 (1) Mae Mesur Addysg (Cymru) 2009 wedi ei ddiwygio fel a ganlyn.</p> <p>(2) Hepgorer adrannau 17 i 19 (treialu darpariaethau ynghylch apelau a hawliadau gan blentyn).</p> <p>(3) Yn adran 24 (gorchmynion a rheoliadau)—</p> <p>(a) hepgorer is-adran (3);</p> <p>(b) yn is-adran (4) hepgorer “18 neu”.</p> <p>(4) Hepgorer adran 25 (gorchmynion o dan adran 18: y weithdrefn).’.</p>	<p>The purpose of the amendment is to add sections 17 to 19 of the Education (Wales) Measure 2009 to the list of matters that should be omitted by the Bill.</p> <p>The effect is that sections 17 to 19 are also omitted as part of a suite of amendments following the ending of the piloting of appeal provisions in certain areas in Wales, the revocation of the regulations made under those provisions and the application across Wales of the Education Act 1996 provisions relating to the rights of children to appeal.</p>
72	<p>Schedule 1, page 70, line 29, leave out ‘6E’ and insert ‘6F’.</p>	<p>Atodlen 1, tudalen 70, llinell 29, hepgorer ‘6E’ a mewnosoder ‘6F’.</p>	<p>The purpose of this amendment is to correct an earlier drafting error.</p> <p>The effect is that regulations made under paragraph 6F inserted into s.209(3) of the Equality Act 2010 by paragraph 11(5)(g) of Schedule 1 to the Bill are subject to affirmative procedure.</p>

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
73	<p>Schedule 1, page 73, after line 32, insert— <i>‘Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10)</i></p> <p>[] (1) The Legal Aid, Sentencing and Punishment of Offenders Act 2012 is amended as follows.</p> <p>(2) In Schedule 1 (civil legal services)—</p> <p>(a) in Part 1, in paragraph 2—</p> <p>(i) in sub-paragraph (1)(a), for “Part 4 of the Education Act 1996” substitute “Part 2 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017”;</p> <p>(ii) omit sub-paragraph (1)(b);</p> <p>(b) in Part 3, in paragraph 17—</p> <p>(i) for “Special Educational Needs” substitute “Education”;</p> <p>(ii) for sub-paragraph (a) substitute—</p> <p>“(a) Part 2 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017,”.</p> <p><i>School Standards and Organisation (Wales) Act 2013 (anaw 1)</i></p> <p>[] (1) The School Standards and Organisation (Wales) Act 2013 is amended as follows.</p>	<p>Atodlen 1, tudalen 73, ar ôl llinell 32, mewnosoder— <i>‘Deddf Cymorth Cyfreithiol, Dedfrydu a Chosbi Troseddwyr 2012 (p. 10)</i></p> <p>[] (1) Mae Deddf Cymorth Cyfreithiol, Dedfrydu a Chosbi Troseddwyr 2012 wedi ei diwygio fel a ganlyn.</p> <p>(2) Yn Atodlen 1 (gwasanaethau cyfreithiol sifil)—</p> <p>(a) yn Rhan 1, ym mharagraff 2—</p> <p>(i) yn is-baragraff (1)(a), yn lle “Part 4 of the Education Act 1996” rhodder “Part 2 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017”;</p> <p>(ii) hepgorer is-baragraff (1)(b);</p> <p>(b) yn Rhan 3, ym mharagraff 17—</p> <p>(i) yn lle “Special Educational Needs” rhodder “Education”;</p> <p>(ii) yn lle is-baragraff (a) rhodder—</p> <p>“(a) Part 2 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017,”.</p>	<p>The purpose of these amendments is principally to ensure that terminology used elsewhere in primary legislation reflects the terminology introduced by this Bill.</p> <p>In respect of the 2012 Act, The specific provisions included at 13(2)(a)(ii) and 13(2)(b)(ii) are consequential to paragraph 3(9) to Schedule 1 to the Bill (repeal of Chapter 1 of Part 4 to the 1996 Act) and section 44(5) (repealing s.140 of the Learning and Skills Act 2000) respectively. The amendments made by the Bill to Schedule 1 of the 2012 Act at Part 1 (description of services for the purposes of s.9 of the Act) preserve the status quo by updating the provisions where claims can be made from Part 4 of the 1996 Act to Part 2 of the ALN Bill so that they are defined as civil legal services. The references to assessments under s.140 of the LSA 2000 are removed from the definition of services because it is redundant in consequence of the Bill.</p> <p>The amendments to Part 3 of Schedule 1 of the 2012 Act lists some exclusions and exceptions to the matters defined as advocacy. The amendments remove references to Part 4 of the 1996 Act and insert instead references to proceedings under Part 2 of the Bill.</p> <p>In respect of the 2013 Act, the terminology is again updated to reflect that introduced by the Bill.</p>

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
	<p>(2) In section 1(10) (overview) for “special educational” substitute “additional learning”.</p> <p>(3) In Part 3, in Chapter 4 (regional provision for special educational needs)—</p> <p>(a) in the chapter title, for “SPECIAL EDUCATIONAL” substitute “ADDITIONAL LEARNING”;</p> <p>(b) in section 64 (meaning of “regional provision” and “special education functions”)—</p> <p>(i) in the section heading, for “special education” substitute “additional learning needs”;</p> <p>(ii) for the definition of “special education functions” substitute—</p> <p>““additional learning needs functions” (“swyddogaethau anghenion dysgu ychwanegol”) means functions under Part 2 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017.”;</p> <p>(c) in section 65(1) (direction to consider making regional provision)—</p> <p>(i) for “special education functions” substitute</p>	<p><i>Deddf Safonau a Threfniadaeth Ysgolion (Cymru) 2013 (dccc 1)</i></p> <p>(1) Mae Deddf Safonau a Threfniadaeth Ysgolion (Cymru) 2013 wedi ei diwygio fel a ganlyn.</p> <p>(2) Yn adran 1(10) (trosolwg) yn lle “addysgol arbennig” rhodder “dysgu ychwanegol”.</p> <p>(3) Yn Rhan 3, ym Mhennod 4 (darpariaeth ranbarthol ar gyfer anghenion addysgol arbennig)—</p> <p>(a) yn enw’r bennod, yn lle “ADDYSGOL ARBENNIG” rhodder “DYSGU YCHWANEGOL”;</p> <p>(b) yn adran 64 (ystyr “darpariaeth ranbarthol” a “swyddogaethau addysg arbennig”) —</p> <p>(i) ym mhennawd yr adran, yn lle “addysg arbennig” rhodder “anghenion dysgu ychwanegol”;</p> <p>(ii) yn lle’r diffiniad o “swyddogaethau addysg arbennig” rhodder—</p> <p>“ystyr “swyddogaethau anghenion dysgu ychwanegol” (“additional learning needs functions”) yw swyddogaethau o dan Ran 2 o Ddeddf</p>	

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
	<p>“additional learning needs functions”;</p> <p>(ii) for “special educational needs” substitute “additional learning needs”.</p> <p>(d) in section 66(1) (directions to make proposals to secure regional provision), for “special education” substitute “additional learning needs”.</p> <p>(4) In section 74(5) (form of implementation), in paragraph (d) for “a statement of special educational needs under Part 4 of the Education Act 1996” substitute “an individual development plan under Part 2 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017”.</p> <p>(5) In section 98(3) (general interpretation and index of defined expressions), for ““special education functions” (“swyddogaethau addysg arbennig”)” substitute ““additional learning needs functions” (“swyddogaethau anghenion dysgu ychwanegol”)”.</p> <p>(6) In Schedule 2 (regulated alterations)—</p> <p>(a) in paragraph 15—</p> <p>(i) in the heading, for “Special educational” substitute “Additional learning”;</p> <p>(ii) in sub-paragraph (1), for “special educational” substitute “additional</p>	<p>Anghenion Dysgu Ychwanegol a’r Tribiwnlys Addysg (Cymru) 2017.”;</p> <p>(c) yn adran 65(1) (cyfarwyddyd i ystyried gwneud darpariaeth ranbarthol)—</p> <p>(i) yn lle “swyddogaethau addysg arbennig” rhodder “swyddogaethau anghenion dysgu ychwanegol”;</p> <p>(ii) yn lle “anghenion addysgol arbennig” rhodder “anghenion Dysgu ychwanegol”.</p> <p>(d) yn adran 66(1) (cyfarwyddiadau i wneud cynigion i sicrhau darpariaeth ranbarthol), yn lle “addysg arbennig” rhodder “anghenion dysgu ychwanegol”.</p> <p>(4) Yn adran 74(5) (y ffurf weithredu), ym mharagraff (d) yn lle “datganiad o anghenion addysgol arbennig o dan Ran 4 o Ddeddf Addysg 1996” rhodder “cynllun datblygu unigol o dan Ran 2 o Ddeddf Anghenion Dysgu Ychwanegol a’r Tribiwnlys Addysg (Cymru) 2017”.</p> <p>(5) Yn adran 98(3) (dehongli’n gyffredinol a mynegai o ymadroddion sydd wedi eu diffinio), yn lle ““swyddogaethau addysg</p>	

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
	<p>learning”;</p> <p>(iii) in sub-paragraph (2), for “special educational” substitute “additional learning”;</p> <p>(b) in paragraph 21—</p> <p>(i) in the heading, for “Special educational” substitute “Additional learning”;</p> <p>(ii) for “special educational” substitute “additional learning”;</p> <p>(c) in paragraph 23(3), in paragraph (a), for “assessed under section 323 of the Education Act 1996 and pupils with statements of special educational needs maintained under section 324 of that Act” substitute “determined under Part 2 of the Additional Learning Needs and Education Tribunal (Wales) Act 2017 and pupils with individual development plans maintained under that Act”;</p> <p>(d) in paragraph 24—</p> <p>(i) in the heading, for “Special educational” substitute “Additional learning”;</p> <p>(ii) in sub-paragraph (1), for “special educational” substitute “additional learning”;</p> <p>(iii) in sub-paragraph (2), for</p>	<p>arbennig” (“<i>special education functions</i>”) rhodder</p> <p>““swyddogaethau anghenion dysgu ychwanegol” (“<i>additional learning needs functions</i>”).</p> <p>(6) Yn Atodlen 2 (newidiadau rheoleiddiedig)—</p> <p>(a) ym mharagraff 15—</p> <p>(i) yn y pennawd, yn lle “addysgol arbennig” rhodder “dysgu ychwanegol”;</p> <p>(ii) yn is-baragraff (1), yn lle “addysgol arbennig” rhodder “dysgu ychwanegol”;</p> <p>(iii) yn is-baragraff (2), yn lle “addysgol arbennig” rhodder “dysgu ychwanegol”;</p> <p>(b) ym mharagraff 21—</p> <p>(i) yn y pennawd, yn lle “addysgol arbennig” rhodder “dysgu ychwanegol”;</p> <p>(ii) yn lle “addysgol arbennig” rhodder “dysgu ychwanegol”;</p> <p>(c) ym mharagraff 23(3), ym mharagraff (a), yn lle “hasesu o dan adran 323 o Ddeddf Addysg 1996 a disgyblion sydd â datganiadau anghenion addysgol</p>	

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
	<p>“special educational” substitute “additional learning”.’.</p>	<p>arbennig a gedwir o dan adran 324 o'r Ddeddf honno” rhodder “penderfynu o dan Ran 2 o Ddeddf Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru) 2017 a disgyblion â chynlluniau datblygu unigol a gynhelir o dan y Ddeddf honno”;</p> <p>(d) ym mharagraff 24—</p> <p>(i) yn y pennawd, yn lle “addysgol arbennig” rhodder “dysgu ychwanegol”;</p> <p>(ii) yn is-baragraff (1), yn lle “addysgol arbennig” rhodder “dysgu ychwanegol”;</p> <p>(iii) yn is-baragraff (2), yn lle “addysgol arbennig” rhodder “dysgu ychwanegol”.’.</p>	
74	<p>Schedule 1, page 74, after line 7, insert—</p> <p>‘(6) In Schedule 3 (consequential amendments), omit paragraph 73.’.</p>	<p>Atodlen 1, tudalen 74, ar ôl llinell 7, mewnosoder—</p> <p>‘(6) Yn Atodlen 3 (diwygiadau canlyniadol), hepgorer paragraff 73.’.</p>	<p>The purpose of the amendment is to remove an amendment made by the Children and Families Act 2014 to s.41(1)(b) of the Learning and Skills Act 2000. The amendment is consequential to section 44(4)(1)(b) of the Bill which substitutes a new subsection (1)(b) for the old one.</p> <p>The effect is that the Bill substitution takes the place of the 2014 Act amendment, rendering the 2014 text unnecessary.</p>

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT				
75	<p>Schedule 1, page 74, after line 18, insert—</p> <p>() insert the following entry at the appropriate place—</p> <table border="1" data-bbox="224 432 824 842"> <tr> <td data-bbox="224 432 524 842"> <p>“Children and Families Act 2014 The duty to comply with a request under section 31, but only in respect of requests to exercise social services functions.</p> </td> <td data-bbox="524 432 824 842"> <p>Duty to comply with a request for co-operation by a local authority in England for the purpose of exercise of functions under Part 3 of the Children and Families Act 2014.”</p> </td> </tr> </table>	<p>“Children and Families Act 2014 The duty to comply with a request under section 31, but only in respect of requests to exercise social services functions.</p>	<p>Duty to comply with a request for co-operation by a local authority in England for the purpose of exercise of functions under Part 3 of the Children and Families Act 2014.”</p>	<p>Atodlen 1, tudalen 74, ar ôl llinell 19, mewnosoder—</p> <p>() mewnosoder y cofnod a ganlyn yn y lle priodol—</p> <table border="1" data-bbox="855 483 1429 927"> <tr> <td data-bbox="855 483 1140 927"> <p>“Deddf Plant a Theuluoedd 2014 Y ddyletswydd i gydymffurfio â chais o dan adran 31, ond dim ond mewn cysylltiad â cheisiadau i arfer swyddogaethau gwasanaethau cymdeithasol.</p> </td> <td data-bbox="1140 483 1429 927"> <p>Dyletswydd i gydymffurfio â chais i gydweithredu gan awdurdod lleol yn Lloegr at ddiben arfer swyddogaethau o dan Ran 3 o Ddeddf Plant a Theuluoedd 2014.”</p> </td> </tr> </table>	<p>“Deddf Plant a Theuluoedd 2014 Y ddyletswydd i gydymffurfio â chais o dan adran 31, ond dim ond mewn cysylltiad â cheisiadau i arfer swyddogaethau gwasanaethau cymdeithasol.</p>	<p>Dyletswydd i gydymffurfio â chais i gydweithredu gan awdurdod lleol yn Lloegr at ddiben arfer swyddogaethau o dan Ran 3 o Ddeddf Plant a Theuluoedd 2014.”</p>	<p>The purpose of the amendment is to ensure that the Social Services and Well-being (Wales) Act 2014 reflects the duties of local authorities in Wales under the Special Educational Needs and Disability System established by the Children and Families Act 2014 in England.</p> <p>The effect is to make the duty of a local authority in Wales to comply with a request for cooperation made by a local authority in England, in relation to the latter’s functions under Special Educational Needs and Disability system, one of the social services functions of the local authority in Wales. This in turn means that the Welsh Ministers’ powers to exercise some controls such as the issuing of a code or to intervene become exercisable in respect of that function as set out in Part 8 of the Social Services and Well-being Act 2014.</p>
<p>“Children and Families Act 2014 The duty to comply with a request under section 31, but only in respect of requests to exercise social services functions.</p>	<p>Duty to comply with a request for co-operation by a local authority in England for the purpose of exercise of functions under Part 3 of the Children and Families Act 2014.”</p>						
<p>“Deddf Plant a Theuluoedd 2014 Y ddyletswydd i gydymffurfio â chais o dan adran 31, ond dim ond mewn cysylltiad â cheisiadau i arfer swyddogaethau gwasanaethau cymdeithasol.</p>	<p>Dyletswydd i gydymffurfio â chais i gydweithredu gan awdurdod lleol yn Lloegr at ddiben arfer swyddogaethau o dan Ran 3 o Ddeddf Plant a Theuluoedd 2014.”</p>						