O F F E R Y N N A U  S T A T U D O L  C Y M R U

# 2026 Rhif 50

## Rheoliadau Addysg (Gwybodaeth am Ddisgyblion Unigol a Phlant sy'n cael eu Haddysg drwy Ddarpariaeth Amgen) (Diwygiadau Amrywiol) (Cymru) 2026

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| *Gwnaed* | *23 Chwefror 2026* |
| *Yn dod i rym* | *24 Mawrth 2026* |

W E L S H  S T A T U T O R Y  I N S T R U M E N T S

# 2026 No. 50

## The Education (Information About Individual Pupils and Children in Alternative Provision) (Miscellaneous Amendments) (Wales) Regulations 2026

| | |
|---|---|
| *Made* | *23 February 2026* |
| *Coming into force* | *24 March 2026* |

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# 2026 Rhif 50

# ADDYSG, CYMRU

## Rheoliadau Addysg (Gwybodaeth am Ddisgyblion Unigol a Phlant sy'n cael eu Haddysg drwy Ddarpariaeth Amgen) (Diwygiadau Amrywiol) (Cymru) 2026

### NODYN ESBONIADOL

*(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)*

Mae'r Rheoliadau hyn yn diwygio—

(a) Rheoliadau Addysg (Gwybodaeth am Ddisgyblion Unigol) (Cymru) 2007 ("Rheoliadau 2007"), a

(b) Rheoliadau Addysg (Gwybodaeth am Blant sy'n cael eu Haddysg drwy Ddarpariaeth Amgen) (Cymru) 2009 ("Rheoliadau 2009").

Mae adran 537A(1) o Ddeddf Addysg 1996 yn rhoi'r pŵer i Weinidogion Cymru i wneud rheoliadau sy'n ei gwneud yn ofynnol i gyrff llywodraethu ysgolion ddarparu gwybodaeth am ddisgyblion unigol i Weinidogion Cymru neu i unrhyw berson a ragnodir mewn rheoliadau.

Mae Rheoliadau 2007 yn ei gwneud yn ofynnol i gorff llywodraethu unrhyw ysgol a gynhelir, o fewn pedwar diwrnod ar ddeg i gais ysgrifenedig ddod i law oddi wrth yr awdurdod lleol sy'n cynnal yr ysgol, gyflenwi pa wybodaeth bynnag y gofynnir amdani gan yr awdurdod mewn cysylltiad â disgyblion yn yr ysgol. Mae Atodlen 2 yn rhagnodi'r wybodaeth y caniateir i'r awdurdod lleol ofyn amdani. Mae paragraff 9A o Atodlen 2 yn rhagnodi'r wybodaeth ynghylch anghenion dysgu ychwanegol y caniateir gofyn amdani.

Mae rheoliad 2 o'r Rheoliadau hyn yn mewnosod diffiniadau ar gyfer cynllun addysg, iechyd a gofal ("cynllun AIG"), a Deddf Plant a Theuluoedd 2014 yn rheoliad 3 o Reoliadau 2007. Mae'n dileu paragraff 9 o Atodlen 2 i Reoliadau 2007. Mae hefyd yn mewnosod darpariaethau newydd ym mharagraff 9A o Atodlen 2 i ganiatáu i'r awdurdod lleol ofyn am ddata ynghylch yr adolygiad o gynllun datblygu unigol disgybl. Mae rheoliad 2 o'r Rheoliadau hyn hefyd yn mewnosod paragraff newydd 9B i ganiatáu i'r awdurdod lleol ofyn am ddata mewn perthynas â disgyblion sydd wedi cael penderfyniad ynghylch

anghenion dysgu ychwanegol gan gorff llywodraethu ysgol neu gan awdurdod lleol. Yn olaf, mae rheoliad 2 yn mewnosod paragraff newydd 9C i ganiatáu i'r awdurdod lleol ofyn am ddata ynghylch disgyblion sydd â chynllun AIG a gynhelir o dan Ran 3 o Ddeddf Plant a Theuluoedd 2014.

Mae adran 537B(1) o Ddeddf Addysg 1996 yn rhoi'r pŵer i Weinidogion Cymru i wneud rheoliadau sy'n ei gwneud yn ofynnol i berson sy'n darparu addysg a ariennir ddarparu gwybodaeth am blant unigol i Weinidogion Cymru neu i unrhyw berson a ragnodir mewn rheoliadau.

Mae Rheoliadau 2009 yn gwneud darpariaeth ynghylch cyflenwi gwybodaeth am blant sy'n cael addysg a ariennir gan awdurdod lleol y tu allan i ysgolion prif ffrwd, y cyfeirir ati fel 'darpariaeth amgen'. Mae darpariaeth amgen yn cynnwys addysg heblaw mewn ysgol, addysg mewn ysgol annibynnol neu addysg mewn uned cyfeirio disgyblion. O dan reoliadau 4 a 5 o'r Rheoliadau hynny, rhaid i ddarparwyr addysg o'r fath, pan ofynnir iddynt wneud hynny, gyflenwi gwybodaeth am blant unigol i Weinidogion Cymru a'r awdurdod lleol sy'n ariannu'r addysg. Mae Atodlen 1 yn nodi'r eitemau o wybodaeth unigol y caniateir gofyn amdanynt. Mae paragraff 4A o Atodlen 1 yn rhagnodi'r wybodaeth ynghylch anghenion dysgu ychwanegol y caniateir gofyn amdani.

Mae rheoliad 3 o'r Rheoliadau hyn yn mewnosod diffiniadau ar gyfer cynllun addysg, iechyd a gofal ("cynllun AIG"), a Deddf Plant a Theuluoedd 2014 yn rheoliad 2 o Reoliadau 2009. Mae'n dileu paragraff 4 o Atodlen 1 i Reoliadau 2009. Mae hefyd yn diwygio paragraff 4A o Atodlen 1 i ganiatáu i Weinidogion Cymru ac awdurdod lleol ofyn am ddata ynghylch yr adolygiad o gynllun datblygu unigol plentyn. Mae rheoliad 3 hefyd yn mewnosod paragraff newydd 4B i ganiatáu casglu data mewn perthynas â disgyblion sydd wedi cael penderfyniad ynghylch anghenion dysgu ychwanegol gan gorff llywodraethu ysgol neu gan awdurdod lleol, a pharagraff newydd 4C i ganiatáu casglu data ynghylch plant sydd â chynllun AIG a gynhelir o dan Ran 3 o Ddeddf Plant a Theuluoedd 2014.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, lluniwyd asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn. Gellir cael copi oddi wrth: Llywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ ac mae wedi ei gyhoeddi ar www.llyw.cymru.

# 2026 Rhif 50

# ADDYSG, CYMRU

## Rheoliadau Addysg (Gwybodaeth am Ddisgyblion Unigol a Phlant sy'n cael eu Haddysg drwy Ddarpariaeth Amgen) (Diwygiadau Amrywiol) (Cymru) 2026

| | |
|---|---|
| *Gwnaed* | *23 Chwefror 2026* |
| *Yn dod i rym* | *24 Mawrth 2026* |

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 537A(1), 537B(1), a 569(4) a (5) o Ddeddf Addysg 1996(**1**) ac a freiniwyd bellach ynddynt hwy(**2**), yn gwneud y Rheoliadau a ganlyn.

### Enwi a dod i rym

**1.**—(1) Enw'r Rheoliadau hyn yw Rheoliadau Addysg (Gwybodaeth am Ddisgyblion Unigol a Phlant sy'n cael eu Haddysg drwy Ddarpariaeth Amgen) (Diwygiadau Amrywiol) (Cymru) 2026.

(2) Daw'r Rheoliadau hyn i rym ar 24 Mawrth 2026.

### Diwygio Rheoliadau Addysg (Gwybodaeth am Ddisgyblion Unigol) (Cymru) 2007

**2.**—(1) Mae Rheoliadau Addysg (Gwybodaeth am Ddisgyblion Unigol) (Cymru) 2007(**3**) wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 3—

(a) yn y lle priodol mewnosoder—

> "ystyr "cynllun AIG" ("*ECH plan*") yw cynllun o fewn adran 37(2) o Ddeddf 2014(**4**);";
>
> "ystyr "Deddf 2014" ("*the 2014 Act*") yw Deddf Plant a Theuluoedd 2014(**5**);";

(**1**) 1996 p. 56. Mewnosodwyd adran 537A gan adran 20 o Ddeddf Addysg 1997 (p. 44) ac fe'i hamnewidiwyd gan baragraff 153 o Atodlen 30 i Ddeddf Safonau a Fframwaith Ysgolion 1998 (p. 31), a diwygiwyd is-adran (1)(a)(i) ymhellach gan baragraff 7(2) o Atodlen 2 i O.S. 2010/1158. Mewnosodwyd adran 537B gan adran 164 o Ddeddf Addysg ac Arolygiadau 2006 (p. 40); diwygiwyd is-adran (9) ymhellach gan baragraff 7(2) o Atodlen 2 i O.S. 2010/1158 a chan baragraff 2(9) o Atodlen 2 i O.S. 2022/744 (Cy. 161). Diwygiwyd adran 569(4) gan adran 8(5) o Fesur Addysg (Cymru) 2009 (mccc 5). Am ystyr "prescribed" a "regulations", gweler adran 579(1) o Ddeddf Addysg 1996.

(**2**) Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan yr adrannau hyn i Gynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) ac yna i Weinidogion Cymru gan baragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (p. 32).

(**3**) O.S. 2007/3562 (Cy. 312); yr offerynnau diwygio perthnasol yw O.S. 2010/1142 (Cy. 101), O.S. 2016/837 (Cy. 211) ac O.S. 2021/1457 (Cy. 373).

(**4**) Diwygiwyd adran 37(2) gan baragraff 97 o Atodlen 1 i O.S. 2015/914.

(**5**) 2014 p. 6.

(b) yn y diffiniad o “anghenion addysgol arbennig”, yn lle “gan adran 312 o Ddeddf 1996” rhodder “gan adran 20 o Ddeddf 2014”.

(3) Yn Atodlen 2, yn Rhan 1—

(a) hepgorer paragraff 9;

(b) yn lle paragraff 9A(b) (a’r “ac” ar ei ôl) rhodder—

“(b) a oes gan y disgybl gynllun datblygu unigol a gynhelir o dan Ran 2 o Ddeddf 2018 ac, os felly—

(i) a yw corff llywodraethu’r ysgol neu’r awdurdod lleol yn ei gynnal; a

(ii) dyddiad yr adolygiad diwethaf; ac”;

(c) ar ôl paragraff 9A mewnosoder—

“**9B** (1) Ar gyfer disgybl y mae Rhan 2 o Ddeddf 2018 yn gymwys mewn perthynas ag ef, a yw, ers i’r cais diwethaf am wybodaeth gael ei wneud—

(a) y corff llywodraethu wedi gwneud penderfyniad ynghylch a oes gan y disgybl anghenion dysgu ychwanegol o dan adran 11 o Ddeddf 2018 ac, os felly, cadarnhad ynghylch—

(i) y dyddiad y dygwyd i sylw’r corff llywodraethu, neu yr oedd yn ymddangos i’r corff llywodraethu fel arall, y gall fod gan y disgybl anghenion dysgu ychwanegol;

(ii) y penderfyniad a wnaed; a

(iii) dyddiad y penderfyniad;

(b) awdurdod lleol wedi gwneud penderfyniad ynghylch a oes gan y disgybl anghenion dysgu ychwanegol o dan adran 13, 18 neu 26 o Ddeddf 2018 ac, os felly, cadarnhad ynghylch—

(i) y dyddiad—

(aa) yn achos penderfyniad a wneir o dan adran 13 neu 18, y dygwyd i sylw’r awdurdod lleol, neu yr oedd yn ymddangos i’r awdurdod lleol fel arall, y gall fod gan y disgybl anghenion dysgu ychwanegol; neu

(ab) yn achos penderfyniad a wneir o dan adran 26, y cafodd yr awdurdod lleol gais i ailystyried penderfyniad a wnaed gan gorff llywodraethu;

(ii) y penderfyniad a wnaed; a

(iii) dyddiad y penderfyniad.

(2) Dim ond os yw’r wybodaeth yn is-baragraff (1)(b) o fewn gwybodaeth y corff llywodraethu y mae rhaid iddo ei darparu.

**9C** Ar gyfer disgybl y mae Rhan 3 o Ddeddf 2014 yn gymwys mewn perthynas ag ef, a oes gan y disgybl gynllun AIG ac, os felly, cadarnhad ynghylch—

(a) holl anghenion addysgol arbennig y disgybl a nodwyd; a

(b) y cymorth a ddarperir."

**Diwygio Rheoliadau Addysg (Gwybodaeth am Blant sy'n cael eu Haddysg drwy Ddarpariaeth Amgen) (Cymru) 2009**

**3.**—(1) Mae Rheoliadau Addysg (Gwybodaeth am Blant sy'n cael eu Haddysg drwy Ddarpariaeth Amgen) (Cymru) 2009(**6**) wedi eu diwygio fel a ganlyn.

(2) Yn rheoliad 2—

(a) yn y lle priodol mewnosoder—

"ystyr "cynllun AIG" ("*EHC plan*") yw cynllun o fewn adran 37(2) o Ddeddf 2014;";

"ystyr "Deddf 2014" ("*the 2014 Act*") yw Deddf Plant a Theuluoedd 2014;";

(b) yn y diffiniad o "anghenion addysgol arbennig", yn lle "gan adran 312 o Ddeddf 1996" rhodder "gan adran 20 o Ddeddf 2014".

(3) Yn Atodlen 1—

(a) hepgorer paragraff 4;

(b) ym mharagraff 4A—

(i) ar ddiwedd is-baragraff (a), hepgorer "a";

(ii) yn lle is-baragraff (b) rhodder—

"(b) a oes gan y plentyn gynllun datblygu unigol a gynhelir o dan Ran 2 o Ddeddf 2018 ac, os felly—

(i) a yw corff llywodraethu ysgol neu'r awdurdod lleol perthnasol yn ei gynnal; a

(ii) dyddiad yr adolygiad diwethaf; ac";

(iii) ar ôl is-baragraff (b) mewnosoder—

"(c) y cymorth a ddarperir.";

(c) ar ôl paragraff 4A mewnosoder—

"**4B**

(1) Ar gyfer plentyn y mae Rhan 2 o Ddeddf 2018 yn gymwys mewn perthynas ag ef, a yw, ers i'r cais diwethaf am wybodaeth gael ei wneud—

(a) corff llywodraethu wedi gwneud penderfyniad ynghylch a oes gan y plentyn anghenion dysgu ychwanegol o dan adran 11 o Ddeddf 2018 ac, os felly, cadarnhad ynghylch—

(i) y dyddiad y dygwyd i sylw'r corff llywodraethu, neu yr oedd yn ymddangos i'r corff llywodraethu fel arall, y gall fod gan y plentyn anghenion dysgu ychwanegol;

(ii) y penderfyniad a wnaed; a

(iii) dyddiad y penderfyniad;

(b) awdurdod lleol yng Nghymru wedi gwneud penderfyniad ynghylch a oes gan y plentyn anghenion dysgu ychwanegol o dan adran 13, 18 neu 26 o Ddeddf 2018 ac, os felly, cadarnhad ynghylch—

(i) y dyddiad—

(**6**) O.S. 2009/3355 (Cy. 294), a ddiwygiwyd gan O.S. 2021/1457 (Cy. 373); mae offerynnau diwygio eraill ond nid yw'r un ohonynt yn berthnasol i'r Rheoliadau hyn.

(aa) yn achos penderfyniad a wneir o dan adran 13 neu 18, y dygwyd i sylw'r awdurdod lleol, neu yr oedd yn ymddangos i'r awdurdod lleol fel arall, y gall fod gan y plentyn anghenion dysgu ychwanegol; neu

(ab) yn achos penderfyniad a wneir o dan adran 26, y cafodd yr awdurdod lleol gais i ailystyried penderfyniad a wnaed gan gorff llywodraethu ysgol;

(ii) y penderfyniad a wnaed; a

(iii) dyddiad y penderfyniad.

(2) Dim ond os yw'r wybodaeth yn is-baragraff (1)(a) a (b) o fewn gwybodaeth y person sy'n darparu darpariaeth a ariennir y mae rhaid iddo ei darparu.

**4C** Ar gyfer disgybl y mae Rhan 3 o Ddeddf 2014 yn gymwys mewn perthynas ag ef, a oes gan y plentyn gynllun AIG ac, os felly, cadarnhad ynghylch—

(a) holl anghenion addysgol arbennig y plentyn a nodwyd; a

(b) y cymorth a ddarperir."

*Lynne Neagle*
Ysgrifennydd y Cabinet dros Addysg, un o Weinidogion Cymru
23 Chwefror 2026

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Argraffwyd a chyhoeddwyd yn y DU gan Y Llyfrfa Cyf dan awdurdod a goruchwyliaeth Saul Nassé, Rheolwr Llyfrfa Ei Fawrhydi ac Argraffydd y Brenin ar gyfer Cymru.

WELSH STATUTORY INSTRUMENTS

# 2026 No. 50

# EDUCATION, WALES

## The Education (Information About Individual Pupils and Children in Alternative Provision) (Miscellaneous Amendments) (Wales) Regulations 2026

### EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend—

(a) the Education (Information About Individual Pupils) (Wales) Regulations 2007 ("the 2007 Regulations"), and

(b) the Education (Information About Children in Alternative Provision) (Wales) Regulations 2009 ("the 2009 Regulations").

Section 537A(1) of the Education Act 1996 provides the Welsh Ministers with the power to make regulations requiring governing bodies of schools to provide information about individual pupils to the Welsh Ministers or any person prescribed in regulations.

The 2007 Regulations require the governing body of any maintained school, on receiving a written request from the local authority by which the school is maintained, to supply, within fourteen days, such of the information as is requested by the authority in respect of pupils at the school. Schedule 2 prescribes the information that may be requested by the local authority. Paragraph 9A of Schedule 2 prescribes the additional learning needs information which may be requested.

Regulation 2 of these Regulations inserts definitions for the Children and Families Act 2014, and education, health and care plan ("EHC plan") into regulation 3 of the 2007 Regulations. It removes paragraph 9 of Schedule 2 to the 2007 Regulations. It also inserts new provisions into paragraph 9A of Schedule 2 to allow the local authority to request data about the review of a pupil's individual development plan. Regulation 2 of these Regulations also inserts a new paragraph 9B to allow the local authority to request data in relation to pupils who have received an additional learning needs decision from a governing body of a school or local authority. Lastly, regulation 2 inserts a new

paragraph 9C to allow the local authority to request data about pupils who have an EHC plan maintained under Part 3 of the Children and Families Act 2014.

Section 537B(1) of the Education Act 1996 provides the Welsh Ministers with the power to make regulations requiring a person who provides funded education to provide information about individual children to the Welsh Ministers or any person prescribed in regulations.

The 2009 Regulations make provision about the supply of information about children receiving education which is funded by a local authority outside mainstream schools, referred to as ‘alternative provision’. Alternative provision includes education other than at school, education at an independent school or education at a pupil referral unit. Under regulations 4 and 5 of those Regulations, the providers of such education must, when requested, supply information about individual children to the Welsh Ministers and the local authority which is funding the education. Schedule 1 sets out the items of individual information that may be requested. Paragraph 4A of Schedule 1 prescribes the additional learning needs information which may be requested.

Regulation 3 of these Regulations inserts definitions for the Children and Families Act 2014, and education, health and care plan (“EHC plan”) into regulation 2 of the 2009 Regulations. It removes paragraph 4 of Schedule 1 to the 2009 Regulations. It also amends paragraph 4A of Schedule 1 to allow the Welsh Ministers and local authority to request data about the review of a child’s individual development plan. Regulation 3 also inserts a new paragraph 4B to allow for the collection of data in relation to pupils who have received an additional learning needs decision from a governing body of a school or local authority, and new paragraph 4C to allow the collection of data about children who have an EHC plan maintained under Part 3 of the Children and Families Act 2014.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Welsh Government, Cathays Park, Cardiff, CF10 3NQ and is published on www.gov.wales.

# 2026 No. 50

# EDUCATION, WALES

## The Education (Information About Individual Pupils and Children in Alternative Provision) (Miscellaneous Amendments) (Wales) Regulations 2026

| | |
|---|---|
| *Made* | *23 February 2026* |
| *Coming into force* | *24 March 2026* |

The Welsh Ministers in exercise of the powers conferred on the Secretary of State by sections 537A(1), 537B(1), and 569(4) and (5) of the Education Act 1996(**1**) and now vested in them(**2**) make the following Regulations.

### Title and coming into force

**1.**—(1) The title of these Regulations is the Education (Information About Individual Pupils and Children in Alternative Provision) (Miscellaneous Amendments) (Wales) Regulations 2026.

(2) These Regulations come into force on 24 March 2026.

### Amendments to the Education (Information About Individual Pupils) (Wales) Regulations 2007

**2.**—(1) The Education (Information About Individual Pupils) (Wales) Regulations 2007(**3**) are amended as follows.

(2) In regulation 3—

(a) in the appropriate place insert—

""the 2014 Act" ("*Deddf 2014*") means the Children and Families Act 2014(**4**);";

(**1**) 1996 c. 56. Section 537A was inserted by section 20 of the Education Act 1997 (c. 44) and was substituted by the School Standards and Framework Act 1998 (c. 31), Schedule 30, paragraph 153, and subsection (1)(a)(i) was further amended by S.I. 2010/1158, Schedule 2, paragraph 7(2). Section 537B was inserted by section 164 of the Education and Inspections Act 2006 (c. 40); subsection (9) was further amended by S.I. 2010/1158, Schedule 2, paragraph 7(2) and S.I. 2022/744 (W. 161), Schedule 2, paragraph 2(9). Section 569(4) was amended by the Education (Wales) Measure 2009 (nawm 5), section 8(5). For the meaning of "prescribed" and "regulations", see section 579(1) of the Education Act 1996.

(**2**) The functions of the Secretary of State under these sections were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) and then to the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32).

(**3**) S.I. 2007/3562 (W. 312); relevant amending instruments are S.I. 2010/1142 (W. 101), S.I. 2016/837 (W. 211) and S.I. 2021/1457 (W. 373).

(**4**) 2014 c. 6.

""EHC plan" ("*cynllun AIG*") means a plan within section 37(2) of the 2014 Act(**5**);";

(b) in the definition of "special educational needs", for "has the meaning given to it by section 312 of the 1996 Act" substitute "has the meaning given by section 20 of the 2014 Act".

(3) In Schedule 2, in Part 1—

(a) omit paragraph 9;

(b) for paragraph 9A(b) (and the "and" after it) substitute—

"(b) whether the pupil has an individual development plan maintained under Part 2 of the 2018 Act and if so—

(i) whether it is maintained by the school's governing body or the local authority; and

(ii) the date of the last review; and";

(c) after paragraph 9A insert—

"**9B** (1) For a pupil in relation to whom Part 2 of the 2018 Act applies, whether, since the last request for information was made—

(a) the governing body has made a decision about whether the pupil has additional learning needs under section 11 of the 2018 Act and, if so, confirmation of—

(i) the date it was brought to the attention of, or otherwise appeared to, the governing body that the pupil may have additional learning needs;

(ii) the decision made; and

(iii) the date of the decision;

(b) a local authority has made a decision about whether the pupil has additional learning needs under section 13, 18 or 26 of the 2018 Act and, if so, confirmation of—

(i) the date—

(aa) in the case of a decision made under section 13 or 18, it was brought to the attention of, or otherwise appeared to, the local authority that the pupil may have additional learning needs; or

(ab) in the case of a decision made under section 26, a request was received by the local authority to reconsider a decision made by a governing body;

(ii) the decision made; and

(iii) the date of the decision.

(2) The information in sub-paragraph (1)(b) must only be provided by the governing body if it is within its knowledge.

**9C** For a pupil in relation to whom Part 3 of the 2014 Act applies, whether the pupil has an EHC plan and, if so, confirmation of—

(a) all of the pupil's special educational needs identified; and

(**5**) Section 37(2) was amended by S.I. 2015/914, Schedule 1, paragraph 97.

(b) the support being provided."

**Amendments to the Education (Information About Children in Alternative Provision) (Wales) Regulations 2009**

**3.**—(1) The Education (Information About Children in Alternative Provision) (Wales) Regulations 2009(**6**) are amended as follows.

(2) In regulation 2—

(a) in the appropriate place insert—

""the 2014 Act" ("*Deddf 2014*") means the Children and Families Act 2014;";

""EHC plan" ("*cynllun AIG*") means a plan within section 37(2) of the 2014 Act;".

(b) in the definition of "special educational needs" for "has the meaning given to it by section 312 of the 1996 Act" substitute "has the meaning given by section 20 of the 2014 Act".

(3) In Schedule 1—

(a) omit paragraph 4;

(b) in paragraph 4A—

(i) at the end of sub-paragraph (a), omit "and";

(ii) for sub-paragraph (b) substitute—

"(b) whether the child has an individual development plan maintained under Part 2 of the 2018 Act and if so—

(i) whether it is maintained by the governing body of a school or the relevant local authority; and

(ii) the date of the last review; and";

(iii) after sub-paragraph (b) insert—

"(c) the support being provided.";

(c) after paragraph 4A insert—

"**4B**

(1) For a child in relation to whom Part 2 of the 2018 Act applies, whether, since the last request for information was made—

(a) a governing body has made a decision about whether the child has additional learning needs under section 11 of the 2018 Act and, if so, confirmation of—

(i) the date it was brought to the attention of, or otherwise appeared to, the governing body that the child may have additional learning needs;

(ii) the decision made; and

(iii) the date of the decision;

(b) a local authority in Wales has made a decision about whether the child has additional learning needs under section 13, 18 or 26 of the 2018 Act and, if so, confirmation of—

(i) the date—

(**6**) S.I. 2009/3355 (W. 294), amended by S.I. 2021/1457 (W. 373); there are other amending instruments but none is relevant to these Regulations.

(aa) in the case of a decision made under section 13 or 18, it was brought to the attention of, or otherwise appeared to, the local authority that the child may have additional learning needs; or

(ab) in the case of a decision made under section 26, a request was received by the local authority to reconsider a decision made by a governing body of a school;

(ii) the decision made; and

(iii) the date of the decision.

(2) The information in sub-paragraph (1)(a) and (b) must only be provided by the person who provides funded provision if it is within the person's knowledge.

**4C** For a pupil in relation to whom Part 3 of the 2014 Act applies, whether the child has an EHC plan and, if so, confirmation of—

(a) all of the child's special educational needs identified; and

(b) the support being provided."

*Lynne Neagle*
Cabinet Secretary for Education, one of the Welsh Ministers
23 February 2026

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