



# Special Educational Needs and Disability Act 2001

## 2001 CHAPTER 10

### PART 2

#### DISABILITY DISCRIMINATION IN EDUCATION

#### CHAPTER 1

#### SCHOOLS

#### *Enforcement*

### 18 Jurisdiction and powers of the Tribunal

In the 1995 Act, insert the following section—

#### **“28I Jurisdiction and powers of the Tribunal**

- (1) A claim that a responsible body—
  - (a) has discriminated against a person (“A”) in a way which is made unlawful under this Chapter, or
  - (b) is by virtue of section 58 to be treated as having discriminated against a person (“A”) in such a way,may be made to the Tribunal by A’s parent.
- (2) But this section does not apply to a claim to which section 28K or 28L applies.
- (3) If the Tribunal considers that a claim under subsection (1) is well founded—
  - (a) it may declare that A has been unlawfully discriminated against; and
  - (b) if it does so, it may make such order as it considers reasonable in all the circumstances of the case.

---

*Status: This is the original version (as it was originally enacted).*

---

- (4) The power conferred by subsection (3)(b)—
- (a) may, in particular, be exercised with a view to obviating or reducing the adverse effect on the person concerned of any matter to which the claim relates; but
  - (b) does not include power to order the payment of any sum by way of compensation.”