

Tribiwnlys Anghenion
Addysgol Arbennig Cymru



Special Educational
Needs Tribunal for Wales

Practice Direction

Electronic Signatures

1. The Special Educational Needs Tribunal for Wales Regulations 2012 came into force on 6 March 2012. These Regulations consolidated and revised previous regulations.

2. Section 81 of The Special Educational Needs Tribunal for Wales Regulations 2012 is as follows:

Where these Regulations require a document to be signed, that requirement is satisfied—

- (a) if the signature is written; or
- (b) in the case of a document which is communicated electronically in accordance with these Regulations by the electronic signature of the person who is required to sign it.

3. An electronic signature is the electronic equivalent of a written signature. It provides assurance that persons and signatories of e-mails are who they claim to be.

Electronic signatures come in many forms:

- typewritten
- scanned in signature format
- an electronic representation of a hand written signature
- a unique sequence of characters
- a digital representation of characteristics e.g. fingerprint, retina

4. Section 7 of the Electronic Communications Act 2000 (“the 2000 Act”) concerns the admissibility of electronic signatures in legal proceedings.
5. The Explanatory Notes to the 2000 Act explain that it is for the court to decide in a particular case whether an electronic signature has been correctly used and what weight it should be given.
6. Where a document is required to be signed, The Special Educational Needs Tribunal for Wales (SENTW) will accept an electronic signature if a person inserts his/her name in the body of the email itself.

7. If there is any doubt about the electronic signature, SENTW may request a written signature in order to check that the communication is legitimate.

Date: 10 March 2014

Signed:

A handwritten signature in black ink, appearing to read 'R. Walker', with a long horizontal stroke extending to the right below the name.

Rhiannon Ellis Walker OBE
President, SENTW