



# School Standards and Organisation (Wales) Act 2013

2013 anaw 1

## PART 2

### STANDARDS

#### CHAPTER 3

##### SCHOOL IMPROVEMENT GUIDANCE

#### **35 Duty to follow school improvement guidance**

- (1) A school authority must follow the course set out in school improvement guidance issued to it in accordance with this Chapter when exercising a power or duty (including a power or duty that is contingent upon the opinion of the school authority); but this is subject to the following provisions of this section.
- (2) A school authority that is a local authority is not subject to the duty under subsection (1) so far as—
  - (a) the authority thinks there is good reason for it not to follow the guidance in particular categories of case or at all,
  - (b) it decides on an alternative policy for the exercise of its functions in respect of the subject matter of the guidance, and
  - (c) a policy statement issued by the authority in accordance with section 36 is in effect.
- (3) A school authority that is the governing body of a maintained school or its head teacher is not subject to the duty under subsection (1) so far as—
  - (a) the governing body thinks there is good reason for it or the head teacher not to follow the guidance in particular categories of case or at all,

---

*Status: This is the original version (as it was originally enacted).*

---

- (b) the governing body decides on an alternative policy for the exercise of its, or the head teacher's, functions in respect of the subject matter of the guidance, and
  - (c) a policy statement issued by the governing body in accordance with section 36 is in effect.
- (4) Where subsection (2) or (3) applies in the case of a school authority, the authority—
- (a) must follow the course set out in the policy statement, and
  - (b) is subject to the duty under subsection (1) only so far as the subject matter of the school improvement guidance is not displaced by the policy statement.
- (5) The duties in subsections (1) and (4) do not apply to a school authority so far as it would be unreasonable for the authority to follow the school improvement guidance or policy statement in a particular case or category of case.