

LEARNING AND SKILLS (WALES) MEASURE 2009

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

PART 1 Local Curriculum for Pupils in Key Stage 4

Sections 4-18 insert new provisions into the Education Act 2002

Section 13 Delivery of local curriculum entitlements: joint working (Section 116J of the Education Act 2002)

47. As set out in subsection (1) the objective of this section is to maximise the availability of courses of study included in a local curriculum.
48. Subsections (2) and (4) impose on the local education authority, the governing body of a maintained secondary school and that of a further education institution, a duty to take all reasonable steps to secure the objective of this section.
49. Subsection (3) provides that the duty to take all reasonable steps to secure the objective of the section includes, but is not limited to, a duty to seek to enter into co-operation arrangements where the relevant persons have concluded that it would further the objective of the section to enter into such arrangements.
50. “Co-operation arrangement” is defined in subsection (5) to mean an arrangement whereby any person provides a course of study on behalf of a governing body of a maintained school, or arrangements made under regulations under sections 26 of the Education Act 2002 and 166 of the Education and Inspections Act 2006, which are more formal collaboration arrangements that could include, for example, the establishment of a joint committee.
51. Subsection (6) defines “relevant local curriculum” for the purposes of this section.