

# **LEARNING AND SKILLS (WALES) MEASURE 2009**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### **PART 3 – SERVICES RELATED TO EDUCATION TRAINING AND SKILLS**

##### ***Section 40 Provision of services by maintained schools and further education institutions***

121. Subsection (1) permits the Welsh Ministers to direct the governing bodies of maintained schools and Further Education Institutions to provide or secure “learner support services”. They may also be directed to participate where learner support services are provided by someone else.
122. Subsection (3) gives a broad meaning to the term “learner support services”. Accordingly, a potentially wide range of services may be required to be provided under this section.
123. Subsection (4) sets out ancillary matters that may be included in a learner support services direction under subsection (1). For example, the directed body may be required to have regard to guidance given by the Welsh Ministers as to the provision of a particular learning support service.
124. Subsection (5) sets out that such a direction may relate to a particular class of young persons, may make different provision for different classes of young persons and may be varied or revoked by a later direction.
125. Subsection (6) provides for impartiality in the provision of advice and information by learning support services. It provides that information must be given in an impartial manner and that advice must be tendered which is considered to promote the best interest of the young person and does not seek to promote the interests or aspirations of any school, institution or other person or body against the best interests of the young person concerned.