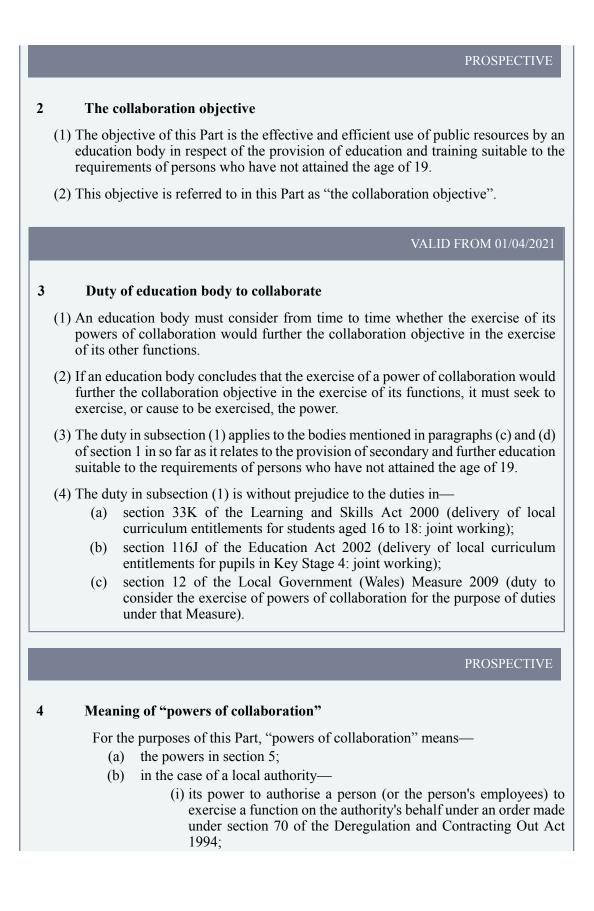


Education (Wales) Measure 2011

2011 nawm 7

VALID FROM 01/10/2013 PART 1 COLLABORATION BY EDUCATION BODIES PROSPECTIVE 1 **Education bodies** For the purposes of this Part, an "education body" means-(a) a local authority in Wales; (b) the governing body of a maintained school in Wales; a further education corporation (as defined by section 17(1) of the Further (c) and Higher Education Act 1992) in Wales; (d) the governing body of a designated institution (as defined by section 28(4) of that Act) in Wales, which-(i) is a body incorporated by virtue of section 143(5) of the Learning and Skills Act 2000, and (ii) is exclusively or mainly providing full-time education for persons who are above compulsory school age but who have not attained the age of 19.



- (ii) its power under section 101(1)(b) and (5) of the Local Government Act 1972 (arrangements for the discharge of local authority functions);
- (iii) a power of the executive of the authority (or a committee or specified member of the executive) to make arrangements for the discharge of their functions under regulations made under section 19(1) of the Local Government Act 2000 (arrangements for the discharge of functions of the executive of a local authority by another local authority etc);
- (iv) a power of the authority to make arrangements for the discharge of its functions under regulations made under section 19(2) of the Local Government Act 2000 (arrangements for the discharge of functions of a local authority by the executive etc of another local authority).

VALID FROM 01/09/2022

No Powers to collaborate

commentar

iten) An education body has the powers in subsection (2) for the purpose of discharging could or facilitating the discharge of-

- its duty under section 3, be (a)
- its duty under section 33K of the Learning and Skills Act 2000, found (b)
- for (c) its duty under [section 65 of the Curriculum and Assessment (Wales) Act this 2021,]

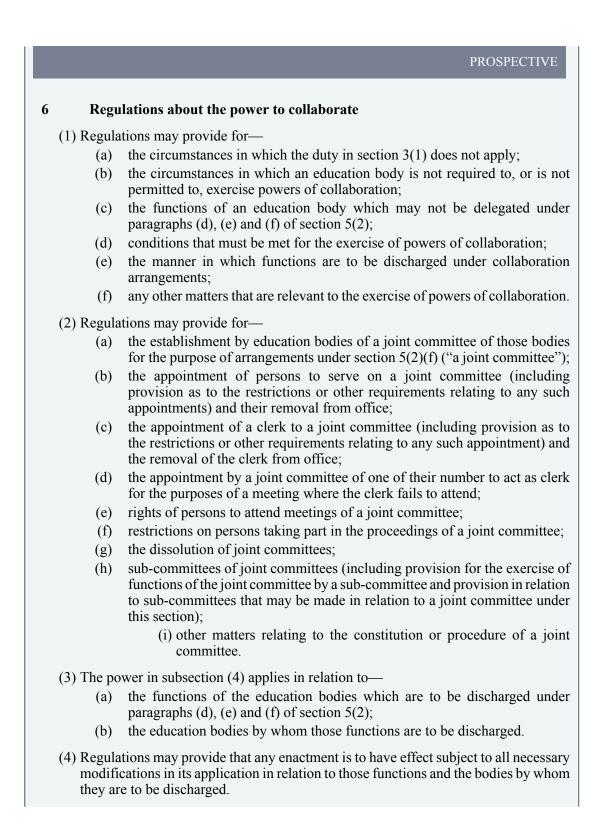
reference(d) the duty of another education body under those provisions. **key-2504fc3c31eac50e1edcc6cd4a0b5cd05**

(2) The powers are—

- to provide financial assistance (whether by way of grant or loan) to any (a) person;
- to enter into arrangements or agreements with any person; (b)
- to co-operate with, or facilitate or co-ordinate the activities of, that person; (c)
- to exercise on behalf of any person any functions of that person (whether (d) alone or jointly);
- to make arrangements for any of the education body's functions to be (e) carried out with one or more other education bodies, or by one or more other education bodies;
- to make arrangements for any of the education body's functions to be (f) carried out by joint committees of two or more education bodies;
- to provide staff, goods, services or accommodation to any person; (g)
- to share and use information for the purpose of exercising any powers of (h) collaboration.

(3) These powers are—

- without prejudice to any other powers of an education body, and (a)
- subject to provision made under section 6. (b)





7 Guidance

In exercising its functions under this Part, an education body must have regard to guidance given from time to time by the Welsh Ministers.

8 Interpretation of this Part

In this Part—

"collaboration arrangements" ("*trefniadau cydlafurio*") means an activity performed in the exercise of an education body's powers of collaboration;

"collaboration objective" ("*amcan y cydlafurio*") has the meaning given by section 2;

"education body" ("*corff addysg*") has the meaning given by section 1; "functions" ("*swyddogaethau*") means powers and duties, and in the case of a local authority means powers and duties that are education functions;

"maintained school" ("*ysgol a gynhelir*") means a community, foundation or voluntary school, a community or foundation special school, a maintained nursery school or a pupil referral unit;

"powers of collaboration" ("*pwerau cydlafurio*") has the meaning given by section 4.

VALID FROM 30/04/2021

9 Minor and consequential amendments

(1) In section 57(5A) of the Further and Higher Education Act 1992, for "make collaboration arrangements (within the meaning of section 166 of the Education and Inspections Act 2006) with such bodies" substitute " exercise powers under section 5(2)(b) to (f) and (h) of the Education (Wales) Measure 2011 to collaborate with such persons ".

(2) In section 33K(5) of the Learning and Skills Act 2000-

- (a) after paragraph (b) insert—
 - "(ba) arrangements made in exercise of the powers of collaboration described in section 4 of the Education (Wales) Measure 2011.";
- (b) omit paragraphs (c) and (d).

(3) In the Education Act 2002—

- (a) in section 26(a), after "schools" insert " in England ";
- (b) in section 116J(5)—
 - (i) after paragraph (a) insert—
 - "(aa) arrangements made in exercise of the powers of collaboration described in section 4 of the Education (Wales) Measure 2011.";
 - (ii) omit paragraphs (b) and (c).

(4) In section 166(6) of the Education and Inspections Act 2006—

- (a) in the definition of "further education body"—
 - (i) after "(c.13))" insert " in England ";
 - (ii) after "section 28(4) of that Act)" insert " in England ";
- (b) in the definition of "maintained school" after "means" insert " a school in England which is ";
- (c) in the definition of "regulations" omit "or the Assembly (in relation to Wales)".

Status:

Point in time view as at 10/07/2011. This version of this part contains provisions that are not valid for this point in time.

Changes to legislation:

There are currently no known outstanding effects for the Education (Wales) Measure 2011, PART 1.