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WELSH STATUTORY INSTRUMENTS

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**2007 No. 3066**

**The Maintained Schools (Partnership Agreements) (Wales) Regulations 2007**

**Title, commencement and application**

1. The title of these Regulations is The Maintained Schools (Partnership Agreements) (Wales) Regulations 2007 and they come into force on 12 December 2007.
2. These Regulations apply in relation to Wales.

**Interpretation**

- 3.—(1) In these Regulations, unless the context otherwise requires —
  - “1996 Act” (“*Deddf 2006*”) means the Education Act 1996(1);
  - “1998 Act” (“*Deddf 1998*”) means the School Standards and Framework Act 1998(2);
  - “2002 Act” (“*Deddf 2002*”) means the Education Act 2002;
  - “2005 Act” (“*Deddf 2005*”) means the Education 2005(3);
  - “relevant circumstances” (“*amgylchiadau perthnasol*”) means the circumstances set out in Column 1 of the Table in Schedule 2;
  - “relevant date” (“*dyddiad perthnasol*”) means the date set out in the entry corresponding to each relevant circumstance in Column 2 of the Table set out in Schedule 2;
  - “school” (“*ysgol*”) means a community, foundation or voluntary school, a community or foundation special school or a maintained nursery school;
  - “statement” (“*datganiad*”) means a statement drawn up by a local education authority under section 197(3) of the 2002 Act.

(2) In these Regulations a reference to a numbered regulation or Schedule without more is to the regulation or Schedule in these Regulations bearing that number.

**Partnership agreements**

4. Subject to section 197(3) of the 2002 Act, a local education authority must enter into a partnership agreement with the governing body of each school maintained by that local education authority.
5. A partnership agreement must set out how the local education authority and the governing body of a school maintained by the local education authority are to discharge their respective functions in relation to the school as regards the matters set out in Schedule 1.
6. The first partnership agreement must be entered into on or before 31 March 2008.

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(1) 1996 c. 56.  
(2) 1998 c. 31.  
(3) 2005 c. 18.

7. If, on or before 31 March 2008 or on or before 1 September in any subsequent year, a partnership agreement has not been entered into nor a statement drawn up in respect of a school maintained by a local education authority, a partnership agreement must next be entered into in respect of that school on or before 1 September in the following year.

### **Review of partnership agreements and statements**

8. The parties to a partnership agreement must review and, may revise the partnership agreement —

- (a) within the period of three years beginning with the day the partnership agreement was first entered into; and
- (b) subsequently at intervals of no more than three years from the previous review.

9. Where a local education authority has drawn up a statement it must review and, and may revise the statement —

- (a) within the period of three years beginning with the day the statement was first sent to the governing body; and
- (b) subsequently at intervals of no more than three years from the previous review.

10. Subject to regulation 11, where relevant circumstances arise in respect of a school, the local education authority and the governing body of the school must review, and may revise any existing partnership agreement or statement within the period of six months after the relevant date.

11. Where, before a review of a partnership agreement or statement under regulation 10 has been completed, further relevant circumstances arise in respect of a school, the local education authority and the governing body are only required to conclude a single review which must be completed within the period of one year after the relevant date in respect of the later of the relevant circumstances to arise, this being also the relevant date for the purposes of regulations 12 and 13.

12. Where, following a review of a partnership agreement under regulation 10,

- (a) a revised partnership agreement is not to be entered into, and
- (b) a statement is not to be drawn up,

the local education authority and the governing body are next required to review, and may revise the partnership agreement within the period of four years after the relevant date and subsequently at intervals of no more than three years from the previous review.

13. Where, following a review of a statement under regulation 10,

- (a) a partnership agreement is not to be entered into, and
- (b) a revised statement is not to be drawn up,

the local education authority and the governing body are next required to review, and may revise the statement within the period of four years after the relevant date and subsequently at intervals of no more than three years from the previous review.

23 October 2007

*Jane Hutt*  
Minister for Children, Education, Lifelong  
Learning and Skills, one of the Welsh Ministers.