



# School Standards and Organisation (Wales) Act 2013

2013 anaw 1

## PART 1

### INTRODUCTION

#### **1 Overview of this Act**

- (1) This Act has 6 Parts.
- (2) Part 2 is divided into 3 Chapters containing provisions concerned with maintaining and improving standards—
  - (a) in maintained schools, and
  - (b) in the exercise of education functions by local authorities.
- (3) Chapter 1 of Part 2 (including Schedule 1 )—
  - (a) sets out the grounds for intervention by local authorities and the Welsh Ministers in the conduct of maintained schools that are causing concern, and
  - (b) provides a range of intervention powers to enable local authorities and the Welsh Ministers to deal with the causes of concern.
- (4) Chapter 2—
  - (a) sets out the grounds for intervention by the Welsh Ministers in the exercise of education functions by local authorities that are causing concern, and
  - (b) provides a range of intervention powers to enable the Welsh Ministers to deal with the causes of concern.
- (5) Chapter 3 makes provision for the Welsh Ministers to give guidance to the governing bodies of maintained schools, the head teachers of such schools and local authorities on how functions should be exercised with a view to improving the standard of education provided in maintained schools.

- (6) Part 3 is divided into 6 Chapters containing provision about the organisation of maintained schools.
- (7) Chapter 1 of Part 3 provides for a School Organisation Code about the exercise of functions under Part 3.
- (8) Chapter 2 (including Schedules 2 to 4) makes provision requiring the establishment, alteration and discontinuance of maintained schools in accordance with a specified process.
- (9) Chapter 3 provides for the rationalisation of school places if the Welsh Ministers are of the opinion that there is excessive or insufficient provision for primary or secondary education in maintained schools.
- (10) Chapter 4 provides for the making of regional provision for special educational needs.
- (11) Chapter 5 provides for powers for the Welsh Ministers to re-structure sixth form education.
- (12) Chapter 6 provides for miscellaneous and supplemental matters relating to school organisation.
- (13) Part 4 makes provision for Welsh in education strategic plans, which are to be—
  - (a) prepared by local authorities,
  - (b) approved by the Welsh Ministers, and
  - (c) published and implemented by local authorities (sections 84, 85 and 87).
- (14) Part 4 also provides a power exercisable by regulations for the Welsh Ministers to require local authorities to carry out an assessment of the demand among parents for Welsh medium education for their children (section 86).
- (15) Part 5 makes provision about miscellaneous functions relating to maintained schools, including provision—
  - (a) requiring local authorities to provide breakfasts for pupils at maintained primary schools at the request of the governing bodies of those schools (sections 88 to 90);
  - (b) amending the existing powers of local authorities and governing bodies to charge for school meals, so that—
    - (i) a related requirement to charge every person the same price for the same quantity of the same item is removed, and
    - (ii) a new requirement that the price charged for an item does not exceed the cost of providing that item is imposed (section 91);
  - (c) requiring local authorities to secure reasonable provision for a service providing counselling in respect of health, emotional and social needs for specified school pupils and other children (section 92);
  - (d) requiring governing bodies of maintained schools to hold a meeting if requested to do so by parents in a petition (section 94) and repealing an existing duty to hold an annual parents’ meeting (section 95);
  - (e) repealing the Welsh Ministers’ duty to issue a code of practice for securing effective relationships between local authorities and maintained schools (section 96).
- (16) Part 6—

- (a) introduces Schedule 5, which makes minor and consequential amendments to other legislation arising from the provisions of this Act;
- (b) contains definitions that apply for the purposes of this Act generally and an index of definitions that apply to a number of provisions, but not the whole Act (section 98);
- (c) contains other provisions which apply generally for the purposes of this Act.