



# School Standards and Organisation (Wales) Act 2013

2013 anaw 1

## PART 5 **E+W**

### MISCELLANEOUS SCHOOLS FUNCTIONS

#### *School-based counselling*

#### **92 Independent counselling services for school pupils and other children **E+W****

- (1) A local authority must secure reasonable provision for a service providing counselling in respect of health, emotional and social needs (an “independent counselling service”) for—
- (a) registered pupils receiving secondary education at—
    - (i) schools maintained by the authority, and
    - (ii) other schools in its area;
  - (b) other persons belonging to the authority's area who have attained the age of 11 but not the age of 19;
  - (c) registered pupils undertaking their final academic year of primary education at—
    - (i) schools maintained by the authority, and
    - (ii) other schools in its area;
  - (d) such other persons receiving primary education as the Welsh Ministers may specify in regulations.
- (2) In securing provision of an independent counselling service under this section, a local authority must have regard—
- (a) to the principle that the service is to be independent of—
    - (i) the governing body or other proprietor of a school at which a person to whom the service is provided is receiving education, and

**Changes to legislation:** *School Standards and Organisation (Wales) Act 2013, Section 92 is up to date with all changes known to be in force on or before 07 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (ii) the management of a school at which a person to whom the service is provided is receiving education;
  - (b) to guidance given by the Welsh Ministers.
- (3) A local authority must secure that an independent counselling service is provided on the site of each school maintained by the authority that provides secondary education (whether or not it also provides other kinds of education).
- (4) A local authority may secure the provision of an independent counselling service at other locations.
- (5) The Welsh Ministers may by regulations require the provision of an independent counselling service at other locations.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 3 Ch. 3A inserted by [2022 asc 1 Sch. 4 para. 29\(7\)](#)
- s. 1(9A) inserted by [2022 asc 1 Sch. 4 para. 29\(2\)\(a\)](#)
- s. 38(2)(ca) inserted by [2022 asc 1 Sch. 4 para. 29\(3\)\(a\)](#)
- s. 38(5)(ca) inserted by [2022 asc 1 Sch. 4 para. 29\(3\)\(b\)](#)
- s. 39(1)(ca) inserted by [2022 asc 1 Sch. 4 para. 29\(4\)](#)
- Sch. 2 para. 19(2)(c)(i) word inserted by [2022 asc 1 Sch. 4 para. 29\(12\)\(b\)](#)