

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

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### **PART 1 Local Curriculum for Pupils in Key Stage 4**

##### **Sections 1-3 amend the Education Act 2002**

##### ***Section 1 Interpretation***

4. This section provides additional definitions to those already set out in section 97 EA 2002, and which apply generally for the purposes of that Part. The additional definitions provide the meaning of some of the most important terms used in the provisions inserted by this Measure concerning the local curriculum, namely:
5. “course of study”, which is defined by reference to courses approved under section 99 of the Learning and Skills Act 2000. The effect is that, in order for a course of study to be included in any local curriculum formed by a LEA, it must lead to an external qualification approved by the Welsh Ministers under the 2000 Act;
6. “local curriculum” and “local curricula” which are to be construed in accordance with section 116A. When the term “local curriculum” is used in relation to a pupil’s school, it means the local curriculum which applies in relation to that school. This caters for the possibility that under section 116A a LEA may form more than one local curriculum, e.g. have different local curricula for schools in different parts of its area;
7. “maintained secondary school”, which is defined as a maintained school which is a secondary school but is not a community or foundation special school;
8. “regulations” which are defined as regulations made by the Welsh Ministers;
9. “school”. The definition provides that “school” means, in relation to a pupil, the maintained secondary school at which he or she is a registered pupil.

##### ***Section 2 Duty to implement general requirements***

10. This section amends section 100 of the EA 2002. Section 100 operates by reference to section 99 EA 2002 which itself sets out a list of general requirements applicable to the curriculum for a maintained school, e.g. that the curriculum prepares pupils at the school for the opportunities, responsibilities and experiences of later life. Various bodies have functions in relation to the curriculum for a maintained school. Section 100 requires these bodies, such as the Welsh Ministers and local education authorities, to exercise their functions so as to secure that the requirements of section 99 are met. The amendment made by this section to section 100 ensures that the section 99 general requirements also apply in relation to the local curriculum functions created by this Part of the Measure.

***Section 3 Basic Curriculum for every maintained school in Wales***

11. This section amends section 101 of the EA 2002. Section 101 lists those forms of education which comprise the basic curriculum for a maintained school in Wales. The amendment provides that a school's basic curriculum also includes education which satisfies pupils' local curriculum entitlements.