

# Learning and Skills (Wales) Measure 2009

## 2009 nawm 1

### PART 1

#### LOCAL CURRICULUM FOR PUPILS IN KEY STAGE 4

##### *Joint-working*

#### 12 Planning the local curriculum

After section 116H of the Education Act 2002 (c. 32) insert—

##### **“116I Planning the local curriculum**

- (1) The following persons must assist a [<sup>F1</sup>local authority] in planning the local curriculum or curricula for its area—
  - (a) the governing body and head teacher of any maintained secondary school maintained by the authority;
  - (b) the governing body and principal or other head of an institution within the further education sector in the authority's area.
- (2) In subsection (1), “planning the local curriculum or curricula” means the process by which a [<sup>F1</sup>local authority] decides under section 116A which courses of study to include in the local curriculum or curricula for its area.
- (3) The persons mentioned in subsection (1) must—
  - (a) have regard to any guidance given from time to time; and
  - (b) comply with any directions given,by the Welsh Ministers as to the exercise of their functions under that subsection.”

*Changes to legislation: Learning and Skills (Wales) Measure 2009, Cross Heading: Joint-working is up to date with all changes known to be in force on or before 21 September 2020. 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*

#### Textual Amendments

- F1** Words in Measure substituted (5.5.2010) by [Local Education Authorities and Children’s Services Authorities \(Integration of Functions\) \(Wales\) Order 2010 \(S.I. 2010/1148\)](#), arts. 1, **3(2)**

#### Commencement Information

- I1** S. 12 in force at 7.12.2009 by [S.I. 2009/3174](#), **art. 2(1)(f)**

### 13 Delivery of local curriculum entitlements: joint-working

After section 116I of the Education Act 2002 (c. 32) insert—

#### “116J Delivery of local curriculum entitlements: joint-working

- (1) The objective of this section is to maximise the availability of courses of study included in a local curriculum formed under section 116A.
- (2) In relation to the local curriculum or curricula for the area of a [<sup>F1</sup>local authority], the persons mentioned in subsection (4) must take all reasonable steps in order to achieve the objective of this section.
- (3) The duty under subsection (2) includes, but is not limited to, a duty to seek to enter into cooperation arrangements where, having considered whether it would further the objective of this section to do so, the persons mentioned in subsection (4) have concluded that entering into such arrangements would further that objective.
- (4) The persons are—
  - (a) the [<sup>F1</sup>local authority];
  - (b) the governing body of a secondary school maintained by the authority; and
  - (c) the governing body of an institution within the further education sector which is situated within the area of the authority.
- (5) In this section and section 116K “co-operation arrangements” means—
  - (a) arrangements under which any person provides, on behalf of the governing body of a maintained secondary school, a course of study included within the relevant local curriculum for the school;
  - (b) arrangements made under regulations under section 26 (collaboration between schools); and
  - (c) arrangements made under regulations under section 166 of the Education and Inspections Act 2006 (collaboration arrangements: maintained schools and further education bodies).
- (6) For the purposes of this section, in relation to a maintained secondary school, “relevant local curriculum” means—
  - (a) where the [<sup>F1</sup>local authority] by which the school is maintained has formed a single local curriculum for its area, that curriculum; or
  - (b) where the [<sup>F1</sup>local authority] by which the school is maintained has formed more than one local curriculum for its area, the curriculum in respect of which the school is designated under section 116C(2).”

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#### Textual Amendments

- F1** Words in Measure substituted (5.5.2010) by [Local Education Authorities and Children’s Services Authorities \(Integration of Functions\) \(Wales\) Order 2010 \(S.I. 2010/1148\)](#), arts. 1, **3(2)**

#### Commencement Information

- I2** S. 13 in force at 7.12.2009 by [S.I. 2009/3174](#), **art. 2(1)(g)**

## 14 Joint-working: guidance and directions

After section 116J of the Education Act 2002 (c. 32) insert—

### “116K Joint-working: guidance and directions

- (1) A [<sup>F1</sup>local authority], a governing body of a maintained secondary school and the governing body of an institution within the further education sector in Wales must have regard to any guidance given from time to time by the Welsh Ministers as to the discharge of their duties under section 116J.
- (2) Guidance given under subsection (1) may relate to the content of co-operation arrangements.
- (3) The persons mentioned in subsection (1) must comply with any direction given by the Welsh Ministers as to the entering into of co-operation arrangements.
- (4) A direction under subsection (3)—
  - (a) may require persons to enter into specified arrangements;
  - (b) may specify the terms upon which arrangements are to be entered into (whether generally or in respect of specified arrangements);
  - (c) in the case of a direction to enter into specified arrangements with a person who is not mentioned in subsection (1), must not be given unless that person consents to the direction.”

#### Textual Amendments

- F1** Words in Measure substituted (5.5.2010) by [Local Education Authorities and Children’s Services Authorities \(Integration of Functions\) \(Wales\) Order 2010 \(S.I. 2010/1148\)](#), arts. 1, **3(2)**

#### Commencement Information

- I3** S. 14 in force at 7.12.2009 by [S.I. 2009/3174](#), **art. 2(1)(h)**

**Changes to legislation:**

Learning and Skills (Wales) Measure 2009, Cross Heading: Joint-working is up to date with all changes known to be in force on or before 21 September 2020. 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.

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

- [Measure text amended by S.I. 2010/1148 art. 3\(2\)](#)