



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 local education 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 local education 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.”

13 Delivery of local curriculum entitlements: joint-working

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

Status: This is the original version (as it was originally enacted).

“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 local education 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 local education 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 local education authority by which the school is maintained has formed a single local curriculum for its area, that curriculum; or
 - (b) where the local education 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).”

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 local education 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.

Status: This is the original version (as it was originally enacted).

- (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.”