



Learning and Skills (Wales) Measure 2009

2009 nawm 1

PART 3

SERVICES RELATED TO EDUCATION, TRAINING AND SKILLS

Learning Pathways

43 The learning pathway document

- (1) This section makes provision for a relevant pupil and a relevant student to be provided with a document which records his or her learning pathway (a “learning pathway document”).
- (2) In subsection (1), a pupil’s or student’s “learning pathway” means—
 - (a) the courses of study (if any) that the pupil or student is entitled to follow under section 116E(1) of the Education Act 2002 or section 33F(1) of the Learning and Skills Act 2000; and
 - (b) the learner support services (if any) to be provided to a pupil or student by virtue of section 40 of this Measure.
- (3) The learning pathway document—
 - (a) must be provided within a reasonable period of time following an entitlement arising as described in subsection (2)(a) or a decision being taken to provide services as described in subsection (2)(b); and
 - (b) must subsequently be amended or re-issued within a reasonable period of time following—
 - (i) a variation in such an entitlement or decision; or
 - (ii) such an entitlement arising or such a decision being taken.
- (4) The duty to provide a learning pathway document under subsection (3)(a) is a duty of—
 - (a) in the case of a relevant pupil, the head teacher of the pupil’s maintained school when an event described in subsection (3)(a) occurs; and

Status: This is the original version (as it was originally enacted).

- (b) in the case of a relevant student, the principal of the student’s institution when an event described in subsection (3)(a) occurs.
- (5) The duty to amend or re-issue a learning pathway document under subsection (3)(b) is a duty of—
 - (a) in the case of a relevant pupil, the head teacher of the pupil’s maintained school when an event described in subsection (3)(b) occurs; and
 - (b) in the case of a relevant student, the principal of the pupil’s institution when an event described in subsection (3)(b) occurs.
- (6) A head teacher of a maintained school and principal of an institution must have regard to any guidance given from time to time by the Welsh Ministers as to the exercise of their functions under this section.

44 **Learning pathways: interpretation**

In this section and section 43—

“institution” (“*sefydliad*”) means an institution within the further education sector in Wales, and, in relation to a relevant student, means the institution whose governing body is responsible for providing, or arranging for the provision of, all or the majority of his or her education;

“institution within the further education sector” (“*sefydliad yn y sector addysg bellach*”) has the same meaning as in the Education Act 1996 (c. 56);

“maintained school” (“*ysgol a gynhelir*”) means—

- (a) any community, foundation or voluntary school maintained by a local education authority in Wales, or
- (b) any community or foundation special school which is maintained by a local education authority in Wales and is not established in a hospital,

and, in relation to a relevant pupil, means the maintained school of which he or she is a registered pupil;

“principal” (“*pennaeth sefydliad*”) means the principal or other head of an institution;

“registered pupil” (“*disgybl cofrestredig*”) has the same meaning as in section 434 of the Education Act 1996;

“relevant pupil” (“*disgybl perthnasol*”) means a registered pupil of a maintained school; and

“relevant student” (“*myfyriwr perthnasol*”) means a person who—

- (a) receives the majority of his or her education at, or under arrangements made by the governing body of, an institution; and
- (b) has not attained the age of nineteen or such later age as may be prescribed in regulations made by the Welsh Ministers.