



Learning and Skills (Wales) Measure 2009

2009 nawm 1

PART 2

LOCAL CURRICULUM FOR STUDENTS AGED 16 TO 18

Entitlements

30 Head teacher's or principal's decision to remove entitlement

After section 33H of the Learning and Skills Act 2000 (c. 21) insert—

“33I Head teacher's or principal's decision to remove entitlement

- (1) If the head teacher or principal of a student's relevant school or institution is satisfied that any of the grounds in subsection (2) apply, the head teacher or principal may decide that a student is no longer entitled to follow a course of study that the student was entitled to follow under section 33F.
- (2) The grounds referred to in subsection (1) are that—
 - (a) the student's or another person's health or safety would be placed unacceptably at risk if the pupil were to continue to follow the course of study;
 - (b) disproportionate expenditure would be incurred if the pupil were to continue to follow the course of study.
- (3) Regulations may make provision connected with the making of decisions under subsection (1) including in particular provision—
 - (a) as to the procedure to be followed in connection with the making of decisions;
 - (b) for appeals against decisions to be made to the school or institution's governing body or another person specified in the regulations;
 - (c) as to the effect of a decision pending determination of an appeal;

Changes to legislation: Learning and Skills (Wales) Measure 2009, Section 30 is up to date with all changes known to be in force on or before 25 March 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

- (d) as to the procedure to be followed in connection with the determination of an appeal.
- (4) A head teacher or principal and governing body or other person charged with determining appeals under regulations made under subsection (3) 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.
- (5) The Welsh Ministers may by order—
 - (a) amend or omit any paragraph of subsection (2);
 - (b) add additional paragraphs to that subsection;
 - (c) amend or omit such additional paragraphs.”

Commencement Information

- I1** S. 30 in force at 19.1.2011 for specified purposes by S.I. 2011/97, **art. 2(1)(e)**
- I2** S. 30 in force at 14.2.2011 in so far as not already in force by S.I. 2011/97, **art. 2(2)(g)**

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[View outstanding changes](#)

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

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

- s. 43(7) inserted by [2022 asc 1 Sch. 4 para. 25\(3\)](#)