



# Education (Wales) Measure 2011

2011 nawm 7

## PART 2

### SCHOOL GOVERNANCE

#### CHAPTER 1

##### FEDERATION OF MAINTAINED SCHOOLS

#### **11 Proposals by local authorities to federate schools**

- (1) A local authority may make proposals for the federation—
  - (a) of two or more maintained schools;
  - (b) of an existing federation and one or more maintained schools;
  - (c) of two or more existing federations.
- (2) A local authority must publish proposals made under this section.
- (3) A local authority must, in accordance with regulations, consult the following persons on the published proposals—
  - (a) the governing bodies of the schools or federations to be federated;
  - (b) the staff of the schools;
  - (c) one or more bodies (if any) appearing to the authority to represent the interests of the staff of the schools;
  - (d) in so far as is practicable, registered pupils at the schools and their parents.
- (4) Subsections (2) and (3) do not apply in relation to a proposal for a federation consisting only of small schools.
- (5) In relation to a proposal for a federation consisting only of small schools the local authority must, in accordance with regulations, consult the governing bodies of the schools concerned.

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*Status: This is the original version (as it was originally enacted).*

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- (6) A “small school” in subsections (4) and (5) means a maintained school that, on the date that the proposal is made under subsection (1), is a small maintained school as defined in an order under section 15.
- (7) A local authority must, in accordance with regulations, determine whether to—
- (a) confirm proposals, with or without modification or subject to the occurrence of an event, or
  - (b) withdraw them.
- (8) A local authority may make proposals for a federation that includes a maintained school that it does not maintain only if the local authority that maintains the school gives its consent.
- (9) A local authority may make proposals for a federation that includes a foundation or voluntary school only if the following persons give their consent—
- (a) in the case of a Church in Wales school or a Roman Catholic Church school, the appropriate diocesan authority, and
  - (b) in the case of any other foundation or voluntary school, the person or persons by whom the foundation governors are appointed.
- (10) Regulations may make further provision about proposals under this section and may (among other things) make provision about—
- (a) obtaining consent from prescribed persons to the making, publication or confirmation of proposals;
  - (b) the information to be included in, or provided in relation to, the proposals;
  - (c) the publication of proposals;
  - (d) consultation on the proposals;
  - (e) the making of objections to or comments on the proposals;
  - (f) withdrawal or modification of the proposals;
  - (g) confirmation of the proposals by the local authority.