



Learning and Skills Act 2000

2000 CHAPTER 21

PART V

MISCELLANEOUS AND GENERAL

Support for 11 to 25 year olds: Wales

123 Provision of services.

- (1) The National Assembly for Wales may direct a local authority—
 - (a) to provide youth support services;
 - (b) to secure the provision of youth support services;
 - (c) to participate in the provision of youth support services.
- (2) In this section “youth support services” means services which in the opinion of the National Assembly will encourage, enable or assist young persons (directly or indirectly)—
 - (a) to participate effectively in education or training,
 - (b) to take advantage of opportunities for employment, or
 - (c) to participate effectively and responsibly in the life of their communities.
- (3) In this section “young persons” means persons who have attained the age of 11 but not the age of 26.
- (4) A direction under subsection (1)—
 - (a) may include provision for grants, loans and other kinds of financial assistance to be provided by the National Assembly (whether or not on conditions),
 - (b) may require local authorities to have regard to guidance issued by the National Assembly, and
 - (c) may require local authorities when making arrangements with other persons to require those persons to have regard to guidance issued by the National Assembly.

Status: Point in time view as at 07/12/2009.

Changes to legislation: Learning and Skills Act 2000, Cross Heading: Support for 11 to 25 year olds: Wales is up to date with all changes known to be in force on or before 11 April 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)

- (5) A direction under subsection (1)—
- (a) may relate to a particular class of young person;
 - (b) may make different provision for different classes of young person;
 - (c) may be revoked or varied by a later direction.

Commencement Information

- II** S. 123 not in force at Royal Assent see s. 154; s. 123 in force for W. at 1.4.2001 by [S.I. 2001/1274](#), [art. 2](#), [Sch. Pt. I](#)

124 Local authority: duty and powers.

- (1) A local authority—
- (a) shall comply with a direction given to it under section 123(1), and
 - (b) may provide, secure the provision of or participate in the provision of youth support services otherwise than in accordance with paragraph (a).
- (2) Action which a local authority takes in pursuance of subsection (1)—
- (a) may relate to a particular class of young persons;
 - (b) may relate to services for a person from another area.
- (3) In complying with a direction under section 123(1) a local authority shall have regard to the expediency of co-operation with voluntary organisations.
- (4) For the purpose of subsection (1) a local authority may—
- (a) incur expenditure;
 - (b) employ officers;
 - (c) enter into agreements for the supply of goods or services;
 - (d) do anything else (other than forming companies) which they consider necessary or expedient.
- (5) Nothing in or done under section 123 shall prejudice any power of a local authority to provide services or incur expenditure.

Commencement Information

- I2** S. 124 not in force at Royal Assent see s. 154; s. 124 in force for W. at 1.4.2001 by [S.I. 2001/1274](#), [art. 2](#), [Sch. Pt. I](#)

125 Consultation and coordination.

- (1) Before complying with a direction under section 123(1) by providing, securing the provision of or participating in the provision of services for residents of a particular place or area, a local authority shall consult each of the following with responsibility for all or part of the area—
- (a) a [^{F1}Local Health Board],
 - (b) a chief officer of police,
 - (c) a police authority,
 - (d) a probation committee

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- [^{F2}(da) a provider of probation services,] and
 - (e) a youth offending team.
- (2) The local authority shall also—
- (a) consult any voluntary body which provides services for young persons in the place or area concerned and which the local authority think it appropriate to consult,
 - ^{F3}(b)
 - (c) consult any authority or person with whom arrangements have been made for the place or area concerned under section 10(1) or (3)(a), (b) or (c) of the ^{M1}Employment and Training Act 1973 (careers services),
 - (d) consult any relevant organisation established for the purpose of enabling voluntary bodies to co-operate and co-ordinate their activities,
 - (e) consult such other persons as the local authority think appropriate, and
 - (f) provide such opportunities as the local authority think appropriate for young persons in the place or area concerned to express their views.
- (3) Subsection (4) applies where a local authority—
- (a) provide or propose to provide youth support services for the residents of a particular place or area, or
 - (b) secure or propose to secure the provision of youth support services for the residents of a particular place or area.
- (4) Where this subsection applies, persons and bodies listed in subsection (1) with responsibility for all or part of that place or area shall—
- (a) exercise their functions so as to support and assist the services provided, secured or proposed by the local authority, and
 - (b) coordinate the exercise of their functions, so far as seems reasonable, with persons providing those services.
- (5) Subsection (4) shall not require persons or bodies to take action which would significantly interfere with the efficient or effective exercise of their functions.

Textual Amendments

- F1** Words in s. 125(1)(a) substituted (1.4.2007) by [References to Health Authorities Order 2007 \(S.I. 2007/961\)](#), art. 1(1), **Sch. para. 31(2)**
- F2** S. 125(1)(da) inserted (1.4.2008) by [The Offender Management Act 2007 \(Consequential Amendments\) Order 2008 \(S.I. 2008/912\)](#), art. 1, **Sch. 1 para. 16(4)**
- F3** S. 125(2)(b) omitted (1.4.2006) by virtue of [National Council for Education and Training for Wales \(Transfer of Functions to the National Assembly for Wales and Abolition\) Order 2005 \(S.I. 2005/3238\)](#), art. 1(1), **Sch. 1 para. 74** (with art. 7)

Commencement Information

- I3** S. 125 not in force at Royal Assent see s. 154; s. 125 in force for W. at 1.4.2001 by [S.I. 2001/1274](#), art. 2, **Sch. Pt. I**

Marginal Citations

- M1** 1973 c. 50.

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126 Educational institutions: information and access.

- (1) Where a person is involved in the provision of services in pursuance of section 123(1) (a) or (b) [^{F4} or section 40(1)(a) or (b) of the Learning and Skills (Wales) Measure 2009], an educational institution to which this section applies shall, for the purpose of the provision of those services—
- (a) provide him on request with the name and address of a pupil or student;
 - (b) provide him on request with the name and address of a parent of a pupil or student;
 - (c) provide him on request with information in the institution's possession about a pupil or student;
 - (d) permit him to have access to a pupil or student on the institution's premises at reasonable times;
 - (e) make available to him, so far as is reasonably convenient, facilities on the institution's premises for providing services to individual pupils or students or groups of pupils or students.
- (2) Information shall not be provided under subsection (1)(c)—
- (a) in the case of a pupil or student who has not attained the age of 16, if a parent of his has instructed the institution not to provide information of that kind under this section, or
 - (b) in the case of a pupil or student who has attained the age of 16, if he has instructed the institution not to provide information of that kind under this section.
- (3) This section applies to the following institutions—
- (a) community, foundation and voluntary schools,
 - (b) community or foundation special schools (other than those established in hospitals),
 - (c) city technology colleges and city colleges for the technology of the arts,
 - (d) pupil referral units,
 - (e) institutions within the further education sector, and
 - (f) institutions in receipt of funding from the [^{F5}National Assembly for Wales in the discharge of its functions under Part 2].

Textual Amendments

- F4** Words in s. 126(1) inserted (7.12.2009) by [Learning and Skills \(Wales\) Measure 2009 \(nawm 1\)](#), ss. [42\(2\)](#), [49\(2\)](#); S.I. 2009/3174, art. 2(1)(m)
- F5** Words in s. 126(3)(f) substituted (1.4.2006) by [National Council for Education and Training for Wales \(Transfer of Functions to the National Assembly for Wales and Abolition\) Order 2005 \(S.I. 2005/3238\)](#), art. 1(1), [Sch. 1 para. 75](#) (with art. 7)

Commencement Information

- I4** S. 126 not in force at Royal Assent see s. 154; s. 126 in force for W. at 1.4.2001 by [S.I. 2001/1274](#), art. 2, [Sch. Pt. I](#)

127 Inspection.

- (1) Her Majesty's Chief Inspector of Education and Training in Wales—

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- (a) shall advise the National Assembly for Wales on request about matters relating to services provided in pursuance of section 123(1) [^{F6} or section 40(1) of the Learning and Skills (Wales) Measure 2009],
 - (b) may give the National Assembly other advice about those matters,
 - (c) shall, when requested to do so by the National Assembly, inspect and report on the provision of those services, and
 - (d) may undertake such other inspections of the provision of those services as he thinks fit.
- (2) The National Assembly shall consult the Chief Inspector before making a request under subsection (1)(a) or (c).
- (3) A request under subsection (1)(c)—
- (a) may be general or in relation to specific matters,
 - (b) may relate to a specific person or institution providing services, or to a specific class of person or institution, and
 - (c) may relate to a specific area.
- (4) A reference in subsection (1) to the provision of services includes a reference to the management and use of resources in providing services.

Textual Amendments

F6 Words in s. 127(1)(a) inserted (7.12.2009) by [Learning and Skills \(Wales\) Measure 2009 \(nawm 1\)](#), ss. [42\(3\)](#), [49\(2\)](#); S.I. 2009/3174, art. 2(1)(m)

Commencement Information

I5 S. 127 not in force at Royal Assent see s. 154; s. 127 in force for W. at 1.4.2001 by [S.I. 2001/1274](#), art. 2, [Sch. Pt. I](#)

128 Conduct and effect of inspections.

- (1) This section applies where a service is inspected pursuant to a request under section 127(1)(c) or in accordance with section 127(1)(d).
- [^{F7}(2) A person carrying out or participating in the inspection shall have the same powers as an Inspector has under the following provisions of the Education Act 2005—
- (a) section 24(3)(a) and (d) (right of access), and
 - (b) section 58 (computer records).]

(3) [^{F8} Section 29] of that Act (publication of reports) shall apply.

(4) Where the Chief Inspector arranges for the publication of a report of an inspection, the person who provides the inspected service shall—

 - (a) prepare a written statement of the action which he proposes to take in the light of the report and the period within which he proposes to take it,
 - (b) publish the statement within such period, and in such manner, as may be prescribed by regulations made by the National Assembly for Wales, and
 - (c) send copies of the statement to such persons as may be prescribed by regulations made by the National Assembly.

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- (5) Where a local authority provides an inspected service, or secures or participates in the provision of an inspected service, the authority—
- (a) shall ensure that the action specified in any statement prepared under subsection (4)(a) is sufficient to remedy any weakness mentioned in the report, and
 - (b) shall take all reasonable steps to ensure that the action specified in the statement is taken within the period specified.
- (6) If the National Assembly consider that a local authority is failing to comply with its duties under subsection (5)—
- (a) the National Assembly may give directions to the local authority about the performance of those duties, and
 - (b) the authority shall comply with the directions.

Textual Amendments

F7 S. 128(2) substituted (1.9.2006) by [Education Act 2005 \(c. 18\)](#), s. 125(4), [Sch. 9 para. 27\(2\)](#); [S.I. 2006/1338](#), art. 4(1), [Sch. 2](#)

F8 Words in s. 128(3) substituted (1.9.2006) by [Education Act 2005 \(c. 18\)](#), s. 125(4), [Sch. 9 para. 27\(3\)](#); [S.I. 2006/1338](#), art. 4(1), [Sch. 2](#)

Commencement Information

I6 S. 128 not in force at Royal Assent see s. 154; s. 128 in force for W. at 1.4.2001 by [S.I. 2001/1274](#), art. 2, [Sch. Pt. I](#)

129 Supplementary.

- (1) In sections 123 to 128—
- “local authority” means a county council or a county borough council,
 [^{F9}“Local Health Board” has the meaning given by section 11 of the National Health Service (Wales) Act 2006,]
^{F10}
 ...
- “parent”, in relation to a child, means a person who has parental responsibility for him within the meaning of section 3 of the ^{M2}Children Act 1989,
- “probation committee” means a committee established under section 3 of the ^{M3}Probation Service Act 1993,
- “police authority” has the meaning given by section 101 of the ^{M4}Police Act 1996,
- “young person” has the meaning given by section 123(3),
- “youth offending team” means a team established under section 39 of the ^{M5}Crime and Disorder Act 1998, and
- “youth support services” has the meaning given by section 123(2).
- (2) The power under section 123 shall not relate to services which are provided or to be provided outside Wales.

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Textual Amendments

- F9** Definition of "Local Health Board" in s. 129(1) inserted (1.4.2007) by [References to Health Authorities Order 2007 \(S.I. 2007/961\)](#), art. 1(1), **Sch. para. 31(3)**
- F10** Definition of "Health Authority" in s. 129(1) omitted (1.3.2007) by virtue of [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), **Sch. 1 para. 203** (with Sch. 3 Pt. 1)

Commencement Information

- I7** S. 129 not in force at Royal Assent see s. 154; s. 129 in force for W. at 1.4.2001 by [S.I. 2001/1274](#), art. 2, **Sch. Pt. I**

Marginal Citations

- M2** 1989 c. 41.
M3 1993 c. 47.
M4 1996 c. 16.
M5 1998 c. 37.

Status:

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