

# **SCHOOL STANDARDS AND ORGANISATION (WALES) ACT 2013**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### **Part 2 - Standards**

##### ***Sections 18, 19 and 20 and Schedule 1 – Supplementary***

28. **Section 18** introduces Schedule 1 which makes further provision in relation to interim executive boards (constituted following a direction under section 7 or 14). It deals with the transition from a normally constituted body to one consisting of interim executive members, and also the transition from a governing body consisting of interim executive members back to a normally constituted governing body. During the period in which the interim executive members are in post they must discharge the functions of the normally constituted governing body members. This means they are subject to the same law as normally constituted governing body members, except in relation to their constitution and procedures (paragraph 13 of Schedule 1). However, regulations made under certain paragraphs of section 19(3) of the Education Act 2002 may be applied to the board, for example, in relation to school staffing issues.
29. **Section 19** provides that a head teacher or governing body of a school must comply with a direction given to them by a local authority or the Welsh Ministers under Chapter 1 of Part 2 of this Act. A direction must be in writing and may be enforced by a mandatory order of a court.
30. **Section 20** provides a power for the Welsh Ministers to issue guidance to local authorities in relation to the exercise of its functions under this Chapter. Accordingly, a local authority must have regard to such guidance.