

# **VIOLENCE AGAINST WOMEN, DOMESTIC ABUSE AND SEXUAL VIOLENCE (WALES) ACT 2015**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### ***Section 9 – Information about educational provision to promote the purpose of this Act***

16. This section inserts subsection (6A) into section 29 of the Education Act 1996 (“the 1996 Act”). Section 29 of the 1996 Act provide the Welsh Ministers with powers to make regulations to require local authorities in Wales to provide the Welsh Ministers with information, or publish information relating to the provision of primary and secondary education in their area. Inserting subsection (6A) into section 29 of the 1996 Act will enable the Welsh Ministers, by regulations, to require local authorities to provide information to the public on action taken to promote the purpose of the Act by authorities in the exercise of their education functions. The power enables the Welsh Ministers to prescribe the information to be published, when it will be published and how it will be published.
17. This section also amends section 408 of the 1996 Act. Section 408 provides the Welsh Ministers with power to make regulations regarding the publication of information by local authorities and the governing body and head teacher of local authority maintained schools. The regulations may require the publication of information generally, or to a prescribed person, about a number of matters including the curriculum for maintained schools and educational provision made by schools. Section 9(3)(a) to (c) of the Act expands the list of matters in respect of which information can be required by regulations to include information relating to the provision of sex education and the statements of policy prepared by schools with regard to the provision of sex education. Section 9(3)(d) inserts subsection (8A) into section 408 of the 1996 Act which will require the Welsh Ministers, in making regulations under section 408(1) of that Act, to have regard to the desirability of information being available about whether, and if so how, any parts of the curriculum and any educational provision at maintained schools promote the purpose of the Act. The duty contained in the new subsection (8A) inserted into the 1996 Act would not apply to maintained nursery schools.