

LEARNING AND SKILLS (WALES) MEASURE 2009

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

PART 1 Local Curriculum for Pupils in Key Stage 4

Sections 4-18 insert new provisions into the Education Act 2002

Section 5 Local curricula: Welsh language (section 116B of the Education Act 2002)

20. This section provides that, in exercising their functions in relation to the local curriculum, local education authorities must promote access to and availability of courses of study which are taught in the Welsh language. This will apply, for example, to the authorities when forming local curricula for their area. In the discharge of this duty, local education authorities will also be under a duty to have regard to guidance issued by the Welsh Ministers. The section further imposes a reporting requirement on local education authorities in regard to the exercise of their functions under the section.
21. Subsection (1) requires each local education authority to exercise its functions in relation to local curricula in such a way as to promote access to and availability of courses of study taught through the medium of Welsh.
22. Subsection (2) provides that local education authorities must have regard to any guidance issued by Welsh Ministers in discharging the duty placed upon them under subsection (1)
23. Subsection (3) provides that guidance issued under subsection (2) may be given to an individual authority, to a class of authorities or to all authorities generally.
24. Subsection (4) requires, within two months of the end of the academic year, a local education authority to prepare a report to be submitted to Welsh Ministers. The report must:
 - (a) describe the courses of study within local curricula for that year, to be taught through the medium of Welsh;
 - (b) describe the number of pupils who elected to follow such courses and how many were given an entitlement to do so;
 - (c) explain the authority's plans in subsequent academic years, to give registered pupils of schools maintained by the authority the opportunity to follow courses of study through the medium of Welsh.
25. Subsection (5) defines "academic year" for the purposes of subsection (4) as the period of 12 months beginning on 1 September.