

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 9 Head teacher's decision as to entitlement (section 116F of the Education Act 2002)

34. Subsection (1) permits head teachers to decide, on specified grounds, that a pupil is not entitled to follow a particular course or courses of study.
35. Subsection (2) sets out the grounds on which a head teacher may decide that a pupil is not entitled to follow a course of study.

Subsection (3) enables the Welsh Ministers, in regulations, to make provision connected with the making of decisions under subsection (1). For example, provision as to the time or date by which decisions are to be made and the procedure to be followed in such cases, for appeals to the governing body of a school or to another person specified in the regulations, the time or date for determining appeals and the procedure to be followed in connection with determining such appeals
36. Subsection (4) requires the head teacher and the person charged with determining appeals under the regulations, to have regard to any guidance issued by Welsh Ministers about the way in which functions are exercised under this section.
37. Subsection (5) enables Welsh Ministers by Order to change the grounds for disentitlement.