



Education Act 2002

2002 CHAPTER 32

PART 11

MISCELLANEOUS AND GENERAL

Other provisions relating only to Wales

196 Publication and provision of material

- (1) A local education authority in Wales shall publish any qualifying material which the National Assembly for Wales provides to the authority for the purposes of this subsection.
- (2) A local education authority in Wales shall provide to such persons as the Assembly may specify any qualifying material which the Assembly provides to the authority for the purposes of this subsection.
- (3) The governing body of any school maintained by a local education authority in Wales shall provide to such persons as the Assembly may specify any qualifying material which the Assembly provides to the body for the purposes of this subsection.
- (4) For the purposes of this section, “qualifying material” is material the Assembly considers likely to—
 - (a) assist parents in choosing schools for their children,
 - (b) increase public awareness of the quality of education provided at schools, or a school, and of the educational standards achieved there, or
 - (c) assist in assessing the degree of efficiency with which the financial resources of schools, or a school, are managed.
- (5) No material published or provided under this section may name any individual to whom it relates.
- (6) The publication or provision of material by a local education authority or governing body under this section shall be in such form and manner as may be prescribed.

Status: Point in time view as at 31/03/2004.

Changes to legislation: Education Act 2002, Cross Heading: Other provisions relating only to Wales is up to date with all changes known to be in force on or before 05 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)

197 Partnership agreements and statements

- (1) The National Assembly for Wales may by regulations require any local education authority in Wales to enter into a partnership agreement with the governing body of each school maintained by that authority, or each such school of a prescribed class.
- (2) For the purposes of this section, a partnership agreement is an agreement about how a local education authority and the governing body of a school are to discharge their respective functions in relation to the school as regards—
 - (a) such matters as may be prescribed, and
 - (b) such other matters as the authority and the governing body may agree.
- (3) Where a local education authority fail to reach agreement with the governing body of a school for the purposes of subsection (1), the authority may draw up a statement setting out how they and the governing body are to discharge their respective functions in relation to the school as regards the matters prescribed under subsection (2)(a).
- (4) Regulations under this section may—
 - (a) require the parties to a partnership agreement to review the agreement, and
 - (b) require a local education authority that has drawn up a statement under this section and the governing body to which that statement relates to review the statement,
 at such intervals, or in such circumstances, as may be prescribed.
- (5) Following a review of a partnership agreement, the parties may agree—
 - (a) not to change the agreement,
 - (b) to amend the agreement in such a manner that it remains a partnership agreement, or
 - (c) to replace the agreement with a new partnership agreement,
 but, where they fail to do so, subsection (3) applies as it applies where a local education authority and governing body fail to reach agreement for the purposes of subsection (1).
- (6) Following a review of a statement under subsection (3), the local education authority and governing body in question may agree to replace the statement with a partnership agreement, but, where they fail to do so, the authority may amend the statement or draw up a new one (provided the amended or replacement statement is one that could have been drawn up under subsection (3)).
- (7) Regulations under this section may make provision for the time by which a local education authority or governing body must comply with any requirement imposed on them by or under the preceding provisions of this section.
- (8) In the discharge of their functions in relation to a school maintained by a local education authority in Wales—
 - (a) the authority, and
 - (b) the governing body and head teacher of the school,
 must have regard to any partnership agreement or statement under this section which for the time being has effect in relation to the school.

Status: Point in time view as at 31/03/2004.

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Commencement Information

II [S. 197](#) in force at 1.9.2003 by [S.I. 2003/1718](#), [art. 5](#), [Sch. Pt. II](#)

198 Transition from primary to secondary school

- (1) The National Assembly for Wales may require—
 - (a) the governing body of each secondary school maintained by a local education authority in Wales, or of each such secondary school belonging to a class specified in the requirement, and
 - (b) the governing body of each of its feeder primary schools maintained by such an authority,
jointly, to draw up plans to facilitate the transition from primary school to secondary school of pupils at those primary schools who are admitted to the secondary school.
- (2) In determining whether, for the purposes of this section, a particular school is to be regarded as a feeder primary school, in relation to a particular secondary school, regard is to be had to any guidance given, from time to time, by the Assembly.
- (3) Regulations may—
 - (a) provide for the Assembly to determine any disputes as to whether a particular school is a feeder primary school of a particular secondary school for the purposes of this section; and
 - (b) make provision about plans under this section, including provision which specifies the period within which such plans are to be drawn up and provision about the content, review and amendment of such plans.
- (4) In carrying out any functions conferred on them by or under this section, governing bodies must have regard to any guidance given, from time to time, by the Assembly.
- (5) In the discharge of their functions under any enactment, the governing body of a school maintained by a local education authority in Wales, and the head teacher of that school, must have regard to any plans drawn up by the governing body under this section which for the time being have effect.

Commencement Information

I2 [S. 198](#) in force at 31.3.2004 by [S.I. 2004/912](#), [art. 4](#), [Sch. Pt. 1](#)

Status:

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