Learning and Skills (Wales) Measure 2009
Local curriculum for pupils in Key Stage 4 guidance

Guidance
Guidance document no: 005/2014
Date of issue: March 2014
Learning and Skills (Wales) Measure 2009

Audience
Local authorities; regional consortia; governing bodies of maintained secondary schools; headteachers of maintained secondary schools; governing bodies of further education institutions; principals of further education institutions; 14–19 Network partners; Estyn.

Overview
This statutory guidance aims to provide details about how the Learning and Skills (Wales) Measure 2009, as amended by the Education (Local Curriculum for Pupils in Key Stage 4) (Wales) (Amendment) Regulations 2014, will work in practice to benefit young people, the economy and communities in Wales.

Action required
Full compliance with the Education (Local Curriculum for Pupils in Key Stage 4) (Wales) Regulations 2009, as amended by the Education (Local Curriculum for Pupils in Key Stage 4) (Wales) (Amendment) Regulations 2014, by the school year 2014/15.

Further information
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Additional copies
This document can be accessed from the Welsh Government’s website at www.wales.gov.uk/educationandskills

Related documents
See Annex C.
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Summary

The Learning and Skills (Wales) Measure 2009 (“the Measure”) provides a statutory basis for 14–19 Learning Pathways.

The 14–19 Learning Pathways policy has transformed the curricula provision and support for learners, helping to raise achievement and attainment, prepare young people for high skilled employment or higher education and enable Wales to compete in Europe in the 21st century. Encompassing the basic principles of this policy in a legal framework ensures that the policy will be implemented in a consistent way to the benefit of 14–19 year old learners across Wales.

The Measure received the support of the National Assembly on 17th March 2009 and gained Royal Approval on 13th May 2009.

The Measure has secured the creation of local curricula that will contain a wide range of courses and opportunities which learners aged 14–191 in Wales have the right to elect from. The Measure also sets out the entitlement of learners to follow their elected course of study.2

The Measure places a duty on local authorities in Wales to form local curricula for learners in Key Stage 4. It also provides Welsh Ministers with regulation making powers to stipulate the minimum number of courses of study to be included within a local curriculum, and the minimum number of vocational courses of study to ensure that local area curricula contain a wide range of options of study both academic and vocational in nature.

This guidance is concerned with the local curriculum for pupils in Key Stage 4. For Post 16 learners Welsh Ministers will form the local curricula. Welsh Ministers will set the minimum number of courses of study to be included within a local curriculum, and the minimum number of vocational courses of study to ensure that, as at Key Stage 4, local area curricula contain a wide range of options of study both academic and vocational in nature.

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1 That is those aged 14 up to (but not including) 19th birthday.
2 Should a learner change school/further education college after making their elections, the entitlement ceases. If a head teacher or principal is satisfied that any of the grounds set out in section 9 (Key Stage 4) or section 28 (16–18 learners) of the Measure apply the head teacher or principal may decide a learner is not entitled to follow their elected course study.
Duties on local authorities

- Each local authority will be responsible for forming, for its area, one or more local curricula for pupils in Key Stage 4.
- Each local authority must exercise their functions in relation to local curricula so as to promote access to and availability of courses of study which are taught through the medium of the Welsh language. Within two months of the end of each academic year, a local authority must provide the Welsh Ministers with a report describing: the courses of study included in the local curricula through the medium of Welsh; how many pupils elected to follow such courses and were entitled to do so; what the authority plans to do in the following academic year(s) so that pupils are given the opportunity to follow local curricula courses of study taught through the medium of Welsh.
- In relation to the local curriculum or curricula (for Key Stage 4 and students aged 16 to 18) for the area of a local authority, the local authority must take all reasonable steps in order to maximise the availability of courses of study included in a local curriculum.

Local authorities will also be under a duty to have regard to a series of guidance issued by Welsh Ministers under the Measure and to comply with directions of Welsh Ministers.

Duties on Head teachers and Governing Bodies of Maintained Schools

- Where a pupil is entitled to follow a course of study (Key Stage 4), the governing body of the pupil’s school must ensure that the course is made available to the pupil.
- The governing body and head teacher of maintained secondary schools must assist the local authority in planning the local curricula for pupils in Key Stage 4.
- In relation to the local curriculum or curricula for Key Stage 4 pupils, the governing body of a maintained secondary school must take all reasonable steps in order to maximise the availability of courses of study included in a local curriculum for the local authority area.
• A head teacher must provide pupils of the school with a learning pathway document, recording his or her learning pathway, including the courses of study the pupil is entitled to follow and any learner support services to be provided.

If a head teacher is satisfied that, in relation to decisions as to entitlement, any of the grounds set out in section 116F of the Education Act 2002, inserted by section 9 of the Measure, apply then the head teacher may decide that a pupil is not entitled to follow a course of study which he/she had elected to follow.

Similarly, if a head teacher is satisfied that, in relation to decisions to remove entitlement, any of the grounds set out in section 116H of the Education Act 2002, inserted by section 11 of the Measure, apply then the head teacher may decide that a pupil is no longer entitled to follow a course of study that he/she was entitled to follow (section 116H of the Education Act 2002 inserted by section 11 of the Measure).

Head teachers and governing bodies of maintained secondary schools will also be under a duty to have regard to a series of guidance issued by Welsh Ministers under the Measure and to comply with directions of Welsh Ministers.

**Duties on Principals and Governing Bodies of Further Education Institutions**

• The governing body and principal of an institution within the further education sector must assist the local authority in planning the local curricula for pupils in Key Stage 4.

• In relation to the local curriculum or curricula for Key Stage 4 pupils for the area of a local authority, the governing body of an institution within the further education sector situated within that area must take all reasonable steps in order to maximise the availability of courses of study included in local curricula.
Principals and governing bodies of institutions within the further education sector will also be under a duty to have regard to a series of guidance issued by Welsh Ministers under the Measure and to comply with directions of Welsh Ministers.

**Guidance**

This statutory guidance is issued under sections 116B, 116I and 116K of the Education Act 2002 as inserted by Part 1 of the Measure, and sets out actions required to support the Key Stage 4 provisions. These are:

- **Local curricula: Welsh language**
  Guidance may be given to a particular local authority, or to authorities of a particular class or to authorities generally, regarding the promotion of access and availability to courses of study taught through the medium of the Welsh language. Local authorities must have regard to any such guidance given by Welsh Ministers (section 116B(2) of the Education Act 2002).

- **Planning the local curriculum**
  The governing body and head teacher of any maintained secondary school maintained by the authority and the governing body and principal or other head of an institution within the further education sector in the authority’s area must have regard to any guidance by Welsh Ministers as to exercise of their functions in planning the local curriculum (section 116I (3) of the Education Act 2002).

- **Joint-working: guidance and directions**
  Local authorities, the governing body of any maintained secondary school and the governing body of an institution within the further education sector in the authority’s area must have regard to any guidance from Welsh Ministers as to discharge of their duties to maximise the availability of courses (section 116K(1) of the Education Act 2002).
1. 14–16 local curricula: promoting access and availability of Welsh-medium courses

Background


1.2 The Education (Local Curriculum for Pupils in Key Stage 4) (Wales) Regulations 2009, as amended by the Education (Local Curriculum for Pupils in Key Stage 4) (Wales) (Amendment) Regulations 2014, require a minimum number of vocational courses in a local curriculum, and local authorities should in particular bear this in mind when discharging their duty to promote access to and availability of courses of study which are taught through the medium of the Welsh language.

1.3 The Welsh Government’s Welsh Medium Education Strategy Strategic Aim 2 is “To improve the planning of Welsh-medium provision in the post 14 phases of education and training, to take account of linguistic progression and continued development of skills”. The School Standards and Organisation (Wales) Act 2013 places a statutory requirement on local authorities to prepare and introduce a Welsh in Education Strategic Plan that will provide the means for the Welsh Government to monitor the way in which local authorities respond and contribute to the implementation of the Welsh-medium Education Strategy and related targets therein.

Planning at Local Level: LAs and 14–19 networks

1.4 In planning and forming the local curricula for their area, local authorities must promote access to and the availability of courses of study which are taught through the medium of the Welsh language. In the discharge of this duty a local authority must have regard to any guidance given by Welsh Ministers.

1.5 Local authorities should demonstrate that full consideration has been given to linguistic continuity and progression in developing courses for the local curriculum at Key Stage 4.
1.6 In seeking to promote access and availability the local authority should:

- support networks in ensuring that Welsh-medium and bilingual institutions are properly represented;
- consider the appropriateness of establishing Welsh-medium sub-groups which would be able to consider the planning needs of the Welsh-medium and bilingual sectors in more detail;
- facilitate cross-border partnerships between Welsh-medium and bilingual providers where this assists the development of 14–19 Welsh-medium and bilingual education;
- ensure that information and good practice in the delivery of Welsh-medium and bilingual education is shared. Where appropriate use should be made of Welsh-medium/ Bilingual Regional Forums or similar structures.

**Linguistic Continuity**

1.7 The promotion of linguistic continuity of study should be an integral part of the planning of local curricula at Key Stage 4 by all local authorities. It is therefore essential that the local authority should take all appropriate steps to ensure that a young person who has followed some or all of his/her subjects through the medium of Welsh at Key Stage 3 should be given the opportunity to do so at Key Stage 4. The quality of a young person’s linguistic experience should be viewed holistically when planning the local curriculum. A young person’s wish to continue to follow his/her education through the medium of the Welsh language should be fully taken into account when planning the delivery of the curriculum.

1.8 For a course to be classified as a Welsh-medium course within a local curriculum, all aspects of the course should be available through the Welsh language; the teaching and the assessment procedure in its entirety, and the learning resources where appropriate\(^3\).

\(^3\) For example, it may be deemed appropriate to use of original source material in a history course in the language of its origin.
1.9 In authorities where there is no Welsh speaking school, the local authority should seek to make arrangements with neighbouring authorities for provision for learners who wish to study through the medium of Welsh. Local authorities with Welsh speaking schools may also choose to make such arrangements for provision with neighbouring authorities for some pupils within the local authority area.

1.10 Where a pupil attends a Welsh speaking school, then in forming the local curriculum for that school, a local authority should ensure that the pupil is able to access a local curriculum that meets the minimum entitlement (as set out in The Education (Local Curriculum for Pupils in Key Stage 4) (Wales) Regulations 2009, as amended by the Education (Local Curriculum for Pupils in Key Stage 4) (Wales) (Amendment) Regulations 2014) through the medium of Welsh. However, in order to recognise existing practice where Welsh speaking schools currently deliver some courses through the medium of English the institution may count this toward the local curricula minimum entitlement.

1.11 No action should be taken that would unfavourably affect the existing proportion of Welsh-medium courses within Welsh speaking schools. Any increase in local curriculum courses offered via a Welsh speaking school should therefore entail an increase in Welsh-medium course provision. For schools defined as category 1 Welsh-medium schools or Bilingual schools in category 2A in Information document No: 023/2007: Defining schools according to Welsh-medium provision, there should be no increase in the number of English medium courses.

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4 For the purpose of this guidance the definition of a ‘Welsh speaking’ school in section 106(4) of the Education Act 2002 (National Curriculum requirements) is used. This states: ‘[…] a school is Welsh-speaking if more than one half of the following subjects are taught (wholly or partly) in Welsh – (a) religious education, and (b) the subjects other than English and Welsh which are foundation subjects in relation to pupils at the school’.

5 Category 1 – All subjects (including RE and PSE) apart from English are taught through the medium of Welsh to all pupils, although some schools may introduce English terminology in one or two subjects.

Category 2A – At least 80% of subjects apart from English and Welsh are taught only through the medium of Welsh to all pupils. One or two subjects are taught to some pupils in English or in both languages.

Reporting Requirements

1.12 Section 116B(4) of the Education Act 2002 sets out that a local authority must provide the Welsh Ministers with a report which:

(a) describes the courses of study included within local curricula established by the authority for that academic year which were to be taught through the medium of Welsh;

(b) describes how many pupils elected to follow such courses under section 116D and how many pupils were entitled to follow such courses under section 116E;

(c) explains what the authority plans to do in academic years following that to which the report relates so that registered pupils of schools maintained by the authority are given the opportunity to follow local curricula courses of study which are taught through the medium of Welsh.

1.13 Reports required under this provision must be provided within two months of the end of the academic year.

1.14 The local curricula for each local authority area will be established by March of each year and the curricula offer will specify the courses of study that will be taught through the medium of Welsh.

1.15 Careers Wales on Line provides a mechanism to collect local curricula information and the local authority should ensure that information, including language of delivery, is input on Careers Wales on Line.

1.16 This will enable the local authority to run automated reports that will fulfil reporting obligations under 1.142 (a). An example report is shown at Annex A.

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7 This is the number of pupils opting for each course described in 1.14(a).
8 This is the number of pupils who are studying each of the courses in 1.14(a).
9 See article 3 of the Learning and Skills (Wales) Measure 2009 (Commencement No. 1 and Transitional provision) Order 2009, S.I. 2009/3174 (W.276).
1.17 The final two columns will need to be updated to provide information on how many pupils elected to follow these courses and how many pupils were entitled to follow such courses. Completion of these columns will provide the necessary information detailed in 1.142 (b).

1.18 The Welsh Medium Education Strategy sets out the Welsh Government’s vision for an education and training system that responds in a planned way to the growing demand for Welsh-medium education. Local authorities must submit a Welsh Education Strategic Plan according to The Welsh in Education Strategic Plans and Assessing Demand for Welsh Medium Education (Wales) Regulations 2013. Schedule 2 paragraphs 13, 14, 15 and 16 indicate the requirements with regard to 14–19 Welsh-medium provision.

The submission of the local authority’s Welsh Education Strategic Plan will fulfil the reporting requirements under 1.12 (c).

1.19 In the interim years, local authorities should review their return and submit an annual update to Welsh Ministers, reporting on progress toward their three year plan and note any revisions.
2. Planning the local curriculum: Key Stage 4

Background

2.1 14–19 Learning Pathways policy aims to transform provision and support for learners, raise achievement and attainment, prepare young people for high skilled employment or higher education and enable Wales to compete in Europe in the 21st century.

Education (Local Curriculum for Pupils in Key Stage 4) (Wales) Regulations 2009 as amended by the Education (Local Curriculum for Pupils in Key Stage 4) (Wales) (Amendment) Regulations 2014

2.2 The key objective of the Measure is to improve outcomes and attainment for 14–19 learners. The Measure creates a right for learners aged 14–19 in Wales to elect to follow a course of study from a local curriculum. Each local curriculum will contain a wide range of options of study, both academic and vocational. Delivering a wider choice of courses will help ensure that learners have an improved opportunity to pursue the course of study best suited to their individual interests, learning styles, skills and abilities; and will contribute to improved outcomes for learners.

2.3 By regulations\(^\text{11}\), Welsh Ministers can specify the minimum number of courses of study necessary to form a local curriculum at Key Stage 4. The Education (Local Curriculum for Pupils in Key Stage 4) (Wales) Regulations 2009 (the local curriculum regulations) set out that by 2012, each local curriculum must contain a minimum of 30 courses and consist of a minimum of 5 vocational courses of study. The Education (Local Curriculum for Pupils in Key Stage 4) (Wales) (Amendment) Regulations 2014 have reduced the minimum requirement to 25 courses, of which 3 must be vocational.

2.4 To ensure learners have genuine access to a minimum of 25 courses, where a course is offered in both Welsh and English in a single local curriculum, this should constitute just one choice. Where courses, such as GCSE and GCSE short courses in the same subject are included in a single local curriculum, just one choice

\(^{11}\text{www.opsi.gov.uk/legislation/wales/wsi2009/ws120093256_en_1.}\)
should be recorded. Where a BTEC First Certificate and a BTEC First Diploma in the same subject are included in a single local curriculum, just one course should be recorded.

**Formation of the local curricula for pupils in Key Stage 4**

2.5 Each local authority must form, for its area, one or more local curricula for pupils in Key Stage 4. In determining the appropriateness of local curricula clusters or a single local curriculum model for its area, a local authority should be informed by existing 14–19 Network cooperative developments and the obligation to maximise the availability of courses of study included in local curricula. Each local curriculum formed must meet the minimum requirements set out in the local curriculum regulations.

2.6 Existing partnerships and cooperative arrangements may show Welsh-medium, bilingual or faith institutions working together. The local authority should be sensitive to choices made by learners to attend these institutions and promote local curricula clusters that reflect these choices.

2.7 A local authority should also consider the efficiency and effectiveness of the local curriculum model. This should include consideration of practical and logistical factors. Any process for the selection of an appropriate local curriculum model should have as its central consideration the need to improve outcomes for learners.

**Duty to assist the local authority in planning the local curricula**

2.8 The governing body and head teacher of any maintained secondary school, with the exception of community or foundation special schools, must assist that local authority in planning the local curricula.  

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12 (s.116A Education Act 2002).
13 (s.116I Education Act 2002).
2.9 Similarly, the governing body and principal or other head of an institution within the further education sector in the local authority’s area must assist a local authority in planning the local curricula.

2.10 Planning the local curricula means the process by which a local authority, in consultation with partners, decides which courses of study to include in the local curricula.

**Cross border cooperation**

2.11 It may be advantageous for those who must assist the local authority to plan the local curriculum for its area – “local curriculum planners” – to consider the sharing or inclusion of provision with education providers outside of the local authority. This will be particularly relevant for Welsh-medium provision and may also have relevance for some institutions whose nearest school or further education college may be situated in a neighbouring local authority.

**Role of the Network**

2.12 The 14–19 Regional Networks have worked to expand the choice of courses available to learners within their respective area and secure appropriate progression opportunities for learners. The local authority should fully employ the 14–19 Regional Network in forming a local curriculum. This will ensure developments and considerations are not restricted to 14–16 years, but extend to the 14–19 context to facilitate continuity and coherence for learners.

**General responsibilities for education**

2.13 Each local authority is under a duty to secure that there are sufficient schools available in their area to provide for all pupils the opportunity of appropriate education. Appropriate education is that which offers such variety of instruction and training as may be desirable in view of the pupils’ different ages, abilities and

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15 A 14–19 Network is a strategic partnership of learning providers, the local authority and other organisations in the statutory and voluntary sector, working toward improved outcomes for 14–19 learners.
16 (s14 Education Act 1996).
aptitudes. This includes learners with additional learning needs. Local curriculum planners will need to address the general responsibilities for education, along with the requirements of the local curriculum regulations.

2.14 The local curriculum regulations set out that each local curriculum must consist of a minimum of 25 level 2\textsuperscript{17} courses.

2.15 Curriculum planners must have regard to guidance issued on special educational needs and additional learning needs; the Special Education Needs Code of Practice for Wales 2002, and Inclusion and Pupil Support Guidance 2006.

2.16 Learners who are unable to access level 2 courses due to their additional learning needs should have opportunities to pursue a choice of courses that allow them to make good progression towards level 2 qualifications. Where this is not possible due to the severity of the individual’s need, the courses should lead towards independent living and working within the community.

2.17 There should be an appropriate range of courses below level 2 to meet the need of learners for whom these programmes are most suitable.

**Curriculum design**

2.18 Learner interest and demand should be a key factor in determining the local curriculum. Planners will be aware that for a local curriculum to be viable it has to be attractive to young people. Learner surveys, where available, will provide a valuable insight into local learner interests and preferences. If learner surveys are not available curriculum planners should identify an appropriate means of obtaining such information. For example, this could consist of a sampling of learner opinion.

2.19 When planning local curricula, Head teachers, Principals and their Governing Bodies together with the local authority should take account of available labour market intelligence and local and regional priorities. This will help ensure the future needs and

\textsuperscript{17} Where level 2 cannot be delivered pre 16, for example due to health and safety requirements, the relevant level 1 qualification will constitute the course.
future priorities of the economy and business sector are reflected and help secure that learners are provided with the opportunity to gain suitable skills and qualifications for the work environment. Use should be made of, but not limited to, information available within local authority and Welsh Government published reports.

2.20 Planners should seek to ensure that local curriculum providers progressively move toward reducing unnecessary duplication of provision. Duplication can be seen as unnecessary where its existence results in excess capacity within a defined local curriculum area. In such circumstances provision could be more effectively delivered by one partner school or institution on behalf of others within the cluster. Over time, such adjustments could assist individual institutions in maximising the number of courses they are able to offer their learners. This would, for example, be achieved by the releasing of resources for an expanded cooperative curriculum offer.

2.21 When commissioning or developing a new course for inclusion in local curricula, planners should consider curriculum balance and identify the subject areas that may be relatively less developed in a local curricula. Consideration should also be given to the need to develop courses in existing areas of provision if there is an increasing demand for them.

2.22 Particular attention should be paid to courses that have been included in the local curriculum in any preceding two years but have not run. Curriculum planners should not repeatedly include such provision in a local curriculum without reason to believe the course would attract sufficient learners to run.

Realisable curriculum offer

2.23 All courses included within a local curriculum must be accessible to the learners covered by that local curriculum. This includes travel arrangements where necessary. However curriculum planners should fully explore the potential
to use modern technologies to avoid learners having to travel, and also the movement of course deliverers in the first instance. Where planners conclude that travel is necessary to achieve wider choice, they should seek to limit this, and full or half day arrangements should be used where possible.

**Quality of provision**

2.24 The quality of the learning experience should be a fundamental consideration when planning the local curricula. Planners should ensure that any cooperative or shared provision included in a local curriculum meets appropriate quality thresholds as defined within the common inspection framework. The base school\(^\text{18}\) should ensure that appropriate quality processes are in place for any cooperative course in which their learners are engaged. Sources of information to assist in such considerations could include the most recent Estyn inspection, attainment or value added data from the learning provider, and self assessment report detailed in the Regional Network Development Plan or from the learning provider.

**Impartiality**

2.25 Information should be given in an impartial manner and advice should be tendered which is considered to promote the best interest of the young person and does not seek to promote the interests or aspirations of any school, institution or other person or body against the best interests of the young person concerned. The preparation of materials for the selection of courses by learners should therefore treat both cooperative course provision and non cooperative course provision in an equitable way.

**Process for cooperative provision**

2.26 Curriculum planners should develop agreed processes and protocols for cooperative provision to provide support and clarity in partnership working. As a minimum these should set out the roles and responsibilities of the partner organisations in cooperative provision.

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\(^{18}\) The base school is the school at which the pupil is registered.
2.27 Some Networks and partnerships have developed and are currently operating comprehensive processes and protocols; others have effective service level agreements. Curriculum planners may wish to be informed by these, however they should satisfy themselves that any processes they may adopt are appropriate and sufficient for their area. All key partners should be involved in the development of any protocols or processes.
3. Joint working: cooperation arrangements – Key Stage 4

Maximisation and cooperation arrangements

3.1 A key objective of Learning and Skills (Wales) Measure 2009 is to maximise the availability of courses of study included in a local curriculum. Section 116J of the Education Act 2002 as inserted by section 13 of the Measure provides that this duty includes, but is not limited to, a duty to seek to enter into cooperation arrangements where the relevant persons, local authorities and governing bodies of schools and further education institutions) have concluded that it would further that objective to enter into such arrangements.

3.2 There is a duty on local authorities and governing bodies to take all reasonable steps to maximise the availability of courses of study available within the local curriculum. This should ensure that the learner has the widest possible choice of courses from the local curriculum.

3.3 These provisions refer to the establishment of the maximum realisable choice for learners from a local curriculum. Maximisation should be seen in the context of the resource level available.

3.4 When considering whether the objective will be furthered by entering into cooperation arrangements the relevant steps will need to be followed to consider how the range of courses might be enhanced and how entering into cooperation arrangements may lead to the needs of learners being better met. Cooperation between providers is not intended for its own sake but is intended to enhance the learning opportunities and experiences of young people.

3.5 In seeking to secure the maximum from resources available there are a number of steps to be undertaken. These are:

i. Step 1: Identification of the resource available for the establishment of the local curricula to include the range of courses available within a school or further education institution.
ii. **Step 2:** Consider the full resource implications of entering into, or not entering into, a cooperation arrangement. This should include objective economic justification for the use of available resources and whether the use of available resources (human, physical and financial) would be improved by cooperation. In addition consideration should be given to whether cooperation arrangements would lead to further release of such resources over time. Such cooperation arrangements may be with other schools, further education institutions or training providers.

iii. **Step 3:** Establish an economically viable local curricula offer that meets or exceeds the minimum requirements under the Measure and reflects local and national priorities.

iv. **Step 4:** Assess whether it is possible to expand the planned available local curricula for some learners within the planning year without compromising the planned available local curricula for other learners within the planning year. This will, where there are a number of local curricula within an area, entail considering whether availability of courses in more than one local curriculum can be secured for learners over time.

3.6 If it is possible to expand the available local curricula for some learners without reducing the local curricula for other learners then the availability of the local curricula for a given year has not been maximised.

3.7 If it is not possible, from the allocated resource base, to expand the availability of the local curricula for some learners without compromising the availability of the local curricula for other learners then the availability of the local curricula can be said to be maximised.

3.8 The governing body should demonstrate that it has addressed the steps set out in 3.5. Furthermore, when assessing the curriculum offer consideration should be given to the quality of the learning experience available at the individual school or further education institution. In particular it should be considered whether a broader range of courses, perhaps of improved quality, could be provided by a cooperation arrangement.

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19 A cooperation arrangement exists where two organisations or more work together to provide a course, or courses of study, for a learner or learners.
3.9 In the normal course of events cooperation arrangements should lead to benefits in terms of more efficient and effective use of resources and to the release of resources. It is expected that a governing body will be able to maximise the availability of local curricula courses by entering into cooperative arrangements and that a cooperation arrangement or cooperation arrangements will be entered into. A governing body that is not seeking to enter into such arrangements should be able to show that it has considered such arrangements properly and has an objective justification for not seeking to enter into them.

3.10 The local authority has the responsibility to form the local curricula at Key Stage 4. If the local authority is of the opinion that a school is not maximising the availability of the local curricula then it should provide a written statement to the school as to its opinion. This may occur, for example, where a school is not cooperating with other institutions or is engaging in a very limited level of cooperative activity.

3.11 The school subject to this written opinion of the local authority should provide a written response to the concerns raised by the local authority.

3.12 The school and local authority should seek to resolve the disagreement via a dialogue between the local authority and the institution based on the written responses of both parties. Where an agreement cannot be reached the local authority should forward all written documentation to the 7–19 Subject Support team in DfES.

3.13 It is possible for Welsh Ministers to request that a local authority and/or school provide an assessment and justification of their actions in regard to the maximisation of the local curriculum should there be, for example, concerns as to whether sufficient development is taking place.

3.14 Welsh Ministers have the power to direct governing bodies of maintained secondary schools, governing bodies of further education institutions and local authorities as to the entering into of cooperation arrangements.
Annex A: Local curricula offer report at Key Stage 4


Date of Report:  February 2014

Name of Provider: ______________________________________________________________

Name of Network: ______________________________________________________________

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<td>Minimum of 3 Vocational Choices</td>
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The example report below shows the data required from the provider, although may not capture all fields.

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20 The example report below shows the data required from the provider, although may not capture all fields.
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<th>Provider</th>
<th>Collaborative partners</th>
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Annex B: Regulations

OFFERYNNAU STATUDOL CYMRU

2009 Rhif 3256 (Cy.284)

ADDYSG, CYMRU

Rheoliadau Addysg (Cawricwlwm Lleol ar gyfer Dysgyblion yng Nghyfrifod Allwedol 4) (Cymru)

2009

NODYN ESBONIADOL

(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)

Mewn nosododd Measur Dysgu a Sgiliau (Cymru) 2009 (mece 1) ("y Mesur") ddarpariethau newyd (yn Rhan 7 o Ddeddf Addysg 2002 ("Deddf 2002"). Mae Rhan 7 yn ymwneud i'r cawricwlwm mewn ysoglon a gynehel yng Nghymru. O ganlyniad i Ran 1 o'r Mesur, caiff y cawricwlwm mewn ysoglon wuchradd a gynehel yng Nghymru ei changu i gynhwys hawlio gathau dysgyblion mewn cawricwlwm lleol yng Nghymru fochod Allwedol 4. Mae'r Rheoliadau hyn yn gwneud darpariaeth o ran llunio'r cawricwlwm lleol, y dewisiadau y caiff dysgybl eu gwneud, penderfyniad y pennaeth o ran hawlio gathau, a phenderfyniad y pennaeth i ddi-leu hawliaeth.

Mae rheoliad 3 yn darparu bod yn rhaid i awdurddod lleol lunio un cawricwlwm lleol neu fwy ar gyfer ei ardal mewn da byd a alluogi dysgyblion i dde unw dilyn cws astudio yn unol â rheoliad 8.

Mae rheoliad 4 yn darparu ar gyfer isafswm o grysiau a chyrsiau galweddigaethol i gael eu cynnwys mewn cawricwlwm lleol. Erbyn blwyddyn ysgol 2012-2013 rhaid i bob cawricwlwm lleol cynnwys o leiaf 30 o grysiau astudio ar lefel 2 NQF, y maen rhaid i o leiaf 5 ohonynt fod yn y rhai galweddigaethol.

Mae rheoliad 5 yn darparu bod yn rhaid i bob cawricwlwm lleol gael gyfreith sbrin o bwniantau. Os bydd cawricwlwm yn cynnwys 30 o grysiau astudio rhaid bod gan y cysriau hynny werth pwntiau cyfunol nad yw'n llai na 780. Pennir y gyfreith pwntiau ar gyfer pob cws astudio yn y Gronfa Ddata Cymwysterau Cymeradwyedd yng Nghymru (www.daqw.org.uk).

WELSH STATUTORY INSTRUMENTS

2009 No. 3256 (W.284)

EDUCATION, WALES

The Education (Local Curriculum for Pupils in Key Stage 4) (Wales) Regulations 2009

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Learning and Skills (Wales) Measure 2009 (nawm 1) ("the Measure") inserted new provisions into Part 7 of the Education Act 2002 ("the 2002 Act"). Part 7 concerns the curriculum in maintained schools in Wales. As a result of Part 1 of the Measure the curriculum in maintained secondary schools in Wales is expanded to include the local curriculum entitlements of pupils in key stage 4. These Regulations make provision as to the formation of the local curriculum, the elections a pupil may make, the head teacher's decision as to entitlement, and the head teacher's decision to remove an entitlement.

Regulation 3 provides that a local authority must form one or more local curricula for its area in sufficient time to enable pupils to elect to follow a course of study in accordance with regulation 8.

Regulation 4 provides for a minimum number of courses and vocational courses to be included in a local curriculum. By the school year 2012-2013 all local curricula must contain at least 30 courses of study at NQF level 2, of which at least 5 must be vocational.

Regulation 5 provides that each local curriculum must have a minimum points value. Where a curriculum consists of 30 courses of study such courses must have a combined points value of no less than 780. The points value for each course of study is set out in the Database of Approved Qualifications in Wales (www.daqw.org.uk). Regulation 6 provides for the
Mae rheoliad 6 yn darparu ar gyfer gwerth lleiafswm o bwyntiau i gyrsiau galwedigaethol a gaiff eu cynnwys mewn cwrwcwlwm lleol. Os bydd cwrwcwlwm lleol yn cynnwys 5 o gyrsiau galwedigaethol rhaid iddynt gael gwerth pwyntiau cyflunol nad yw'n llai na 260.

Mae rheoliad 7 yn darparu na chaiff disgylb ddewis dilyn cwrs neu gyrsiau astudio os yw cyfanswm pwyntiau cwrs neu gyrsiau o'r fath yn fwy na 180. Rhaid i'r dewis hwnnw gael ei weud yn ystod tymor y gwaswyn yn y flwyddyn o flaen honno pan fydd y disgylb yn mynd i gyhoed allweddel 4 (rheoliad 8).

Mae rheoliad 9 yn darparu ar gyfer y weithdrefn sydd i'w dilyn gan y penmaeth pan fydd yn penderfynu, yn unol ag adran 116F(1) o Ddeddf 2002, p'tun a oes hawlogoeth gan y disgylb i ddielyn cwrs neu gyrsiau astudio. Mae rheoliad 9 hefyd yn darparu ar gyfer y weithdrefn sydd i'w dilyn os bydd disgylb yn dymuno gofyn i'r penmaeth adolygu ei benderfyniad o dan adran 116F(1) o Ddeddf 2002.

Mae rheoliad 10 yn darparu ar gyfer y weithdrefn sydd i'w dilyn gan y penmaeth pan fydd yn penderfynu, yn unol ag adran 116H(1) o Ddeddf 2002, nad oes bellach gan ddisgybl hawlogoeth i ddielyn cwrs neu gyrsiau astudio. Mae rheoliad 10 hefyd yn darparu ar gyfer y weithdrefn sydd i'w dilyn os bydd disgylb yr dymuno gofyn i'r penmaeth adolygu ei benderfyniad o dan adran 116H(1) o Ddeddf 2002.

Mae rheoliad 11 yn gwneud darpariaeth ar gyfer penderfynu'r terfynau amser i hybysiadau o dan y Rheoliadau bynn.

minimum points value of vocational courses included in a local curriculum. Where a local curriculum consists of 5 vocational courses they must have a combined points value of no less than 260.

Regulation 7 provides that a pupil may not elect to follow a course or courses of study if the aggregate points of such a course or courses exceed 180. Such election must be made during the spring term in the year proceeding that which the pupil enters key stage 4 (regulation 8).

Regulation 9 provides for the procedure to be followed by the head teacher when he or she determines, pursuant to section 116F(1) of the 2002 Act, whether the pupil is entitled to follow a course or courses of study. Regulation 9 also provides for the procedure to be followed if a pupil wishes to request the head teacher to review his or her determination under section 116F(1) of the 2002 Act.

Regulation 10 provides for the procedure to be followed by the head teacher when he or she determines, pursuant to section 116H(1) of the 2002 Act, whether the pupil is no longer entitled to follow a course or courses of study. Regulation 10 also provides for the procedure to be followed if a pupil wishes to request the head teacher to review his or her determination under section 116H(1) of the 2002 Act.

Regulation 11 makes provision for determining the time limits for notices under these Regulations.
OFFERYNNAU STATUDOL CYMRU

2009 Rhif 3256 (Cy.284)

ADDYSG, CYMRU

Rheoliadau Addysg (Cwricwlwm Lleol ar gyfer Disgyblion yng Nghyfod Addysg Cyfraniad) (Cy.) 2009

Gwneud 8 Rhagfyr 2009

Gosodwyd gerbron Cymdeithas
Cenedlaethol Cymru 10 Rhagfyr 2009

Yn ddod i rym 1 Ionawr 2010


Enwi, cychwyn a chymhwysog

1. (1) Enw'r Rheoliadau hyn yw Rheoliadau Addysg (Cwricwlwm Lleol ar gyfer Disgyblion yng Nghyfod Addysg Cyfraniad) (Cy.) 2009 ac mae'n ymddoiliad cyntaf i'r Rheoliadau hyn ym 2010.

(2) Mae'r Rheoliadau hyn yn gwneud o ran Cymru.

Dehongli

2. Yn y Rheoliadau hyn--

mæ "ardal awdurddod a lleol A" ("local authority area A") yn cynnwys Cynghor Bwrdeistref Sirol Blaenau Gwent, Cynghor Bwrdeistref Sirol Caerffili, Cynghor Caerdydd, Cynghor Sir Ddinbych, Cynghor Sir Fynwy, Cynghor Dinas Caernarfon, Cynghor Dinas a Sir Arwydd, Cynghor Bro Morgannwg, Cynghor Bwrdeistref Sirol Wrecsam,

mæ "ardal awdurddod lleol B" ("local authority area B") yn cynnwys Cynghor Sir Caerfyrddin, Cynghor Bwrdeistref Sirol Castell-nedd Port Talbot,

(1) 2002 p.32. Mewnaddwyd adran 116A gan adran 4 a Ffwr Ddysg a Sfylla (Cy.) 2009 (arwain), Mewnaddwyd adran 116B gan adran 7 o Ffwr Ddysg a Sfylla (Cy.) 2009, Mewnaddwyd adran 116F gan adran 9 o Ffwr Ddysg a Sfylla (Cy.) 2009 a mewnaddwyd adran 116G gan adran 10 o Ffwr Ddysg a Sfylla (Cy.) 2009.

WELSH STATUTORY INSTRUMENTS

2009 No. 3256 (W.284)

EDUCATION, WALES

The Education (Local Curriculum for Pupils in Key Stage 4) (Wales) Regulations 2009

Made 8 December 2009

Laid before the National Assembly for Wales 10 December 2009

Coming into force 1 January 2010

The Welsh Ministers in exercise of the powers conferred on them by sections 116(A)(5), 116(D)(2), 116(F)(3), 116(H)(3), and 210 of the Education Act 2002(1) make the following Regulations.

Title, commencement and application

1. (1) The title of these Regulations is the Education (Local Curriculum for Pupils in Key Stage 4) (Wales) Regulations 2009 and they come into force on 1 January 2010.

(2) These Regulations apply in relation to Wales.

Interpretation

2. In these Regulations--

"the 2002 Act" ("Ddeddf 2002") means the Education Act 2002;

"local authority" ("Cynghori ddifor") means a local education authority in Wales;

"local authority area A" ("cardal awdurddod a lleol A") consists of Blaenau Gwent County Borough Council, Caerphilly County Borough Council, Cardiff Council, Denbighshire County Council, Monmouthshire County Council, Newport City

(5) 2002 c.32. Section 116A was inserted by section 4 of the Learning and Skills (Wales) Measure 2009 (comm. 1). Section 116D was inserted by section 7 of the Learning and Skills (Wales) Measure 2009. Section 116F was inserted by section 9 of the Learning and Skills (Wales) Measure 2009 and section 116G was inserted by section 10 of the Learning and Skills (Wales) Measure 2009.
Cysgod Sir Penfro, Cysgod Brodrefed Sirol Rhondda Cynon Taf, Cysgod Brodrefed Sirol Taf Seny-bont ar Ogwr, Cysgod Sir Ceredigion, Cysgod Brodrefed Sirol Conwy, Cysgod Sir y Filiast, Cysgod Gwynedd, Cysgod Brodrefed Sirol Merthyr Tudful, Cysgod Sir Powys;

ystyr "awdurddol Ieaf" ("local authority") yw awdurddol addysg lleol yng Nghymru;

ystyr "cymhwyster sgil allwedddol" ("key skill qualification") yw cymhwyster a restrir yr y Grofia Ddata Cymrymsyrua Cymeradwyd yr Nghymera(1) a gymhwystru ac ag ymgyforir gan Weiniodigion Cymru o brwydro'r ddyddiad.

ystyr "Deddf 2002" ("the 2002 Act") yn Deddf Addysg 2002;

mae i "ddigylch cofrestredig" yr ystyrau a roddir i "registered pupil" yn adran 434 o Deddf Addysg 1996(2);

ystyr "diwnod gwaith" ("working day") yw diwnod nad yw'n ddydd Sadwrn, yn ddydd Sul, nac yn â wyl y bane o fawr ystyra Deddf Bancio a Thrafodion Arianedd 1971(3);

ystyr "NQF" ("NQF") yw'r Frwydrch Cymrymsyrua Cenedlaethol sy'n cynnwys cymrymsyrua wed'i hadradau gan Weiniodigion Cymru, yr Awdurddol Cymrymsyrua a Chwirchelwch a'r Cysgod Brodrefed Sirol a Chwirchelwch, arholiadau ac aseu yng Nghlogiadau Iwerddon;

ystyr "lefel NQF" ("NQF level") yw'r lefel neu lefelau yr achredir cymrymsyruaidd o fewn yr NQF;

ystyr "person perthnasol" ("relevant person") yw'r ddigylch ymychyd o rhiant iddo;

ystyr "pwysiant" ("points") yw'r pwysiant a dderbynir i gwas neu gyrias astudio gan yr Grofia Ddata Cymrymsyrua Cymeradwyd yr Nghymera;

ystyr "ymor yr gwawsnwy" ("spring term") yw'r ail dynnor ymosolygon yng Nghymrymsyrua ym Mhrifysgol a Rhufeiniaeth, ac sy'n digwyd yr ymosolygon yng Nghymrymsyrua ym Mhrifysgol a Rhufeiniaeth.

Council, City and County of Swansea Council, Vale of Glamorgan Council, Wrexham County Borough Council;

"local authority area B" ("arthurddol lleol B") consists of Carmarthenshire County Council, Neath Port Talbot County Borough Council, Pembrokeshire County Council, Rhondda Cynon Taff County Borough Council, Torfaen County Borough Council;

"local authority area C" ("arthurddol lleol C") consists of Isle of Anglesey County Council, Bridgend County Borough Council, Ceredigion County Council, Conwy County Borough Council, Flintshire County Council, Gwynedd Council, Merthyr Tydfil County Borough Council, Powys County Council;

"key skill qualification" ("cymhwyster sgil allwedddol") means a qualification listed as such in the Database of Approved Qualifications in Wales(1) maintained and published by the Welsh Ministers from time to time;

"NQF" ("NQF") means the National Qualifications Framework comprising qualifications accredited by the Welsh Ministers, the Qualifications and Curriculum Authority and the Council for the Curriculum, Examinations and Assessment in Northern Ireland;

"NQF level" ("lefel NQF") means the level or levels to which qualifications are accredited within the NQF;

"points" ("pwysiant") means the points allocated to a course or courses of study by the Database of Approved Qualifications in Wales;

"registered pupil" ("ddigylch cofrestredig") has the same meaning as in section 434 of the Education Act 1996(2);

"relevant person" ("person perthnasol") means both the pupil and a parent of his or hers;

"spring term" ("ymor yr gwawsnwy") means the second school term in the school year for the school at which the pupil is a registered pupil which occurs in the school year immediately before the school year in which the pupil will enter the fourth key stage;

"summer term" ("ymor yr hap") means the third school term in school year for the school at which the pupil is a registered pupil and which occurs in the school year immediately before the school year in which the pupil will enter the fourth key stage; and

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(1) Cyflriotir y welsa ar gyfer yr Grofia Ddata Cymrymsyrua Cymeradwyd yr Nghymera yw www.daqs.org.uk.
(2) 1996 a.56.
(3) 1971 a.56.
yntyr “tymor yr haf” ("summer term") yw’r trydydd
tymor ysgol yn y hwylodd ysgol yn yr ysgol y
mae’r diwydiant ddiwydiant cefriedig ynddi ac
sylweddol yng nghanol y hwylodd ysgol yn union o flaen
y hwylodd ysgol pan fydd y diwydiant yn mynd i
gynfod allweddol pedwar.

Lleisiau curriwlwm lleol

3. Rhaid i awdurdod lleol lunio ar gyfer ei ardal un
curriwlwm lleol neu fwy yn unol ag adran 116A o
Ddeddf 2002 ar’ Rheoliadawyd hyn mewn da bryd eun
dechrau’r hwylodd ysgol i llugwi diwydiant i ddewis
diyn gyrsiau astudio yn unol â rheoliad 8.

Lleisiau cysiau astudio mewn curriwlwm lleol

4. (1) Yn ddarostyngedig i baragraff (4) rhaid i’r
curriwlwm lleol ar gyfer pob ysgol uwchraidd a
gynhelytur yn ardal awdurdodol lleol A ar gyfer y
hwylodd ysgol 2010 i 2011 a phob hwylodd ysgol
wedyn gan ymgyrchiau lleisiau o 30 o gysiau astudio ar
lefel 2 NQF, y mae’n rhaid i o lefel 5 ohonynt fod yn
rhai galweddigaethol.

(2) Yn ddarostyngedig i baragraff (4) rhaid i’r
curriwlwm lleol ar gyfer pob ysgol uwchraidd a
gynhelytur yn ardal awdurdodol lleol B gan ymgyrchiau
lleisiau o 28 o gysiau astudio ar lefel 2 NQF, y mae’n rhaid i o lefel 4 ohonynt fod yn
rhai galweddigaethol; a

(3) Yn ddarostyngedig i baragraff (4) rhaid i’r
curriwlwm lleol ar gyfer pob ysgol uwchraidd a
gynhelytur yn ardal awdurdodol lleol C gan ymgyrchiau
lleisiau o 26 o gysiau astudio ar lefel 2 NQF, y mae’n rhaid i o lefel 4 ohonynt fod yn
rhai galweddigaethol; a

(4) Cafodd awdurdod lleol gymwys cwsrs astudio ar
lefel 1 NQF yn bythyn nhw’r cwsrs ar lefel 2 NQF yr y
curriwlwm lleol ar gyfer ysgol uwchraidd a gynhelytur
o fewn ei ardal os nad yw’r cwsrs hwnnw ar gael ar lefel
2 NQF i ddyfodi byw ngynhychod allweddol pedwar.

“working day” ("diverse oddiâu") means any day
other than a Saturday, a Sunday or a day which is a
bank holiday within the meaning of the Banking
and Financial Dealings Act 1971(1).

Formation of local curriculum

3. A local authority must form for its area one or
more local curricula in accordance with section 116A
of the 2002 Act and these Regulations in sufficient
time before the start of a school year to enable pupils to elect
to follow a course of study in accordance
with regulation 8.

Minimum number of courses of study of local
curricula

4. (1) Subject to paragraph (4) the local curriculum
for every maintained secondary school in local
authority area A for the school year 2010 to 2011 and
every subsequent school year must include a minimum
of 30 courses of study at NQF level 2, of which at least
5 must be vocational.

(2) Subject to paragraph (4) the local curriculum for
every maintained secondary school in local authority
area B must include:

(a) for the school year 2010 to 2011 a minimum of
28 courses of study at NQF level 2, of which at
least 4 must be vocational; and

(b) for every subsequent school year a minimum
of 30 courses of study at NQF level 2, of which
at least 5 must be vocational.

(3) Subject to paragraph (4) the local curriculum for
every maintained secondary school in local authority
area C must include:

(a) for the school year 2010 to 2011 a minimum of
26 courses of study at NQF level 2, of which at
least 4 must be vocational;

(b) for the school year 2011 to 2012 a minimum of
28 courses of study at NQF level 2, of which at
least 4 must be vocational; and

(c) for every subsequent school year a minimum of
30 courses of study at NQF level 2, of which
at least 5 must be vocational.

(4) A local authority may include a course of study at
NQF level 1 instead of a course at NQF level 2 in the
local curriculum for a maintained secondary school in
its area if the same course is not available at NQF level 2
for pupils in the fourth key stage.

(1) 1971 c.80.
Lleiafswm pwntiau cyrsiau astudio mewn cwricwlwm lleol

5.-(1) Os bydd cwricwlwm lleol yn cynnwys 26 neu 27 o gyrsiau astudio rhaid bod gan y cyrsiau hwnnw serth pwntiau cyfunoł nad yw’n llai na 680 o bwsyntau.

(2) Os bydd cwricwlwm lleol yn cynnwys 28 neu 29 o gyrsiau astudio rhaid bod gan y cyrsiau hwnnw serth pwntiau cyfunoł nad yw’n llai na 720 o bwsyntau.

(3) Os bydd cwricwlwm lleol yn cynnwys 30 neu fwy o gyrsiau astudio rhaid bod gan y cyrsiau hwnnw serth pwntiau cyfunoł nad yw’n llai na 780 o bwsyntau.

Lleiafswm pwntiau cyrsiau astudio galwedigaethol mewn cwricwlwm lleol

6.-(1) Os bydd cwricwlwm lleol yn cynnwys 4 o gyrsiau astudio galwedigaethol rhaid bod gan y cyrsiau hwnnw serth pwntiau cyfunoł nad yw’n llai na 220 o bwsyntau.

(2) Os bydd cwricwlwm lleol yn cynnwys 5 o gyrsiau astudio galwedigaethol neu fwy rhaid bod gan y cyrsiau hwnnw serth pwntiau cyfunoł nad yw’n llai na 260 o bwsyntau.

Dewisdadau disgybl o gyrsiau cwricwlwm lleol

7. Ni chaiff disgybl ddeuis dilyn cws neu gyfuniad o gyrsiau astudio o ffwn cwricwlwm lleol es ei yw cyfunoł o gyrsiau astudio neu fwy rhaid o gyrsiau astudio hwnnw o gyrsiau astudio yn fwy na 180 o bwsyntau heb gynnwys unrhyw bwsyntau a ddefnyddo i gws neu gyrsiau astudio yr arwain at gymhwyster sgil allweddol y mae disgybl wedi dewis ei ddilyn.

Hyd y cyfunoł pan fo’n rhaid i’r disgybl ddeuis

8. Rhaid i disgybl ddeuis dilyn cws neu gyrsiau astudio o ffwn cwricwlwm lleol yn ystod tymor y gwrsyntau.

Penderfyniad y pennewch yngnhyrch hawlogaeth

9.-(1) Os bydd pennewch yn penderfynu o dan adran 116F(1) o Ddeddf 2002 nad oes hawlogaeth gan disgybl i ddilyn cws neu gyrsiau astudio rhaid i ddfoedd bod neu fwythodd o 25 o ddwnodaq gwraith ar ôl dechrau tymor yr haf.

(2) Os bydd pennewch yn penderfynu hymyn rhaid iddo o fewn 3 ddiwedd gwraith o’r penderfyniad hwnnw bysbyshir person perthnasol on yr ysgryfedig o’r materion camlyno-

(a) y penderfyniad a’r rhestrau drosto;

(b) The minimum number of vocational courses of study required by paragraphs (1), (2) and (3) must fall within at least 3 of the learning domains.

Minimum number of points of courses of study of local curricula

5.-(1) Where a local curriculum consists of 26 or 27 courses of study such courses must have a combined points value of no less than 680 points.

(2) Where a local curriculum consists of 28 or 29 courses of study such courses must have a combined points value of no less than 720 points.

(3) Where a local curriculum consists of 30 or more courses of study such courses must have a combined points value of no less than 780 points.

Minimum number of points of vocational courses of study of local curricula

6.-(1) Where a local curriculum consists of 4 vocational courses of study such courses must have a combined points value of no less than 220 points.

(2) Where a local curriculum consists of 5 or more vocational courses of study such courses must have a combined points value of no less than 260 points.

Pupil’s choices of local curriculum courses

7. A pupil may not elect to follow a course or a combination of courses of study within a local curriculum if the aggregate points of such a course or such combination of courses of study exceed 180 points excluding any points allotted to a course or courses of study leading to a key skill qualification which a pupil has elected to follow.

Period during which a pupil’s election must be made

8. A pupil must elect to follow a course or courses of study within a local curriculum during the spring term.

Head teacher’s decision as to entitlement

9.-(1) Where a head teacher decides under section 116F(1) of the 2002 Act that a pupil is not entitled to follow a course or courses of study he or she must do so within 28 working days following the start of the summer term.

(2) Where a head teacher so decides he or she must within 3 working days of that decision inform the relevant person in writing of the following matters—

(a) of the decision and the reasons for it;
(b) y caiff y person perthnasol wneud ciai'r pensaeth a'dolygu'r penderfyniad hwnnw;
(c) o fewn pa gyfnod y mac'n rhaid gweud ciai o'r fath; ac
(ch) y caiff y person perthnasol wneud sylwadau yng Nghymraeg y penderfyniad hwnnw i'r pensaeth.

(3) Rhaid i' r gais gan berson perthnasol o dan baragff (2)(b) ac unrhyw sylwadau o dan baragff
(2)(ch) gaed eu gweud o fewn 5 diwrnod gwaith ar ôl iddo dderbyn hybysiaid y pensaeth o'i benderfyniad.

(4) Os bydd person perthnasol yn gweud ciai o dan baragff (2)(b) i bernaeth a'dolygu ei benderfyniad rhaid i'r pensaeth wneud dyfarniad o fewn 10 diwrnod gwaith ar ôl iddo dderbyn y ciai ac wrth iddo wneud hymy rhaid iddo ystyried—
(a) o dan ba amgylchiadu y cafodd ei benderfyniad ei wneud;
(b) unrhyw sylwadau yrgrifenedig a wneud gan berson perthnasol yng Nghymraeg o'r penderfyniad hwnnw; ac
(c) unrhyw amgylchiadu eraill y mae o'r farn eu bod yn perthnasol.

(5) Rhaid yr pensaeth o fewn 3 diwrnod gwaith o'i ddylfarniad yr unol a phharagff (4), hybysau'r person
perthnasol yn yrgrifenedig o hyd a'r rheymau drosto.

(6) Mae'r rheoliad hwn yn gynrychiol yr unig o ran y dewisiad cyntaf mae disgynu eu ei wneud o dan adran
116(1) o Ddeddf 2002 rhwng yr unol a rheoliad 7 (ac nid o ran unrhyw ddewisiaid wodyn).

Penderfyniad pensaeth i ddileu hwylogaeth

(10)-(1) Os bydd pensaeth yn ymuno newydd, o dan adran 116(1) o Ddeddf 2002, nad oes bellach gan
ddisgybl hwylogaeth i ddileu cyswllt neu gyfrainiastudio, rhaid iddo o fewn 3 diwrnod gwaith o'r penderfyniad
hwnnw hybysa'u'r person perthnasol o'r materion canlynol—
(a) y penderfyniad a'r rheymau drosto;
(b) y caiff y person perthnasol wneud ciai i'r pensaeth a'dolygu'r penderfyniad hwnnw;
(c) o fewn pa gyfnod y mac'n rhaid gweud ciai o'r fath; ac
(ch) y caiff y person perthnasol wneud sylwadau yn yrgrifenedig yng Nghymraeg y penderfyniad hwnnw i'r pensaeth.

(2) Nid oes gan ddisgybl hwylogaeth i ddileu y cyswllt neu'r gyfrainiastudio ar ôl dyddiad penderfyniad y pensaeth o dan adran 116(1) o Ddeddf 2002.

(3) Rhaid i' r gais gan berson perthnasol o dan baragff (1)(b) ac unrhyw sylwadau o dan baragff
(1)(ch) gaed eu gweud o fewn 5 diwrnod gwaith ar ôl iddo dderbyn hybysiaid y pensaeth o'i benderfyniad.

(b) that the relevant person may request the head
teacher review that decision;
(c) the period within which such a request must be
made; and
(d) that the relevant person may make
representations in writing about that decision
to the head teacher.

(3) A request by a relevant person under paragraph
(2)(b) and any representations under paragraph
(2)(d) must be made within 5 working days of his or her
receipt of notice of the head teacher's decision.

(4) Where a relevant person requests under
paragraph (2)(b) that a head teacher review his or her
decision the head teacher must make a determination
within 10 working days of receipt of the request and in
so doing he or she must consider—
(a) the circumstances in which his or her decision
was made;
(b) any written representations made by a relevant
person about that decision; and
(c) any other circumstances he or she considers
relevant.

(5) The head teacher must within 3 working days of
his or her determination pursuant to paragraph (4),
inform the relevant person in writing of it and the
reasons for it.

(6) This regulation applies only in relation to the first
election a pupil makes under section 116(1) of the
2002 Act in accordance with regulation 7 (and not in
relation to any subsequent election).

Head teacher's decision to remove an entitlement

(10)-(1) Where a head teacher decides under section
116(1) of the 2002 Act that a pupil is no longer
entitled to follow a course or courses of study, he or she
must within 3 working days of that decision inform
the relevant person of the following matters—
(a) of the decision and the reasons for it;
(b) that the relevant person may request the head
teacher review that decision;
(c) the period within which such a request must be
made; and
(d) that the relevant person may make
representations in writing about that decision
to the head teacher.

(2) A pupil is not entitled to follow the course or
courses of study from the date of the head teacher's
decision under section 116(1) of the 2002 Act.

(3) A request by a relevant person under paragraph
(1)(b) and any representations under paragraph
(1)(d) must be made within 5 working days of his or her
receipt of notice of the head teacher's decision.
(4) Os bydd person pertnasol yn gwneud cais o dan baragraff (1)(b) i bennath adolygu ei benderfyniad rhaid yr pennaeth wneud dyfarniad o fewn 10 diwrnod gwaith ar ôl iddo derbyn y cais ac wrth iddo wneud hymny rhaid iddo ystyried:

(a) o dan ba amgylchiadau y cafodd ei benderfyniad ei wneud;
(b) unrhwy sythwadau yrgrifenedig a wnaed gan person pertnasol yngyn nhâr y penderfyniad hwnnw; ac
(c) unrhwy amgylchiadau eraill y mae o’r farn eu bod yn ymgyrchus.

(5) Rhaid yr pennaeth o fewn 3 diwrnod gwaith o’i ddyfarniad yn unol â pharagraff (4), hysbysu’r person pertnasol yn yrgrifenedig o bobo o’r rhessymau drossto.

Terfynuau amser a hysbysiadu’n hynaf yr hawl i gael adolygiad

11. At ddibenion cyfrifo’r cyfnodau y cyfeiriwr atyn yn rheoliadau 9(2), (3), (4) a (5) a 10(1), (3), (4) a (5), bennir bod yr hysbysiad wedi ei roi i’r person o dan syth:

(a) os defnyddir y post dosbarth cyntaf, ar yr ail diwrnod gwaith ar ôl dyddiad ei bostio;
(b) os caiff yr hysbysiad ei ddraddodi â llaw, ar yr yrddiad ei ddraddodi;
(c) os defnyddir post electronig, ar yr yrddiad y caiff ei aros, oni ddangosir yr gwrrthwyneb.

John Griffies

Time limits and notices waiving right to review

11. For the purpose of calculating the periods referred to in regulations 9(2), (3), (4) and (5) and 10(1), (3), (4) and (5), the notice is to be taken to have been given to the person in question:

(a) where the first class post is used, on the second working day after the date of posting;
(b) where the notice is delivered by hand, on the date of delivery;
(c) where electronic mail is used, on the date of sending,

unless the contrary is shown.

Y Ddiwrnod Weinidig dro dda Sgiliau, o dan awdur-yr y Gweinidog dros Blant, Addysg, Dysgu Gydol a Oes a Sgiliau, un o Weinidogion Cymru
8 Rhegafydd 2009

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Deputy Minister for Skills under authority of the Minister for Children, Education, Lifelong Learning and Skills, one of the Welsh Ministers
8 December 2009

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2014 Rhif 42 (Cy. 4)

ADDYSG, CYMRU

Rheoliad Addysg (Cwricwlwm Lleol ar gyfer Disgyblion yng Nghyfrifiad Allweddol 4) (Cymru) (Diwygio) 2014

NODYN ESBONIADOL

(Myd yw’n nodyn hwn yn rhan o’r Rheoliadau)

Mewn nosodedd Meur Dysgu a Sgiliau (Cymru) 2009 (mees 1) adapan eraill hynny yn Rhain 7 o Dde-dddf Addysg 2002. Mae Rhain 7 yn ymwneud â’r cwricwlwm mewn ysgolion a gynhelir yng Nghymru. O ganlyniad i Ran 1 o’r Meur, mae’r cwricwlwm mewn ysgolion uwchradd a gynhelir yng Nghymru wedi ei ehangu i gymryd hawlogeithwyll disgyblion mewn cwricwlwm lleol yng Nghyfrifiad Allweddol 4.

Gwaesaf Rheoliadau Addysg (Cwricwlwm Lleol ar gyfer Disgyblion yng Nghyfrifiad Allweddol 4) (Cymru) 2009 (“Rheoliadau 2009”) adapan eraill y ran hwn o’r cwricwlwm lleol, y dewiniaid yr aibio disgybl eu gymryd, penderfynu’r pensaeth y ran hawlogeithwyll, a phenderfynu’r pensaeth y diidiw hawlogeithwyll.

Mae’r Rheoliadau hyn yn diwygio Rheoliadau Rheoliadau 2009 fel bod rhaid i awdur bob lleol gynhwyso lleistrwm o 25 o gyrsiau yn ei gwricwlwm lleol, y mae rhaid i 3 obwynt fodd yn rhai gwaithhagol (theolliad 2(a)). Mae’r Rheoliadau hyn hefyd y ddodwy rheoliadau 5 i 7 o Rheoliadau 2009 fel nad oes gynhwyso bellach i gyrsiau anadlu yn y cwricwlwm lleol, na dewiau y aibio o gyrsiau cwricwlwm lleol, gael gwerth lleistrwm o bwytias (theolliad 2(b)).

Mae’r Rheoliadau hyn hefyd yn dileu’r geniadau defnyddig yn rheoliad 11 o Rheoliadau 2009 (theolliad 2(c)).
2014 Rhif 42 (Cy. 4)
ADDYSG, CYMRU

Rheoliadau Addysg (Cwricwlwm Lleol ar gyfer Dysgylion yng Nghyfnod Allwedol 4) (Cymru) (Diwygio) 2014

Gwaed          13 Ionawr 2014
Gosobwyd ger bron Cynnwys Cenedlaethol Cymru 15 Ionawr 2014
In dod i rym   5 Chwefror 2014

Mae Gweinidogion Cymru drwy arfer y pweru a roddwyd iddynt gan adranau 116A(a), 116D(2) a 210 o Ddeddf Addysg 2002(1) yn gweud y Rheoliadau a gauyn.

Enwi, cychwyn a chymhwyso

1.—(1) Enw’r Rheoliadau hyn yw Rheoliadau Addysg (Cwricwlwm Lleol ar gyfer Dysgylion yng Nghyfnod Allwedol 4) (Cymru) (Diwygio) 2014 a dawns i rym ar 5 Chwefror 2014.
(2) Mae’r Rheoliadau hyn yn gynhwys o ran Cymru.

Diwygio Rheoliadau Addysg (Cwricwlwm Lleol ar gyfer Dysgylion yng Nghyfnod Allwedol 4) (Cymru) 2009

2. Mae Rheoliadau Addysg (Cwricwlwm Lleol ar gyfer Dysgylion yng Nghyfnod Allwedol 4) (Cymru) 2009(2) wedi eu diwygio fel a gauyn—
(a) yn lle rheoliad 4 rhodder—

(2) O.S. 2009/254 (Cy.284), fel ei diwygynwyd gan O.S. 2010/1142 (Cy.101) ac O.S. 2010/2431 (Cy.209).

2014 No. 42 (W. 4)
EDUCATION, WALES

The Education (Local Curriculum for Pupils in Key Stage 4) (Wales) (Amendment) Regulations 2014

Made          13 January 2014
Laid before the National Assembly for Wales 15 January 2014
Coming into force 5 February 2014

The Welsh Ministers in exercise of the powers conferred on them by sections 116A(5), 116D(2) and 210 of the Education Act 2002(1) make the following Regulations.

Title, commencement and application

1.—(1) The title of these Regulations is the Education (Local Curriculum for Pupils in Key Stage 4) (Wales) (Amendment) Regulations 2014 and they come into force on 5 February 2014.
(2) These Regulations apply in relation to Wales.

Amendment of the Education (Local Curriculum for Pupils in Key Stage 4) (Wales) Regulations 2009

2. The Education (Local Curriculum for Pupils in Key Stage 4) (Wales) Regulations 2009(2) are amended as follows—
(a) for regulation 4 substitute—

(1) 2002 c.32. Section 116A was inserted by section 4 of the Learning and Skills (Wales) Measure 2009 (anwyd 1). Section 116D was inserted by section 7 of the Learning and Skills (Wales) Measure 2009.
(2) S.I. 2008/3266 (W.184), as amended by S.I. 2010/1142 (W.101) and S.I. 2010/2431 (W.209).
“Lleisfwm cyrsiau astudio mewn curricula lleol

4.—(1) Rhaid i’r cyrwiwlwm lleol ar gyfer pob ysgol uwchradd a gynhelir yng Nghymru gynwys lleisfwm o 25 o cyrsiau astudio ar lefel 2 NQF, y maes i rhaid i o leisaf 3 ohonynt fod yr hau galwedigaethol.

(2) Caiff awdurdd lleol gynwys cwrs astudio ar lefel 1 NQF yn hytrach na chwrs ar lefel 2 NQF yn y cyrwiwlwm lleol ar gyfer ysgol uwchradd a gynhelir o fewn ei ardal os nad yw’r un cwrs ar gael ar lefel 2 NQF i ddangyblu yng nghynllun o fewn ailweeddol pedwar.

(b) hepgor rheoliadau 5 i 7; ac

c) ym mhengawd rheoliadau 11 hepgor “a hysbyciada’n hepgor yr hawl i gael adolygiad”.

“Minimum number of courses of study of local curricula

4.—(1) The local curriculum for every maintained secondary school in Wales must include a minimum of 25 courses of study at NQF level 2, of which at least 3 must be vocational.

(2) A local authority may include a course of study at NQF level 1 instead of a course at NQF level 2 in the local curriculum for a maintained secondary school in its area if the same course is not available at NQF level 2 for pupils in the fourth key stage.”;

(b) omit regulations 5 to 7; and

c) in the heading to regulation 11 omit “and notices waiving right to review”.

Y Gweimdog Addwyg a Sgliau, un o Weinidogion Cymru

13 Ionawr 2014

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Angraffydd a chlychediwyd yr Emyrweini Unedig gan The Stationery Office Limited o dan awdurdod ac adolygiad Carol Tullo, Rheolwr Gwir Fel Mawr bydd hi ac Angraffydd Doddiadau Seneddol y Frontlines.

Minister for Education and Skills, one of the Welsh Ministers

13 January 2014

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Annex C: Related documents

Related documents

Learning and Skills (Wales) Measure 2009: (www.opsi.gov.uk/legislation/wales/mwa2009/mwa_20090001_en_1)

Education (Local Curriculum for Pupils in Key Stage 4) (Wales) Regulations 2009 www.opsi.gov.uk/legislation/wales/wsi2009/wsi_20093256_en_1


The Collaboration Arrangements (Maintained Schools and Further Education Bodies) (Wales) Regulations 2008: www.opsi.gov.uk/legislation/wales/wsi2008/wsi_20083082_en_1

Collaborative Arrangements between Further Education Institutions and Schools Guidance www.wales.gov.uk/topics/educationandskills/publications/guidance

Special Educational Needs Code of Practice for Wales 2002

Inclusion and Pupil Support Guidance 2006

Programme for Government

The Learning Country: Vision into Action

Learning Pathways 14–19 Guidance II

School Standards and Organisation (Wales) Act 2013

Welsh-medium Education Strategy (2010)

Youth Engagement and Progression Framework Implementation Plan www.wales.gov.uk/topics/educationandskills/skillsandtraining/youthengagement/?lang=en