

*These notes refer to the School Standards and Organisation (Wales)
Act 2013 (c.1) which received Royal Assent on 4 March 2013*

SCHOOL STANDARDS AND ORGANISATION (WALES) ACT 2013

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 2 - Standards

Chapter 3 – School Improvement Guidance

Section 35 - Duty to follow school improvement guidance

48. This section places a duty on school authorities to comply with guidance issued under section 33.
49. This section does allow for school authorities to depart from that guidance in certain circumstances in order to provide for a degree of flexibility and innovation. Where a school authority which is a local authority or a governing body wishes to depart from the guidance it must issue a policy statement detailing its alternative policy for exercising the education functions concerned. It must then follow that alternative policy. If there is a partial departure from the guidance (subsection (2) or (3) and section 36), school authorities will have to adhere to both the policy statement and (in so far as the policy statement does not deal with a matter) the guidance.
50. In addition the duty to follow the school improvement guidance or a policy statement will not apply to any school authority if to do so would be unreasonable.