

Kirsty Williams AC/AM
Y Gweinidog Addysg
Minister for Education



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-828
Ein cyf/Our ref KW/05650/19

Janet Finch-Saunders AM
Assembly Member for Aberconwy
Chair - Petitions committee
National Assembly for Wales
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29 March 2019

Dear Janet

Thank you for your letter dated 21 March 2019 seeking a response to the proposal that there should be a direct route for school governors to appeal decisions reached under the School Organisation Code, and requesting details of any consideration given to an appeals process during the review of the Code.

The School Standards and Organisation (Wales) Act 2013 reformed the statutory process for school organisation to ensure that decisions are taken at a local level wherever possible. The Act does not provide a direct route for school governors to appeal decisions. Such decisions can only be challenged through the Courts. Prior to the Act coming into force the provisions were subject to formal consultation, scrutiny by the Children, Young People and Education Committee and debate and approval by the National Assembly. The arrangements have embedded well and there are no plans to change them at this time.

The Act requires the Welsh Ministers to issue a School Organisation Code. The Code imposes requirements on those bringing forward proposals and those responsible for determining/approving them and provides statutory guidance to which they must have regard.

The Code sets a high standard for consultation providing all those with an interest, including the school governing body, with an opportunity to make their views known and have those views taken into account both during the consultation process and the objection period that follows. Local authorities must publish consultation reports and objection reports responding to any concerns raised. Failure to comply with the Code may result in a complaint to the Welsh Ministers or the Public Services Ombudsman.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

The introduction of an appeals process was not considered as part of the recent review of the School Organisation Code. Such a change would be outside the scope of the Code as it would require a change to the School Standards and Organisation (Wales) Act 2013. I am not convinced that such a change is necessary.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Kirsty Williams', written in a cursive style.

Kirsty Williams AC/AM

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