

**EDUCATION AND LIFELONG LEARNING PORTFOLIO
SUBORDINATE LEGISLATION PROGRAMME 2004/2005.**

NEW ADDITIONS & CHANGES ARE HIGHLIGHTED IN BOLD

UK Primary Legislation

NAME/ WORKING TITLE OF SI	PURPOSE/EFFECT	ANTICIPATEDPROCEDURE/ PROJECTED MONTH LEGISLATION TO BE MADE	STANDING ORDER/LE ADING DIV.
Education Act 2005	<p>The Act includes: measures to develop the current legislative framework for school inspections in Wales, including provision of greater flexibility for the Chief Inspector in drawing together inspection teams and improving the arrangements for registration of inspectors</p> <ul style="list-style-type: none"> • measures governing inspection of religious education to ensure consultation with faith bodies; • enabling powers to develop the inspection framework through regulations incorporating elements of the changes being made in England; • extending the remit of the Chief Inspector in Wales (HMCIW) to include the inspection of services provided by Careers Wales; • requiring the Assembly to provide advice on 	<p>The Act was passed on 07.04.05. Other than provisions with specified coming into force dates all other provisions will need to be commenced by the Assembly. Interpretation and the Assembly's Henry V111 powers in respect of inspection came into force 07.04.05</p> <p>Will require regulations setting out who must be consulted in appointing inspector Any changes will require regulations</p> <p>Will require regulations setting out timing of inspections</p>	

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	<p>the appointment and removal of HMCIW;</p> <ul style="list-style-type: none"> • making the numbers, terms and conditions of Her Majesty's Inspectors (HMI) in Wales as with all other Estyn staff subject to approval by the Assembly; <p>providing powers for the Assembly to establish by regulations a Panel to advise on matters relating to Estyn;</p> <ul style="list-style-type: none"> • extension of the remit of and renaming of the TTA to establish a Training and Development Agency for Schools to extend to the whole school workforce • reducing the current duplicative and burdensome collections of information on schools and their staff by introducing a new School Workforce Database • powers to make regulations to require LEAs to provide schools with 3-year indicative budgets and a framework that allows for these based on the academic year at a future date; together with provisions on Schools Forums which again can be utilised at a later date; • enabling powers to allow the Assembly to remove by order the requirements for school governing bodies in Wales to produce an annual report and hold an 	<p>Regulations required to establish advisory panel</p> <p>Provisions to come into force on 01.09.05</p> <p>Will require regulations to move to 3-year budgets</p>	
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	<p>annual parents' meeting;</p> <ul style="list-style-type: none"> • enabling the Assembly to improve the service to those applying for free school meals and Education Maintenance Allowances (EMA) by participating in a DfES scheme to share electronic data with the Inland Revenue and the Department for Work and Pensions. LEAs in Wales will now be able to check applications for free school meals on-line, removing a significant burden from schools, while the verification of applications for EMA will afford the proper protections against fraud and overpayment; • ensuring that there is sufficient protection for publicly funded land which is transferred to the trustees of foundation schools; • removing current legislative barriers to enable schools to provide modules of higher education courses for their more able pupils on a voluntary basis; • the extension of legislation on attendance to secure children's attendance at alternative provision. This will bring the sanctions available to schools and local authorities into line with those already available to secure the attendance of 	<p>Order required to remove requirements</p> <p>Provisions to come into force 2 months from 07.04.05</p> <p>Provisions to come into force 2 months from 07.04.05</p>	
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	<p>pupils at school</p> <ul style="list-style-type: none"> • powers to enable the Assembly, by regulation, to require school admissions authorities to make special provision for looked after children • provision for consultation on proposals for rural school closures (previously covered in guidance) 	<p>Regulations required to require special provision</p> <p>Will require an Order to specify which schools are to be designated rural primary schools</p>	
<p>Charities Bill</p>	<p>The Charities Bill will not now receive Royal Assent before the election on 5th May. The Government had proposed that the Bill be dealt with during the period between the election being called on 5th April and Parliament being dissolved on 11th April – but all-party agreement to that proposal was not secured. It will be for the incoming Government after the election to decide whether or not to re-introduce the Charities Bill.</p>		

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Civil Partnership Act 2004

The Act creates a new legal relationship of civil partnership, which two people of the same-sex can form by signing a registration document. It also provides same-sex couples who form a civil partnership with parity of treatment in a wide range of legal matters with those opposite-sex couples who enter into a civil marriage.

Important rights and responsibilities will flow from forming a civil partnership, helping same-sex couples to organise their lives together. Provisions in the Act include:

- a duty to provide reasonable maintenance for your civil partner and any children of the family;
- civil partners to be assessed in the same way as spouses for child support;
- equitable treatment for the purposes of life assurance;
- employment and pension benefits;
- recognition under intestacy rules;
- access to fatal accidents compensation;
- protection from domestic violence; and
- recognition for immigration and nationality purposes.

The Coming Into Force date of the Act is 5 December 2005.

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ELL-20-04 Education (LEA/School Partnership) (Wales) Regulations 2005	Section 197 of the Education Act 2002 provides that the Assembly may make regulations requiring LEAs to put in place a partnership agreement with each of their maintained schools. The regulations will specify issues such as the categories of school to which the agreements will apply, what the agreements should cover , their duration etc	November 2005. Standard Procedure	SO24 SMD
ELL-21-04 Education (Revised School Governance) (Wales) Regulations 2005	Relating to sections 19 (Constitution, Membership & procedures of Governing Body Meetings), 20 (Instruments of Government), 21 (Terms of Reference) and 23 (Appointment & Dismissal of Clerks to GBsof the Education Act 2002. These regulations will replace but not significantly change existing regulations under the School Standards and Framework Act 1998.	October 2005 Standard Procedure	SO24 SMD
ELL-23-04 The General Teaching Council for Wales (Functions) (Amendment) Regulations	Amendment will cover action to be taken by GTCW in determining suitability of a person to be a teacher (These regulations should travel with Amendment to GTCW (Additional Functions) (Amendment) Order – ELL 24-04	2006 Standard Procedure.	SO 24 TLD

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<p>ELL-24-04 The General Teaching Council for Wales (Additional Functions) (Amendment) Order</p>	<p>Amendment will add to categories of people ineligible for registration with the GTCW because the Council is not satisfied as to their suitability to be a teacher</p> <p>(This Order should travel with Amendment to GTCW (Functions) (Amendment) Regulations – ELL 23-04)</p>	<p>2006 Standard Procedure.</p>	<p>SO24 TLD</p>
<p>ELL-26-04 The Education (Determination of Admission Arrangements) Regulations 2005</p>	<p>Arising from Schedule 4 of the Education Act 2002, the Regulations revoke and revise the Education (Determination of Admission Arrangements) Regulations 1999. They would allow governing bodies who are admission authorities to consult on admission arrangements every other year rather than annually if the arrangements are unchanged. In addition, bodies entitled to be consulted about admission arrangements will have the right to object to the determined arrangements whether or not they were consulted.</p>	<p>February 2006 Standard procedure</p>	<p>SO24 SMD</p>

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<p>ELL-27-04 The Education (Objections to Admission Arrangements) Regulations 2005</p>	<p>Regulations made under S90 of the School Standards and Framework Act 1998 to give parents the right to object in specified circumstances to proposed admission numbers which do not reflect the physical capacity of a school. Currently any change in a standard admission number requires the publication of statutory proposals to which anyone may object; S47 of the Education Act 2002 will remove this requirement to publish but the regulations will mean the retention of rights for parents to be consulted on and object to restricted admission numbers. The Regulations revoke and revise the Education (Objections to Admission Arrangements) Regulations 1999</p>	<p>February 2006 Standard procedure</p>	<p>SO24 SMD</p>
<p>ELL-28-04 The Education (Variation of Admission Arrangements) Regulations 2005</p>	<p>Regulations to be made under S89 (8) of the School Standards and Framework Act 1998 to prescribe circumstances in which an admission authority may vary the admission arrangements which they have determined for a particular school year.</p>	<p>February 2006 Standard procedure</p>	<p>SO24 SMD</p>

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<p>ELL-30-04 New School (Admissions) Regulations 2005</p>	<p>Regulations to be made under section 72 of the School Standards and Framework Act 1998 will make provision for the determination of the initial admission arrangements for new schools. They will revoke and replace the New School (Admissions) (Wales) Regulations 1999 to incorporate changes introduced by the Education Act 2002 which are implemented in three other sets of Regulations (see above). These changes include the use of admission numbers in place of standard numbers and the extension of consultation on admission arrangements to include community and voluntary controlled schools.</p>	<p>February 2006 Standard procedure</p>	<p>SO24 SMD</p>
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2005

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ELL-01-05 Education (Schools Councils) (Wales) Regulations 2005	To establish and regulate the running of Schools Councils (Section 21) Education Act 2002. Currently considering responses to the consultation on regulations and guidance for school councils prior to decisions on the final content of the regulations.	December 2005 Standard Procedure	SO24 SMD
ELL-02-05 Education (Federation and Collaboration of Governing Bodies) (Wales) Regulations 2006	Relating to sections 24-26 of the Education Act 2002. The purpose is to allow governing bodies to federate as a single governing body; and to facilitate collaboration between schools by allowing governing bodies to work together to jointly discharge any of their functions.	March 2006 Standard procedure	SO24 SMD
ELL-03-05 Education (Interim Executive Boards) (Wales) Regulations 2006	Sections 57-59 of the Education Act 2002 provide LEAs and the Assembly with new powers to appoint a specially constituted governing body(Interim Executive Board) in a school in place of the existing governors in certain circumstances. The regulations will prescribe the powers and duties of the Interim Executive Board and also of a shadow governing body in the period of transition from the Interim Executive Board back to a normally constituted governing body.	December 2006 Standard Procedure	SO 24 SMD

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ELL-04-05 Education (Control of School Premises) (Wales) Regulations 2006	Relating to section 31 of the Education Act 2002. These regulations will put legislation in place for governing bodies covering the control and occupation and use of school premises during and outside school hours. They will replace existing provisions which are in primary legislation.	September 2006 Standard Procedure	SO24 SMD
ELL-05-05 Education (Staffing of Maintained Schools) (Wales) Regulations 2006	Relating to sections 35-37 of the Education Act 2002. These regulations will put legislation in place for governing bodies concerning the appointment, discipline, suspension and dismissal of head teachers, deputy head teachers, teaching and non teaching staff in schools. They will replace existing provisions which are in primary legislation.	January 2006 Standard procedure	SO24 SMD
ELL-06-05 Education (School Companies) (Wales) Regulations 2006	Relating to sections 11-12 of the Education Act 2002. These regulations will allow a governing body of a school to form a company, or participate in forming companies in order to purchase and provide services or facilities for that school and other participating schools.	December 2006 Standard procedure	SO24 SMD
ELL-07-05 Education (Headteachers' Qualification and Registration) (Wales) Regulations 2005	To introduce a mandatory requirement for first-time headteachers in Wales to hold the National Professional Qualification for Headship (NPQH) from September 1, 2005.	September 2005 Standard Procedure Regulations approved in Plenary on 26/04/05. Statutory Instrument authorised by Presiding Officer. Regulations will come into force on September 1, 2005	SO 24 TLD

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<p>ELL-10-05 Education (School Performance and Unauthorised Absence Targets) (Wales) (Amendments) Regulations 2005</p>	<p>Relating to section 53 of the Education Act 2002. These will allow targets to be based on total absences, and not just ' unauthorised absences as is currently the case. Current legislation is contained in Section 63 of the School Standards and Framework Act 1998)</p>	<p>June 2005 Standard Procedure Coming into force Jan 2006</p>	<p>SO24 PET</p>
<p>ELL-11-05 Education)Parenting Orders) (Wales) Regulations 2005</p>	<p>Relating to section 18 of the Anti Social Behaviour Act 2003. These regulations will define the provision for Welsh schools and LEAs to impose Parenting Orders on parents of pupils whose behaviour in school has led to their being excluded.</p>	<p>June 2005 Standard Procedure Coming into force Jan 2006</p>	<p>SO24 PET</p>
<p>ELL-12-05 Amendment to Individual Learning Account (Wales) Regulations 2003</p>	<p>To allow people who are in receipt of eligible benefits to have access to an ILAW, no matter what their prior learning attainment (currently those with qualifications above Level 2 in the NQF are ineligible for an ILAW) Eligible benefits are:</p> <ul style="list-style-type: none"> • Income Support • Job Seekers Allowance (Income based) • Pension Credit (Guarantee) • Working Tax Credit • Housing Benefit • Council Tax Benefit <p>Pension Credit (Savings)</p>	<p>July 2005 Standard Procedure CLEARED</p>	<p>SO24 TSCP</p>

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<p>ELL-13-05 Accounts of Maintained Schools and Financial Statements Regulations 2006</p>	<p>Relating to sections 44 and 45 of the Education Act 2002. These sections will allow requirements to be imposed as to the way maintained schools keep accounts, and report information based upon those accounts. This will provide a consistent minimum standard for school financial reporting, and enable all schools to compare their expenditure with that of similar schools.</p>	<p>February 2006 Standard Procedure</p>	<p>SO24 SMD</p>
<p>ELL-15-05 Higher Education Act 2004 (Commencement No.2 and Transitional Provisions) (Wales) Order 2005</p>	<p>To commence provisions which would transfer Secretary of State functions for student support and tuition fees to the National Assembly for Wales. Also to commence s.10(2) of the Higher Education Act 2004 that confers powers on the National Assembly for Wales in relation to research in the arts and humanities. To provide transitional provision to ensure that the Secretary of State's functions under the current England and Wales regulations continue to be exercised by the Secretary of State until the transfer of functions on 1 September 2006.</p>	<p>July 2005 Standard Procedure CLEARED</p>	<p>SO24 DSSP</p>
<p>ELL-16-05 Assembly Learning Grants and Loans (Higher Education) (Wales) Regulations 2006</p>	<p>Regulations under section 22 of the Teaching and Higher Education Act 1998, making provision for grants or loans to students in connection with higher education courses; prescribing eligibility for such grants or loans; amounts available; terms of grants or loans; etc.</p>	<p>January 2006 Standard Procedure</p>	<p>SO24 DSSP</p>

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<p>ELL-21-05 The Education (Disapplication of the National Curriculum) (Wales) Regulations 2005</p>	<p>Section 112 of the Education Act 2002 enables the provision of the National Curriculum Key Stage 1 to be disapplied.</p> <p>These Regulations will remove the headteachers' statutory responsibility to deliver the National Curriculum Programmes of Study and Attainment Targets in the pilot schools .</p>	<p>June 2005 Accelerated Procedure</p> <p>CLEARED</p>	<p>SO 24 PSD</p>
<p>ELL - 22-05 The Education (School Organisation Proposals) (Wales) Regulations 2005</p>	<p>These Regulations revoke and revise the Education (School Organisation Proposals) (Wales) Regulations 1999. References to the MOE methodology for determining school capacity and the procedure for changing standard numbers to be removed as the new capacity assessment method will be set out in statutory guidance. Requirements in relation to changes in school organisation requiring statutory proposals and the publication and provision of information will be clarified .</p>	<p>March 2006 or later Standard Procedure</p>	<p>SO 24 SMD</p>
<p>ELL- 23-05 Disability Discrimination (Prescribed Periods for Accessibility Strategies and Plans for Schools) (Wales) Regs 2005</p>	<p>Regulations to replace the Disability Discrimination (Prescribed Periods for Accessibility Strategies and Plans for Schools) (Wales) Regs 2004 to take account of the fact that once nursery schools have governing bodies (ELL-21-04 Education (Revised School Governance (Wales) Regulations 2005 above) they will be required to plan to increase access for disabled pupils.</p>	<p>April 2006 Standard Procedure</p>	<p>SO 24 SMD</p>
<p>ELL-25-05 Education (Supply of Information held by Student Support Authority) Regulations 2006</p>	<p>Regulations under Section 45 of the Higher Education Act 2004 empowering specified supply of data to higher Education institutions or other bodies exercising functions of a public nature.</p>	<p>January 2006 Standard Procedure</p>	<p>SO24 DSSP</p>

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ELL-26-05 The Fees in Higher Education Institutions (Wales) Regulations 2005	Relating to sections 26 of THE Act 1998 which empowers the National Assembly to impose a condition as to tuition fees on the grant paid to the Higher Education Funding Council for Wales	July 2005 Executive Procedure CLEARED	SO24 DSSP
ELL-27-05 The Education (Nursery Education and Early Years Development and Childcare Plans) (Amendment)(Wales) Regulations 2005	These regulations will amend the duty on local education authorities to secure sufficient nursery education for children who have reached the age of three. The current requirement is for the provision to be available for pupils when they reach the age of four. The change in the requirements flows from the recommendations in the ELL Committee's report "Laying the Foundation: Early Years Provision for three-year-olds.	July 2005 Accelerated Procedure CLEARED	SO24 PSD
ELL-28-05 The Education (Induction Arrangements for School Teachers) (Amendment) (Wales) Regulations 2005	The regulations will provide further flexibility for newly qualified teachers before and during their statutory Induction period by extending the limit on short-term supply teaching for those teachers who are unable to find a teaching post to enable them to complete their Induction period and making the periods of employment that can count towards the Induction period more flexible.	September 2005 Standard Procedure CIF 01/09/05 - CLEARED	SO 24 TLD3
ELL-30-05 Education (Annual Parents Meetings Exemptions) (Wales) Regulations 2005	These regulations will set out the circumstances and exemptions covering the requirements for a governing body to hold an annual meeting with parents. They will replace the 1999 Regulations.	October 2005 Standard Procedure	SO 24 SMD
ELL-31-05 Education (Governors Allowances) (Wales)	These regulations re-enact the existing 1999 Regulations and specify that payments are to be made in accordance with the Local Government Act	October 2005 Standard Procedure	SO 24 SMD

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Regulations 2005	2000 and the circumstances under which the governing body can pay expenses to governors.		
ELL-32-05 Education (Government of New Maintained Schools) (Wales) Regulations 2005	These regulations set out how the amendments suggested in the new school governance regulations 2004 will apply to temporary governing bodies of new schools and will replace the 1999 regulations.	October 2005 Standard Procedure	SO 24 SMD
ELL-34-05 The Education Act 2002 (Commencement No 7) (Wales) Order 2005	This Order is due to come into force on 30 June 2005 and commences sections 19, 20, 23,33,34,39 of the Education Act 2002 in relation to provisions covering the government of maintained schools. Section 19 requires every school to have a governing body; section 20 requires governing bodies to have an Instrument of Government which determines the constitution of the governing body; section 23 provides for the governing body to appoint a clerk; section 33 requires governing bodies to hold an annual meeting with parents; section 34 provides for the governance of new schools and temporary governing bodies; and section 39 contains definitions in particular that a maintained school includes a maintained nursery school.	October 2005 Standard Procedure	SO 24 SMD
ELL-35-05 The Education Act 2002 (Transitional Provisions and Consequential Amendments) (Wales) Regulations 2005	These regulations apply transitional modifications to the Education Act 2002 in connection with the bringing into force of provisions of the Act by the Education Act 2002 (Commencement No 7) (Wales) Order 2004 and make consequential amendments.	October 2005 Standard Procedure	SO24 SMD

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<p>ELL-36-05 The National Council for Education and Training for Wales (Transfer of functions to the National Assembly for Wales and Abolition) Order 2005</p>	<p>This order will abolish the National Council for Education and training for Wales and transfer its functions, assets and liabilities to the National Assembly for Wales with any appropriate consequential, incidental, supplemental or transitional provisions or savings</p>		<p>SO 24 HE</p>
<p>ELL-37-05 The Education (Assisted Places) (Amendment) (Wales) Regulations 2005 The Education (Assisted Places) (Incidental Expenses) (Amendment) (Wales) Regulations 2005</p>	<p>The regulations uplift, in line with inflation the tables used to calculate the amount that parents of children continuing to hold assisted places at former participating independent schools have to contribute to tuition fees during the academic year 2005/2006, having regard to their relevant income. The Regulations also uprate the dependants allowance used to calculate relevant income.</p>	<p>October 2005 (to be confirmed) Accelerated procedure</p>	<p>SO24 PSD</p>

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<p>ELL-38-05 The Education (Review of Staffing Structure) (Wales) Regulations 2005 (Section 21 of the Education Act 2002)</p>	<p>These regulations would place a duty on the governing bodies of maintained schools in Wales with a delegated budget, and on Local Education Authorities, in respect of schools without a delegated budget and pupil referral units, to review the staffing arrangements in schools. The purpose of the review is to ensure that the management and deployment of, and allocation of responsibilities to, all staff make effective use of resources to meet requirements under the School Teachers' pay and Conditions Document. All relevant authorities would be required to determine their review by 31 December 2005. The regulations will also impose a duty on relevant authorities to have regard for the head teacher to enjoy a reasonable work/life balance – an outstanding commitment from the National Workload Agreement to which the Assembly is a signatory.</p>	<p>July 2005 Executive Procedure CLEARED</p>	<p>SO 24.27 TLD</p>
<p>ELL-39-05 The Education (Hazardous Equipment and Materials) (Wales) Regulations 2006</p>	<p>The Regulations will specify that the governing body of a Further Education Institution in Wales shall not permit the use of specified equipment or materials unless approved by the National Assembly of Wales.</p>	<p>Accelerated procedure</p>	<p>SO24</p>
<p>ELL-40-05 Education (Recognised Bodies)(Wales) Order 2005</p>	<p>To update Recognised Body list. The purpose of the Order is to prevent the award of bogus degrees.</p>	<p>June 2005 Accelerated Procedure Target CIF date – 21/11/05</p>	<p>SO 24 HED</p>
<p>ELL-41-05 The Qualifications Curriculum and Assessment Authority for Wales (Transfer of functions to the National Assembly for Wales and Abolition) Order 2005</p>	<p>This order will abolish the Qualifications Curriculum and Assessment Authority for Wales (ACCAC) and transfer its functions, assets and liabilities to the National Assembly for Wales with any appropriate consequential, incidental, supplemental or transitional provisions or savings</p>	<p>December 2005 Standard Procedure</p>	<p>SO24 SPD</p>

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ELL-43-05 Children and Young People's Plan (Wales) Regulations 2005	Section 26 of the Children Act 2004 introduces a power under which the Assembly may require a Children's Services Authority (local authority) in Wales to prepare and publish a plan or a framework of plans setting out its strategy for discharging its functions in relation to children and relevant young people.	November 2005 Standard Procedure	SO24 CSD
ELL-44-05 The Education (Change of Category of Maintained Schools) (Amendment)(Wales) Regulations 2005	Amendments are necessary to these regulations in consequence of the new Government of Maintained schools (Wales) regulations. The consequential amendments provide cross reference to the 2005 regulations rather than Schedule 12 to the 1998 Act	October 2005 [Procedure to be decided – probably accelerated]	SO24 SMD
ELL – 45-05 Single Education Plan (Wales) Regulations 2006	These regulations, to be made under section 26 of the Children Act 2004, will specify the requirements for a new single education plan to be produced by local education authorities (LEAs) in place of the current four main education plans produced by LEAs namely, Education Strategic Plans, School Organisation Plans, Behaviour Support Plans and Early Years Development and Childcare Partnership Plans.	Standard Procedure March 2006	SO24 SMD
ELL-46-05 The Civil Partnership Act 2004 (Consequential Amendments) (Wales) Order 2005	To amend Assembly delegated legislation that the Assembly has power to amend so as to include references to the new type of legal relationship created by the Civil Partnership Act 2004. The draft SI will be scrutinised by the Equality of Opportunity Committee. All other Standing Committees are being notified of the proposed legislation		EPU
ELL-47-05 Assembly Learning Grant (Further Education) Wales	Regulations enabling the National Assembly to make arrangements to have the Assembly Learning Grant for Further Education students administered by the	January 2006 Standard Procedure	SO24 DSSP

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Regulations 2006	Student Loans Company.		
ELL-49-05 Amendment to The Education (Information about Individual Pupils) (Wales) Regulations 2003	Amendments are necessary to include Nursery Schools and to revise data items for inclusion in PLASC collections	CIF January 2006 (Procedure to be decided)	SO 24 SPD
ELL-50-05 Children Act 2004 (Commencement No. 4) (Wales) Order 200?	<p>Section 25 imposes a duty on a Children's Services Authority in Wales to make arrangements to promote co-operation to improve the well being of children in its area. A power is provided for all specified partners to pool funds and other non-pecuniary resources.</p> <p>Section 26 contains a power to require a Children's Services Authority in Wales to prepare and publish a plan or a framework of plans setting out its strategy for discharging its functions in relation to children and relevant young persons.</p> <p>Section 27 imposes a duty on a Children's Services Authority to designate 'lead director for children's services' and lead member for the same purposes, on Local Health Boards to appoint lead officers and members and on NHS Trusts to appoint lead executive and non-executive directors.</p> <p>Section 29 gives power to the Assembly to require a local authority to establish and maintain a database of information about children.</p>	November 2005 Standard Procedure	SO 24 CSD

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	<p>Section 48 gives effect to schedule 4, which makes provision amending Part 10A of the Children Act 1989 in relation to child minding and day care.</p> <p>Section 51 extends the range of Local Education Authority functions in Wales that Estyn may review, including functions under sections 25 and 26 that relate to education training or youth support services.</p> <p>Section 52 places a duty on local authorities to promote the educational achievement of a 'looked-after child' (as defined).</p> <p>Section 59 amends section 14 of the Education Act 2002 to extend the powers of the Assembly to give or make arrangements to give financial assistance to support parenting.</p> <p>Section 61 provides a power for the Children's Commissioner for Wales to enter premises, other than private homes, to interview children when reviewing and monitoring the Assembly and other specified persons. The power does not extend to his functions under sections 74 and 75A of the CSA 2000.</p>		
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<p>ELL 51 –05 The General Teaching Council for Wales (Constitution) (Amendment) Regulations 2006</p>	<p>To amend the General Teaching Council for Wales (Constitution) Regulations 1999, as amended, which govern the arrangements by which members of the Council are elected and appointed.</p>	<p>1 March 2006</p>	<p>SO24 TLD</p>
<p>ELL-52-05 Education (Free School Lunches) (State Pension Credit) (Wales) Order 2005</p>	<p>Will clarify the process to ensure that children who's parents/guardians are in receipt of State Pension Credit are able to claim their entitlement of free school meals. This is a technical amendment, as they would qualify for a free school lunch using the 'Tax Credit' category, the Tax Credit Award Notice (TC602) failed to provide sufficient detail about annual income to confirm eligibility</p>	<p>Accelerated Procedure November 2005</p>	<p>SO24 SPD</p>
<p>ELL-56-05 Transition from Primary to Secondary School Regulations</p>	<p>S.198 of the Education Act 2002 provides Wales-only powers for the National Assembly for Wales to require the governing bodies of maintained secondary schools and their feeder primary schools, jointly, to draw up transition plans. Such plans are intended to facilitate the transition from primary school to secondary school of pupils who have completed Year 6.</p>	<p>Standard Procedure January 2006</p>	<p>SO24 SPD</p>
<p>ELL-57-05 The Education (School Day and School Year) (Wales)</p>	<p>Regulations to be made under section 551 and 569(4) and (5) of the Education Act 1996 will provide for two additional INSET days during</p>	<p>May 2006 Accelerated procedure</p>	<p>SO 24 SPD4</p>

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Regulations 2006	academic years 2006/07 and 2007/08 only.		
ELL-58-05 The Education Act 2002 (Commencement No 8) (Wales) Order 2006	This Order commences sections 47 and 48 of the Education Act 2002 and parts of Schedule 4 relevant to the introduction of changes to the school admission framework. Section 47 replaces standard numbers with admission numbers, which will be calculated by a new method to be set out in Guidance. Section 48 enables the Assembly to make regulations to require LEAs to co-ordinate school admission arrangements, if this is considered necessary. Schedule 4 makes various changes to school admission arrangements, including providing governing bodies of community and voluntary controlled schools with a right to be consulted about the admissions arrangements for other schools in their area.	February 2006 Standard Procedure	SO 24 SMD
ELL-59-05 The Education Act 2002 (Transitional Provisions and Consequential Amendments) (No 2)(Wales) Regulations 2005	These Regulations apply transitional modifications to the Education Act 2002 in connection with the bringing into force of provisions relating to school admissions by the Education Act 2002 (Commencement No 8) (Wales) Order 2004 and make consequential amendments to Regulations which currently make reference to standard numbers.	February 2006 Standard Procedure	SO24 SMD
ELL-60-05 Higher Education Act (2004) (Comment No3 and Transitional Provisions) (Wales) Order 2005	To commence provisions of the Act which give the National Assembly for Wales functions relating to tuition fees set by Higher Education Institutions in Wales. The National Assembly for Wales has determined that Higher Education Institutions in Wales should have the flexibility to	January 2006. Standard procedure	SO24 HED

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	charge tuition fees up to a level of £3000 from the academic year 2007-08. To do so, S27 and S28 of the Higher Education Act 2004 must be commenced.		
ELL-61-05 Student Fees (Wales) Regulations 2006	The National Assembly for Wales has determined that Higher Education Institutions in Wales should have the flexibility to charge tuition fees up to a level of £3000 from the academic year 2007-08. The regulations provide that students falling into certain categories will not be required to pay the higher fee. These are students from the 2005-06 and preceding cohorts, as well as those students applying now for entry in 2006-07 but who decide to take a gap year.	January 2006. Standard procedure	SO24 HED
ELL-62-05 The Education (National Curriculum for Wales) (Disapplication of Science at Key Stage 4) Regulations 2005	The regulations will disapply the requirements of the National Curriculum for Wales for science in Key Stage 4 (as specified in section 106 of the Education Act 2002) in relation to a pupil, provided the pupils is pursuing a Science GCSE on the approved list of GCSE courses, but which does not meet all of the requirements of the National Curriculum. This disapplication will have effect until August 2008 when revised National Curriculum requirements will be in place.	Standard Procedure May 2006	SO 24 SPD
ELL-63-05 The Education Act 2005 (Commencement No 1)(Wales) Order 2005	The Order will commence a number of provisions of the Education Act 2005; section 105 – an enabling provision giving schools the flexibility to offer their pupils higher education should the school so wish;	Accelerated Procedure Target date for coming into force February 2006	SO 24 CSD

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	<p>section 106 – to ensure that children in public care are given preference in the schools admision process;</p> <p>sections 115 and 116 and paragraphs 1, 6 and 15 of Schedule 18 - to ensure that children excluded from school or not registered at a school attend provision made to enable them to continue their education.</p>		
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Please note there is 1 SO28 and 7 SO 29's. (See below)

Standing Orders 28 and 29

NAME/ WORKING TITLE OF SI	PURPOSE/EFFECT	ANTICIPATEDPROCEDURE / PROJECTED MONTH LEGISLATION TO BE MADE	STANDIN G ORDER
ELL-41-04 Saint David's Catholic College Incorporation Order 2005	Incorporates the Governing Body of the College at the request of the College's Governing Body.	August 2005 Standard Procedure	SO28 LLD
ELL-08-05 Employment Based Training Scheme	This will be a replacement for the existing Employment Based Training Scheme, which allows persons to train to become qualified teachers whilst employed as teachers in schools. The main part of the Scheme will set out the details of the existing Graduate Teacher Programme and Registered Teacher Programme and how they operate. The revised Scheme will also incorporate improvements in procedure and new provisions allowed under The Education (School Teachers' Qualifications) (Wales) Regulations 2004, such as assessment only provisions for e.g. overseas trained teachers.	December 2005 Procedure not decided	SO29 TLD

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<p>ELL-09-05 Standards for Qualified Teacher Status</p>	<p>This will be a replacement for the Qualified Teacher Status (QTS) provisions in Welsh Office Circular 13/98. Under the Education (School Teachers' Qualifications) (Wales) Regulations 2004, the Assembly may specify the standards required of persons who seek to become qualified teachers. The replacement for the QTS provisions in Welsh Office Circular 13/98 will update legislative, technical and other references and will take account of the General Teaching Council for Wales' Professional Code for Teachers in Wales. The aim will be the production of clearer professional standards for QTS, more straightforwardly laid out.</p>	<p>October 2005 Procedure not decided This will be the subject of consultation with interested parties in Spring/Summer 2005</p>	<p>SO29 TLD</p>
<p>ELL-14-05 The Further Education Corporations (Wales) (Modification of Instruments and Articles of Government) Order 2005</p>	<p>Publication of a standard set of Instruments and Articles of Government for all Welsh FE Corporations. This will aid transparency in governance and consolidate previous modifications and updates to take account of recent legislative changes. The "Coming Into Force" date has been deferred until April 2006 to take the merger of the National Assembly for Wales and ELWa into account.</p>	<p>April 2006 Standard Procedure</p>	<p>SO29 LLD</p>

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<p>ELL-19-05 Criteria that initial teacher training (ITT) institutions must meet if they are to be accredited as ITT providers by the Higher Education Funding Council for Wales</p>	<p>This will be a replacement in part for the Requirements for the Provision of Courses of ITT in Welsh Office Circular 13/98. Under the Education (School Teachers' Qualifications) (Wales) Regulations 2004, the Assembly may specify the criteria that (ITT) institutions must meet if they are to be accredited as ITT providers by the Higher Education Funding Council for Wales. These criteria can include requirements for the provision of courses of ITT.</p> <p>The replacement for the Requirements for the Provision of Courses of ITT in Welsh Office Circular 13/98 will update legislative, technical and other references and allow ITT providers greater freedom in the design and delivery of training provision, within stated boundaries. The aim will be the production of clearer requirements for ITT courses.</p>	<p>October 2005 This will be the subject of consultation with interested parties in Spring/Summer 2005.</p>	<p>SO29 TLD</p>
<p>ELL-53-05 Approval of Qualifications under Section 99 of Learning and Skills Act 2000</p>	<p>The Approval of Qualifications is updated termly. It lists approved external qualifications allowing maintained schools, ELWAs and LEAs to provide or fund courses for learners under 19 year old.</p> <p>For learners over 19, ELWAs can only provide funding for courses in connection with approved qualification</p>	<p>October 2005</p>	<p>SO 29 SPD</p>
<p>ELL-54-05 The Assembly Learning Grant Scheme 2005/06</p>	<p>The Assembly Learning Grant is made pursuant to the ALG Regulations. The actual terms of the scheme are made on an annual basis in the form of a non-Statutory Instrument and issued as a Circular to LEAs.</p>		<p>SO29 HE2</p>

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ELL-55-05 The Education Maintenance Allowance – Wales Scheme 2005/06	The Education Maintenance Allowance scheme is operated under powers contained in sections 14 and 17 of the 2002 Education Act. The terms and conditions of the scheme are confirmed on an annual basis.		SO29 HE2
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