

ELL2-01-05-p9e

Future Secondary Legislation

Name/ working title of SI	Purpose/effect	Anticipated Procedure/ Projected month legislation to be made	Standing Order/ LEADING DIV.
ELL-17-04 Education (School Lunches) (Prescribed Credits) (Amendment) (Wales) Order 2004	Clarifies the prescribed requirements for LEAs to provide school lunches (whether free or paid for) for nursery children in terms of the definition of full-time attendance. Children in maintained nursery schools are, under existing regulations, only entitled to a school lunch (whether paid for or free) provided they are full time. However, the existing regulations do not specify what is meant by full time and this has led to confusion over entitlement. The new Order will clarify that children must attend both morning and afternoon sessions and be present over the lunch period on the days they normally attend in order to be entitled to a school lunch.	March 2005 Standard Procedure	SO24 SMD
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	April 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 GBs of the Education Act 2002). These regulations will replace but not significantly change existing regulations under the School Standards and Framework Act 1998.	April 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 Order)	2005 Standard Procedure.	SO 24 TLD

<p>ELL-24-04</p> <p>The General Teaching Council for Wales (Additional Functions) (Amendment) Order 2004</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)</p>	<p>2005</p> <p>Standard Procedure.</p>	<p>SO24</p> <p>TLD</p>
<p>ELL-26-04</p> <p>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>September 2005</p> <p>Standard procedure</p>	<p>SO24</p> <p>SMD</p>
<p>ELL-27-04</p> <p>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>September 2005</p> <p>Standard procedure</p>	<p>SO24</p> <p>SMD</p>
<p>ELL-28-04</p> <p>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>September 2005</p> <p>Standard procedure</p>	<p>SO24</p> <p>SMD</p>
<p>ELL-29-04</p> <p>The Education (Admission Appeal Arrangements) Regulations 2005</p>	<p>Section 50 of the Education Act 2002 provides for arrangements for school admission appeals to be set out in Regulations rather than the SSFA Act 1998. These Regulations will re-enact existing arrangements: no changes of substance are planned.</p>	<p>March 2005</p> <p>Standard procedure</p>	<p>SO24</p> <p>SMD</p>

<p>ELL-30-04</p> <p>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>September 2005</p> <p>Standard procedure</p>	<p>SO24</p> <p>SMD</p>
<p>ELL 34-04</p> <p>The Education (Listed Bodies) (Wales) (Amendment) Regulations 2004</p>	<p>The Listed Bodies (Wales) Order is updated every two years and is an administrative requirement under the Education Reform Act 1998. It provides the list of institutions that are not recognised bodies within s.214(2)(a) or (b) of the Education Reform Act 1988 but which either—</p> <p>(a) provides any course which is in preparation for a degree to be granted by such a recognised body and is approved by or on behalf of that body; or</p> <p>(b) is a constituent college, school, hall or other institution of a university which is such a recognised body</p>	<p>December 2004</p> <p>Accelerated Procedure</p> <p>Cleared</p>	<p>SO24</p> <p>HE</p>
<p>ELL 37-04</p> <p>The General Teaching Council for Wales (Functions) (Amendment) Regulations 2005</p>	<p>The Regulations will enable the General Teaching Council for Wales to monitor all newly qualified teachers who are working as short term supply teachers, and make other small amendments of a technical nature.</p>	<p>January 2005</p> <p>Standard Procedure</p>	<p>SO24</p> <p>TLD2</p>
<p>ELL 38-04</p> <p>The General Teaching Council or Wales (Additional Functions) (Amendment)(Wales)(Order) 2005</p> <p>(travelling with ELL37-04)</p>	<p>The Order will enable the General Teaching Council for Wales to monitor all newly qualified teachers who are working as short term supply teachers, and make other small amendments of a technical nature</p>	<p>January 2005</p> <p>Standard Procedure</p>	<p>SO24</p> <p>TLD2</p>

<p>ELL-39-04</p> <p>The Education (Information About Individual Pupils) (Amendment) (Wales) Regulations 2005</p>	<p>Regulations covering the Pupil Level Annual School Census (PLASC)</p> <p>Amendment to the Schedule, to allow for additional data items to inform the NC-ELWa's Post-16 funding formula and to ensure that all returns are made in electronic formats. Additional data items to be collected for post-16 pupils only.</p>	<p>January 2005</p> <p>Accelerated Procedure</p>	<p>SO24</p> <p>BSD2</p>
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<p>ELL-42-04</p> <p>The National Curriculum (Key Stage 2 Assessment Arrangements) (Wales) Order 2004</p>	<p>An Order which sets out the new National Curriculum assessment arrangements for English, Welsh, mathematics and science at the end of Key Stage 2. The new arrangements will be based on Teacher Assessments only and will apply in respect of the 2004-05 school year.</p>	<p>November 2004</p> <p>Executive Procedure</p> <p>Cleared</p>	<p>SO24.27</p> <p>SPD4</p>
<p>ELL-43-04</p> <p>The National Curriculum (Key Stage 2 Assessment Arrangements) (Consequential Amendments) (Wales) Regulations 2004</p>	<p>Regulations made under section 214 of the Education Act 2002 which remove the reference to National Curriculum Tests at the end of Key Stage 2 from the regulations dealing with School Target Setting, School Prospectuses, the Provision of Information to the Assembly and the Content of Individual Pupil Reports. These Regulations are consequential to the introduction of the new assessment arrangements prescribed in The National Curriculum (Key Stage 2 Assessment Arrangements) (Wales) Order 2004.</p>	<p>November 2004</p> <p>Executive Procedure</p> <p>Cleared</p>	<p>SO24.27</p> <p>SPD4</p>
<p>ELL-44-04</p> <p>The General Teaching Council for Wales Additional Functions Order 2004</p>	<p>The Order will give the GTCW the function of acting as a designated authority so that it can deal with applications from teachers who qualified in the EU who wish to work in Wales. The Order is intended to rectify a legal irregularity that has come to light.</p>	<p>January 2005</p> <p>Executive Procedure</p>	<p>SO.24</p> <p>TLD</p>
<p>ELL-45-04 (was 20/05)</p> <p>The Higher Education Act 2004 (Commencement and Transitional Provision) (Wales) Order 2004</p>	<p>To commence provisions of the Higher Education Act 2004 relating to the establishment of a scheme for the independent review of complaints brought by students at Welsh Higher Education Institutions.</p>	<p>December 2004</p> <p>Accelerated Procedure</p> <p>Cleared</p>	<p>SO 24</p> <p>HED</p>

Name/ working title of SI	Purpose/effect	Anticipated Procedure/ Projected month legislation to be made	Standing Order
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.	July 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.	March 2006 Standard Procedure	SO 24 SMD
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.	March 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.	March 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	SO 24 TLD
ELL-10-05 Education (Attendance Targets) (Amendments) Regulations 2005	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)	June 2005 Standard Procedure Coming into force Sept 2005	SO24 PET
ELL-11-05 Education)Parenting Orders) (Wales) Regulations 2005	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.	June 2005 Standard Procedure	SO24 PET
ELL-12-05 Amendment to Individual Learning Account (Wales) Regulations 2003	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)	July 2005 Standard Procedure	SO24 TSCP
ELL-13-05 Accounts of Maintained Schools and Financial Statements Regulations 2006	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.	February 2006 Standard Procedure	SO24 SMD
ELL-15-05 Higher Education Act 2004 (Commencement No.2) (Wales) Order 2005	To commence provisions which would transfer Secretary of State functions for student support and tuition fees to the National Assembly for Wales.	June 2005 Standard Procedure	SO24 DSSP
ELL-16-05 Education (Student Support) (Wales) Regulations 2005	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.	December 2005 Standard Procedure	SO24 DSSP
ELL-17-05 The National Curriculum (Key Stage 3 Assessment Arrangements) (Wales) Order 2005	An Order which sets out the new National Curriculum assessment arrangements for English, Welsh, mathematics and science at the end of Key Stage 3. The new arrangements will be based on Teacher Assessments only and will apply in respect of the 2005-06 school year.	May 2005 Standard Procedure	SO24 SPD4

<p>ELL-18-05</p> <p>The National Curriculum Assessment Arrangements) (Miscellaneous Amendments) (Wales) Regulations 2005</p>	<p>Regulations made under section 214 of the Education Act 2002 which remove the reference to National Curriculum Tests at the end of Key Stage 3 from the regulations dealing with School Target Setting, School Prospectuses, the Provision of Information to the Assembly and the Content of Individual Pupil Reports. These Regulations are, in themain, consequential to the introduction of the new assessment arrangements prescribed in The National Curriculum (Key Stage 3 Assessment Arrangements) (Wales) Order 2005.</p>	<p>May 2005</p> <p>Standard Procedure</p>	<p>SO24</p> <p>SPD4</p>
<p>ELL-21-05</p> <p>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</p> <p>Standard Procedure</p>	<p>SO 24</p> <p>PSD</p>
<p>ELL - 22-05</p> <p>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>September 2005</p> <p>Standard Procedure</p>	<p>SO 24</p> <p>SMD</p>
<p>ELL- 23-05</p> <p>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</p> <p>Education (Revised School Governance (Wales) Regulations 2005 above) they will be required to plan to increase access for disabled pupils.</p>	<p>April 2005</p> <p>Standard Procedure</p>	<p>SO 24</p> <p>SMD</p>

<p>ELL-24-05</p> <p>The Education Development Plans (Wales) (Amendment) Regulations 2005</p>	<p>These regulations will require LEAs to produce an additional Supplementary Education Strategic Plan for 2005/06.</p>	<p>March 2005</p> <p>Standard Procedure</p>	<p>SO 24</p> <p>SMD</p>
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ELL-25-05 Education (Supply of Information held by Student Support Authority) Regulations 2006	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.	January 2006 Standard Procedure	SO24 DSSP
ELL-26-05 Education (Tuition Fee) (Prescribed Amount) 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	November 2005 Standard Procedure	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 Standard Procedure	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	SO 24 TLD3
ELL-30-05 Education (Annual Parents Meetings Exemptions) (Wales) Regulations 2005	<u>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.</u>	<u>July 2005</u> <u>Standard Procedure</u>	<u>SO 24</u> <u>SMD</u>
ELL-31-05 <u>Education (Governors Allowances) (Wales) Regulations 2005</u>	<u>These regulations re-enact the existing 1999 Regulations and specify that payments are to be made in accordance with the Local Government Act 2000 and the circumstances under which the governing body can pay expenses to governors.</u>	<u>July 2005</u> <u>Standard Procedure</u>	<u>SO 24</u> <u>SMD</u>
ELL-32-05 <u>Education (Government of New Maintained Schools) (Wales) Regulations 2005</u>	<u>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.</u>	<u>July 2005</u> <u>Standard Procedure</u>	<u>SO 24</u> <u>SMD</u>

please note there is 1 SO28 and 5 SO 29's. (See below)

Name/ working title of SI	Purpose/effect	Anticipated Procedure/ Projected month legislation to be made	Standing Order
ELL-41-04 Saint David's Catholic College/ Coleg Catholig Dewi Sant (Incorporation of Governing Body and Approval of Instruments and Articles of Government) Order 2004	Changes the College name, incorporates the Governing Body of the College and approves a new Instrument and Articles of Government at the request of the College's Governing Body.	March 2005 Standard Procedure	SO28 LLD
ELL-45-04 The Howell's School, Llandaff (Modification) Order 2004	The Order will modify the existing Charity Commission Scheme governing Howell's School, Llandaff, which restricts admission to girls under 20, to permit the admission of boys to the school's sixth form provision.	December 2004 Cleared	SO 29.5 PSD2
ELL-08-05 Employment Based Training Scheme	The Employment Based Training Scheme will allow 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. This will be an enhanced version of the existing Scheme, incorporating 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.	April 2005 Procedure not decided	SO29 TLD
ELL-09-05 Standards for Qualified Teacher Status	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.	July 2005 Procedure not decided	SO29 TLD

<p>ELL-14-05</p> <p>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.</p>	<p>July 2005</p> <p>Procedure not decided</p>	<p>SO29</p> <p>LLD</p>
<p>ELL-19-05</p> <p>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>July 2005</p> <p>This will be the subject of consultation with interested parties in 2005 Officials will be meeting Fforwm to discuss in January 05.</p>	<p>SO29</p> <p>TLD</p>
<p>ELL-29-05</p> <p>List of External Qualifications Approved under Section 99 of the Learning and Skills Act 2000</p>	<p>The purpose of approving the list of external qualifications is to enable public funding to be made available to support learners taking external qualifications. Under section 96 of the Learning and Skills Act 2000, schools, institutions and employers in Wales may offer to those under 19 years a course leading to an external qualification, funded either by a LEA or National Council-ELWa, only if the qualification has been approved by the National Assembly for Wales under section 99 of the Act. Section 97 of the Act places a requirement on the National Council for Education and Training for Wales and local education authorities in Wales to ensure that public funding is only used to make payments for fees and charges in respect of external qualifications which are approved under section 99.</p>	<p>Standing Order 29.5 procedures.</p> <p>Approval in January 2005</p>	<p>SO 29.5</p>