

Education, Lifelong Learning and Skills Committee

ELLS(2)01-07 Paper 2

2004

Name/ working title of SI	Purpose/effect	Anticipated Procedure/ Projected month legislation to be made	Standing Order/ LEADING DIV.
ELL-20-04 The Maintained Schools (Partnership Agreements) (Wales) Regulations 2007	<p>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.</p> <p>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</p>	March 2007 Standard Procedure	SO24 SMD

2005

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<p>ELL-02-05</p> <p>Education (Federation and Collaboration of Governing Bodies) (Wales) Regulations 2006</p>	<p>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.</p>	<p>Autumn 2007</p> <p>Timetable and Procedure not yet determined</p>	<p>SO24</p> <p>SMD</p>
<p>ELL-04-05</p> <p>Education (Control of School Premises) (Wales) Regulations 2006</p>	<p>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.</p>	<p>Late 2007</p> <p>Timetable and Procedure not yet determined</p>	<p>SO24</p> <p>SMD</p>
<p>ELL-06-05</p> <p>Education (School Companies) (Wales) Regulations 2006</p>	<p>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.</p>	<p>Late 2007</p> <p>Timetable and Procedure not yet determined</p>	<p>SO24</p> <p>SMD</p>
<p>ELL-13-05</p> <p>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>Target December 2007</p> <p>Standard Procedure</p>	<p>SO24</p> <p>SMD</p>

<p>ELL - 22-05</p> <p>The Education (School Organisation Proposals) (Wales) Regulations 2006</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>Autumn 2007</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 2006</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 now nursery schools have governing bodies they are required to plan to increase access for disabled pupils.</p>	<p>Autumn 2007</p> <p>Standard Procedure</p>	<p>SO 24</p> <p>SMD</p>
<p>ELL-43-05</p> <p>Children and Young People's Plan (Wales) Regulations 2006</p>	<p>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.</p>	<p>Target coming into force 31 July 2007</p> <p>Standard Procedure</p>	<p>SO24</p> <p>CSD</p>

ELL 51 –05 The General Teaching Council for Wales (Constitution) (Amendment) Regulations 2007	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.	March 2007 Standard Procedure	SO24 PD
ELL-63-05 The Education Act 2005 (Commencement No 1)(Wales) Order 2005	The Order will bring into force the provisions of the Education Act 2005	The order was agreed in plenary on 16 May 2006. Schedule 1 and 2 will come into force on 1 September 2006; and Schedule 3 on 1 April 2007.	Governance SO 24
ELL-70-05 The Inspection of the Careers and Related Services (Wales) Regulations 2006	Regulations will ensure that careers services and related services in Wales are subject to a similar system of inspection as other education and training within the Chief Inspector's remit	Regulations will come into force from 1 April 2007	YALO

2006

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<p>ELL-05-06</p> <p>The Education (Pupil Referral Units) (Application of Enactments) (Wales) Regulations 2007</p>	<p>The Education Act 1996 (Section 19) requires local education authorities to make arrangements for the provision of suitable education at school or otherwise than at school for those children of compulsory school age who, by reason of illness, exclusion from school or otherwise, may not for any period receive suitable education unless such arrangements are made for them. Any school established and maintained by a local education authority which is specially organised to provide education for such children is known as a pupil referral unit (PRU).</p> <p>Schedule 1 to the Act provides for adaptations and modifications of the application of enactments to pupil referral units.</p> <p>These Regulations would ensure that a number of statutory requirements for maintained schools would also apply to PRUs.</p>	<p>Standard Procedure</p> <p>27th March Plenary Approval. CIF date 23rd April 2007</p>	<p>S024</p> <p>ANID</p>
<p>ELL-09-06</p> <p>Assembly Learning Grants and Loans (Higher Education) (Wales) Regulations 2007</p>	<p>To put in place the student support regime for the 2007/08 academic year.</p>	<p>Standard procedure</p> <p>To be in force for 1 April 2007</p>	<p>SO24</p> <p>SFD</p>

<p>ELL-14-06</p> <p>Adventure Activities (Licensing) (Designation) Order 2006</p>	<p>The Designation Order will designate the Health and Safety Executive (HSE) as the Adventure Activities Licensing Authority (AALA) in relation to Wales in place of the current AALA, Tourism Quality Services Ltd. The DO will be made jointly with DfES Ministers for England and Scotland. The purpose is to achieve merger of the AALA with the HSE in line with the recommendation of HM Treasury's Hampton regulatory reform review which considered how to reduce administrative burdens on business.</p>	<p>Standard procedure. . Target date to plenary is 13 February 2007.</p>	<p>SO25, Section 3 SMD</p>
<p>ELL-17-06</p> <p>Independent School (Miscellaneous Amendments) (Wales) Regulations 2007</p>	<p>Amend The Education Standards (Wales) in line with Statutory Instrument 2004 No.3374 The Education (Independent School Standards) (England) (amendment) Regulations 2004. Page 4 Paragraph (b). This would ensure that CRB checks would be required for the proprietor or the Chair of the Directors/Trustees instead of all Directors/Trustees which is currently unmanageable.</p>	<p>. Standard procedure. Plenary Approval 20th March. CIF 29th March</p>	<p>SO24 ANID</p>
<p>ELL 18-06</p> <p>Tax Credits (Approval of Child Care Providers) (Wales) Scheme 2007</p>	<p>This scheme provides for the approval of child care providers for the purposes of section 12(5) of the Tax Credits Act 2002. The effect of the scheme will be that parents employing approved childcare in the family home will be eligible to apply for childcare tax credits, as well as to access the income tax and national insurance-related benefits associated with employer-provided childcare vouchers.</p>	<p>Standard Procedure Target CIF date 1st February 2007</p>	<p>SO24</p>

<p>ELL-19-06</p> <p>HSS 4 (06) The Care Standards Act 2000 and the Children Act 1989 (Miscellaneous Amendments) (Wales) Regulations 2006</p>	<p>To make across the board amendments to the regulations for services registered with CSIW, in the light of recent developments in the form of regulatory practice and the handing of complaints</p>	<p>Standard procedure; plenary debate in November for Came into force 1 January 2007.</p>	<p>SO 24</p> <p>OPLTC & CSD</p>
<p>ELL-21-06</p> <p>Education (Admission Appeals Arrangements) (Amendment) (Wales) Regulations 2007</p>	<p>This amendment is intended to clarify that, in infant class size appeals, fresh evidence cannot be considered at that appeal stage except for material submitted by the parents in order to establish the factual basis for their claim that no reasonable admission authority would have made that decision.</p>	<p>Comes into Force May 2007</p>	<p>SO24</p> <p>SMD</p>
<p>ELL-22-06</p> <p>The Designation of Schools Having a Religious Character (Wales) Order 2007</p>	<p>This Order designates schools in Wales which have a religious character and will revoke and replace The Designation of Schools Having a Religious Character (Wales) Order 1999 and The Designation of Schools Having a Religious Character and Amendments (Wales) Order 2004.</p>	<p>Comes into Force May 2007</p>	<p>SO24</p> <p>SMD</p>

<p>ELL-25-06</p> <p>Smoke-free Premises etc (Wales) Regulations 2007</p>	<p>To prevent exposure to environmental tobacco smoke in enclosed public places and workplaces.</p>	<p>To Plenary 23 January 2007 Coming into force 2 April 2007</p> <p>Standard Procedure</p>	<p>SO 24</p> <p>PHID</p>
<p>ELLS-26-06</p> <p>The Education Maintenance Allowance (Wales) Regulations 2007</p>	<p>The purpose of the Regulations is to place the Education Maintenance Allowance, Wales (EMA) scheme onto a statutory basis, bringing the scheme into line with other statutory student support products provided by Student Finance Wales. To ensure that students can apply for an EMA and receive payment for an EMA, in line with WAG policy for student support in 2007/2008</p> <p>The scheme is administered by the Student Loans Company (SLC) and the proposed Regulations will include several enhancements to the current system.</p>	<p>Accelerated procedure. Timetable to be confirmed.</p> <p>Coming into force date is 13 July 2007.</p>	<p>SO 24</p> <p>SFD</p>
<p>ELLS-27-06</p> <p>The Assembly Learning Grant (Further Education) Regulations 2007</p>	<p>The purpose of the Regulations is to place the Assembly Learning Grant, Further Education (ALG FE) scheme onto a statutory basis, bringing the scheme in line with other statutory student support products that are provided by Student Finance Wales. To ensure that students can apply for an ALG and receive payment for an ALG, in line with WAG policy for student support in 2007/08.</p>	<p>Accelerated procedure. Timetable to be confirmed</p> <p>Coming into force date is 1 July 2007</p>	<p>SO 24</p> <p>SFD</p>

<p>ELLS-28-06</p> <p>The Assembly Learning Grant (Higher Education) Regulations 2007.</p>	<p>The purpose of the Regulations is to place the Assembly Learning Grant, Higher Education (ALG HE) scheme onto a statutory basis, bringing the scheme in line with other statutory student support products that are provided by Student Finance Wales. To ensure that students can apply for an ALG and receive payment for an ALG, in line with WAG policy for student support in 2007/08.</p>	<p>Accelerated procedure. Timetable to be confirmed</p> <p>Coming into force date is 1 July 2007</p>	<p>SO 24</p> <p>SFD</p>
<p>ELLS-29-06</p> <p>Assembly Learning Grants and Loans (Higher Education) (Wales) Regulations 2008</p>	<p>To put in place the student support regime for the 2008/09 academic year.</p>	<p>Post 2007 arrangements – Negative procedure (Standard procedure – SO24)</p> <p>To be in force for 1 September 2007</p>	<p>SO24</p> <p>SFD</p>
<p>ELLS 30-06</p> <p>The Education (Assisted Places) (Amendment) (Wales) Regulations 2006 & Education (Assisted places) (incidental Expenses) (Amendment) (Wales) (Regulations 2006</p>	<p>Annual legislation to adjust regulatory framework to reflect inflationary adjustments on payments made to parents whose children are benefiting from the Assisted Places Scheme.</p>	<p>Came Into Force November 2006</p> <p>Accelerated</p>	<p>S0 24</p> <p>ANID</p>

<p>ELLS 31-06</p> <p>The Children's Commissioner for Wales Regulations 2007</p>	<p>To amend Article 13 of the Children's Commissioner for Wales Regulations, so that the Children's Commissioner is able to produce joint reports with the Commissioner for Older People Wales once the appointment is made.</p>	<p>To Plenary on 6 Feb 2007</p> <p>Comes int Force 9 February 2007</p> <p>Standard procedure with debate</p>	<p>SO24</p> <p>CSD</p>
<p>ELL-33-06</p> <p>Designation of schools in Wales as rural for the purposes of consultation on statutory proposals Order 2006</p>	<p>The Order will designate schools in Wales as rural. The Education Act 2005 provides that when LEAs consult on statutory proposals, there are additional prescribed consultees in the case of rural schools. Regulations are needed in order to define which schools in Wales would be subject to this condition.</p>	<p>Standard procedure</p> <p>Target Date for consultation February 2007. Target Date for making October/Nov 2007</p>	<p>SO 24</p>
<p>ELL-34-06</p> <p>Adventure Activities Licensing (Amendment) Regulations 2007</p>	<p>Designation of the HSE as the AALA and subcontracting by HSE of ALLA functions to TQS Ltd (the current AALA) require a small amendment to section 12(1) (b) of the Adventure Activities Licensing Regulations 2004 (Exercise of functions by authorised persons) To enable TQS Ltd to carry out the function of granting licenses, as well as inspection, investigation and reporting.</p>	<p>Standard procedure. Timetable and target CIF are the same as for ELL-14-06</p>	<p>SO24</p>
<p>ELL-35-06</p> <p>The Education (School Teachers' Qualifications) (Amendment) (Wales) Regulations 2007</p>	<p>The order will require those on initial teacher training courses in Wales to undertake their practical teaching experience wholly or mainly in Wales</p>	<p>September 2007 (cif date September 2008)</p> <p>Standard Procedure</p>	<p>SO24</p> <p>PD1</p>

<p>ELL- 38-06</p> <p>Education (Publication of Draft Orders for the Establishment of Further Education Corporations) (Wales) Regulations 2007</p>	<p>The Regulations which prescribed the form, time and manner of publication of draft Orders establishing Further Education Corporations (The Education (Publication of Draft Proposal and Orders) (Further Education Corporations) (Wales) Regulations 2001) were revoked by the National Council for Education and Training for Wales (Transfer of Functions to the National Assembly for Wales and Abolition) Order 2005 (SI 2005/3238). This means that there is currently no prescribed form, time or manner for the publication of Orders for the creation of FE corporations. The current legislative framework is, therefore, unclear as to exactly what are the Assembly's obligations prior to making an Order under section 16 of the Further and Higher Education Act 1992. The making of appropriate Regulations will reduce any ambiguity or confusion in relation to these obligations</p>	<p>Standard procedure (with debate)</p> <p>Target coming into force date: Friday 23 March 2007</p>	<p>SO 24</p>
<p>ELL-39-06</p> <p>Children's Commissioner for Wales (Appointment) (Amendment) Regulations 2007</p>	<p>Amending the Children's Commissioner for Wales (Appointment) Regulations 2000, to remove the role of the National Assembly for Wales in the appointment process.</p>	<p>By 1 April 2007</p>	<p>SO24 CSD</p>

<p>ELL-40-06</p> <p>The Staffing of Maintained Schools (Miscellaneous Amendments) (Wales) Regulations 2007</p>	<p>Requires all new appointments to the school workforce in maintained schools to be subject to an enhanced criminal records bureau check and makes some technical amendments to the Staffing of Maintained Schools (Wales) Regulations 2006.</p>	<p>Standard Procedure</p> <p>Coming into force date</p> <p>29 March 2007</p>	<p>SO 24</p> <p>SMD/CSD</p>
<p>ELL-43-06</p> <p>The Persons Providing Education at Further Education Institutions in Wales (Conditions) Regulations 2007</p>	<p>The Regulations will require FE institutions to undertake on appointment checks on all new staff providing education in the institution. The requirements will also apply to staff who have had a break from employment. Checks also have to be carried out in respect of staff supplied by a supply agency. The mandatory checks comprise: identity; right to work in the UK; relevant qualifications; List 99, enhanced CRB disclosures (where relevant) and where appropriate additional checks on those who have lived outside the UK. The regulations will also require FE institutions to maintain a single record which shows in respect of each person providing education, whether the relevant check was done and when.</p>	<p>To be confirmed</p> <p>Negative resolution procedure, post-May 2007</p>	<p>LND</p>
<p>ELL-44-06</p> <p>The Childcare Act 2006 (Commencement) (Wales) Order 2007</p>	<p>The following are to be commenced under the Childcare Act 2006:</p> <ol style="list-style-type: none"> a. Part 2 of the Act which relates to Wales only; b. Section 102, 103(1) and 103(2) of Part 4 of the Act in relation to Wales; c. Paragraphs 8,18(5) 	<p>Accelerated (no debate)</p> <p>Target CIF1st October 2007</p>	<p>SO24</p> <p>CSD2</p>

	(b) and (c), 20 to 24, 27, 28, 31, 32(4) and 34 of Schedule 2; and Part 2 of Schedule 3 in relation to Wales		
ELL-45-06 The Childcare (Provision of Information) Regulations 2007	Regulations under section 27 of the Childcare Act 2006 - places a duty on Local Authorities to provide information, advice and assistance to parents or prospective parents.	Standard Procedure Target CIF 1 st April 2008	SO24 CSD2
ELL-46-06 The Childcare (Local Authority Assessment) (Wales) Regulations 2007	Regulations under section 26 of the Childcare Act 2006 - places a duty on Local Authorities to prepare and review assessments at prescribed intervals of the sufficiency of childcare in their area.	Standard Procedure Target CIF 1 st April 2008	SO24 CSD2

Please note there are 2 SO26, 2 SO28 and 2 SO 29's. (See below)

Standing Orders 26, 28 and 29

Name/ working title of SI	Purpose/effect	Anticipated Procedure/ Projected month legislation to be made	Standing Order

<p>ELL-01-06</p> <p>Regulatory Reform (Local Authorities) (England and Wales) Order 2006</p>	<p>To amend paragraph 6 of Schedule 1 to the Education Act 1996 to remove the requirement on local education authorities to seek the Secretary of State's or the National Assembly for Wales' approval with regard to their arrangements for the consideration and disposal of any complaint that the LEA, or teacher in charge of the Pupil Referral Unit, have acted unreasonably with respect to certain functions or have failed to discharge their duty to provide a balanced and broadly based curriculum at a Pupil Referral Unit. No requests have been received by the National Assembly for Wales in recent years.</p>	<p>May 2006 Awaiting new timetable from DCLG</p>	<p>SO 26</p> <p>ANID</p>
<p>ELL 20-06</p> <p>Approval of Qualifications under Section 99 of Learning and Skills Act 2000</p>	<p>The Approval of Qualifications is updated termly. Unless an external qualification is approved, courses leading to it cannot be provided for learners under 19 year old by or on behalf of a maintained school, or funded by the National Assembly for Wales and LEAs.</p>	<p>November 2006.</p> <p>Minister has agreed the updated list of qualifications and the Approval Instrument was signed on 30 November 2006 and came into force 1 December 2006</p>	<p>SO 29</p> <p>Q&C 14-19</p>

<p>ELL-23-06</p> <ul style="list-style-type: none"> • The Placement of Children (and Miscellaneous Amendments) (Wales) Regulations 2007 • The Children's Homes (Wales) (Amendment) Regulations 2007 <p>The Local Health Board Functions (Wales)(Amendment) Regulations 2007</p>	<p>To strengthen duties on local authorities and their partners (particularly in Health) in respect of placement and review arrangements and health and education provision for looked after children and care leavers.</p> <p>In addition changes to the Responsible Commissioner for secondary health care for vulnerable children (including looked after children) placed away from home.</p>	<p>To Plenary February 2007. Comes Into Force 1 July 2007</p> <p>Standard Procedure with debate</p>	<p>SO 29</p> <p>CHSSD</p>
<p>ELL-32-06</p> <p>The Education (Designated Institutions in Further Education) (Wales) Order 2006</p>	<p>The order will amend the designation of the institution eligible to receive funding from the National Assembly for Wales from the National Council of Young Men's Christian Association of Wales to YMCA Wales Community College.</p>	<p>January 2007</p>	<p>SO 28</p>
<p>ELL-41-06</p> <p>The Royal Welsh Colleges of Music & Drama Higher Education Corporation (Dissolution) Order 2006</p>	<p>Dissolves the higher education corporation known as the Royal Welsh College of Music and Drama to facilitate the strategic alliance with the University of Glamorgan. It will become a wholly-owned subsidiary company limited by shares with a charitable status known as the Royal Welsh College of Music and Drama Limited.</p>	<p>By e-mail notification on 5 December to all AMs</p> <p>Came into force on 1 January 2007</p>	<p>SO 28</p>

<p>ELL-42-06</p> <p>National Assembly for Wales (Conversion of Framework Powers) (Legislative Competence) Order 2007</p>	<p>Converts framework powers in the Education and Inspections Act 2006 and NHS Redress Act 2006 to powers for the Assembly to make Assembly Measures, once legal separation of the Assembly from the Welsh Assembly Government has taken place following the May 2007 elections.</p>	<p>This is a proposal for an Order in Council under the Government of Wales Act 2006, that is being taken forward by the Secretary of State for Wales. The approval of the Assembly is required and the order is also subject to negative procedure in Parliament.</p> <p>Target for Assembly approval end January 2007. Coming into force late March 2007 (following Privy Council consideration and laying in Parliament)</p>	<p>SO 26</p>
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