

Explanatory Memorandum to The Education (School Day and School Year) (Wales) (Amendment) Regulations 2011

This Explanatory Memorandum has been prepared by the Learning, Improvement and Professional Development Division of the Department for Children, Education, Lifelong Learning and Skills, and is laid before the National Assembly for Wales in conjunction with the above subordinate legislation and in accordance with Standing Order 24.1.

Minister's Declaration

In my view, this Explanatory Memorandum gives a fair and reasonable view of the expected impact of the Education (School Day and School Year) (Wales) (Amendment) Regulations 2010.

Leighton Andrews AM

Minister for Children, Education and Lifelong Learning

25 January 2011

Description

These Regulations allow for two additional INSET days in the school year 2010/11, for the provision of training, or preparation and planning, for teachers in maintained schools but will be restricted to the summer term and will be reduced pro-rata if any school teaching time is lost due to bad weather in the two preceding terms.

The Regulations also reduce the minimum number of school sessions which must be held in the school years 2010-2011 and 2011-2012 from 380 to 378 (i.e. 190 to 189 days).

Matters of special interest to the Constitutional Affairs Committee

None

Legislative background

The Welsh Ministers have the power under sections 551 and 569(4) and (5) of the Education Act 1996(1) to provide for up to four sessions in 2010/11 school year to count as sessions to be devoted to the provision of training, or preparation and planning for teachers in maintained schools.

These functions of the National Assembly for Wales were transferred to the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act 2006.

These Regulations are subject to the negative resolution procedure.

Purpose and intended effect of the legislation

Existing provision of two additional INSET days was put in place in 2008 for the school years 2008/09 and 2009/10 by the Education (School Day and School Year) (Wales) (Amendment) Regulations 2003 (as amended by The Education (School Day and School Year) (Wales) (Amendment) Regulations 2008 (SI 2008/1739). The amended Regulations are intended to provide continuing support for teachers' professional development during the school year 2010/11.

The regulations will also enable schools to close for a further day in 2010/2011 and in 2011/2012 to take account of the additional bank holidays for the Royal Wedding and the Queen's Diamond Jubilee.

Consultation

A consultation exercise on future requirements for additional INSET days was launched on 1 September 2010 and was open for responses until 27 November 2010. A total of 6 questions were asked and 73 responses were received. A summary of these responses will be published on the Welsh Assembly Government's web site shortly.

Regulatory Impact Assessment

The Regulations impose no additional costs or additional duties on schools or Local Authorities, and no formal RIA has been undertaken.