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WELSH STATUTORY INSTRUMENTS

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**2014 No. 1212 (W. 128)**

**EDUCATION, WALES**

**The Education (Amendments Relating to the Inspection of Education and Training) (Wales) Regulations 2014**

<i>Made</i>	- - - -	<i>8 May 2014</i>
<i>Laid before the National Assembly for Wales</i>	- -	<i>12 May 2014</i>
<i>Coming into force</i>	- -	<i>1 September 2014</i>

The Welsh Ministers in exercise of the powers conferred on the Secretary of State by sections 122(1) and 138(7) and (8) of, and paragraph 6B(1)(a) of Schedule 26 to, the School Standards and Framework Act 1998(1), and in exercise of the powers conferred on the National Assembly for Wales by sections 77(2) and (9), 80(4), 150 and 152 of the Learning and Skills Act 2000(2), and in exercise of the powers conferred on the National Assembly of Wales by sections 28(1) and (8), 39(2)(a), 42(2)(a), 50(4) and (8), 55(4), 56(3), 57(9) and (10) and 120(2) of, and paragraph 6(b) of Schedule 4 and paragraphs 2(1) and 3(1) of Schedule 6 to, the Education Act 2005(3), and now vested in them make the following Regulations:

**Title, commencement and application**

1. (1) The title of these Regulations is the Education (Amendments Relating to the Inspection of Education and Training) (Wales) Regulations 2014 and they come into force on 1 September 2014.

(2) These Regulations apply in relation to Wales.

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- (1) 1998 c. 31. Section 122(1) was amended by paragraph 33(1) and (3) of Schedule 2 to the Childcare Act 2006 (c. 21), and paragraph 6, as originally enacted, of Schedule 26 was substituted for paragraph 6B by paragraphs 8 and 12 of Part 2 of Schedule 7 to the Education Act 2005 (c. 18). The functions of the Secretary of State under section 138 and Schedule 26 were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) and then to the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32).
- (2) 2000 c. 21. The functions of the National Assembly for Wales under these sections were transferred to the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006.
- (3) 2005 c. 18. The functions of the National Assembly for Wales under these sections were transferred to the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006.

### **Amendment to the Education (Inspection of Nursery Education) (Wales) Regulations 1999**

2. In the Education (Inspection of Nursery Education) (Wales) Regulations 1999(4) in regulation 4, for paragraph (1)(b) substitute—

- “(b) “(b) in all other cases at least once within a six year period beginning on 1 September 2014 and ending on 31 August 2020 and at least once within every subsequent six year period beginning on the expiry of the previous six year period.”.

### **Amendment to the Inspection of Education and Training (Wales) Regulations 2001**

3. (1) The Inspection of Education and Training (Wales) Regulations 2001(5) are amended as follows.

(2) In regulation 2, for paragraph (1)(b) substitute—

- “(b) “(b) in all other cases at least once within a six year period beginning on 1 September 2014 and ending on 31 August 2020 and at least once within every subsequent six year period beginning on the expiry of the previous six year period.”.

(3) In regulation 4 for “50” substitute “20”.

### **Amendment to the Education (School Inspection) (Wales) Regulations 2006**

4. (1) The Education (School Inspection) (Wales) Regulations 2006(6) are amended as follows.

(2) In regulation 6, for paragraph (1)(b), substitute—

- “(b) “(b) in all other cases at least once within a six year period beginning on 1 September 2014 and ending on 31 August 2020 and at least once within every subsequent six year period beginning on the expiry of the previous six year period.”.

(3) In paragraph (c) of regulation 8 omit “at least three weeks in advance”.

(4) In paragraph (1) of regulation 10 for “forty five” substitute “20”.

(5) For regulation 14 substitute—

#### **“Intervals for inspection**

14. Where the governing body of a voluntary or foundation school are required by section 50(1) to secure that denominational education given to any pupil and the content of the school’s collective worship are inspected they must secure that the inspection takes place—

- (a) in the case of a school which had no previous inspection, within six years of the date on which pupils were first admitted to the school; and
- (b) in all other cases, at least once within a six year period beginning on 1 September 2014 and ending on 31 August 2020 and at least once within every subsequent six year period beginning on the expiry of the previous six year period.”.

(6) In paragraph (4) of regulation 16 for “forty five” substitute “20”.

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- (4) S.I. 1999/1441 as amended by the Education Act 2002 (Transitional Provisions and Consequential Amendments) (Wales) Regulations 2004 (S.I. 2004/1743 (W. 182)), the Education Act 2002 (Transitional Provisions and Consequential Amendments) (Wales) Regulations 2005 (S.I. 2005/2913 (W. 210)) and the Education (Amendments Relating to the Intervals for the Inspection of Education and Training) (Wales) Regulations 2010 (S.I. 2010/1436 (W. 127)).
- (5) S.I. 2001/2501 (W. 204) as amended by the Inspection of Education and Training (Amendment) (Wales) Regulations 2004 (S.I. 2004/783 (W. 80)), the National Council for Education and Training for Wales (Transfer of Functions to the National Assembly for Wales and Abolition) Order 2005 (S.I. 2005/3238 (W. 243)) and the Education (Amendments Relating to the Intervals for the Inspection of Education and Training) (Wales) Regulations 2010 (S.I. 2010/1436 (W. 127)).
- (6) S.I. 2006/1714 (W. 176) as amended by the Education (Amendments Relating to the Intervals for the Inspection of Education and Training) (Wales) Regulations 2010 (S.I. 2010/1436 (W. 127)).

## **Amendments to the Inspection of the Careers and Related Services (Wales) Regulations 2006**

5. (1) The Inspection of the Careers and Related Services (Wales) Regulations 2006(7) are amended as follows.

(2) In regulation 4 for paragraph (1), substitute—

“(1) Save where regulation 3 applies, the Chief Inspector must inspect each service provider under section 55 of the 2005 Act and each relevant provider under section 56 of the 2005 Act at least once within a six year period beginning on 1 September 2014 and ending on 31 August 2020 and at least once within every subsequent six year period beginning on the expiry of the previous six year period.”.

(3) In regulation 7 for “fifty” substitute “20”.

8 May 2014

*Carwyn Jones*  
First Minister for Wales

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(7) [S.I. 2006/3103](#) (W. 286) as amended by the Education (Amendments Relating to the Intervals for the Inspection of Education and Training) (Wales) Regulations 2010 ([S.I. 2010/1436](#) (W. 127)).

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the—

- (a) Education (Inspection of Nursery Education) (Wales) Regulations 1999,
- (b) Inspection of Education and Training (Wales) Regulations 2001,
- (c) Education (School Inspection) (Wales) Regulations 2006, and
- (d) Inspection of Careers and Related Services (Wales) Regulations 2006,

so as to require Her Majesty's Chief Inspector of Education and Training in Wales/Prif Arolygydd Ei Mawrhydi dros Addysg a Hyfforddiant yng Nghymru ("the Chief Inspector") to ensure that inspections are conducted at least once within every six year period beginning on 1 September 2014. The amendments will allow the Chief Inspector greater scope to vary the date on which a school or education setting is inspected in order to reduce predictability of inspections. This will allow the Chief Inspector to inspect those schools that may be causing concern more frequently. In contrast if there was no such cause for concern the school may be inspected less frequently.

These Regulations further amend the—

- (a) Inspection of Education and Training (Wales) Regulations 2001,
- (b) Education (School Inspection) (Wales) Regulations 2006, and
- (c) Inspection of Careers and Related Services (Wales) Regulations 2006,

so as to require the post inspection action plan to be produced within 20 working days from the date the appropriate authority for the school (the governing body or the local authority maintaining the school), or the proprietor (as the case maybe) receives the inspection report.

The Education (School Inspection) (Wales) Regulations 2006 require a school to give at least three weeks notice of a parents meeting held pursuant to its duty in paragraph 6(b) of Schedule 4 of the Education Act 2005. These Regulations remove the requirement that the notice be given at least three weeks in advance.