

**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>	

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

NEW ADDITIONS & CHANGES ARE HIGHLIGHTED IN BOLD

	<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>	
--	--	--	--

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

NEW ADDITIONS & CHANGES ARE HIGHLIGHTED IN BOLD

	<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>	
--	---	--	--

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

NEW ADDITIONS & CHANGES ARE HIGHLIGHTED IN BOLD

	<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>	
School Transport Bill 2004	<p>Intended to enable a limited number of LEAs to pilot innovative school transport arrangements. Did not receive Royal Assent before Parliament was dissolved for the general election, therefore no subordinate legislation. If reintroduced after the election, the Bill would have to go through its Parliamentary stages afresh, delaying the start of any pilot travel schemes in Wales beyond September 2007.</p>		
Charities Bill	<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</p>		

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

NEW ADDITIONS & CHANGES ARE HIGHLIGHTED IN BOLD

<p>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>		
---	--	--

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

NEW ADDITIONS & CHANGES ARE HIGHLIGHTED IN BOLD

NAME/ WORKING TITLE OF SI	PURPOSE/EFFECT	ANTICIPATEDPROCEDURE/ PROJECTED MONTH LEGISLATION TO BE MADE	STANDING ORDER/LE ADING 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.	April 2005 Standard Procedure Made April 2005	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	November 2005. Standard Procedure (Timetable received)	SO24 SMD

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

NEW ADDITIONS & CHANGES ARE HIGHLIGHTED IN BOLD

<p>ELL-21-04 Education (Revised School Governance (Wales) Regulations 2005</p>	<p>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.</p>	<p>October 2005 Standard Procedure</p>	<p>SO24 SMD</p>
<p>ELL-23-04 The General Teaching Council for Wales (Functions) (Amendment) Regulations</p>	<p>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</p>	<p>2005 Standard Procedure.</p>	<p>SO 24 TLD</p>
<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 (This Order should travel with Amendment to GTCW (Functions) (Amendment) Regulations – ELL 23-04)</p>	<p>2005 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,theRegulations 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 Standard procedure</p>	<p>SO24 SMD</p>

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

NEW ADDITIONS & CHANGES ARE HIGHLIGHTED IN BOLD

<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>September 2005 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>September 2005 Standard procedure</p>	<p>SO24 SMD</p>
<p>ELL-29-04 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>May 2005 Standard procedure</p>	<p>SO24 SMD</p>

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

NEW ADDITIONS & CHANGES ARE HIGHLIGHTED IN BOLD

<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>September 2005 Standard procedure</p>	<p>SO24 SMD</p>
---	---	--	--------------------------

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

NEW ADDITIONS & CHANGES ARE HIGHLIGHTED IN BOLD

2005

NAME/ WORKING TITLE OF SI	PURPOSE/EFFECT	ANTICIPATEDPROCEDURE / PROJECTED MONTH LEGISLATION TO BE MADE	STANDIN G 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.	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

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

NEW ADDITIONS & CHANGES ARE HIGHLIGHTED IN BOLD

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.	SO 24 TLD

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

NEW ADDITIONS & CHANGES ARE HIGHLIGHTED IN BOLD

<p>ELL-10-05 Education (Attendance Targets) (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 Sept 2005</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</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</p>	<p>SO24 TSCP</p>

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

NEW ADDITIONS & CHANGES ARE HIGHLIGHTED IN BOLD

<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) (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.</p>	<p>May 2005 Standard Procedure</p>	<p>SO24 DSSP</p>
<p>ELL-16-05 Education (Student Support) (Wales) Regulations 2005</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>December 2005 Standard Procedure</p>	<p>SO24 DSSP</p>
<p>ELL-17-05 The National Curriculum (Key Stage 3 Assessment Arrangements) (Wales) Order 2005</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 3. The new arrangements will be based on Teacher Assessments only and will apply in respect of the 2005-06 school year.</p>	<p>May 2005 Standard Procedure</p>	<p>SO24 SPD4</p>

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

NEW ADDITIONS & CHANGES ARE HIGHLIGHTED IN BOLD

<p>ELL-18-05 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 the main, 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 Standard Procedure</p>	<p>SO24 SPD4</p>
<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 disappplied.</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>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>September 2005 Standard Procedure</p>	<p>SO 24 SMD</p>

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

NEW ADDITIONS & CHANGES ARE HIGHLIGHTED IN BOLD

ELL- 23-05 Disability Discrimination (Prescribed Periods for Accessibility Strategies and Plans for Schools) (Wales) Regs 2005	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.	January 2006 Standard Procedure	SO 24 SMD
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 Accelerated Procedure	SO24 PSD
ELL-28-05 The Education (Induction Arrangements for School	The regulations will provide further flexibility for newly qualified teachers before and during their statutory Induction period by extending the limit on short-term	September 2005 Standard Procedure	SO 24 TLD3

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

NEW ADDITIONS & CHANGES ARE HIGHLIGHTED IN BOLD

Teachers) (Amendment) (Wales) Regulations 2005	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.		
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) Regulations 2005	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.	October 2005 Standard Procedure	SO 24 SMD
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-33-05 The Education Act 2002 (Commencement No 6 and Transitional Provisions) Order 2005	The proposed instrument commences Section 50 of the Education Act 2002, Section 51 and parts of Schedule 4 to the Act relevant to the Education (Admission Appeal Arrangements) 2005. The provisions commenced would: Enable admission appeals arrangements to be set out in regulations Enable arrangements for appeals relating to LEA directions to schools to admit pupils to be set out in regulations	May 2005 Standard Procedure	SO 24 SMD

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

NEW ADDITIONS & CHANGES ARE HIGHLIGHTED IN BOLD

	<p>Clarify that a school's admission arrangements include arrangements for admission to 6th forms and that where those arrangements provide for selection to 6th forms, compliance with parental preference does not prevail if the pupil does not qualify under those arrangements.</p> <p>The Order makes transitional provisions such that any appeals lodged before 31 May 2005, or any directions to admit children to a school decided before then, will be processed under existing arrangements. The amendments made in relation to admission arrangements will have effect from the determination year 2005-2006.</p>		
<p>ELL-34-05 The Education Act 2002 (Commencement No 7) (Wales) Order 2005</p>	<p>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.</p> <p>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.</p>	<p>October 2005 Standard Procedure</p>	<p>SO 24 SMD</p>
<p>ELL-35-05 The Education Act 2002 (Transitional Provisions and Consequential Amendments)</p>	<p>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)</p>	<p>October 2005 Standard Procedure</p>	<p>SO24 SMD</p>

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

NEW ADDITIONS & CHANGES ARE HIGHLIGHTED IN BOLD

(Wales) Regulations 2005	Order 2004 and make consequential amendments.		
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	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		SO 24 HE
ELL-37-05 The Education (Assisted Places) (Amendment) (Wales) Regulations 2005 The Education (Assisted Places) (Incidental Expenses) (Amendment) (Wales) Regulations 2005	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.	July 2005 (to be confirmed) Accelerated procedure	SO24 PSD

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

NEW ADDITIONS & CHANGES ARE HIGHLIGHTED IN BOLD

<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</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 (Listed Bodies)(Wales) Order 2005</p>	<p>To update the list of institutions which offer a course leading to a degree on behalf of a Recognised Body. A Listed Body may also be a constituent college, school, hall or other institution of a university which is a Recognised Body. The purpose of the Order is to prevent the award of bogus degrees.</p>	<p>June 2005 Accelerated Procedure</p>	<p>SO 24 HED</p>
<p>ELL-41-05 The Qualifications Curriculum and Assessment Authority for Wales (Transfer of functions to</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</p>	<p>December 2005 Standard Procedure</p>	<p>SO24 SPD</p>

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

NEW ADDITIONS & CHANGES ARE HIGHLIGHTED IN BOLD

the National Assembly for Wales and Abolition) Order 2005	consequential, incidental, supplemental or transitional provisions or savings		
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

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

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

NEW ADDITIONS & CHANGES ARE HIGHLIGHTED IN BOLD

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/ 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.	July 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

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

NEW ADDITIONS & CHANGES ARE HIGHLIGHTED IN BOLD

<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>December 2005 Standard Procedure</p>	<p>SO29 LLD</p>

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

NEW ADDITIONS & CHANGES ARE HIGHLIGHTED IN BOLD

<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>
--	---	---	---------------------

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

NEW ADDITIONS & CHANGES ARE HIGHLIGHTED IN BOLD

<p>ELL-42-05 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>Procedures. Approval in May 2005</p>	<p>SO 29.5 SPD</p>
--	--	---	-----------------------------