

2016 No. 135 (W. 65)

EDUCATION, WALES

**The Education (Amendments
Relating to the Intervals for
Inspection of Education and
Training) (Wales) Regulations 2016**

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the—

- (a) Inspection of Education and Training (Wales) Regulations 2001,
- (b) Education (School Inspection) (Wales) Regulations 2006,
- (c) Inspection of Careers and Related Services (Wales) Regulations 2006, and
- (d) Education (Inspection of Nursery Education) (Wales) Regulations 2015,

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 to inspect at least once within a seven year period beginning on 1 September 2016 and ending on 31 August 2023 and at least once within every subsequent six year period (regulations 2, 3 and 4).

These Regulations also correct regulation 3(2)(f) of the Education (Inspection of Nursery Regulations) (Wales) Regulations 2015 ("the 2015 Regulations"). Regulation 3(2)(f) of the 2015 Regulations refers to the local authorities registration functions in sections 20 and 22 of the Children and Families (Wales) Measure 2010 ("the 2010 Measure"). Regulation 4 of these Regulations amends that reference so that it refers to the Welsh Ministers registration functions in sections 20 or 22 of the 2010 Measure.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a

regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

2016 No. 135 (W. 65)

EDUCATION, WALES

**The Education (Amendments
Relating to the Intervals for
Inspection of Education and
Training) (Wales) Regulations 2016**

Made 3 February 2016

*Laid before the National Assembly
for Wales* 11 February 2016

Coming into force 1 September 2016

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 paragraphs 6B(1)(a) and 13B(2) 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), 150 and 152 of the Learning and Skills Act 2000⁽²⁾, and by sections 28(1), 50(4) and (8), 55(4), 56(3) and 120(2) of, and paragraph 2(1) of Schedule 6 to, the Education Act 2005⁽³⁾, and now exercisable by them make the following Regulations:

Title, commencement and application

1.—(1) The title of these Regulations is the Education (Amendments Relating to the Intervals for Inspection of Education and Training) (Wales)

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- (1) 1998 c. 31. The functions of the Secretary of State under these sections were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) and are now exercisable by 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.

Regulations 2016 and they come into force on 1 September 2016.

(2) These Regulations apply in relation to Wales.

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

2. In regulation 2 of the Inspection of Education and Training (Wales) Regulations 2001(1), for paragraph (1)(b) substitute—

- (b) in all other cases, at least once within a seven year period beginning on 1 September 2016 and ending on 31 August 2023 and at least once within every subsequent six year period beginning on the expiry of the previous period.□

Amendments to the Education (School Inspection) (Wales) Regulations 2006

3. The Education (School Inspection) (Wales) Regulations 2006(2) are amended as follows—

(a) in regulation 6, for paragraph (1)(b), substitute—

- (b) in all other cases, at least once within a seven year period beginning on 1 September 2016 and ending on 31 August 2023 and at least once within every subsequent six year period beginning on the expiry of the previous period.□; and

(b) in regulation 14, for paragraph (b) substitute—

- (b) in all other cases, at least once within a seven year period beginning on 1 September 2016 and ending on 31 August 2023 and at least once within every subsequent six year period beginning on the expiry of the previous period.□

(1) 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)), the Education (Amendments Relating to the Intervals for the Inspection of Education and Training) (Wales) Regulations 2010 (S.I. 2010/1436 (W. 127)) and the Education (Amendments Relating to the Inspection of Education and Training) (Wales) Regulations 2014 (S.I. 2014/1212 (W. 128)).

(2) 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)) and the Education (Amendments Relating to the Inspection of Education and Training) (Wales) Regulations 2014 (S.I. 2014/1212 (W. 128)).

Amendment to the Inspection of the Careers and Related Services (Wales) Regulations 2006

4. In regulation 4 of the Inspection of the Careers and Related Services (Wales) Regulations 2006⁽¹⁾, 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 seven year period beginning on 1 September 2016 and ending on 31 August 2023 and at least once within every subsequent six year period beginning on the expiry of the previous period.□

Amendment to the Education (Inspection of Nursery Education) (Wales) Regulations 2015

5. The Education (Inspection of Nursery Education) (Wales) Regulations 2015⁽²⁾ are amended as follows—

(a) in regulation 3, for paragraph (2)(f) substitute—

□(f) in the case of nursery education provided by a person registered by the Welsh Ministers under sections 20 or 22 of the Children and Families (Wales) Measure 2010⁽³⁾, that person and the Welsh Ministers□; and

(b) in regulation 4, for paragraph (1)(b), substitute—

□(b) in all other cases, at least once within a seven year period beginning on 1 September 2016 and ending on 31 August 2023 and at least once within every subsequent six year period beginning on the expiry of the previous period.□

Huw Lewis

Minister for Education and Skills, one of the Welsh Ministers

3 February 2016

(1) 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)) and the Education (Amendments Relating to the Inspection of Education and Training) (Wales) Regulations 2014 (S.I. 2014/1212 (W. 128)).

(2) S.I. 2015/1599 (W. 198).

(3) 2010 nawm 1.