

Statutory Instruments with Clear Reports

17 September 2018

SL(5)238 – The Education (National Curriculum) (Assessment Arrangements for Reading and Numeracy) (Wales) (Amendment)

Order 2018

Procedure: Negative

Section 108 of the Education Act 2002 provides a power for the Welsh Ministers to prescribe by way of an Order assessment arrangements of the National Curriculum.

The Education (National Curriculum) (Assessment Arrangements for Reading and Numeracy) (Wales) Order 2013 (“the 2013 Order”) gives legal effect to the assessment arrangements for reading and numeracy for pupils who attend schools maintained by a local authority (other than any established in a hospital) in Wales. In particular the 2013 Order provides that the head teacher must send the results of the reading and numeracy assessments to either the National Foundation for Educational Research (“the NFER”) or the Welsh Ministers.

The NFER no longer collects the reading and numeracy assessment results. The assessment results must in future be sent only to the Welsh Ministers. Accordingly this Order amends the 2013 Order so as to remove any reference to the NFER (article 2(a) and (e)).

From the coming into force of this Order a pupil will be able to sit an on-line version of the assessments. The on-line versions of the assessments will be marked automatically by computer software and the results will automatically be submitted to the Welsh Ministers by computer software. In those cases the duty on the head teacher to mark the assessments in accordance with the NT mark scheme (defined in article 2(1) of the 2013



Order) and submit the assessment marks to the Welsh Ministers is not appropriate. Accordingly, article 2(b), (c) and (d) of this Order dis-applies those duties for those pupils taking the on-line version of the tests.

Parent Act: Education Act 2002

Date Made: 03 July 2018

Date Laid: 04 July 2018

Coming into force date: 01 September 2018



SL(5)244 – The Education Workforce Council (Membership and Appointment) (Wales) (Amendment) Regulations 2018

Procedure: Negative

Part 2 of the Education (Wales) Act 2014 (“the 2014 Act”) confers functions on the Education Workforce Council (“the Council”) in relation to persons who are required to register in the register the Council maintains in accordance with section 9 of that Act (“Registered Persons”). The categories of Registered Persons are set out in Table 1 at paragraph 1 of Schedule 2 to the 2014 Act.

Schedule 1 to the 2014 Act provides that the Council will have 14 members appointed by the Welsh Ministers. Seven of those members must be appointed from nominees of organisations set out in Regulations (“Nominating Bodies”). The list of Nominating Bodies is set out in Schedule 2 to the Education Workforce Council (Membership and Appointment) (Wales) Regulations 2014 (“the 2014 Regulations”).

These Regulations amend Part 1 of Schedule 2 to the 2014 Regulations so as to omit paragraph 1 (entry for the National Union of Teachers (Cymru)) and paragraph 7 (entry for the Association of Teachers and Lecturers). Those Unions have now merged to create a new union called the National Education Union. Therefore, to reflect that merger the National Education Union is added to the list of bodies set out in Part 1 of Schedule 2 to the 2014 Regulations (regulation 2(a)).

The categories of Registered Persons were amended by the Education Workforce Council (Registration of Youth Workers, Youth Support Workers and Work Based Learning Practitioners) Order 2016 so as to include youth workers, youth support workers, and work based learner practitioners (“New Categories”).

These Regulations amend Schedule 2 to the 2014 Regulations so as to allow bodies that represent the New Categories of Registered Persons to nominate



persons to become members of the Council. Accordingly these Regulations add to the list of Nominating Bodies the following (regulation 2(b))—

- (a) Council for Wales of Voluntary Youth Services Cyngor Cymreig y Gwasanaethau Ieuenctid Gwirfoddol;
- (b) Wales Principal Youth Officers' Group;
- (c) National Training Federation for Wales Ltd; and
- (d) Education Training Standards Wales.

Parent Act: Education (Wales) Act 2014

Date Made: 17 July 2018

Date Laid: 19 July 2018

Coming into force date: 08 August 2018



SL(5)245 – The Landfill Disposals Tax (Wales) Act 2017 (Site Restoration Relief) (Amendment) Regulations 2018

Procedure: Affirmative

These Regulations amend section 29(1)(a) of the Landfill Disposals Tax (Wales) Act 2017.

The amendment made by these Regulations enables the site restoration relief to be applied to the disposal of material consisting entirely of top-soil. The amendment will have effect in relation to taxable disposals made on or after the date the regulations come into force.

Parent Act: Landfill Disposals Tax (Wales) Act 2017

Date Made:

Date Laid:

Coming into force date:

