

Explanatory Memorandum to the Education (School Day and School Year) (Wales) (Amendment) Regulations 2012

This Explanatory Memorandum has been prepared by the Learning, Improvement and Professional Development Division of the Department for Education and Skills, and is laid before the National Assembly for Wales in conjunction with the above subordinate legislation and in accordance with Standing Order 27.1.

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 2012.

Leighton Andrews

Minister for Education and Skills, one of the Welsh Ministers

1 February 2012

Description

These Regulations allow for two additional INSET days in the school year 2011/12 to be devoted to improving teaching standards or management practices of school staff with a view to improving or assessing the literacy and numeracy skills of pupils at the school. Use of these sessions 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.

Matters of special interest to the Constitutional and Legislative 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 make provision as to the duration of the school day and school year.

Those functions were originally conferred on the Secretary of State, but were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 and are now vested in 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 has been in place for some years and the amended Regulations are intended to provide continuing support for teachers' professional development during the school year 2011/12. The amended regulations require that the 2 additional days should be focussed on literacy and numeracy for the academic year 2011/12.

Consultation

No formal consultation has taken place on these amendments as they are consistent with specific requirements prescribed by Ministers in previous years. Ministers announced these changes in August 2011.

Regulatory Impact Assessment

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