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WELSH STATUTORY INSTRUMENTS

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**2005 No. 2911 (W.208)**

**EDUCATION, WALES**

**The Annual Parents' Meeting  
(Exemptions) (Wales) Regulations 2005**

*Made* - - - - *18 October 2005*

*Coming into force* - - *31 October 2005*

The National Assembly for Wales, in exercise of the powers conferred upon it by sections 33(3) and 210(7) of the Education Act 2002<sup>(1)</sup>, makes the following Regulations:

**Title, commencement and application**

1.—(1) The title of these Regulations is the Annual Parents' Meeting (Exemptions) (Wales) Regulations 2005 and they come into force on 31 October 2005.

(2) These Regulations apply in relation to Wales.

**Revocations**

2. The Education (Annual Parents' Meetings) (Wales) Regulations 1999<sup>(2)</sup> are revoked.

**Interpretation**

3.—(1) In these Regulations “the 2002 Act” (“*Deddf 2002*”) means the Education Act 2002.

(2) Any reference in a provision of these Regulations to—

- (a) the governing body or to the governing body of a school is a reference to the governing body of any school to which the provision applies;
- (b) a parent is a reference to a parent of a registered pupil at the school to which the provision applies;
- (c) a school is a reference to a maintained school within the meaning of section 39(1) of the 2002 Act.

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(1) 2002 c. 32. For the definition of “regulations” see section 212.

(2) S.I.1999/1407.

### **Exemption for hospital special schools and boarding schools**

4. A governing body is exempt from the obligation imposed by section 33(1) of the 2002 Act to hold an annual parents' meeting if—

- (a) the school is a community special school or a foundation special school which is established in a hospital and the governing body is of the opinion that it would be impracticable to hold such a meeting in that school year; or
- (b) the school is a maintained school other than one within paragraph (a), and the governing body is of the opinion that it would be impracticable to hold such a meeting in that year, and at least 50% of the registered pupils at the school are boarders at the time when they form that opinion.

### **Exemption for schools that hold a post-inspection meeting**

5. The governing body is exempt from the obligation imposed by section 33(1) of the 2002 Act to hold an annual parents' meeting for the school year in which the meeting referred to in paragraph (b) is held if—

- (a) the school has been inspected under section 10 of the School Inspections Act 1996<sup>(3)</sup> by a registered inspector, and
- (b) the governing body has, within the period prescribed by regulation 8(1) of the Education (School Inspections) (Wales) Regulations 1998<sup>(4)</sup> for the preparation of the action plan, held a meeting to which all parents have been invited to discuss the registered inspector's report.

### **Exemption for schools that hold other meetings**

6. If, in any school year, the governing body holds a meeting to which all parents are invited, or a series of meetings and all parents are invited to at least one of the series, and—

- (a) the parents of no less than 20% of registered pupils at the school attend the meeting or at least one in a series;
- (b) parents have the opportunity at the meeting or at each of the series of meetings (as the case may be) to discuss the manner in which the school has been, and is to be, conducted and the performance of the school, and
- (c) three or more governors attend the meeting or each meeting of the series (as the case may be),

the governing body is exempt from the obligation imposed by section 33(1) of the 2002 Act to hold an annual parents' meeting for the school year in which the meeting is, or (as the case may be) series of meetings are, held.

### **Exemption if parents do not respond to the notice of meeting**

7. The governing body is exempt from the obligation imposed by section 33(1) of the 2002 Act to hold an annual parents' meeting in any school year in which it gives to parents with the governors' report a notice asking parents to state in writing within a specified period of not less than 7 days if they require the governing body to hold an annual parents' meeting and the parents of fewer than 5% of registered pupils respond within the specified period.

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(3) 1996 c. 57.

(4) S.I. 1998/1866. Regulation 8(1) was amended by S.I. 2004/784 (W.81).

### **Disapplication of exemptions**

8. The exemptions in regulations 5, 6 and 7 do not apply in any school year if—
- (a) no annual parents' meeting was held in the preceding year; or,
  - (b) before 31 May in that school year, the governing body receives a written request from the parents of no less than 5% of registered pupils that an annual parent's meeting be held.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(5).

18 October 2005

*D. Elis-Thomas*  
The Presiding Officer of the National Assembly

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## EXPLANATORY NOTE

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

These Regulations, made under section 33(3) of the Education Act 2002, provide for school governing bodies to be exempt from the general requirement to hold an annual parents' meeting ("APM") in certain circumstances. The Regulations come into force on 31 October 2005.

Regulation 2 revokes the Education (Annual Parents' Meetings) (Wales) Regulations 1999.

The circumstances in which a governing body is exempt from the requirement to hold an APM are as follows:

Regulation 4— if, in the case of a community special or foundation special school, the school is established in a hospital or the school is a maintained boarding school and the governing body considers it would be impractical to hold an APM;

Regulation 5— if the school has been inspected by Estyn and a parents' meeting has been held to discuss the inspector's report before the governing body draws up its action plan;

Regulation 6— if the governing body has held a meeting or series of meetings to which all parents have been invited, which has or (as the case may be) have been attended by three or more governors and parents have had the opportunity to discuss the past and future conduct of the school;

Regulation 7— if the governing body gives to parents with its Report a notice asking parents to respond within not less than 7 days if they wish the governing body to hold the APM and the parents of fewer than 5% of pupils respond.

Regulation 8 disapplies the exemptions in regulations 5, 6 and 7 if no APM is held in the preceding year or if the governing body receives a written request from the parents of 5% or more of the registered pupils for there to be such a meeting.

A regulatory appraisal has been prepared and placed on the National Assembly for Wales website ([www.wales.gov.uk](http://www.wales.gov.uk)). Copies can be obtained from the Welsh Assembly Government Schools Management Division, Crown Buildings, Cathays Park, Cardiff CF10 3NQ.