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WELSH STATUTORY INSTRUMENTS

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**2022 No. 178 (W. 58)**

**EDUCATION, WALES**

**The Relaxation of School Reporting Requirements  
(Wales) (Coronavirus) Regulations 2022**

<i>Made</i>	- - - -	<i>23 February 2022</i>
<i>Laid before Senedd Cymru</i>		<i>25 February 2022</i>
<i>Coming into force</i>	- -	<i>1 April 2022</i>

The Welsh Ministers in exercise of the powers conferred on the Secretary of State by sections 537 and 569(4) of the Education Act 1996<sup>(1)</sup>, and now vested in them<sup>(2)</sup>, and in exercise of the powers conferred on the National Assembly for Wales by sections 30(1) and 210(7) of the Education Act 2002<sup>(3)</sup> and now vested in them<sup>(4)</sup>, make the following Regulations:

**Title and coming into force**

1.—(1) The title of these Regulations is the Relaxation of School Reporting Requirements (Wales) (Coronavirus) Regulations 2022.

(2) These Regulations come into force on 1 April 2022.

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- (1) 1996 c. 56. Section 537(1) was amended by paragraph 152(a) of Schedule 30 to the School Standards and Framework Act 1998, by paragraph 9(1) and (15) of Schedule 13 to the Education Act 2011 and by [S.I. 2010/1158](#). Subsection (4) was amended by paragraph 37 of Schedule 7 to the Education Act 1997. Subsection (7) was amended by paragraph 152(b) of Schedule 30 and Schedule 31 to the School Standards and Framework Act 1998, by paragraphs 1 and 60 of Schedule 9 to the Learning and Skills Act 2000, by paragraph 6(1) and (5) of Part 2 of Schedule 7 to the Education Act 2002 and by [S.I. 2010/1158](#). Subsections (9) and (10) were repealed by Part 3 of Schedule 22 to the Education Act 2002. Section 569(4) was amended by section 8(1) and (5) of the Education (Wales) Measure 2009 ([nawm 5](#)). There are other amendments which are not relevant to these Regulations. For the definitions of “prescribed” and “regulations” see section 579(1) of the Education Act 1996.
- (2) 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 then to the Welsh Ministers under paragraph 30 of Schedule 11 to the Government of Wales Act 2006 ([c. 32](#)).
- (3) 2002 c. 32.
- (4) Subsections (1), (2) and (3) of section 30 were amended by section 103(1)(a) and (b) of the Education Act 2005 ([c. 18](#)). Subsection (7) of section 210 was amended by section 21(1) and (3)(c)(i) of the Learner Travel (Wales) Measure 2008 ([nawm 2](#)). There are other amendments which are not relevant to these Regulations. The functions of the National Assembly for Wales under section 30 of the Education Act 2002 were transferred to the Welsh Ministers under paragraph 30 of Schedule 11 to the Government of Wales Act 2006. For the definitions of “prescribed” and “regulations” see section 212(1) of the Education Act 2002.

### **Amendment of the School Governors' Annual Reports (Wales) Regulations 2011**

2.—(1) The School Governors' Annual Reports (Wales) Regulations 2011<sup>(5)</sup> are amended as follows.

(2) After regulation 1B insert—

#### **“Disapplication of certain requirements for the 2021-2022 school year**

1C. The information specified in paragraphs 6, 7 and 8(b) of Schedule 2 and relating to the 2021-2022 school year<sup>(6)</sup> must not be included in any governors' report.”

(3) In regulation 5(2)(a), after “regulation 1B” insert “or 1C”.

### **Amendment of the School Information (Wales) Regulations 2011**

3. After regulation 1B of the School Information (Wales) Regulations 2011<sup>(7)</sup> insert—

#### **“Disapplication of certain duties for the 2021-2022 school year**

1C. The information specified in paragraph 30 of Schedule 3 and relating to the 2021-2022 school year<sup>(8)</sup> must not be included in any school prospectus.”

23 February 2022

*Jeremy Miles*  
Minister for Education and Welsh Language, one  
of the Welsh Ministers

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(5) S.I. 2011/1939 (W. 207), amended by S.I. 2013/437 (W. 53), S.I. 2013/1561 (W. 142), S.I. 2014/2677 (W. 265), S.I. 2018/766 (W. 153), S.I. 2020/729 (W. 164) and S.I. 2021/612 (W. 163).

(6) For the definition of “school year” see section 579 of the Education Act 1996. The definition was inserted by paragraph 43 of Schedule 7 to the Education Act 1997.

(7) S.I. 2011/1944 (W. 211), amended by S.I. 2013/437 (W. 53), S.I. 2016/211 (W. 84), S.I. 2018/766 (W. 153), S.I. 2020/729 (W. 164) and S.I. 2021/612 (W. 163).

(8) For the definition of “school year” see section 579 of the Education Act 1996. The definition was inserted by paragraph 43 of Schedule 7 to the Education Act 1997.

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## EXPLANATORY NOTE

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

These Regulations amend a number of regulations so as to relax a number of requirements on schools as a result of the coronavirus pandemic.

The School Governors' Annual Reports (Wales) Regulations 2011 ("the Annual Report Regulations") set out the information that must be published by a school governing body in an annual report. Regulation 2(2) of these Regulations inserts a new regulation into the Annual Report Regulations the effect of which is that the following information for the 2021-2022 school year is not required to be published in any governors' annual report—

- (a) paragraph 6 of Schedule 2 to the Annual Report Regulations (the summary of secondary school performance),
- (b) paragraph 7 of Schedule 2 to the Annual Report Regulations (the numbers of authorised and unauthorised pupil absences), and
- (c) paragraph 8(b) of Schedule 2 to the Annual Report Regulations (further information relating to authorised and unauthorised pupils absences).

A consequential amendment is also made to regulation 5(2)(a) of the Annual Report Regulations in relation to the requirements of the short form of the annual report.

The School Information (Wales) Regulations 2011 ("the School Information Regulations") prescribe the school information that must be published by local authorities and schools in a school prospectus. Not all children have attended school throughout the year and many pupils and teachers have worked and studied remotely for periods of time. It is likely that will have a negative impact on the quality of some of the data regulated by the School Information Regulations. It is considered that the data on pupil absences is particularly affected and should not therefore be published in a school prospectus. Therefore, regulation 3 of these Regulations inserts a provision into the School Information Regulations the effect of which is to disapply the obligation on a school governing body to include in any school prospectus the data set out in paragraph 30 of Schedule 3 to those Regulations (data relating to pupil absences) in respect of the 2021-2022 school year.

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.