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WELSH STATUTORY INSTRUMENTS

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**2009 No. 2864 (W.251)**

**EDUCATION, WALES**

**The School Teacher Appraisal (Wales)  
(Amendment No. 2) Regulations 2009**

<i>Made</i>	- - - -	<i>26 October 2009</i>
<i>Laid before the National Assembly for Wales</i>	- -	<i>28 October 2009</i>
<i>Coming into force</i>	- -	<i>24 November 2009</i>

The Welsh Ministers, in exercise of the powers conferred on the National Assembly for Wales by sections 131 and 210 of the Education Act 2002(1) and now vested in them, make the following Regulations.

Given these Regulations correct errors and raise no new points of principle the Welsh Ministers have not considered it appropriate to consult any of the persons and bodies listed in section 131(7) of the Education Act 2002.

**Title, Commencement and Application**

1.—(1) The title of these Regulations is the School Teacher Appraisal (Wales) (Amendment No. 2) Regulations 2009 and they come into force on 24 November 2009.

(2) These Regulations apply in relation to Wales.

**Amendments**

2.—(1) The School Teacher Appraisal (Wales) Regulations 2002(2) are amended as follows.

(2) In regulation 3(1):

- (a) in the definition of “school” (“ysgol”) insert at the end “or maintained nursery school”;
- (b) in the definition of “school teacher” (“athro neu athrawes ysgol”) delete “at no more than two schools”.

(3) In regulation 4(2) insert “or more” after “two” and for “both schools” in both places those words appear substitute “each school”.

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(1) [2002 c. 32](#); conferred upon the National Assembly for Wales in the Education Act 2002 and transferred to the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32).

(2) [S.I. 2002/1394 \(W. 137\)](#). The School Teacher Appraisal (Wales) Regulations 2002 were amended by the School Teacher Appraisal (Amendment) (Wales) Regulations 2009 ([S.I. 2009/2159 \(W. 183\)](#)).

(4) Omit regulation 4(3) and substitute—

“(3) Where a school teacher has delegated to him or her by the authority some or all of the duties imposed on an appraiser as permitted by regulation 36(2), it is the duty of the governing body and head teacher of the school to exercise their functions under these Regulations with a view to securing the performance of the unattached teacher in discharging his or her duties at that school and at other schools is regularly appraised in accordance with these Regulations.”.

(5) In regulation 22(4A) insert “maintained” before “nursery school” and insert “no” before “later than”.

(6) In regulation 22(4B) substitute “appraised” for “managed”.

(7) In regulation 38(2) omit “41” and substitute “43” and omit “may” and substitute “must”.

(8) In regulation 43(8), omit “(7)” and substitute “(6)”.

*Jane E. Hutt*

Minister for Children, Education, Lifelong Learning and Skills, one of the Welsh Ministers

26 October 2009

## **EXPLANATORY NOTE**

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

These Regulations correct drafting errors in the School Teacher Appraisal (Amendment) (Wales) Regulations 2009. The Regulations also make two amendments to clarify that teachers employed at two or more schools, whether employed by local education authorities or by the governing bodies of schools, are to be appraised at each school.