

**EXPLANATORY MEMORANDUM TO THE  
THE NEW RELATIONSHIP WITH SCHOOLS (GOVERNORS' ANNUAL  
REPORT) ORDER 2004**

**2004 No. 2683**

1. This explanatory memorandum has been prepared by the Department for Education and Skills and is laid before Parliament by Command of Her Majesty.

This memorandum contains information for the Joint Committee on Statutory Instruments.

2. **Description**

This Order suspends the requirement for the governing bodies of certain schools (listed in the schedule to the Order) to publish a governors' annual report. The Order also provides for the suspension and modification of certain other provisions, as they apply to the governing bodies of those schools, consequential upon the suspension of the obligation to publish the annual report. The suspensions and modifications set out in the Order will have effect until 1 September 2005.

3. **Matters of special interest to the Joint Committee on Statutory Instruments.**

3.1 None

4. **Legislative Background**

4.1 The Order is made under section 2 of Chapter 1 (sections 1 to 5) of the Education Act 2002. The purpose of Chapter 1 of that Act is to facilitate the implementation of innovative projects that may (in the opinion of the Secretary of State) contribute to the raising of educational standards. Specifically, section 2 gives the Secretary of State the power, upon the application of one or more qualifying bodies, to suspend (and make consequential modifications to) particular provisions of education legislation in order to further such innovative projects. Orders made under s. 2 have effect for the period specified in the order, which cannot exceed 3 years.

4.2 Section 30(1) of the Education Act 2002 requires the governing body of every maintained school in England to prepare a governors' report ("the governors' annual report") once in every school year. Regulations treated as being in force under s. 30(2) (the Education (Governors' Annual Report) (England) Regulations 1999/2157 (as amended)) prescribe the content and manner of publication of the governors' annual report. There are a number of other references to the governors' annual report in education legislation which require the governing body to include certain additional information in their

report (i.e. in addition to the information required by the Education (Governors' Annual Report) (England) Regulations).

## **5. Extent**

5.1 This instrument applies to all the schools in **Annex A**

## **6. European Convention on Human Rights**

The Minister of State has made the following statement under section 19(1)(a) of the Human Rights Act 1998:

In my view the provisions of The New Relationship with Schools (Governor's Annual report) Order 2004 No. [XXXX] are compatible with the Convention rights.

## **7. Policy background**

7.1 The Power to Innovate (“the Power”) provides the Governing Body of schools, LEAs, the proprietors of certain special schools and Education Action Forums with an opportunity to apply to the Secretary of State to lift regulatory requirements in education legislation for a time-limited period (by means of a Power to Innovate Order), so they can trial a specific innovative project that has the potential to raise educational standards. The Power is the result of concerns that innovative ideas can be unintentionally thwarted by detailed regulations and legislation. It is intended to facilitate the implementation of these ideas and to ensure that no opportunity is lost to trial innovative proposals that could raise standards. It is intended that the lessons learned will be used for further deregulation for the system as a whole.

7.2 It is proposed to repeal the requirement for governing bodies of schools in England to prepare the governors' annual report (as required by s. 30 of the Education Act 2002) in the forthcoming bill and to replace it with the “school Profile”. The school Profile is intended to be less burdensome for schools to prepare than the governors' annual report and also it will be a more efficient way of getting information to parents and other interested parties. As part of the New Relationship with Schools trials, we have asked the trial schools to produce a school Profile in place of their annual report in order to test the format and concept of the Profile. An important part of the New Relationship with Schools is reducing burdens on schools in order to raise educational standards, so the Power is to be used to allow the trial schools to produce a Profile without having to also produce their annual report during the trial year.

## **8. Impact**

8.1 A Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies.

## **9. Contact**

Deryn Harvey at the Department for Education & Skills Tel: 020 7925 5972 or e-mail: Deryn.harvey@dfes.gsi.gov.uk can answer any queries regarding the instrument.

## **Annex A**

<b>Primary Schools:</b>	Mayespark Primary School DfES Establishment Number 317 - 2071
	Cleveland Junior School DfES Establishment Number 317 - 2012
	Oakdale Junior School DfES Establishment Number 317 - 3516
	St Malachy's R.C. Primary School DfES Establishment Number 352 - 3452
	Moston Fields Primary School DfES Establishment Number 352 - 2164
	Pike Fold Primary School DfES Establishment Number 352 – 2302
	Mount Carmel R.C. Primary School DfES Establishment Number 352 – 3503
	King David Junior School DfES Establishment Number 352 – 3336
	Moston Lane Community Primary School DfES Establishment Number 352 - 2165
	Cravenwood Community Primary School DfES Establishment Number 352 - 2069
	Seymour Primary School DfES Establishment Number 938 - 2139
	St Wilfrid's CE Primary School DfES Establishment Number 938 - 3352
	Hassocks Infant School DfES Establishment Number 938 - 2206
	Our Lady Queen of Heaven RC Primary School DfES Establishment Number 938 – 3338
	Fishersgate First School DfES Establishment Number 938 - 2168
<b>Secondary Schools:</b>	Plasht School DfES Establishment Number 316 – 4032

St Angela's Ursuline Convent School  
DfES Establishment Number 316 – 4600

Brampton Manor School  
DfES Establishment Number 316 – 4031

Forest Gate Community School  
DfES Establishment Number 316 – 4008

Broadgreen High School  
DfES Establishment Number 341 - 4425

St John Bosco High School  
DfES Establishment Number 341 - 4794

The Blue Coat School  
DfES Establishment Number 341 – 5404

St Julie's Catholic High School  
DfES Establishment Number 341 – 4790

Childwall School  
DfES Establishment Number 341 – 4426

King David High School  
DfES Establishment Number 341 - 4690

Gosforth High School  
DfES Establishment Number 391 - 4429

Kenton School  
DfES Establishment Number 391 - 4485

Heaton Manor School  
DfES Establishment Number 391 – 4494

Sacred Heart High School  
DfES Establishment Number 391 - 4716

All Saints College  
DfES Establishment Number 391 - 4500

West Gate Community College  
DfES Establishment Number 391 - 4498

Walbottle Campus Technology College  
DfES Establishment Number 391 - 4430

St Cuthbert's Catholic High School  
DfES Establishment Number 391 - 4715

The Henry Beaufort School  
DfES Establishment Number 850 – 4174

Purbrook Park School  
DfES Establishment Number 850- 5414

Cowplain Community School  
DfES Establishment Number 850 - 4110

The Arnewood School  
DfES Establishment Number 850 – 5402

Wyvern Technology College  
DfES Establishment Number 850 - 4161

Hamble Community Sports College  
DfES Establishment Number 850 - 4119

Eggar's School  
DfES Establishment Number 850 - 4000

Portchester Community School  
DfES Establishment Number 850 - 4133

Bishop Challoner Catholic Secondary School  
DfES Establishment Number 850 – 4604

Caistor Yarborough School  
DfES Establishment Number 925 - 4049

The Charles Read High School  
DfES Establishment Number 925 - 4017

The Robert Manning Technology College  
DfES Establishment Number 925 – 4000

The Grantham Church (VA) High School  
DfES Establishment Number 925 – 5419

St Bede's Catholic Science College  
DfES Establishment Number 925 – 4604

Queen Eleanor Community School  
DfES Establishment Number 925 - 4067

St Hugh's Church of England Mathematics and Computing College  
DfES Establishment Number 925 - 5422

Walton Girls' High School  
DfES Establishment Number 925 - 4019

Sir William Robertson High School  
DfES Establishment Number 925 – 5420

The Priory LSST  
DfES Establishment Number 925 – 5425

The Central Technology College  
DfES Establishment Number 925 – 5426

Steyning Grammar School  
DfES Establishment Number 938 – 4501

Thomas Bennett Community College  
DfES Establishment Number 938 - 4044

Bourne Community College  
DfES Establishment Number 938 – 4028

Millais School  
DfES Establishment Number 938 – 4010

Littlehampton Community School  
DfES Establishment Number 938 - 4062

Davison C.E. High School for Girls  
DfES Establishment Number 938 - 4502

St Wilfrid's R.C. School  
DfES Establishment Number 938 - 4602

Warden Park School  
DfES Establishment Number 938 - 4103

The Weald School  
DfES Establishment Number 938 - 4025

St Benedict's College  
DfES Establishment Number 341 – 4788

**Special Schools:**

Sir Charles Parsons School  
DfES Establishment Number 391 – 7035

Court Meadow School  
DfES Establishment Number 938 – 7016

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