
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. Therefore, 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 2019-2020 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).

The Head Teacher's Report to Parents and Adult Pupils (Wales) Regulations 2011 ("the Reporting Regulations") make provision as to the report the head teacher of a maintained school is required to send to parents and adult pupils each school year and the additional information a parent may request from the head teacher. Not all children are attending school and many pupils and teachers are working and studying remotely. This presents challenges for teachers in respect of providing the report to parents and adult pupils. Therefore regulation 3 of these Regulations inserts a new provision into the Reporting Regulations the effect of which is to amend the obligations on the head teachers so that they are obligated to use their reasonable endeavours to comply with those obligations.

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 are attending school and many pupils and teachers are working and studying remotely. 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 4 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 2019-2020 school year.

The School Performance and Absence Targets (Wales) Regulations 2011 ("the School Targets Regulations") set out the school performance targets that must be set by a school governing body. The targets are set for a 3 year period and the revised targets provide the basis for targets for the following year. The data that will inform those targets is adversely affected by the fact that many pupils and children are not attending schools and are instead working remotely. This presents a particular problem with setting targets for a school year and how that will work with the 3 year cycle of targets and revision of those targets. Therefore regulation 5 of these Regulations revokes the School Targets Regulations. It is anticipated that a new set of these Regulations will be made following the introduction of the new curriculum and assessment arrangements from 2022 onwards.

The School Performance Information (Wales) Regulations 2011 ("the School Performance Regulations") regulate the transfer of information relating to the educational performance of pupils

Status: This is the original version (as it was originally made).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

from head teachers to school governing bodies, local authorities and the Welsh Ministers. As noted above not all children are attending school and many pupils and teachers are working and studying remotely. It is likely that will have a negative impact on the quality of some of the data regulated by the School Performance Regulations. Many schools will not have completed the foundation phase and key stage assessments and the collection of this data by Welsh Ministers, via local authorities, will not take place for the 2019-2020 school year. Therefore, regulation 6(2) of these Regulations inserts a provision into the School Performance Regulations the effect of which is to disapply the obligations on a school to supply the prescribed information relating to the 2019-2020 school year to local authorities, and on local authorities to supply that information to the Welsh Ministers.

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.