

## EXPLANATORY MEMORANDUM TO

### THE OFFICE FOR STANDARDS IN EDUCATION, CHILDREN'S SERVICES AND SKILLS (TRANSITIONAL PROVISIONS) REGULATIONS 2006

2006 No. 2991

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

2.1 The Education and Inspections Act (Part 8) provides for the establishment of the Office for Standards in Education, Children's Services and Skills ("the Office"). The regulations establish the Office in shadow form, and provide the Office, and HM Chief Inspector of Schools in England who is in the preparatory period part of the Office, with transitional powers and duties, to prepare for the exercise of their new functions.

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

3.1 None.

#### 4. Legislative Background

4.1 The Education and Inspections Act (Part 8) establishes the Office for Standards in Education, Children's Services and Skills ("the Office"). The remainder of Part 8 will later be brought into effect so that the Office will begin to exercise its new inspection and regulatory functions from 1 April 2007. The Office's functions will encompass those of the existing HM Inspector of Schools, the children's social care inspection and regulatory functions of the Commission for Social Care Inspection, the inspection remit of the Adult Learning Inspectorate, and the functions of HM Inspectorate for Courts Administration for the inspection of the Children and Family Court Advisory and Support Service (CAFCASS).

#### 5. Extent

5.1 This instrument applies to England.

#### 6. European Convention on Human Rights

6.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

#### 7. Policy background

7.1 The government's proposals for a single inspectorate for education and children's social care were contained in the 2005 consultation paper *A Single Inspectorate of Children and Learners*. The single inspectorate will mirror the integration of local authority services for education and children's social services,

following the government's Green Paper "Every Child Matters" published in September 2003, and the Children Act 2004.

## **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.

8.2 The Regulatory Impact Assessment which accompanied the 2005 consultation paper *A Single Inspectorate of Children and Learners* concluded that a single inspectorate would impact positively on a range of different sectors, and would deliver significant cost savings, although there would be some start up costs.

## **9. Contact**

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