
WELSH STATUTORY INSTRUMENTS

2005 No. 434 (W.45)

EDUCATION, WALES

**The Education Development Plans
(Wales) (Amendment) Regulations 2005**

Made - - - - 2 March 2005

Coming into force - - 31 March 2005

The National Assembly for Wales, in exercise of the powers conferred upon the Secretary of State by sections 6 and 138 of the School Standards and Framework Act 1998⁽¹⁾ and now vested in the National Assembly for Wales⁽²⁾, makes the following Regulations:

Citation, commencement, application and interpretation

1.—(1) These Regulations may be cited as the Education Development Plans (Wales) (Amendment) Regulations 2005 and come into force on 31 March 2005.

(2) These Regulations apply in relation to Wales.

(3) In these Regulations “the Principal Regulations” means the Education Development Plans (Wales) Regulations 2002⁽³⁾ and a reference to a numbered regulation is a reference to the regulation in the Principal Regulations bearing that number.

Amendment of the Principal Regulations

2. In Regulation 3(1) —

(a) in paragraphs (i) and (ii) of definition of “to achieve the Core Subject Indicator” substitute for “NC tests” the words “teacher assessments”;

(b) in definition of “level 4” and “level 5” substitute for “NC tests” the words “teacher assessment”; and

(c) insert after the definition of “supplementary plan” the following —

““teacher assessment” means the assessments of pupils carried out by teachers for the purpose of determining the level of attainment they have achieved in English, Welsh, science or mathematics, and for which assessments provision is made by or

(1) 1998 c. 31. For the meaning of “regulations” see section 142.

(2) The functions of the Secretary of State were transferred to the National Assembly for Wales, in relation to Wales, by virtue of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672).

(3) S.I. 2002/1187.

under orders made under section 108(3)(c) of the Education Act 2002 in force when the assessments are carried out;”

3. In Regulation 4 —

- (a) omit paragraph (2);
- (b) after paragraph (4) insert:

“(5) For the school year 2005-06, a third supplementary plan must relate to a period —

- (a) in respect only of the setting of targets specified in regulation 30, the school years 2005-06 and 2006-07;
- (b) in all other respects, the school year 2005-06”.

4. In Regulation 11, add after paragraph (2) the following —

“(3) Where targets have been set under paragraph (1) by reference to achievements in NC tests those targets are to be read as though the references to achievements in NC tests were references to achievements in teacher assessments”.

5. In Regulation 12 —

- (a) in paragraph (1) substitute for “NC tests to be administered to” the words “teacher assessments to be carried out of”;
- (b) in paragraph (2) in each of the sub-paragraphs (a) to (d) substitute for “tests” the word “assessments”.

6. In Regulation 13 —

- (a) in paragraph (1) substitute for “NC tests to be administered to” the words “teacher assessments to be carried out of”; and
- (b) in paragraph (2) in each of the sub-paragraphs (a) to (d) substitute for “tests” the word “assessments”.

7. In Regulation 30 after paragraph 1(b) insert:

“(c) in the third supplementary plan, targets for the school years 2005-06 and 2006-07”.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(4)

2 March 2005

John Marek
The Deputy Presiding Officer of the National
Assembly

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which are made under sections 6 and 138 of the School Standards and Framework Act 1998, amend the Education Development Plans (Wales) Regulations 2002.

Section 6 of the School Standards and Framework Act 1998 requires every local education authority to prepare an education development plan (known in Wales as an education strategic plan) for their area.

These Regulations remove the requirement for a subsequent full plan and insert a requirement for a third supplementary plan to be prepared for the school year 2005-06.

These Regulations also make amendments in relation to the targets to be set for the achievements of pupils in the second and third key stages. They substitute for references to National Curriculum tests references to teacher assessments and provide that where targets have been set which refer to the results of tests, they are to be read as referring to the results of teacher assessments. These amendments are in part consequential on the National Curriculum (Key Stage 2 Assessment Arrangements) (Wales) Order 2004. That Order specifies the assessment arrangements for pupils studying English, Welsh (as a first language), mathematics and science in the final year of the second key stage. It removes the requirement for tests to be administered to those pupils, so that their levels of attainment are determined by teacher assessments.