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WELSH STATUTORY INSTRUMENTS

2014 No. 2677 (W. 265)

EDUCATION, WALES

The Education (School Development Plans) (Wales) Regulations 2014

<i>Made</i>	- - - -	<i>1st October 2014</i>
<i>Laid before the National Assembly for Wales</i>	- -	<i>6 October 2014</i>
<i>Coming into force</i>	- -	<i>27 October 2014</i>

The Welsh Ministers in exercise of the powers in sections 19 and 54(3) and (4) of the Education Act 1997(1) and sections 537 and 569(4) and (5) of, and paragraph 3 of Schedule 1 to, the Education Act 1996(2) and in sections 21(3), 30(1) and (2), 131 and 210 of the Education Act 2002(3) and now vested in them(4), and after consulting in accordance with section 131(7) of the Education Act 2002 such associations of local authorities in Wales, local authorities in Wales, bodies representing the interests of governing bodies in Wales and bodies representing the interests of teachers in Wales as appear to them appropriate, make the following Regulations:

Title, commencement and application

1.—(1) The title of these Regulations is the Education (School Development Plans) (Wales) Regulations 2014 and they come into force on 27 October 2014.

(2) These Regulations apply in relation to Wales.

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- (1) 1997 c. 44. Sub-section (3) of section 19 of the Education Act 1997 was substituted by paragraph 213 of Schedule 30 to the School Standards and Framework Act 1998 (c. 31).
- (2) 1996 c. 56. Section 537 was amended by paragraph 37 of Schedule 7 to the Education Act 1997, paragraphs 57 and 152 of Schedule 30 to the School Standards and Framework Act 1998, paragraphs 1 and 60 of Schedule 9 to the Learning and Skills Act 2000 (c. 21), Part 3 of Schedule 22 to the Education Act 2002 (c. 32) and by S.I. 2010/1158. Section 569(4) was amended by section 8(1) and (5) of the Education (Wales) Measure 2009 (nawm 7).
- (3) 2002 c. 32. Sub-sections (1) and (2) of section 30 were amended by the Education Act 2005 (c. 18), section 103(1)(a). Sub-section (3) was amended by S.I. 2010/1158. Section 131 was amended by S.I. 2005/3238 (W. 243), S.I. 2010/1080 and S.I. 2010/1158.
- (4) The functions of the Secretary of State in sections 19 and 54 of the Education Act 1997 and sections 63 and 138 of the School Standards and Framework Act 1998 were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) and then to the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32). The powers in the Education Act 1996 and the Education Act 2002 were conferred upon the National Assembly for Wales and transferred to the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act 2006.

Interpretation

2.—(1) In these Regulations—

“approved relevant qualifications” (“*cymwysterau perthnasol a gymeradwywyd*”) are qualifications within the meaning of section 30(5) of the Education Act 1997;

“attainment results” (“*canlyniadau cyrhaeddiad*”) means the results of assessments of pupils carried out by teachers for the purpose of determining the level of attainment they have achieved in accordance with assessment provision made by or under orders made under section 108(2)(b)(iii) and (3)(c) of the Education Act 2002;

“current school year” (“*blwyddyn ysgol gyfredol*”) means the first school year for which the plan is to have effect;

“expected outcomes” (“*deilliannau disgwylidig*”) means the beneficial results to the educational performance of pupils at the school as a result of the school improvement targets being met;

“national priorities” (“*blaenoriaethau cenedlaethol*”) are—

- (a) raising the standards of education in relation to literacy and numeracy; and
- (b) reducing the impact of poverty on educational attainment;

“school comparative information” (“*gwybodaeth ysgol gymharol*”) means the summary of a school’s performance in teacher assessments, approved relevant qualifications and pupil absence rates relative to other schools and provided to the governing body by the Welsh Ministers;

“school development plan” (“*cynllun datblygu ysgol*”) means a plan prepared by a governing body in accordance with these Regulations;

“school improvement priorities” (“*blaenoriaethau gwella’r ysgol*”) means those areas of the standard of education at the school identified by the governing body as most in need of improvement;

“school improvement targets” (“*targedau gwella’r ysgol*”) means those targets set by the governing body in relation to improving the performance of the school in respect of the school improvement priorities;

“school staff” (“*staff yr ysgol*”) means those persons employed, or engaged otherwise under contracts of employment, to work at the school;

“teacher assessments” (“*asesiadau athrawon*”) means the assessments of pupils carried out by teachers for the purpose of determining the level of attainment they have achieved in accordance with assessment provision made by or under orders made under section 108(2)(b)(iii) and (3)(c) of the Education Act 2002.

(2) In these Regulations, unless the context otherwise requires, references to—

- (a) a governing body are references to the governing body of a maintained school;
- (b) a head teacher are references to the head teacher of a maintained school.

Requirement for the governing body to prepare a school development plan

3.—(1) The governing body must prepare a school development plan in accordance with these Regulations.

(2) The governing body’s duty to have a school development plan is without prejudice to the general principles and respective roles and responsibilities of governing bodies and head teachers set out in the School Government (Terms of Reference) (Wales) Regulations 2000(5).

Content of a school development plan

4. The school development plan (or revised plan) must contain provision dealing with the matters set out in the Schedule.

Duration a school development plan is to have effect

5.—(1) The governing body must determine the timing of the school development plan period.

(2) The length of the first school development plan period will be three years and must begin no later than 1 September 2015.

(3) The length of the subsequent school development plan periods will be three years and once begun school development plan periods must be continuous.

Monitoring, review and revision of a school development plan

6.—(1) The governing body must monitor and review the progress made by the school during each school year against the school development plan.

(2) The governing body must revise the school development plan—

- (a) at least annually and in any event no later than the date on which the school development plan was last prepared or revised; and
- (b) following an inspection by Her Majesty's Inspectorate for Education and Training Wales pursuant to section 28 of the Education Act 2005(6).

Publication

7. The governing body must publish the school development plan by providing copies of the plan to each member of the—

- (a) governing body; and
- (b) school staff.

School performance information

8. In preparing its school development plan the governing body is to have regard to—

- (a) any school comparative information; and
- (b) the attainment result of pupils at the school.

Consultation

9. In preparing or revising a school development plan the governing body must consult—

- (a) the head teacher of the school (if that person is not a member of the governing body);
- (b) registered pupils at the school;
- (c) parents of registered pupils;
- (d) school staff; and
- (e) such other persons as the governing body considers appropriate.

Amendments to the Education (Pupil Referral Units) (Application of Enactments) (Wales) Regulations 2007

10. In Part 2 of Schedule 1 to the Education (Pupil Referral Units) (Application of Enactments) (Wales) 2007(7) after paragraph 15 insert—

“Education (Pupil Referral Units) (Application of Enactments) (Wales) Regulations 2007

16. The Education (Pupil Referral Units) (Application of Enactments) (Wales) Regulations 2007 apply in relation to units as they apply in relation to maintained schools.”

Amendments to the School Governors’ Annual Reports (Wales) Regulations 2011

11. The School Governors’ Annual Reports (Wales) Regulations 2011(8) are amended as follows—

- (a) in paragraph (2) of regulation 5 for “7 and 11” substitute “7, 11 and 19”; and
- (b) in Schedule 2 after paragraph 18 insert—

“**19.** A summary of the school development plan prepared by the governing body in accordance with the Education (School Development Plans) (Wales) Regulations 2014.”

Amendment to the School Teacher Appraisal (Wales) Regulations 2011

12. The School Teacher Appraisal (Wales) Regulations 2011(9) are amended as follows—

- (a) in regulation 3(1) for the definition of “School Improvement Plan” substitute—

““School Development Plan” (“*Cynllun Datblygu’r Ysgol*”) means a plan prepared by the governing body in accordance with the Education (School Development Plan) (Wales) Regulations 2014;”;
- (b) in regulation 12(1)(d), 26(1)(d) and 39(1)(d) for “School Improvement Plan” substitute “School Development Plan”.

Huw Lewis

Minister for Education and Skills, one of the
Welsh Ministers

1 October 2014

(7) S.I. 2007/1069 (W. 109).

(8) S.I. 2011/1939 (W. 207) as amended by S.I. 2013/437 (W. 53) and S.I. 2013/1561 (W. 142).

(9) S.I. 2011/2940 (W. 316).

SCHEDULE

Regulation 4

Contents of a school development plan

School improvement priorities

- 1.—(1) The school improvement priorities for the current school year.
- (2) The school improvement priorities for the two school years immediately proceeding the current school year.
- (3) In setting the school improvement priorities the governing body must take account of the national priorities.

School improvement targets, expected outcomes and strategy

2. A brief statement setting out the school improvement targets and expected outcomes and the governing body's strategy to meet those targets.

Professional development strategy

3. Details of the governing body's strategy for the current school year as to how it will further the professional development of staff at the school in order to meet the school improvement targets.

Working with the community

4. Details of how the governing body will seek to meet the school improvement targets for the current school year by working with—
 - (a) pupils at the school and their families; and
 - (b) people who live and work in the locality in which the school is situated.

School staff and school resources

5. Details of how the governing body will make best use of the—
 - (a) current school staff and school resources (including its financial resources) to meet the school improvement targets for the current school year; and
 - (b) school staff and school resources (including financial resources) the governing body anticipates will be available to it to meet the school improvement targets for the next two school years immediately proceeding the current school year.

Previous targets

6. A brief statement setting out the extent to which the school improvement targets for the previous school year beginning with school year 2015 to 2016 were met and where they were not met fully a brief explanation as to the reasons for that failure.

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

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations apply to governing bodies of maintained schools. They impose a duty on the governing body to draw up a school development plan in order to assist it to exercise its responsibility for conducting a maintained school with a view to promoting high standards of educational achievement (regulation 3). That duty does not affect the general principles and respective roles and responsibilities of governing bodies and head teachers set out in the School Government (Terms of Reference) (Wales) Regulations 2000 (regulation 3(2)). The content of the plan is set out in the Schedule (regulation 4).

The school development plan has effect for a three year period (regulation 5). The governing body must revise it annually and following an inspection by Her Majesty's Inspectorate for Education and Training in Wales (regulation 6).

Regulation 7 makes provision in relation to publication and regulation 8 provides that in drawing up the school development plan the governing body must have regard to school performance information. Regulation 9 requires the governing body to consult with those persons prescribed.

There are consequential amendments to—

- (i) the Education (Pupil Referral Units) (Application of Enactments) (Wales) Regulations 2007 (regulation 10);
- (ii) the School Governors' Annual Reports (Wales) Regulations 2011 (regulation 11); and
- (iii) the School Teacher Appraisal (Wales) Regulations 2011 (regulation 12).