

SCHEDULE

Regulations 3, 4 and 5

PART 1

INTRODUCTION

1. In this Schedule—

“boarding accommodation” (*“llety byrddio”*) means overnight accommodation arranged or provided by an independent school at the school premises or elsewhere, but excluding accommodation for pupils being accommodated away from the school premises during a school trip;

“charity” (*“elusen”*) has the meaning given in section 1(1) of the Charities Act 2011⁽¹⁾;

“organisation” (*“sefydliad”*) includes a partnership, a body corporate and an unincorporated body;

“premises” (*“mangre”*) has the meaning given in section 579(1) of the 1996 Act;

“year group” (*“grŵp blwyddyn”*) means—

- (a) in relation to an initial return, a group of pupils attending an independent school who attain the same age in years during the period of 12 months beginning with 1 September in the school year in relation to which the return is made, and
- (b) in relation to an annual return, a group of pupils attending an independent school who attain the same age in years during the period of 12 months beginning with 1 September immediately before the date to which the annual return is made up.

PART 2

INFORMATION REQUIRED IN AN APPLICATION

2. Where the proprietor is an individual—

- (a) the individual’s full name and any previous names by which they have been known;
- (b) the individual’s usual residential address, telephone number, email address, date of birth and National Insurance number;
- (c) details of the individual’s employment history, including—
 - (i) a full employment history, together with a satisfactory written explanation of any gaps in employment;
 - (ii) where any previous employment or position has involved work with children, so far as reasonably practicable verification of the reason why the employment or position ended;
 - (iii) the name and address of any present employer and, where relevant, of any previous employers;
- (d) details of any business that the individual carries on or has carried on;
- (e) the name and address of two referees—
 - (i) who are not relatives of the individual;
 - (ii) each of whom is able to provide a reference as to the individual’s competence to act as proprietor of an independent school, and

(1) 2011 c. 25.

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- (iii) where possible, one of whom is the individual's most recent employer.
3. Where the proprietor is a body corporate—
- (a) its name;
 - (b) the address of its registered office;
 - (c) if different from the address of the registered office or if there is no registered office, the address of its principal office;
 - (d) its email address and telephone number;
 - (e) if it is a company, the company number;
 - (f) if it is a charity, the charity number;
 - (g) where it is a company and is a subsidiary of a holding company—
 - (i) the name and address of the registered office of the holding company;
 - (ii) the email address and telephone number of the holding company;
 - (iii) the company number of the holding company;
 - (iv) if the holding company is a charity, the charity number of the holding company;
 - (v) the name and address of any other subsidiary of the holding company;
 - (vi) the email address and telephone number of any other subsidiary of the holding company;
 - (vii) the company number of any other subsidiary of the holding company;
 - (viii) if the subsidiary is a charity, the charity number of any subsidiary of the holding company.
4. Where the proprietor is a partnership—
- (a) the name of the partnership;
 - (b) the address of the principal office of the partnership;
 - (c) the email address and telephone number of the partnership.
5. Where the proprietor is an unincorporated body—
- (a) its name;
 - (b) the address of its principal office;
 - (c) its email address and telephone number.
6. In all cases where the proprietor is an organisation—
- (a) details about its governance arrangements, including details of any delegations of responsibilities of the organisation;
 - (b) for each member of the organisation, including the chair, the details required under paragraph 2 except where the proprietor is a company limited by shares (within the meaning of the Companies Act 2006(2)), a person is not to be treated as a member of the organisation unless they hold at least 5% of the company's share capital.
7. The name and address of the independent school, its email address and telephone number.
8. Where the independent school has a governing body, the full name, usual residential address, telephone number and email address of the Chairperson of that body.
- 9.—(1) The proposed age range of pupils.

- (2) The proposed maximum number of pupils.
- (3) Whether the independent school will be for male pupils, female pupils or for both.
- (4) Whether the independent school will provide boarding accommodation for pupils.
- (5) The type or types of—
 - (a) additional learning provision made by the independent school for pupils with additional learning needs (if any), and
 - (b) special educational provision made by the independent school for pupils with special educational needs (if any).
10. Whether the independent school will provide day care within the meaning of article 14 of the Child Minding and Day Care Exceptions (Wales) Order 2010⁽³⁾ for any child looked after in the school.
11. A plan showing the layout of the premises and boarding accommodation.
12. Detailed curriculum plans, schemes of work and pupil assessment procedures.
13. Copies of the written policies required by paragraphs 2(1)(a), 6(b), 7(b), 8(a), 11(a), 12, 13 and 15 of the Schedule to the Independent School Standards (Wales) Regulations 2024⁽⁴⁾.
14. A copy of the complaints procedure required by paragraph 29 of the Schedule to the Independent School Standards (Wales) Regulations 2024.
15. Whether the proprietor intends to provide any child with boarding accommodation at the independent school (or elsewhere pursuant to arrangements made by them) for more than 295 days in any year.
16. The religious ethos of the independent school, if any.
17. Whether the premises of the independent school, including boarding accommodation, are at two or more separate locations and, if so, the address of each such location.
18. A copy of the independent school's risk assessment under regulation 3 of the Management of Health and Safety at Work Regulations 1999⁽⁵⁾ insofar as it relates to obligations under Part 2 of the Regulatory Reform (Fire Safety) Order 2005⁽⁶⁾.

PART 3

INFORMATION REQUIRED IN AN INITIAL RETURN

- 19.—(1) The number of pupils in each year group.
- (2) In the case of an independent school with boarding accommodation—
 - (a) the number of boarding pupils, and
 - (b) the ages (as at 31 August immediately preceding the date referred to in regulation 4(2)(b)) of the oldest boarding pupil and the youngest boarding pupil.
- (3) In the case of an independent school also providing part-time education, the numbers required by sub-paragraph (1) must be stated separately in respect of pupils receiving part-time education and those receiving full-time education.

⁽³⁾ S.I. 2010/2839 (W. 233).

⁽⁴⁾ S.I. 2024/27 (W. 10).

⁽⁵⁾ S.I. 1999/3242.

⁽⁶⁾ S.I. 2005/1541.

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(4) In the case of a co-educational independent school, all numbers required by this paragraph must be stated separately for male and for female pupils.

20.—(1) The number of pupils at the independent school in respect of whom—

- (a) a local authority maintains an individual development plan;
- (b) a local authority maintains a statement of special educational needs under section 324 of the 1996 Act.

(2) The number of pupils at the independent school who do not fall within sub-paragraph (1), but who have been identified as having additional learning needs or special educational needs.

21. The number of pupils at the independent school who are looked after by a local authority.

22. The following information relating to teachers employed at the independent school (with numbers given separately for male and for female teachers)—

- (a) the number of full-time teachers,
- (b) the number of part-time teachers, and
- (c) the aggregate number of hours a week normally worked by part-time teachers in term time.

23. The following information relating to every person employed at the independent school—

- (a) their name and any previous names by which they have been known,
- (b) their sex, date of birth, National Insurance number and the capacity in which they are employed,
- (c) in the case of each teacher, their qualifications and a statement as to whether they are a head teacher, a full-time teacher or a part-time teacher, and
- (d) where relevant to any individual whether—
 - (i) a DBS certificate has been obtained in respect of that individual before or as soon as practicable after that individual's appointment, or
 - (ii) where that individual is registered with the DBS up-date service, a check is made of the individual's DBS certificate status,

and that a copy of that DBS certificate or the result of that DBS up-date service check is available to the proprietor.

24.—(1) The amount of annual tuition and other fees (excluding fees for boarding accommodation) payable in respect of a pupil at the independent school as a condition of their attendance.

(2) In the case of an independent school providing boarding accommodation for pupils, the amount of annual boarding fees payable in respect of a boarding pupil.

PART 4

INFORMATION REQUIRED IN AN ANNUAL RETURN

25. All the information specified by Parts 2 and 3 of this Schedule with the exception of that specified in paragraphs 9(5), 10, 11, 12, 13, 16 and 23.

26. For every person who has commenced employment or ceased employment at the independent school since the date of the last return to the registration authority—

- (a) their full name and any previous names by which they have been known,

- (b) their sex, date of birth, National Insurance number and the capacity in which they are employed,
- (c) in the case of each teacher, their qualifications and a statement as to whether they are a head teacher, a full-time teacher, or a part-time teacher (except that no information as regards qualifications is required in the case of a teacher who has ceased employment), and
- (d) in the case of a person who has commenced employment, confirmation that paragraph 20(2)(e) of the Schedule to the Independent School Standards (Wales) Regulations 2024 has been complied with(7).

27. Confirmation that paragraph 23(8) of the Schedule to the Independent School Standards (Wales) Regulations 2024 has been complied with.

28. In the two years preceding the date of the return, except in the case of a first annual return, the number of pupils attending the independent school for whom boarding accommodation was provided there (or elsewhere pursuant to arrangements made by the proprietor) for more than 295 days in that year.

29.—(1) The number of pupils in each year group of pupils aged 15, 16, 17 and 18 years who are pursuing courses for examinations or assessments resulting in a qualification.

(2) The number of pupils in each year group of pupils aged 15, 16, 17 and 18 years who have completed courses for an examination in the General Certificate of Education (Advanced or Advanced Subsidiary Level), or the Advanced Vocational Certificate of Education (AVCE), but remain at the independent school for a purpose other than for pursuing any further course of that nature.

(3) The number of pupils in each year group of pupils aged 15, 16, 17 and 18 years (except for those who fall into the category of pupils referred to in sub-paragraph (2)) who attend the independent school for a purpose other than for pursuing courses for a relevant examination or assessments resulting in a qualification.

(4) The number specified in the annual return under sub-paragraph (1) and (2) must be stated separately for—

- (a) courses exclusively in mathematical or scientific subjects,
- (b) courses exclusively in other subjects,
- (c) courses partly in mathematical or scientific subjects and partly in other subjects, and
- (d) male pupils and female pupils.

30. Where a change has occurred in the premises of or boarding accommodation at the independent school since the date to which the immediately preceding annual return was made up (or, in the case of the first annual return, since the date to which the information contained in the application for the registration of the independent school was made up), the particulars of such change.

31. Where a change has occurred in the membership of any organisation named as the proprietor in the register, or in an application to enter the independent school in the register, for any new member, the information required by paragraphs 3 to 6 of this Schedule.

32.—(1) The number of pupils at the independent school who are Child students or Students.

(2) For the purposes of this paragraph—

(7) Paragraph 20(2)(e) requires a DBS certificate to be obtained or a check to be made with the DBS up-date service.

(8) Paragraph 23 requires DBS certificates or DBS up-date service checks to be renewed for all relevant persons at least every three years.

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- (a) “Child student” means a person who has, or had, permission under Appendix Child Student, Appendix CS: Child Student under the Immigration Rules in force before 1 December 2020, or as a Tier 4 (Child) Student under the Immigration Rules in force before 5 October 2020;
- (b) “Immigration Rules” means rules under section 3(2) of the Immigration Act 1971⁽⁹⁾;
- (c) “Student” means a person who has, or had, permission under Appendix Student, or Appendix ST: Student of the Immigration Rules in force immediately before 1 December 2020, or as a Tier 4 (General) Student under the Immigration Rules in force before 5 October 2020.

⁽⁹⁾ 1971 c. 77.