WELSH STATUTORY INSTRUMENTS

2006 No. 877 (W.82)

EDUCATION, WALES

The Single Education Plan (Wales) Regulations 2006

Made - - - -	*21 March 2006*
Coming into force - -	*1 April 2006*

In exercise of the powers conferred on the Secretary of State by sections 29(3), (5) and 569 of the Education Act 1996(**1**), now vested in the National Assembly for Wales(**2**), and the powers conferred on the National Assembly for Wales by sections 26 and 66(1) of the Children Act 2004(**3**), the National Assembly for Wales makes the following Regulations:—

Title, commencement, revocation and application

1.—(1) The title of these Regulations is the Single Education Plan (Wales) Regulations 2006, and they come into force on 1 April 2006.

(2) Subject to paragraph (3), the Regulations listed in the first and second columns of the table in Schedule 1 are revoked to the extent specified in the third column of that table.

(3) Any plan, in force immediately before 1 April 2006, made under the Regulations referred to in paragraph (2), is to continue in force until 1 September 2006 despite the revocation by that paragraph of the Regulations under which it was made.

(4) These Regulations apply in relation to Wales.

Interpretation

2.—(1) In these Regulations—

"the 1996 Act" ("*Deddf 1996*") means the Education Act 1996;

"the 1998 Act" ("*Deddf 1998*") means the School Standards and Framework Act 1998(**4**);

"the 2002 Act" ("*Deddf 2002*") means the Education Act 2002(**5**);

"the 2004 Act" ("*Deddf 2004*") means the Children Act 2004(**6**);

(**1**) 1996 c. 56. Sub-section (3) of section 29 was amended by section 140(1) and (3) of, and Schedule 30 and 31 to the School Standards and Framework Act 1998 (c. 31). For the definition of "prescribed" and "regulations" *see* section 142(1) of the 1998 Act.
(**2**) *See* the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672).
(**3**) 2004 c. 31. Section 26 was commenced on 1 April 2006 by S.I. 2006/885 (W.85)(C.23).
(**4**) 1998 c. 31.
(**5**) 2002 c. 32.
(**6**) 2004 c. 31.

"appropriate diocesan authority" ("*awdurdod esgobaethol priodol*") means in relation to a Church in Wales school or a Roman Catholic Church school—

(i) the Diocesan Board of Finance or other person designated by the National Assembly under section 142(1) of the 1998 Act(**7**) (as the case may be) for every diocese of the Church in Wales, and

(ii) the bishop of every diocese of the Roman Catholic Church,

any part of the area of which (in each case) lies within the authority's area;

"authority" ("*awdurdod*") means a children's services authority in Wales which is a local education authority(**8**);

"Church in Wales school" ("*un o ysgolion yr Eglwys yng Nghymru*") has the meaning given to it by section 142(1) of the 1998 Act;

"excluded" ("*a waherddir*" *ac* "*a waharddwyd*") means excluded on disciplinary grounds, and "exclusion" ("*wedi'u gwahardd*" *a* "*gwaharddiad*") has a corresponding meaning;

"National Assembly" ("*y Cynulliad Cenedlaetho*l") means the National Assembly for Wales;

"nursery education" ("*addysg feithrin*") has the meaning given to it by section 117 of the 1998 Act, and nursery places is to be construed accordingly;

"Roman Catholic Church school" ("*un o ysgolion yr Eglwys Gatholig Rufeinig*") has the meaning given to it by section 142(1) of the 1998 Act;

"school maintained by a local education authority" ("*ysgol a gynhelir gan awdurdod addysg lleol*") (including any reference to a school maintained by a specific authority) has the meaning given to it by section 142(1) of the 1998 Act;

"Single Education Plan" ("*Cynllun Addysg Sengl*") means the plan referred to in regulation 3(3) and, unless the contrary is indicated, includes the Supporting Information;

"the Supporting Information" ("*yr Gwybodaeth Ategol*") means the information referred to in regulation 4; and

"Targets" ("*Targedau*") means the Targets referred to in Part 3 of Schedule 2.

(2) In these Regulations, references to publication (however expressed) are references to publication in accordance with regulation 11.

Authorities to prepare and publish Single Education Plan

3.—(1) Each authority must prepare and publish a Single Education Plan in accordance with these Regulations.

(2) The plan must contain a statement of the overall strategic vision and values that the authority apply in discharging their education responsibilities, having regard to their responsibilities under equality legislation, including in particular the Welsh Language Act 1993(**9**), the Sex Discrimination Act 1975(**10**), the Race Relations Act 1976(**11**), the Disability Discrimination Act 1995(**12**), and the Human Rights Act 1998(**13**).

(3) In this regulation a "Single Education Plan" ("*Cynllun Addysg Sengl*") means a plan of the kind referred to in section 26(1) of the 2004 Act covering the authority's strategies for—

(**7**) The function of designating has been transferred under the National Assembly Transfer of Functions Order 1999 (S.I.1999/672).
(**8**) *See* section 65(1) of the 2004 Act for the meaning of children's services authority in Wales, which means a county council or county borough council.
(**9**) 1993 c. 38.
(**10**) 1975 c. 65.
(**11**) 1976 c. 74.
(**12**) 1995 c. 50.
(**13**) 1998 c. 42.

(a) raising the standards of education for children and young people being educated at schools maintained by the authority or otherwise than at school;

(b) improving the performance of schools maintained by the authority;

(c) the planning of school places and nursery places to meet the needs of the population of the authority's area; and

(d) the education of pupils who by reason of illness, exclusion or otherwise are not attending school;

and Targets for improved pupil attainment and attendance, and for reducing the number of pupils excluded from school.

(4) The content of a Single Education Plan must conform with regulation 4.

Content of Single Education Plan

4. Each Single Education Plan must include provision dealing with the matters referred to in Schedule 2 to these Regulations, and must be accompanied by the supporting information referred to in Schedule 3 ("the Supporting Information").

Duration of Single Education Plan

5. Each Single Education Plan is to have effect for the period commencing on 1 September 2006 and ending on 31 August 2008.

Consultation

6.—(1) This regulation prescribes the consultation which each authority are required to carry out in drawing up their Single Education Plan.

(2) The following must be consulted on the plan in draft—

(a) the National Assembly;

(b) the head teacher and the governing body of every school maintained by the authority;

(c) in relation to every pupil referral unit maintained by the authority—

(i) the teacher in charge, and

(ii) where Regulations under paragraph 15 of Schedule 1 to the 1996 Act(**14**) require the authority to establish a management committee for that unit, that committee;

(d) the appropriate diocesan authority for any Church in Wales school or Roman Catholic school maintained by the authority;

(e) the Welsh Language Board (within the meaning of section 1 of the Welsh Language Act 1993);

(f) Local Health Boards (within the meaning of section 16BA of the National Health Service Act 1977(**15**));

(g) NHS Trusts (within the meaning of section 5 of National Health Service and Community Care Act 1990(**16**));

(**14**) Paragraph 15 was inserted by section 48 of the Education Act 1997 (c. 44), and amended by section 140 of, and Schedule 30 to the 1998 Act, and the Local Authorities (Executive and Alternative Arrangements) (Modification of Enactments and other provisions) (Wales) Order 2002, S.I. 2002/808 (W.89).

(**15**) 1977 c. 49. Section 16BA was inserted by section 6(1) of the National Health Service Reform and Health Care Professionals Act 2002 (c. 17).

(**16**) 1990 c. 19.

(h) the Young People's Partnership(**17**);

(i) the Early Years Development and Childcare Partnership (within the meaning of section 119 of the 1998 Act)(**18**);

(j) the Standing Advisory Council on Religious Education (within the meaning of section 390 of the 1996 Act)(**19**);

(k) Youth Offending Teams (within the meaning of section 39 of the Crime and Disorder Act 1998)(**20**);

(l) Community Safety Partnerships(**21**);

(m) Children and Young People's Partnership(**22**); and

(n) such other persons or bodies as appear to the authority to be appropriate.

(3) In the case of the bodies referred to in sub- paragraphs (f) to (m) of paragraph (2) only bodies which cover the whole or any part of the authority's area are to be consulted.

(4) The authority must consult on the draft plan for a period of not less than eight weeks.

(5) The authority must carry out the consultation by sending to every consultee a draft of the plan inviting comments on it within a specified period.

(6) The requirement in paragraph (5) to send a draft of the plan to consultees may be satisfied by sending copies by electronic mail.

(7) For the purposes of this regulation "Single Education Plan" does not include the Supporting Information.

Adoption of Single Education Plan

7. Each authority must adopt a Single Education Plan by 31 July 2006.

Publication of Single Education Plan

8. Each authority must publish their Single Education Plan, as so adopted, by 1 September 2006.

Revision of Targets

9.—(1) The Targets are to be reviewed and revised Targets published, on or before 31 July 2007.

(2) The revised Targets are to cover the school years 2007-08 and 2008-09.

(3) The authority need not consult on their revised Targets.

Revision of the Supporting Information

10.—(1) The Supporting Information is to be reviewed, and revised Supporting Information, published on or before 31 July 2007.

(2) The revised information is to cover—

(a) the information referred to in paragraphs (a) to (d) of Schedule 3 for the school year 2006-07 and the following five school years;

(**17**) A partnership under that name, includes, any partnership established for the furtherance of the objectives of section 123(2) of the Learning and Skills Act 2000 (c. 21).
(**18**) Section 119 was amended by section 150 of the 2002 Act.
(**19**) Section 390 was amended by section 140(1) of, and Schedule 30 to the 1998 Act.
(**20**) 1998 c. 37. Section 39 was amended by the Criminal Justice and Court Services Act 2000 (c. 43), and the Children Act 2004.
(**21**) The Community Safety Partnership was established for the purposes of sections 5 and 6 of the Crime and Disorder Act 1998.
(**22**) A Partnership under that name, includes, any Children's Partnership established for the furtherance of the objectives of sections 25 and 26 of the 2004 Act.

(b) the information referred to in paragraph (e) of Schedule 3 for the school years 2006-07, 2007-08 and 2008-09; and

(c) the information referred to in paragraph (f) of Schedule 3 for the school year 2006-07.

(3) The authority need not consult on revised Supporting Information.

Publication requirements

11.—(1) For the purposes of these Regulations, documents which are required to be published are to be treated as published on the date on which the requirements set out below in this regulation are satisfied or, if different requirements are satisfied on different dates, on the last of those dates.

(2) Each authority must publish the document electronically on the internet on the authority's web-site.

(3) Each authority must at such times as may be reasonable, make copies of the document available for inspection by members of the public—

(a) at the authority's offices; and

(b) at such other places as may be reasonable.

Provision of copies of Single Education Plan

12.—(1) Each authority must provide a copy of their Single Education Plan to—

(a) all those required to be consulted under regulation 6; and

(b) any person who requests a copy.

(2) A copy of the revisions made to the Targets in pursuance of regulation 9 must be provided to—

(a) the National Assembly;

(b) every school maintained by the authority; and

(c) any person who requests a copy.

(3) A copy of the revisions made to the Supporting Information in pursuance of regulation 10 must be provided to—

(a) the National Assembly;

(b) every school maintained by the authority; and

(c) any person who requests a copy.

(4) Where a copy is requested under paragraph (1), (2) or (3) the requirement may be satisfied by sending it by electronic mail.

Transitional provision

13. Until the coming into force of section 44 of the Education Act 2005(**23**), the references in paragraph 3(a)(ii) and (iii) of Schedule 2 to special measures being required to be taken in relation to the school are to be read as references to the school requiring special measures within the meaning of section 13(9) of the School Inspections Act 1996(**24**), and references in those paragraphs to the school requiring significant improvement are to be read as references to the school having serious weaknesses within the meaning of section 16A(4) of the School Inspections Act 1996(**25**).

(**23**) 2005 c. 18.
(**24**) 1996 c. 57.
(**25**) Section 16A(4) was inserted by section 54 of the 2002 Act.