
WELSH STATUTORY INSTRUMENTS

2001 No. 1110 (W.54)

EDUCATION, WALES

**The School Governors' Annual
Reports (Wales) Regulations 2001**

Made - - - - *15th March 2001*

Coming into force - - *1st September 2001*

In exercise of the powers conferred on the Secretary of State by sections 42(1) and (2) and 138(7) and (8) of the School Standards and Framework Act 1998(1) and now vested in the National Assembly for Wales(2), the National Assembly for Wales makes the following Regulations:

Citation, commencement, application and revocation

1.—(1) These Regulations are called the School Governors' Annual Reports (Wales) Regulations 2001 and shall come into force on 1st September 2001.

(2) These Regulations apply to Wales.

(3) The Education (Governors' Annual Reports) (Wales) Regulations 1999(3) are revoked.

Interpretation

2. In these Regulations—

“the 1996 Act” (“*Deddf 1996*”) means the Education Act 1996(4);

“the 1998 Act” (“*Deddf 1998*”) means the School Standards and Framework Act 1998;

“annual parents' meeting” (“*cyfarfod blynyddol i'r rhieni*”) means the meeting of parents which the governing body are required to hold once in every school year under section 43 of the 1998 Act;

“budget share” (“*cyfran o'r gyllideb*”) means the amount allocated to the governing body by virtue of section 47 of the 1998 Act; “governors' report” (“*adroddiad llywodraethwyr*”) means the report which the governing body are required to prepare once in every year under section 42(1) of the 1998 Act;

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

(2) See the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672).

(3) S.I. 1999/1406.

(4) 1996 c. 56.

“the National Assembly” (“y Cynulliad Cenedlaethol”) means the National Assembly for Wales.

Matters to be dealt with in a governors' report.

3. Every governors' report shall contain the information specified in the Schedule.

Requirements with respect to governors' report

4.—(1) Subject to paragraph (2) below, it shall be for the governing body to determine the language or languages in which the governors' report is to be produced, and the form or forms in which it is to be produced.

(2) The governing body shall comply with any direction given by the local education authority by which the school is maintained with respect to any additional language to be used or with respect to any additional form in which the report is to be produced.

5. The governing body shall take such steps as are reasonably practicable to secure that—
- (a) the parents of all registered pupils at the school and all persons employed at the school are given (free of charge) a copy of the governors' report;
 - (b) copies of the report are available for inspection (at all reasonable times and free of charge) at the school; and
 - (c) where (by virtue of section 43 of the 1998 Act) there is an obligation on the governing body to hold an annual parents' meeting, copies of the governors' report to be considered at that meeting are given to parents not less than two weeks before that meeting.

6.—(1) The requirement in paragraph (a) of regulation 5, in so far as it relates to parents of registered pupils, and the requirement in paragraph (c) of that regulation shall not apply if —

- (a) the governing body takes such steps as are reasonably practicable to secure that parents of all registered pupils at the school are given (free of charge) a copy of the information contained in the report by virtue of paragraphs 1 to 3, 5 to 7 and 10 of the Schedule and notify such parents at the same time of their right to be provided with a copy of the full report in accordance with regulation 7; and
- (b) where (by virtue of section 43 of the 1998 Act) there is an obligation on the governing body to hold an annual parents' meeting, that information and notification is given to those parents not less than 2 weeks before that meeting.

7. Where (by virtue of regulation 6) paragraphs (a) and (c) of regulation 5 do not apply, the governing body shall provide a copy of their full report to any parent of a registered pupil at the school on being requested (in writing) to do so.

Signed on behalf of the National Assembly under section 66(1) of the Government of Wales Act 1998(5).

15th March 2001

D.Elis-Thomas
The Presiding Officer of the National Assembly

SCHEDULE

Regulation 3

INFORMATION TO BE CONTAINED IN GOVERNORS' REPORTS.

1. Where there is an obligation on the governing body (by virtue of section 43 of the 1998 Act) to hold an annual parents' meeting,—
 - (a) details of the date, time and place for the next annual parents' meeting and its agenda;
 - (b) an indication that the purpose of that meeting will be to discuss both the governors' report and the discharge by the governing body, the head teacher and the local education authority of their functions in relation to the school; and
 - (c) a report on the consideration which has been given to any resolutions passed at the previous annual parents' meeting (where there was an obligation on the governing body to hold such a meeting).
2. The following particulars of members of the governing body and their clerk—
 - (a) the name of each governor stating, in each case, the category (according to the definitions contained in Part 1 of Schedule 9 to the 1998 Act) to which the governor belongs and, where the governor is an ex officio governor, that he or she is such a governor;
 - (b) in the case of an appointed governor, the person by whom he or she was appointed;
 - (c) in relation to each governor who is not an ex officio governor, the date on which his or her term of office comes to an end; and
 - (d) the name, and address of the chairman of the governing body and their clerk.
3. Such information as is available to the governing body about the arrangements for the next election of parent governors.
4. A financial statement—
 - (a) reproducing or summarising any financial statement of which a copy has been provided to the governing body by the local education authority under section 52 of the 1998 Act since the previous governors' report;
 - (b) indicating, in general terms, how any sum made available to the governing body by the authority (including the school's budget share) in the period covered by the report was used;
 - (c) giving details of the application of any gifts made to the school in that period; and
 - (d) stating the total amount of any travelling and subsistence allowances paid to members of the governing body in that period.
5. The information relating to National Curriculum assessments most recently published by the governing body in accordance with regulations made under section 408 of the 1996 Act⁽⁶⁾.
6. The information relating to—
 - (a) pupils entered for public examinations and pupils' achievements in public examinations;
 - (b) vocational qualifications attained by pupils; and
 - (c) pupils' attendance records;

⁽⁶⁾ Subsection (1) (a) of section 408 is amended by paragraph 30(a) of Schedule 7 to the Education Act 1997 (c. 44); subsection (4) (f) is prospectively amended by paragraph 30(b) of that Schedule; subsection (2) (d) is amended by paragraph 106(b) of Schedule 30 to the 1998 Act; subsections (1)(b), (3) and (4)(b) and (c) are repealed by paragraph 106(a), (c) and (d)(i) of that Schedule and Schedule 31 to that Act; and subsection (4)(d) is amended by paragraph 106(d)(ii) of Schedule 30 to the 1998 Act. The current regulations are the Education (School Information) (Wales) Regulations 1999 (S.I. 1999/1812); see paragraphs 18—20 of Schedule 2.

most recently provided by the governing body in accordance with regulations made under section 537(1) of the 1996 Act(7).

7.—(1) The information most recently provided by the governing body in accordance with regulations(8) made under subsection (7) of section 537(9) of the 1996 Act, comprising information published by (or under arrangements made by) the National Assembly under subsection (6) of that section.

(2) Where the information published by (or under arrangement made by) the National Assembly under section 537(6) of the 1996 Act is published in both full and summary form, the full information must be included in the governors' report.

8. The information relating to pupils leaving the school, or employment or training taken up by pupils on leaving the school, most recently provided by the governing body in accordance with regulations(10) made under section 537(1) of the 1996 Act.

9. The steps taken by the governing body to develop or strengthen the school's links with the community (including links with the police).

10. Such information about any targets—

- (a) for improvements set by the governing body in respect of the performance of pupils at the school as is required to be published by virtue of regulations made under section 19 of the Education Act 1997(11); and
- (b) for reducing the level of unauthorised absences on the part of relevant day pupils at the school as have been set by the governing body by virtue of regulations made under section 63 of the 1998 Act(12).

11. In relation to the period since the previous governors' report an indication of—

- (a) the extent to which the aims of the governing body with respect to sport at the school have been attained; and
- (b) any notable sporting achievements of the school's teams during that period.

12. A summary of any review carried out by the governing body in respect of any policies or strategies adopted by them in the exercise of their functions in relation to the school and of any action taken by them following such a revision.

13. The dates of the beginning and end of each school term, and of half-term holidays, for the next school year.

14.—(1) A summary of any changes to information contained (pursuant to regulations(13) made under sections 408 or 537 of the 1996 Act or under section 92 of the 1998 Act) in the school prospectus since the previous governors' report was prepared.

(2) Where such Regulations require schools to publish different information in different prospectuses, sub-paragraph (1) shall be taken to refer to all such prospectuses.

(7) A new section 537(1) is substituted by paragraph 152 of Schedule 30 to the 1998 Act. The current Regulations are the Education (School Performance Information) (Wales) Regulations 1998 (S.I. 1998/1867 as amended by S.I. 1999/1470). See regulation 9 and Schedules 1, 2 and 4 to those Regulations.

(8) See regulation 10 of S.I. 1998/1867.

(9) Subsection (7) of section 537 is amended by paragraph 152 of Schedule 30 to the 1998 Act.

(10) See S.I. 1999/1812, Schedule 2, paragraphs 23 and 24.

(11) 1997 c. 44. Section 19 is amended by paragraph 213 of Schedule 30 to the 1998 Act. The current regulations are the Education (School Performance and Unauthorised Absence Targets) (Wales) Regulations 1999 (S.I. 1999/1811).

(12) See S.I. 1999/1811.

(13) The current regulations setting out the information to be included in school prospectuses are the Education (School Information) (Wales) Regulations 1999 (S.I. 1999/1812).

EXPLANATORY NOTE

(This note does not form part of the Regulations)

These Regulations re-enact with some minor changes the Education (Governors' Annual Reports) (Wales) Regulations 1999 which are revoked.

Like those 1999 Regulations (and earlier provisions in the Education Act 1996), the present Regulations set out—

- (a) the information to be contained in governors' reports under section 42 of the School Standards and Framework Act 1998 ("the 1998 Act") (regulation 3 and the Schedule);
- (b) requirements with respect to the language or languages in which such reports must be produced (regulation 4); and
- (c) requirements with respect to providing parents with copies of such reports and making such reports available for inspection at the school (regulations 5 to 7).

The main changes from the earlier Regulations are that governing bodies—

- (a) need no longer provide parents with copies of their full report if a summary has been provided to parents and parents informed that they may request a copy of the full report if they wish;
- (b) need no longer include in their report information about school security;
- (c) must now include information about any reviews of policies or strategies adopted by the governing body in the exercise of their functions in relation to the school and action taken following such reviews.