
WELSH STATUTORY INSTRUMENTS

2002 No. 1187 (W.135)

EDUCATION, WALES

The Education Development Plans (Wales) Regulations 2002

Made - - - - 25th April 2002

Coming into force - - 26th April 2002

The National Assembly for Wales makes the following Regulations in exercise of the powers conferred by sections 6(4) and (5), 7(1) and (9) and 138(7) and (8) of the School Standards and Framework Act 1998(1) and now vested in the National Assembly for Wales(2):—

PART I
GENERAL

Name, commencement and application

1.—(1) These Regulations are called the Education Development Plans (Wales) Regulations 2002 and shall come into force on 26th April 2002.

(2) These Regulations apply only in relation to local education authorities in Wales.

(3) These Regulations apply only in respect of 2002—05 full plans and subsequent plans (whether full or supplementary).

Revocation and saving

2.—(1) These Regulations revoke the Education Development Plans (Wales) Regulations 1999(3).

(2) The revocation of the regulations at (1) above is without prejudice to the continued validity of plans already made under those regulations.

Interpretation

3.—(1) In these Regulations, unless the context otherwise requires—

(1) 1998 c. 31. For the meaning 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. 1999/1439.

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

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

“the 1999 Regulations” (“*Rheoliadau 1999*”) means the Education (School Performance and Unauthorised Absence Targets) (Wales) Regulations 1999(5);

“to achieve the Core Subject Indicator” (“*cyflawni'r Dangosydd Pynciau Craidd*”) means—

- (i) in relation to second key stage pupils, that those pupils are to be assessed as having achieved level 4 or above in NC tests for that key stage in English or Welsh (other than Welsh second language) and in both mathematics and science,
- (ii) in relation to third key stage pupils, that those pupils are to be assessed as having achieved level 5 or above in NC tests for that key stage in English or Welsh (other than Welsh second language) and in both mathematics and science, and
- (iii) in relation to pupils who will attain the age of 16 years during the school year in question, that those pupils are to have achieved any grade from A* to C in a GCSE examination in English or Welsh (other than Welsh second language) and in both a GCSE examination in mathematics and a GCSE examination in science;

“annexes” (“*atodiadau*”) means annexes to a statement of proposals comprising part of an education strategic plan;

“authority” (“*awdurdod*”) means local education authority;

“the core subjects” (“*y pynciau craidd*”) has the meaning given to it in section 354(1) of the 1996 Act;

“education strategic plan” (“*cynllun strategol addysg*”) means an education development plan prepared by an authority in accordance with section 6(1) of the 1998 Act;

“ELQ” (“*ELQ*”) means a qualification described and approved as an Entry Level Qualification by the National Assembly under section 99 of the Learning and Skills Act 2000(6);

“the Financing Regulations” (“*y Rheoliadau Cyllido*”) means the Financing of Maintained Schools Regulations 1999(7);

“the first day of the plan” (“*diwrnod cyntaf y cynllun*”) in relation to an education strategic plan means the first day of the period to which that plan relates;

“full plan” (“*cynllun llawn*”) means an education strategic plan prepared by an authority dealing with the matters and containing the material specified in Parts II and III of these regulations, and “2002—05 full plan” (“*cynllun llawn 2002—05*”) means the full plan referred to in Regulation 4(1);

“GCSE” (“*TGAU*”) means a General Certificate of Secondary Education, and “GCSE examination” (“*arholiad TGAU*”) means an examination, the course leading to which is a full GCSE course of study;

“GCSE short course” (“*cwrs byr TGAU*”) means a GCSE course designed to cover a proportion only (being not less than half) of the corresponding full GCSE course of study, and to which the same grading standards are applied, and “GCSE short course examination” (“*arholiad cwrs byr TGAU*”) means an examination, the course leading to which is a GCSE short course;

“GNVQ” (“*GNVQ*”) means a General National Vocational Qualification;

“level 4” (“*lefel 4*”) and “level 5” (“*lefel 5*”) mean levels 4 and 5 respectively of the National Curriculum level scale as determined by the results of NC tests;

(4) 1996 c. 56.

(5) S.I. 1999/1811.

(6) 2000 c. 21.

(7) S.I. 1999/101 as amended by S.I. 2000/911(W.40), S.I. 2001/495 (W.22) and S.I. 2002/136 (W.19).

“looked after by a local authority” (“*derbyn gofal gan awdurdod lleol*”) in relation to a child has the meaning given to it in section 22 of the Children Act 1989⁽⁸⁾, and “looked after children” (“*plant sy'n derbyn gofal*”) shall be construed accordingly;

“mainstream class” (“*dosbarth prif-ffrwd*”) is a class in a mainstream school, which has not been designated by the authority as a special class;

“mainstream school” (“*ysgol brif-ffrwd*”) is a school which is not a special school;

“maintained school” (“*ysgol a gynhelir*”) means a community, foundation or voluntary school or a community or foundation special school;

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

“NC tests” (“*profion y CC*”) means National Curriculum tests administered to pupils for the purpose of assessing the level of attainment which they have achieved in English, Welsh, science or mathematics, being tests laid down in provisions made by the National Assembly under the appropriate order made under section 356(2) of the 1996 Act in force when those tests are administered⁽⁹⁾;

“NVQ” (“*NVQ*”) means National Vocational Qualification;

“period of the plan” (“*cyfnod y cynllun*”) means the period specified in regulation 4;

“pupil” (“*disgybl*”) has the meaning given to it in section 3 of the 1996 Act;

“school year” (“*blwyddyn ysgol*”) means a period of one year beginning on 1st September;

“Schools' Census enumeration date” (“*dyddiad rhifo'r Cyfrifiad Ysgolion*”) means the date by reference to which the National Assembly annually requires information to be provided relating to maintained schools in Wales pursuant to section 29(1) of the 1996 Act;

“Schools' Census return” (“*ffurflen Gyfrifiad Ysgolion*”) means the return which an authority are required by the National Assembly to complete each year pursuant to section 29(1) of the 1996 Act;

“schools maintained by the authority” (“*ysgolion a gynhelir gan yr awdurdod*”) does not include schools which are not maintained schools as defined herein;

“second key stage” (“*cyfnod allweddol dau*”) and “third key stage” (“*cyfnod allweddol tri*”) mean the periods specified in paragraphs (b) and (c) respectively of section 355(1) of the 1996 Act;

“second key stage pupils” (“*disgyblion cyfnod allweddol dau*”) and “third key stage pupils” (“*disgyblion cyfnod allweddol tri*”) mean pupils who are in the second and third key stages respectively;

“special educational needs” (“*anghenion addysgol arbennig*”) has the meaning given to it by section 312(1) of the Education Act 1996;

“statemented pupils” (“*disgyblion sy'n destun datganiad*”) means pupils with special educational needs in respect of whom a statement has been made under section 324 of the Education Act 1996 and “non-statemented pupils” (“*disgyblion nad ydynt yn destun datganiad*”) means pupils with special educational needs in respect of whom no such statement has been made;

“supplementary plan” (“*cynllun atodol*”) means an education strategic plan dealing with the matters and containing the material specified in Part IV of these Regulations, and “first

⁽⁸⁾ 1989 c. 41.

⁽⁹⁾ The appropriate orders currently in force are the Education (National Curriculum)(Assessment Arrangements for English, Welsh, Mathematics and Science)(Key Stage 2)(Wales) Order 1997, S.I. 1997/2009, as amended by S.I. 1998/1977 and the Education (National Curriculum) (Key Stage 3 Assessment Arrangements) (Wales) Order 1997, S.I. 1997/2010, as amended by S.I. 1998/1976 and S.I. 2001/889 (W.40).

supplementary plan” (“*cynllun atodol cyntaf*”) and “second supplementary plan” (“*ail gynllun atodol*”) in relation to a full plan mean the supplementary plans prepared in respect of the periods specified in regulations 4(3) and 4(4) respectively;

“travellers' children” (“*plant i deithwyr*”), in relation to a plan, means children who—

- (a) by reason of their parents' way of life, either have no fixed abode or leave their main abode to live elsewhere for significant periods of each year; or
- (b) fell within paragraph (a) above within a period of two years immediately preceding the first day of the plan;

“vocational qualification” (“*cymhwyster galwedigaethol*”) means—

- (a) a Part One GNVQ,
- (b) an Intermediate GNVQ,
- (c) a Foundation GNVQ,
- (d) a GNVQ Language Unit, or
- (e) an NVQ,

approved under section 99 of the Learning and Skills Act 2000.

(2) In these Regulations a reference—

- (a) to a numbered regulation is to the regulation in these Regulations bearing that number;
- (b) to a numbered paragraph in a regulation or Schedule is to the paragraph bearing that number in that regulation or Schedule;

unless the context requires otherwise.

(3) Any reference in these Regulations to a pupil achieving—

- (a) a grade in a GCSE examination,
- (b) a vocational qualification, or
- (c) a grade in a GCSE short course examination,

by the end of a school year, shall be construed as a reference to that pupil achieving that grade or qualification in the school year in which he or she—

- (i) takes that examination, or
- (ii) (as the case may be) completes the course leading to the award of that qualification,

and irrespective of whether the decision to award the grade or qualification is made in a later school year.

Period to which the statement of proposals must relate

4.—(1) The statement of proposals in the first full plan prepared under these Regulations (referred to in these Regulations as “the 2002—05 full plan”) must relate to a period of three school years beginning on 1st September 2002.

(2) The statement of proposals in a subsequent full plan must relate to a period of three school years, beginning at the expiration of the period of the most recent previous full plan.

(3) The statement of proposals in a first supplementary plan must relate to a period of two school years beginning at the expiration of the first school year in the period of the most recent full plan.

(4) The statement of proposals in a second supplementary plan must relate to a period of—

- (a) in respect only of the setting of targets specified in regulation 30, two school years beginning at the expiration of the second school year in the period of the most recent full plan;

- (b) in all other respects, one school year beginning at the expiration of the second school year in the period of the most recent full plan.

Intervals at which education strategic plans must be prepared and submission of plans to the National Assembly

- 5.—(1) Education strategic plans must be prepared each year.
- (2) Each authority must submit their 2002—05 full plan to the National Assembly on or before 31st May 2002.
- (3) Each authority must submit a subsequent plan (whether full or supplementary) to the National Assembly on or before 30th April preceding the first day of that plan.

Publication of the education strategic plan

- 6.—(1) Each authority must publish a full copy of their approved plan by—
 - (a) making a written or electronic copy available for inspection at the authority’s offices, and
 - (b) laying it before the National Assembly,on or before the first day of the plan, or as soon as reasonably practicable after the plan has been approved, if later.
- (2) Each authority must provide a copy of their approved plan, or a summary version thereof, to—
 - (a) the head teacher and chair of the governing body of every school maintained by the authority; and
 - (b) any other person on the written request of that person.
- (3) In this regulation “approved plan” means a full, supplementary or modified education strategic plan, in which the statement of proposals has been approved under section 7(2) or 7(8) of the 1998 Act, and “approved” in relation to such a plan shall be construed accordingly.
- (4) The requirement in paragraph (2)(a) shall be deemed to be satisfied if the authority have notified the persons referred to in that paragraph that the authority’s approved plan or a summary version thereof is available on a website which the authority maintain on the Internet.

PART II

FULL PLANS — STATEMENT OF PROPOSALS

Priorities for school improvement

- 7. The statement of proposals in a full plan shall—
 - (a) set out the priorities identified by the authority for raising the standards of education provided for children in the authority’s area during the period of the plan and for improving the performance during that period of schools maintained by the authority, and of pupil referral units and maintained nursery schools in their area;
 - (b) specify in respect of each of the priorities identified in accordance with paragraph (a) the basis on which it was identified and how it will contribute to achieving the targets referred to in regulation 11;
 - (c) in respect of each of the priorities identified in accordance with paragraph (a), list the activities the authority propose to undertake during the period of the plan to address that priority;

- (d) contain a statement setting out how the authority intend to monitor the performance during the period of the plan of maintained schools, maintained nursery schools and pupil referral units in their area;
- (e) contain a statement setting out how the authority intend to identify and support schools giving cause for concern;
- (f) set timed, specific and measurable progress targets in respect of each of the authority's priorities as identified in accordance with paragraph (a); and
- (g) contain a statement setting out the steps which the authority propose to take in respect of any actual or expected shortcomings in meeting their targets in the preceding plan, whether full or supplementary.

Pupils with special educational needs

8. The statement of proposals in a full plan shall—
- (a) set out the authority's policy on the provision of education to pupils with special educational needs;
 - (b) set out the authority's policy for provision of education to such pupils in mainstream schools;
 - (c) specify the authority's proposals for providing and improving support for pupils with special educational needs during the period of the plan;
 - (d) specify the authority's proposals for promoting their policy on inclusion of pupils with special educational needs in mainstream schools during the period of the plan; and
 - (e) set timed, specific and measurable progress targets in respect of each of the authority's proposals as identified in accordance with paragraphs (c) and (d).

Promotion of racial awareness

9. The statement of proposals in the full plan relating to the three school years beginning on 1st September 2005 and in subsequent full plans shall—
- (a) set out the authority's policy on the promotion of racial awareness in schools; and
 - (b) set out the authority's strategy for preventing and addressing racism in schools.

Pupils who are children looked after by a local authority

10. The statement of proposals in a full plan shall—
- (a) set out the authority's policy on the provision of education to pupils who are looked after children; and
 - (b) specify educational standards which pupils who are looked after children in the authority's area should be achieving at their maintained schools, and in setting such standards the authority shall have regard to national targets set by the National Assembly for the educational standards to be achieved by such pupils.

Targets

- 11.—(1) In the statement of proposals in a full plan the authority shall set targets for the first and second years in the period of the plan in connection with the matters referred to in paragraph (2).
- (2) The matters referred to in paragraph (1) are—
- (a) the achievements of second key stage pupils as set out in regulation 12;

- (b) the achievements of third key stage pupils as set out in regulation 13;
- (c) the achievements of pupils who will attain the age of 16 years as set out in regulation 14;
- (d) the percentage of pupils not entered for examinations as set out in regulation 15;
- (e) the number of permanent exclusions as set out in regulation 16;
- (f) the number of fixed term exclusions as set out in regulation 17; and
- (g) the unauthorised absence rate as set out in regulation 18.

Pupils in the second key stage

12.—(1) The achievements of second key stage pupils referred to in regulation 11 are the achievements set out in paragraph (2) in connection with the performance of the relevant group of such pupils in NC tests to be administered to that group at or near the end of each of the school years in respect of which the target is to be set.

(2) The achievements referred to in paragraph (1) are—

- (a) for each of the core subjects, the percentage of pupils to achieve level 4 or above in such tests in that subject;
- (b) the percentage of pupils to achieve the core subject indicator in such tests;
- (c) the percentage of girls to achieve the core subject indicator in such tests; and
- (d) the percentage of boys to achieve the core subject indicator in such tests.

(3) In this regulation, “the relevant group of such pupils”, in relation to a school year, means all persons who the authority estimate will, in that school year—

- (a) be registered pupils at a school maintained by the authority, and
- (b) be in the final year of the second key stage.

Pupils in the third key stage

13.—(1) The achievements of third key stage pupils referred to in regulation 11 are the achievements set out in paragraph (2) in connection with the performance of the relevant group of such pupils in NC tests to be administered to that group at or near the end of each of the school years in respect of which the target is to be set.

(2) The achievements referred to in paragraph (1) are—

- (a) for each of the core subjects, the percentage of pupils to achieve level 5 or above in such tests in that subject;
- (b) the percentage of pupils to achieve the core subject indicator in such tests;
- (c) the percentage of girls to achieve the core subject indicator in such tests; and
- (d) the percentage of boys to achieve the core subject indicator in such tests.

(3) In this regulation, “the relevant group of such pupils”, in relation to a school year, means all persons who the authority estimate will, in that school year—

- (a) be registered pupils at a school maintained by the authority, and
- (b) be in the final year of the third key stage.

Pupils who will attain the age of 16 years

14.—(1) The achievements of pupils who will attain the age of 16 years referred to in regulation 11 are the achievements referred to in paragraph (2) in connection with the performance

of the relevant group of pupils who will attain the age of 16 years in examinations by the end of each of the school years in respect of which the targets are being set.

- (2) The achievements referred to in paragraph (1) are—
- (a) the percentage of pupils to achieve the core subject indicator;
 - (b) the percentage of girls to achieve the core subject indicator;
 - (c) the percentage of boys to achieve the core subject indicator;
 - (d) the percentage of pupils to achieve any grade from A* to C in five or more subjects in GCSE examinations;
 - (e) the percentage of pupils to achieve any grade from A* to G in five or more subjects in GCSE examinations; and
 - (f) the percentage of pupils to leave school without either achieving any grade from A* to G in GCSE examinations or passing any ELQ examinations.
- (3) The references to pupils—
- (a) achieving particular grades in GCSE examinations in paragraph (2)(d), (e) and (f) shall be construed for the purpose of those provisions so as to include references to pupils achieving corresponding awards in an equivalent number of vocational qualifications or GCSE short course examinations; and
 - (b) leaving school in paragraph (2)(f) do not include pupils transferring to another educational institution on a full-time basis.
- (4) The Schedule shall have effect for determining, for the purposes of this regulation, questions as to—
- (a) which vocational qualification award corresponds to which GCSE examination grade;
 - (b) the equivalency between GCSE examination results and vocational qualifications; and
 - (c) the equivalency between GCSE examination results and GCSE short course examination results.
- (5) In this regulation and in regulation 15, “the relevant group of pupils who will attain the age of 16 years”, in relation to a school year, means all persons who the authority estimate—
- (a) will on the Schools' Census enumeration date in that school year be registered pupils at a school maintained by the authority, and
 - (b) will attain the age of 16 during that school year.

15. The percentage of pupils not entered for examinations referred to in regulation 11 is the percentage of the relevant group of pupils who will attain the age of 16 years, as defined in regulation 14, in the authority’s area who are not to be entered for any GCSE examination, GCSE short course examination, vocational qualification award or ELQ.

Targets for permanent exclusions

16.—(1) The number of permanent exclusions referred to in regulation 11 is the maximum number of occasions on which the authority estimate pupils will be permanently excluded from schools maintained by the authority, other than any school situated in a hospital.

(2) In this regulation and in regulation 17, “excluded” shall be interpreted in accordance with section 64(4) of the 1998 Act.

Targets for fixed term exclusions

17. The fixed term exclusions referred to in regulation 11 are—

- (a) the maximum total number of days for which, and
- (b) the maximum total number of occasions on which,

the authority estimate that pupils will be excluded for a fixed term from schools maintained by the authority, other than any school situated in a hospital.

Targets for unauthorised absences

18.—(1) The unauthorised absence rate referred to in regulation 11 is the unauthorised absence rate for each of the school years in respect of which the target is being set, in schools maintained by the authority which provide secondary education, other than special schools and any school situated in a hospital.

(2) In this regulation—

- (a) “the unauthorised absence rate”, in relation to an authority and to any school year, means the total number of unauthorised absences from schools maintained by the authority in the applicable period during that year, expressed as a percentage of the total number of possible attendances in that period;
- (b) “unauthorised absence” means an occasion on which a relevant day pupil is registered as absent from school without authority pursuant to the Education (Pupil Registration) Regulations 1995⁽¹⁰⁾;
- (c) “the total number of possible attendances”, in relation to an authority and to any school year, means the number produced by multiplying the number of relevant day pupils at schools maintained by the authority by the number of school sessions in the applicable period in that year;
- (d) “relevant day pupil”, in relation to a school and to a school year, means a pupil registered at that school apart from—
 - (i) a boarder, or
 - (ii) a pupil who, before the beginning of that school year, either has not attained the age of ten years and six months, or has attained the age of sixteen years;
- (e) “the applicable period”, in relation to a school year, means the period starting with the beginning of that year and finishing with the end of the school day falling on the Friday before the last Monday in May in that year; and
- (f) “secondary education” has the meaning given to it in section 2(2) of the 1996 Act.

Information used by an authority in the setting of targets

19. The statement of proposals in a full plan shall—

- (a) describe the way in which each of the targets for any year set by the authority by virtue of regulation 11 relate to any corresponding targets for that year set by the governing bodies of schools maintained by that authority by virtue of the 1999 Regulations;
- (b) describe the way in which the authority engage with schools maintained by the authority to assist the governing bodies of such schools to set the targets they are required to set by virtue of the 1999 Regulations, including a description of the information given by the authority to such governing bodies to assist them to set those targets;
- (c) describe the way in which each of the targets for any year set by the authority by virtue of regulation 11 relate to any national targets which the National Assembly has set for maintained schools in Wales; and

⁽¹⁰⁾ S.I. 1995/2089, as amended by S.I. 1997/2624, S.I. 1999/2267 and S.I. 2001/1109 (W.53).

- (d) summarise the information used by the authority in setting the targets referred to in regulation 11.

PART III

FULL PLAN-ANNEXES

Local education authority context

20. The annexes to a full plan shall include a statement by the authority giving a description of the key characteristics of the authority which the authority consider relevant to the improvement of, and the raising of standards in, schools in their area.

Resources

21. The annexes to a full plan shall include a table showing the authority's planned expenditure, to be deducted from their local schools budget, for the financial year in which the first day of the plan falls, in respect of the priorities set out in the statement of proposals in accordance with regulation 7(a), broken down by reference to expenditure in the following categories—

- (a) the expenditure referred to in paragraphs 1 and 2 of Schedule 2 to the Financing Regulations (expenditure supported by specific grants),
- (b) the expenditure referred to in paragraphs 3 to 15 of Schedule 2 to the Financing Regulations (provision of a specialised nature), and
- (c) the expenditure referred to in paragraphs 20 to 23 of Schedule 2 to the Financing Regulations (school improvement).

Information on pupils with special educational needs

22.—(1) The annexes to a full plan shall include a table showing—

- (a) the number of statemented pupils for whom the authority were providing education in each of the three school years immediately prior to the period of the plan;
- (b) the number of non-statemented pupils for whom the authority were providing education in the school year ending immediately prior to the period of the plan;
- (c) the number of statemented pupils registered as pupils in mainstream classes at mainstream schools maintained by the authority in the school year ending immediately prior to the period of the plan;
- (d) the number of statemented pupils registered as pupils at mainstream schools maintained by the authority, either in a special class or with specialist resource provision, in the school year ending immediately prior to the period of the plan;
- (e) the number of registered pupils in special schools maintained by the authority in the school year ending immediately prior to the period of the plan; and
- (f) the total number of pupils with special educational needs in the school year ending immediately prior to the period of the plan who were registered as pupils—
 - (i) at schools maintained by other authorities, and
 - (ii) at independent schools.

(2) The annexes to a full plan shall include—

- (a) a description of the arrangements which the authority have in place in order to make available parent partnership services;

- (b) a description of the arrangements which the authority have in place in order to monitor whether the educational and other provision set out in each statement made under section 324 of the 1996 Act is being delivered;
 - (c) a statement describing the authority's arrangements for monitoring educational standards achieved by pupils with special educational needs; and
 - (d) a statement setting out the authority's funding mechanism for special educational needs provision.
- (3) In this regulation—
- (a) “total pupils” means the total number of pupils for whom the authority provide education;
 - (b) all references to a number of pupils in relation to a school year are references to the number of those pupils on the Schools' Census enumeration date in that school year;
 - (c) “parent partnership services” in relation to all full plans other than a 2002—05 full plan, means the arrangements made by the authority under section 332A of the 1996 Act⁽¹¹⁾ for the provision of advice and information about matters relating to special educational needs to parents of children with special educational needs, but in relation to a 2002—05 full plan, means any such arrangements which may have been made or planned by the authority.

Information on pupils from ethnic minorities

23.—(1) The annexes to all full plans shall describe the arrangements for the provision of English as an additional language for those pupils whose first language is not English or Welsh, in the school year immediately preceding the first year of the plan in question.

(2) The annexes to all full plans, other than to a 2002—05 full plan, shall include, in respect of the school year immediately preceding the first year of the plan in question—

- (a) the total number of pupils from ethnic minorities for whom the authority provided education, and
- (b) a breakdown of the ethnic origin of those pupils,

as shown in the Schools' Census return submitted to the National Assembly by the authority.

Information on children who are looked after by a local authority

24. The annexes to a full plan shall include a statement describing the authority's arrangements for monitoring educational standards achieved by pupils who are looked after children.

Information on pupils who are travellers' children

25.—(1) The annexes to all full plans other than a 2002—05 full plan shall, in relation to the school year immediately preceding the first year of the plan in question—

- (a) specify the number of pupils who are travellers' children registered in schools maintained by the authority,
- (b) specify the average duration of stay of such pupils in such schools, and
- (c) set out the arrangements which the authority have in place to monitor numbers of pupils who are travellers' children registered in schools maintained by the authority.

(2) The annexes to all full plans shall in relation to the school year immediately preceding the first year of the plan in question, set out the arrangements which the authority have in place for supporting pupils who are travellers' children.

⁽¹¹⁾ Section 332A was inserted by section 2 of the Special Educational Needs and Disability Act 2001 (c. 10).

Monitoring and evaluating

26.—(1) The annexes to a full plan shall include—

- (a) an explanation of the way in which the authority propose to monitor and evaluate—
 - (i) their achievements in relation to each of the priorities and activities referred to in regulation 7, including the way in which the authority propose to monitor and evaluate the achievements of schools maintained by the authority, and of pupil referral units and maintained nursery schools in their area,
 - (ii) their activities and achievements in relation to implementation of their policies and proposals referred to in regulations 8 and 10,
 - (iii) their activities and achievements in relation to the achievement of the educational standards referred to in regulation 10,
 - (iv) their activities and achievements in relation to meeting the targets referred to in regulation 11, and
 - (v) their use of resources in support of the plan;
- (b) an assessment by the authority of—
 - (i) the extent to which outcomes for the school year two years prior to the first full year of the plan in question met the final targets set for that year, and
 - (ii) the extent to which targets set for the first year of the plan in question differ from targets for that same year as set in the authority’s most recent supplementary plan;
- (c) an evaluation by the authority of their activities and achievements during the period of the preceding full plan in relation to—
 - (i) the priorities identified for raising standards of education, and
 - (ii) the priorities for school improvement and related activities,as set out in the preceding full plan; and
- (d) in all full plans except the 2002—05 full plan, the extent to which the authority have implemented the policy and strategy referred to in regulation 9.

(2) In this regulation references to a full plan include any modifications made to that plan under section 7 of the 1998 Act.

Consultation by the authority

27. The annexes to a full plan shall include a description of the consultation undertaken by the authority in preparing the plan including, in particular—

- (a) the number and types of person consulted;
- (b) a summary of the consultation responses; and
- (c) the ways, if any, in which those responses have been reflected in the plan.

Structure of the authority

28. The annexes to a full plan shall include a description of—

- (a) the authority’s committee structure relevant to the provision of the education service; and
- (b) the authority’s organisational structure relevant to provision of the education service and support for school improvement.

PART IV

SUPPLEMENTARY PLANS

School improvement

29. The statement of proposals contained in a supplementary plan shall include a summary by the authority of the steps they propose to take in respect of any actual or expected shortcomings in meeting their targets in the preceding plan, whether full or supplementary.

Targets

30.—(1) In the statement of proposals contained in a supplementary plan the authority shall set targets in connection with the matters referred to in paragraph (2) as follows—

- (a) in the first supplementary plan, targets for the second and third years in the period of the full plan;
 - (b) in the second supplementary plan, targets for the third year in the period of the full plan and for the first year of the following full plan.
- (2) The matters referred to in paragraph (1) are—
- (a) the achievements of second key stage pupils as set out in regulation 12,
 - (b) the achievements of third key stage pupils as set out in regulation 13,
 - (c) the achievements of pupils who will attain the age of 16 years as set out in regulation 14,
 - (d) the percentage of pupils not entered for examinations as set out in regulation 15,
 - (e) the number of permanent exclusions as set out in regulation 16,
 - (f) the fixed-term exclusions as set out in regulation 17, and
 - (g) the unauthorised absence rate as set out in regulation 18,

except that in each of the regulations referred to the words “regulation 30” shall be substituted for the words “regulation 11”.

Promotion of racial awareness

31. The statement of proposals contained in the supplementary plan relating to the two school years beginning on 1st September 2003 shall—

- (a) set out the authority’s policy on the promotion of racial awareness in schools; and
- (b) set out the authority’s strategy for preventing and addressing racism in schools.

Monitoring and evaluation

32.—(1) The annexes to a supplementary plan shall include—

- (a) an assessment by the authority of the extent to which the outcomes for the school year two years prior to the first year of the supplementary plan in question met the final targets set for that year; and
- (b) an assessment by the authority of the extent to which targets set for the first year of the supplementary plan in question differ from targets for that same year as set in the authority’s most recent plan (whether a full or supplementary plan).

(2) The annexes to the supplementary plan relating to the two school years beginning on 1st September 2003 shall contain a report on the authority’s activities towards promoting racial awareness in schools and preventing and addressing racism in schools.

(3) In this regulation references to a plan include any modifications made to that plan under section 7 of the 1998 Act.

Pupils with Special Educational Needs

33. The annexes to a supplementary plan shall show—

- (a) the number of statemented pupils registered as pupils in a mainstream class at mainstream schools maintained by the authority in the school year ending immediately prior to the period of the plan;
- (b) the number of statemented pupils registered as pupils either in a special class or receiving specialist resource provision at mainstream schools maintained by the authority in the school year ending immediately prior to the period of the plan; and
- (c) the number of registered pupils in special schools maintained by the authority in the school year ending immediately prior to the period of the plan.

Pupils from ethnic minorities

34. The annexes to the supplementary plan relating to the two years beginning on 1st September 2003 shall include, in relation to the school year beginning on 1st September 2002—

- (a) the total number of pupils from ethnic minorities for whom the authority provided education in the school year immediately prior to the period of the plan, and
- (b) a breakdown of the ethnic origin of those pupils,

as shown in the Schools' Census return submitted to the National Assembly by the authority.

Pupils who are travellers' children

35. The annexes to the supplementary plan relating to the two school years beginning on 1st September 2003 shall, in respect of the school year beginning on 1st September 2002—

- (a) specify the number of pupils who are travellers' children registered in schools maintained by the authority,
- (b) specify the average duration of stay of pupils who are travellers' children in such schools, and
- (c) set out the arrangements which the authority have in place to monitor numbers of pupils who are travellers' children registered in schools maintained by the authority.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(12).

25th April 2002

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

SCHEDULE

(Regulation 14)

(Supplementary provisions about performance targets and attainment results for pupils)

1.—(1) For the purposes of regulation 14, questions as to—

- (a) which vocational qualification award corresponds to which GCSE examination grade,
- (b) the equivalency between GCSE examination results and vocational qualifications, and
- (c) the equivalency between GCSE examination results and GCSE short course examination results,

shall be determined in accordance with sub-paragraphs (2) to (8).

(2) A full Intermediate GNVQ, or an NVQ at level 2, shall be treated as equivalent to grade A* to C in four GCSE subjects.

(3) A full Foundation GNVQ, or an NVQ at level 1, shall be treated as equivalent to grade D to G in four GCSE subjects.

(4) A Part One GVNQ (Intermediate level) shall be treated as equivalent to grade A* to C in two GCSE subjects.

(5) A Part One GNVQ (Foundation level) shall be treated as equivalent to grade D to G in two GCSE subjects.

(6) A GNVQ Language Unit (Intermediate level), shall be treated as equivalent to grade A* in half a GCSE subject.

(7) A GNVQ Language Unit (Foundation level) shall be treated as equivalent to grade D in half a GCSE subject.

(8) A grade in an examination relating to a GCSE short course shall be treated as equivalent to that grade in half a GCSE subject.

2. For the purposes of setting the targets specified in regulation 11, any reference in this Schedule to the achievement or award of—

- (a) a grade in a GCSE examination,
- (b) a vocational qualification, or
- (c) a grade in a GCSE short course examination,

shall be construed as if it were a reference to the award or achievement of a grade or qualification by the end of the school year in relation to which such targets are required to be set by virtue of that regulation.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke the Education Development Plans (Wales) Regulations 1999 with a saving in respect of the validity of existing plans, and apply in relation to local education authorities in Wales.

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 make provision with respect to full plans covering a period of 3 years and supplementary plans for the second and third years of the period of the full plan, including the period to which the statement of proposals contained in the plans must relate (regulation 4), the intervals at which the plans must be prepared and the date by which plans must be submitted to the National Assembly for Wales (regulation 5) and provisions as to publication of plans and supply of copies (regulation 6).

Part II of the Regulations sets out matters with which the statement of proposals in a full plan must deal. These include the authority's priorities for raising standards, activities to be undertaken to address those priorities and the setting of progress targets in respect of those priorities (regulation 7); the authority's policy for pupils with special educational needs, activities to promote those policies and the setting of progress targets in respect of those priorities (regulation 8); the authority's policy on the promotion of racial awareness and their strategy for addressing racism in schools (in full plans from 2005 onwards) (regulation 9); the authority's policy on education for looked after children (regulation 10); the setting of targets for the first and second years of the plan (regulation 11); achievements in respect of which targets must be set for pupils in the second and third key stages and for pupils who will attain the age of 16 years (regulations 12, 13 and 14); targets for examination entries for pupils who will attain the age of 16 years (regulation 15); targets for permanent and fixed term exclusions and for unauthorised absences (regulations 16, 17 and 18); and a summary of the information used by the authority in setting their targets (regulation 19).

Part III of the Regulations sets out the material which the annexes to a full plan must contain. These include a description of the key characteristics of the authority (regulation 20); a table showing the authority's use of resources in support of a full plan (regulation 21); a table showing supplementary information on children with special educational needs and a description of the authority's arrangements for monitoring the educational standards of such children (regulation 22); information on pupils from ethnic minorities (in full plans from 2005 onwards) (regulation 23); supplementary information on looked after children (regulation 24); information on pupils who are travellers' children and the authority's arrangements in support of such pupils (in full plans from 2005 onwards) (regulation 25); an explanation of the authority's proposals for monitoring their performance under the plan (regulation 26); a description of the consultation undertaken by the authority in preparing the plan (regulation 27); and a description of the authority's committee and organisational structure (regulation 28).

Part IV of the Regulations sets out the requirements for supplementary plans. These include a summary of proposed steps to address any shortcomings in meeting targets (regulation 29); a statement of proposals containing an update of all the authority's targets for the forthcoming two years (regulation 30); the authority's policy on the promotion of racial awareness and their strategy for addressing racism in schools, in relation only to the supplementary plan for 2003—05 (regulation 31); an annex containing the authority's assessment of the extent to which targets have been met (regulation 32); an annex containing statistical information on pupils with special educational needs (regulation 33); information on pupils from ethnic minorities (in the supplementary plan for 2003—05 only) (regulation 34); and information on pupils who are travellers' children and the authority's arrangements in support of such pupils (in the supplementary plan for 2003—05 only) (regulation 35).