

National Assembly for Wales Education and Lifelong Learning Committee

Secondary Legislation: 30 November 2005

The Committee considered the following four items of subordinate legislation on Wednesday 30 November 2005. A verbatim record was taken and can be viewed on the Committee's WebPage.

The Education (Determination of Admission Arrangements) (Wales) Regulations 2006 [ELL 26-04]

The Education (Objections to Admission Arrangements) (Wales) Regulations 2006 [ELL 27-04]

The Education (Variation of Admission Arrangements) (Wales) Regulations 2006 [ELL 28-04]

The New School (Admissions) (Wales) Regulations 2006 [ELL 30-04]

The Minister provided, for each draft Order, a copy of the draft regulations, explanatory memorandum, regulatory appraisal and a list of those consulted.

The four sets of regulations are part of a package of changes which are consequential on each other update existing measures in the light of changes to primary legislation. More information on each set of regulations is as follows:

ELL26-04

These Regulations set out the procedure which admission authorities should follow when determining their admission arrangements, including the consultation and notification process. They revoke and replace the existing Education (Determination of Admission Arrangements) Regulations 1999 to reflect amendments made to the School Standards and Framework Act 1998 (the 1998 Act) by the Education Act 2002 (the 2002 Act).

ELL 27-04

These Regulations prescribe the conditions under which objections may be referred and decided and the implementation of any decisions. The Regulations revoke and replace the existing Education (Objection to Admission Arrangements) Regulations 1999 to reflect amendments made to the 1998 Act by the 2002 Act.

ELL 28-04

These Regulations prescribe that the admission authority of a school (the governing body for foundation or voluntary aided schools; the LEA for community or voluntary controlled schools) may vary the admission arrangements they have made for a particular school year by changing the admission number they have previously determined, if such a variation is necessary to implement approved statutory proposals for school re-organisation published under section 28 of the 1998 Act.

ELL 30-04

These Regulations make provision in relation to the determination of the initial admission arrangements for admission to new schools. They revoke and replace the New School (Admissions) (Wales) Regulations 1999 to reflect amendments made to the 1998 Act by the 2002 Act.

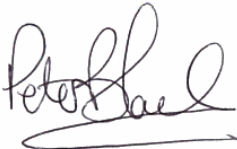
Discussion

In discussion, the following issues arose:

- Respondents to consultation had expressed concern that the consultation document did not address who would monitor and audit the admission arrangements process. However, further guidance on this issue will be included in a revised Code of Practice on school admissions, which is planned to be issued in 2006.
- There was discussion of the resource position of schools whose intake was above their own initial admissions number, due to successful appeals, but who nevertheless had vacancies because of the subsequent withdrawal of other pupils. The position could not be clarified without further specific details of the school in question being available. The Committee Member who had raised the matter would consider writing to the Minister on the specific case which had prompted the discussion.

Committee Decision

No amendments were proposed and the Committee recommended approval of the draft regulations.



Committee Chair

Committee Service