

**2008 No. 1739 (W.171)**

**EDUCATION, WALES**

**The Education (School Day and  
School Year) (Wales) (Amendment)  
Regulations 2008**

**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

The Education (School Day and School Year) (Wales) Regulations 2003 (S.I. 2003/3231 (W.311)) (“the 2003 Regulations”) apply to schools maintained by local education authorities and to special schools (whether or not so maintained). They make provision (among other things) for a school day which is ordinarily to be divided into two sessions (with a break in the middle), and for schools (other than nursery schools) to meet for at least 380 sessions during any school year.

Regulation 5 of the 2003 Regulations (as amended by S.I. 2006/1262 (W.119)) provides for up to four sessions in each of the 2006/7 and 2007/8 school years to count as sessions on which the school met if they were devoted to the provision of certain forms of training.

These Regulations substitute a new regulation 5 in the 2003 Regulations which, in broad terms, provides for up to four sessions in each of the 2008/9 and 2009/10 school years to count as sessions on which the school met if they were devoted to the provision of training, or preparation and planning, for the following—

- the introduction of the foundation stage,
- the preparation and implementation of plans aimed at facilitating the transition of pupils from the foundation stage and from one key stage to another, and between primary school and secondary school (including, in the latter case, the statutory plans required to be drawn up under section 198 of the Education Act 2002),

- forthcoming changes in the National Curriculum, and
- the Welsh Ministers' plans for extending learning options for 14- 19 year olds.

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*Made* *1 July 2008*

*Laid before the National Assembly for Wales*  
*3 July 2008*

*Coming into force* *1 August 2008*

The Welsh Ministers in exercise of the powers conferred on the Secretary of State by sections 551 and 569(4) and (5) of the Education Act 1996<sup>(1)</sup> and now vested them<sup>(2)</sup>, make the following Regulations:

**Title and commencement**

**1.** The title of these Regulations is the Education (School Day and School Year) (Wales) (Amendment) Regulations 2008 and they come into force on 1 August 2008.

**Amendment of Regulations**

**2.—(1)** The Education (School Day and School Year) (Wales) Regulations 2003<sup>(3)</sup> are amended as follows.

(2) In regulation 3, in the appropriate alphabetical order insert—

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- (1) 1996 c.56. Section 551(1A) was inserted by paragraph 39 of Schedule 7 to the Education Act 1997 (c.44), and section 551(2) was amended by paragraph 166 of Schedule 30 and Schedule 31 to the School Standards and Framework Act 1998 (c.31). For the meaning of “regulations” and “prescribed” see section 579(1).
- (2) The functions of the Secretary of State were transferred to the National Assembly by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) and then to the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c.32).
- (3) S.I. 2003/3231 (W.311).

““foundation stage” (“*cyfnod sylfaen*”) is to be construed in accordance with section 102 of the Education Act 2002(1)”.

(3) In regulation 5 for paragraph (1) substitute—

“(1) Subject to paragraph (2), this paragraph applies to any school session falling within the school years 2008-2009 and 2009-2010 which is devoted (wholly or mainly) to the provision of training (including training attended by both teaching and non-teaching staff and training conducted jointly with other schools), or preparation and planning, for the following—

- (a) the introduction of the foundation stage;
- (b) the implementation of plans aimed at facilitating the transition of pupils from the foundation stage to the second key stage and from one key stage to the next or from primary school to secondary school (including plans of the kind referred to in section 198 of the Education Act 2002 if the governing body of the school is, or if the governing body expects to be, required by the Welsh Ministers to participate in drawing up such a plan);
- (c) the prospective changes to the National Curriculum for Wales;
- (d) the implementation of the proposals contained in circular 37/2004 entitled “Learning Pathways 14-19” for extending the range of learning options available to 14-19 year olds (including developing the role of Learning Coach in supporting young people’s learning, and developing a comprehensive Learning Pathways plan).”

*Jane Hutt*

Minister for Children, Education, Lifelong Learning  
and Skills, one of the Welsh Ministers

1 July 2008

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(1) 2002 c.32. S.I. 1732/2008 (W.169) specifies the period of the foundation stage.