

**EXPLANATORY MEMORANDUM TO THE GOVERNMENT OF MAINTAINED
SCHOOLS (TRAINING REQUIREMENTS FOR GOVERNORS) (WALES)
(AMENDMENT) REGULATIONS 2021**

This Explanatory Memorandum has been prepared by the Education and Public Services Department of the Welsh Government and is laid before Senedd Cymru in conjunction with the above subordinate legislation and in accordance with Standing Order 27.1.

Minister's Declaration

In my view, this Explanatory Memorandum gives a fair and reasonable view of the expected impact of The Government of Maintained Schools (Training Requirements for Governors) (Wales) (Amendment) Regulations 2021.

Kirsty Williams
Minister for Education
23 March 2021

1. Description

These Regulations amend The Government of Maintained Schools (Training Requirements for Governors) (Wales) Regulations 2013 (“the 2013 Regulations”) which set out the training requirements for governors of maintained schools in Wales.

2. Matters of special interest to the Legislation, Justice and Constitution Committee

None.

3. Legislative background

The Welsh Ministers’ powers to make these Regulations are contained in sections 22(3) and (4) and 32(2) of the Education (Wales) Measure 2011. Section 22 requires local authorities in Wales to provide information and training to governors, free of charge, on a range of issues that enable them to effectively discharge their functions. It also states that the Welsh Ministers may set out the content of that training in a published document.

The provisions contained in these Regulations reference a training document, published by the Welsh Ministers, by which local authorities are required to plan their training courses for school governors.

These Regulations are being made under the negative resolution procedure in accordance with section 32(3) of the Education (Wales) Measure 2011.

4. Purpose & intended effect of the legislation

Under the 2013 Regulations all newly appointed, re-appointed, newly elected or re-elected governors must attend training on school performance data within one year of their appointment or election. Non completion of the training would result in a six month suspension, and if the training was not completed within that six month suspension period ultimately the governor would be disqualified.

The purpose of these is to amend the definition of “school performance data training” in Regulation 2 of the 2013 Regulations so that it refers to the latest training document published by the Welsh Ministers for governors on understanding school performance data.

Regulation 2 of the 2013 Regulations is amended to refer to the revised training document called *Training for school governors in Wales: understanding the role of data in supporting self-evaluation and improvement in schools* published by the Welsh Ministers on 18 November 2020.

Regulation 3 provides that any governor who has completed the training using the revised 2020 training document before these Regulations come into force is

to be treated as meeting the school performance data training requirements under the 2013 Regulations.

Regulation 4 also makes it clear that any governor who has completed the mandatory data training specified under the 2013 Regulations before these regulations come into force does not have to repeat the training in accordance with these Regulations.

5. Consultation

No formal consultation has been undertaken on these Regulations, as they make a minor technical amendment to a definition to refer to a revised training document. However, key stakeholders including local authorities were engaged and provided assistance and valuable feedback in the production of the revised training document published in November 2020.

6. Impact Assessments

The impacts arising from the 2021 Amendment Regulations have been fully considered.

Regulatory Impact Assessment

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations. These Regulations are making a technical amendment to the Government of Maintained Schools (Training Requirements for Governors) (Wales) Regulations 2013 ("the 2013 Regulations") and simply update a reference to a new training document.

Welsh language

There are no positive or adverse impacts specific to the Welsh language.

Children's Rights

There are no positive or adverse impacts specific to Children's Rights.

Equality and Human Rights

There are no positive or adverse impacts specific to Equality and Human Rights.

Privacy

The provisions in the General Data Protection Regulation 2016 are not affected by the amendment to these Regulations.

Justice Impact Assessment

Whilst no formal Justice Impact Assessment has been undertaken, no impacts have been identified when considering these Regulations.