

ACCOMPANYING DOCUMENTS

Explanatory Notes and an Explanatory Memorandum are printed separately.

Residential Outdoor Education (Wales) Bill

[AS INTRODUCED]

CONTENTS

- 1 Provision of residential outdoor education
- 2 Funding for residential outdoor education
- 3 No board and lodging charges permitted for residential outdoor education
- 4 Power to make transitional provision
- 5 Coming into force
- 6 Short title

Residential Outdoor Education (Wales) Bill

[AS INTRODUCED]

An Act of Senedd Cymru to make provision in respect of residential outdoor education.

Having been passed by Senedd Cymru and having received the assent of His Majesty, it is enacted as follows:

1 Provision of residential outdoor education

- (1) The Curriculum and Assessment (Wales) Act 2021 (asc 4) is amended in accordance with this section.
- (2) After section 64 insert –

“Residential outdoor education

64A Provision of residential outdoor education

- (1) The Welsh Ministers must take all reasonable steps to ensure that a course of residential outdoor education is provided once, free of charge as part of a curriculum, to registered pupils at maintained schools.
- (2) Those steps include the Welsh Ministers exercising their functions under this Act, and in particular –
 - (a) exercising functions under section 6 in order to make the provision of a course of residential outdoor education a key concept within an area of learning and experience;
 - (b) exercising functions under section 71A to issue guidance in respect of residential outdoor education.
- (3) A course of residential outdoor education must be comprised of at least four nights and five days stay in residential accommodation.
- (4) A course of residential outdoor education may –
 - (a) take place on one visit, or
 - (b) be spread over more than one visit.
- (5) The Welsh Ministers must issue a code (the “Residential Outdoor Education Code”) that sets out the way in which a curriculum is to make provision for residential outdoor education.
- (6) The first Residential Outdoor Education Code must be issued within 1 year of this section coming into force.
- (7) A curriculum does not comply with this Act unless it accords with the Residential Outdoor Education Code.
- (8) The Welsh Ministers –
 - (a) must keep the Residential Outdoor Education Code under review, and

(b) may revise it.

(9) In this section, a reference to a course of residential outdoor education being provided means provided once to registered pupils at maintained schools before they cease being registered pupils at maintained schools.

(10) For further provision about the Residential Outdoor Education Code, see section 76.

(11) Nothing in this section prevents residential outdoor education being provided outside a curriculum, whether to registered pupils at maintained schools or otherwise.”

(3) After section 71 insert –

“71A Duty to issue guidance in respect of residential outdoor education

(1) The Welsh Ministers must issue guidance under section 71 in respect of residential outdoor education provided in pursuance of a duty imposed by or under this Act.

(2) The first guidance must be issued within 1 year of this section coming into force.

(3) That guidance –

(a) may set out the age or ages, or school year or school years, at which residential outdoor education is to be provided;

(b) must provide that residential outdoor education is not compulsory for pupils to attend;

(c) must provide that residential outdoor education is suitable to a pupil’s age, ability, aptitude and any additional learning needs;

(d) must provide that residential outdoor education be provided in Welsh, subject to availability, where requested by a school;

(e) may provide that residential outdoor education promotes an understanding of Welsh language and culture;

(f) may set requirements that must be satisfied before a person is permitted to provide residential outdoor education;

(g) must make provision in respect of the costs that it would be reasonable to incur in connection with residential outdoor education, including, but not limited to, the cost of board and lodging and transport;

(h) may make provision in respect of schools’ staff costs in respect of residential outdoor education; and

(i) may include any other provision that the Welsh Ministers consider appropriate.”

(4) In section 76 –

(a) in the heading, for “The What Matters Code and the Progression Code” substitute “The What Matters Code, the Progression Code and the Residential Outdoor Education Code”;

(b) for subsection (1)(b) substitute –

“(b) the Progression Code;

(c) the Residential Outdoor Education Code.”

(5) In section 83, in Table 1, insert at the appropriate place in alphabetical order –

“Residential Outdoor Education Code (“ <i>Cod Addysg Awyr Agored Breswyl</i> ”)	section 64A”.
---	---------------

2 Funding for residential outdoor education

After section 64A of the Curriculum and Assessment (Wales) Act 2021 (asc 4) (as inserted by section 1 of this Act) insert –

“64B Funding for residential outdoor education

- (1) The Welsh Ministers must pay a local authority an amount sufficient to enable functions conferred by or under sections 64A and 71A, in respect of residential outdoor education, to be carried out.
- (2) This section is without prejudice to Chapter 4 of Part 2 of the School Standards and Framework Act 1998 (c. 31) (financing of maintained schools).”

3 No board and lodging charges permitted for residential outdoor education

- (1) The Education Act 1996 (c. 56) is amended in accordance with this section.
- (2) In section 452(6) (charges for board and lodging on residential trips), after “residential trip”, insert “, other than a residential trip provided in respect of residential outdoor education in pursuance of a duty imposed by or under the Curriculum and Assessment (Wales) Act 2021”.
- (3) In section 455(1)(d) (permitted charges for board and lodging on residential trips), after “residential trip”, insert “, other than a residential trip provided in respect of residential outdoor education in pursuance of a duty imposed by or under the Curriculum and Assessment (Wales) Act 2021”.

4 Power to make transitional provision

(1) After section 74 of the Curriculum and Assessment (Wales) Act 2021 (asc 4) insert –

“74A Power to make transitional provision in respect of residential outdoor education

- (1) The Welsh Ministers may by regulations make transitional provision in respect of the coming into force of sections 64A, 64B and 71A.

(2) Regulations made under subsection (1) may, in particular, modify or delay the coming into force of those sections in respect of different ages, or different school years, of registered pupils.”

(2) In section 75(2)(a) of the Curriculum and Assessment (Wales) Act 2021, for “or 48” substitute “, 48 or 74A”.

5

5 Coming into force

(1) Sections 1 to 3 come into force at the end of the period of 3 months beginning with the day on which this Act receives Royal Assent.

(2) The remaining sections come into force on the day after the day on which this Act receives Royal Assent.

10

6 Short title

The short title of this Act is the Residential Outdoor Education (Wales) Act 2024.