
W E L S H S T A T U T O R Y
I N S T R U M E N T S

2025 No. 308 (W. 62)

EDUCATION, WALES

**The Education (Information about
Children in Independent Schools)
(Pilot) (Wales) Regulations 2025**

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made under sections 537A(1) and (2) and 569(4) and (5) of the Education Act 1996. The Regulations come into force on 8 April 2025

The proprietor of an independent school in Wales is required to disclose to a relevant local authority (as defined in regulation 2), by 20 May 2025, specified information it holds in relation to a child who is a registered pupil at that school (regulation 3).

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from Equity in Education, Welsh Government, Cathays Park, Cardiff, CF10 3NQ and is published on www.gov.wales.

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2025 No. 308 (W. 62)

EDUCATION, WALES

**The Education (Information about
Children in Independent Schools)
(Pilot) (Wales) Regulations 2025**

Made 10 March 2025

Laid before Senedd Cymru 12 March 2025

Coming into force 8 April 2025

The Welsh Ministers in exercise of the powers conferred on the Secretary of State by sections 537A(1) and (2) and 569(4) and (5) of the Education Act 1996⁽¹⁾, and now vested in them⁽²⁾, make the following Regulations:

Title, coming into force and expiry

1.—(1) The title of these Regulations is the Education (Information about Children in Independent Schools) (Pilot) (Wales) Regulations 2025.

(2) These Regulations come into force on 8 April 2025 and cease to have effect on 20 May 2025.

Interpretation

2. In these Regulations—

“the Act” (“*y Ddeddf*”) means the Education Act 1996;

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- (1) 1996 c. 56. Section 537A was inserted by section 20 of the Education Act 1997 (c. 44), and substituted by paragraph 153 of Schedule 30 to the School Standards and Framework Act 1998 (c. 31). It was further amended by S.I. 2010/1158 and by S.I. 2012/976. *See* section 579(1) for the meaning of “regulations” and “prescribed”.
- (2) The functions of the Secretary of State under sections 537A and 569 of the Education Act 1996 were transferred to the National Assembly for Wales 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).

“child” (*“plentyn”*) means a person of compulsory school age who is ordinarily resident in the area of a pilot local authority;

“compulsory school age” (*“oedran ysgol gorfodol”*) has the same meaning as in section 8 of the Act⁽¹⁾;

“independent school” (*“ysgol annibynnol”*) means a school included in the register of independent schools in Wales under section 158 of the Education Act 2002⁽²⁾;

“local authority” (*“awdurdod lleol”*) means the council of a county or county borough in Wales;

“pilot local authority” (*“awdurdod lleol peilot”*) means a local authority listed in Schedule 1;

“proprietor” (*“perchennog”*) has the same meaning as in section 579(1) of the Act⁽³⁾;

“registered pupil” (*“disgybl cofrestredig”*) has the same meaning as in section 434(5) of the Act;

“relevant local authority” (*“awdurdod lleol perthanasol”*) means the pilot local authority in whose area the child is ordinarily resident.

Disclosure of information to relevant local authority

3.—(1) Paragraph (2) applies where the proprietor of an independent school holds any relevant information.

(2) The proprietor must provide the relevant information held to the relevant local authority by 20 May 2025.

(3) In this Regulation “relevant information” means any of the information specified in Schedule 2 in relation to a child who is a registered pupil at the independent school.

Lynne Neagle

Cabinet Secretary for Education, one of the Welsh Ministers

10 March 2025

(1) Section 8 was amended by section 52 of the Education Act 1997 (c. 44).

(2) 2002 c. 32. Section 158 was amended by section 173 of and paragraph 17 of Schedule 1 and Schedule 2 to the Education and Skills Act 2008 (c. 25) and by section 54(2) of the Additional Learning Needs and Education Tribunal (Wales) Act 2018 (anaw. 2).

(3) The definition of “proprietor” was amended by section 140(1) of and paragraph 183(a)(iii) of Schedule 30 to the School Standards and Framework Act 1998 (c. 31). There are other amending instruments not relevant to these Regulation

SCHEDULE 1 Regulation 2

Pilot Local Authorities

Cardiff County Council

Carmarthenshire County Council

Gwynedd Council

The Isle of Anglesey County Council

Monmouthshire County Council

Powys County Council

Rhondda Cynon Taff County Borough Council

SCHEDULE 2 Regulation 3

**Information to be provided to the
relevant local authority**

- 1.** The child's name (including any former name).
- 2.** The child's address (or last known address) including postcode.
- 3.** The child's date of birth.