

REGULATORY APPRAISAL

The Inspection of Education and Training (Amendment) (Wales) Regulations 2004 and The Education (School Inspection) (Amendment) (Wales) Regulations 2004

Purpose and intended effect of the measure

1. The purpose of these Regulations is :
 - (i) to provide a six-year inspection cycle in the post 16 sector to run from 1 September 2004 to support the introduction of Estyn's new Common Inspection Framework based on a six-year inspection cycle. Current regulations, The Inspection of Education and Training (Wales) Regulations 2001, provide for a five-year cycle.
 - (ii) to amend current timescales, specified in The Inspection of Education and Training (Wales) Regulations 2001 and The Education (School Inspection)(Wales) Regulations 1998, for the provision of both pre and post 16 inspection reports and the preparation by learning providers of action plans.

Risk Assessment

2. Estyn, Her Majesty's Inspectorate for Education and Training in Wales will be introducing a new Common Inspection Framework from 1 September 2004 which will be applied to all inspection work apart from inspection of non-maintained early years education and local authorities. There has been wide consultation with key stakeholders on the development of the Framework and all of the key changes to current inspection arrangements have been well received.

3. In particular, there is consensus on the desirability of introducing a six-year inspection cycle to run from 1 September 2004 for all areas of work. School inspection is already on a six-year inspection cycle. If these regulations are not made it will impact on Estyn's ability to fully implement the new Common Inspection Framework and will have implications for Estyn's future work programme.

4. The proposed changes to both the 2001 Regulations and 1998 Regulations also provide for a single timescale for provision of inspection reports and publication of action plans whether they are required in one language or in English and Welsh. The changes will be applied to inspections undertaken by Estyn of both school and post 16 learning and to inspections of denominational education from 1 September 2004.

5. There was also firm support for increasing the specified timescale for the production of bilingual inspection reports in the post 16 sector. This has been

the subject of separate consultation with the full range of bodies on Estyn's Joint Inspection Forum. The regulations provide for 5 more working days for the production of an inspection report from the completion of an inspection (a total of 70 working days) than the current target of 65 working days specified in the 2001 Regulations for the production of a bilingual report. The change has been sought to reflect more accurately both translation times and the time required to allow for checking of report details with post 16 providers that vary in size and structure. In most instances Estyn expect reports will be provided well within the maximum period proposed but the amended timescales provide some necessary flexibility over current arrangements.

Benefits

6. Both sets of proposed Regulations, which are essentially technical in nature, will enable Estyn to fully introduce the new Common Inspection Framework from 1 September 2004 working to a six year inspection cycle as planned and endorsed by key stakeholders. They also simplify and clarify the timescales for the production of inspection report and action plans.

Costs

7. There are no additional financial implications for schools, local education authorities or post 16 learning providers resulting from the proposed sets of Regulations; there are also no additional financial implications for the Assembly. Any expenditure incurred by Estyn in introducing the new inspection arrangements will be accommodated within provision in the Estyn SEG within the ELL MEG approved by the Assembly for 2004-05 as part of the budget planning round.

Consultation

8. Estyn has consulted fully with all key stakeholders on the development of the new Common Inspection Framework. The framework, to be implemented from 1 September 2004, has firm and wide support.

9. Estyn consulted separately with members of its Joint Inspection Forum on proposals to increase the timescale for the production of bilingual inspection reports for the post 16 sector; the proposal received firm support.

10. In addition, Welsh Assembly Government has conducted a consultation exercise on the proposals contained in these regulations; copies of the consultation paper were circulated to members of Estyn's Joint Inspection Forum and also placed on the Assembly's web-site. There was firm and wide support for the proposals.

Review

11. The new inspection arrangements will be incorporated within quality standards applied by Estyn to all inspections. Estyn will monitor and report on performance against targets annually. In addition, the new arrangements will be kept under review at Estyn's Pre 16 and Post 16 Inspection forums. The two groups draw together representatives from the full range of learning providers and other interested parties.

Summary

12. The proposed sets of Regulations underpin the introduction of the new arrangements for the inspection of education and training in Wales (the Common Inspection Framework) to be introduced from September 2004. They also simplify and clarify the timescales for the preparation of related inspection reports and action plans in English and Welsh.