The following list sets out the main educational and related legislation referred to in the text. It includes the following types of primary legislation:

- Public General Acts of the United Kingdom Parliament (1801 to date)
- Acts of the National Assembly for Wales (2012 to date)

It also includes selected secondary legislation.

Links are included to the full text and explanatory notes (where available) on the UK Legislation website [1], which is provided by The National Archives.

**Additional Learning Needs and Education Tribunal (Wales) Act 2018** [2] (Act of the National Assembly for Wales)

An Act of the National Assembly for Wales to reform the law on education and training for children and young people with additional learning needs; and to continue the Special Educational Needs Tribunal for Wales and to rename it the Education Tribunal for Wales.

It establishes a statutory framework for supporting children and young people with additional learning needs (‘ALN’) for ages 0-25. It replaces the framework for special educational needs (‘SEN’) for those aged up to 16, and the framework for young people with learning difficulties and/or disabilities (LDD) in post-16 education and training. **Explanatory notes** [3]


In relation to Wales, this Act conferred a number of new or expanded powers on the Welsh Ministers, in line with changes being made to certain powers of the Secretary of State in relation to England including powers to specify apprenticeship standards in Wales and to authorise bodies to issue apprenticeship frameworks. In addition, the Act makes two changes which are specific to Wales: a measure to enable institutions within the further education sector in Wales to apply to the Privy Council for the power to grant foundation degrees (section 259) and an amendment to section 29 of the Education Act 2002 to require all schools in Wales to adopt a complaints procedure established by regulations made by Welsh Ministers (section 260). **Explanatory notes** [5]


The main purpose of the Act was to reform the regulatory system for care services in England and Wales. In relation to Wales, it made provision for the responsibility for child minding and day care regulation to pass to the registration authority established as part of the National Assembly for Wales.
It also established an office of the Children’s Commissioner for Wales. [Explanatory note](#)

**Carers and Disabled Children Act 2000** (Act of Parliament)

**Children and Young Persons Act 2008** (Act of Parliament)

An Act that relates to the provision of local authority social work services for children and young people. It requires the governing body of a maintained school in England and Wales to designate a member of staff (the ‘designated person’) as having responsibility for promoting the educational achievement of looked after children who are registered pupils at the school. [Explanatory note](#)

**Children Act 2004** (Act of Parliament)

**Childcare Act 2006** (Act of Parliament)

**Children and Families (Wales) Measure 2010** (Measure of the National Assembly for Wales)

The Measure made provision for day care provision and inspection of day care providers, including the duty of local authorities to secure the availability of free childcare in their respective areas and placed each local authority under the duty to establish at least one integrated family support team. [Explanatory note](#)

**Counter-Terrorism and Security Act 2015** (Act of Parliament)

The Act brought provisions in eight main areas, of which one (Part 5, Chapter 1) placed varying responsibilities on schools, further education institutions and higher education institutions to promote British values and prevent young people from being drawn into terrorism.

**Data Protection Act 2018** (Act of Parliament)

Modernised data protection laws, setting new standards for protecting personal data, giving individuals more control over use of their data and supporting organisations with their lawful processing of personal data. [Explanatory notes](#)

**Disability Discrimination Act 2005** (Act of Parliament)

**Education (Admission of Looked After Children) (Wales) Regulations 2009** (Wales Statutory Instrument)

The Regulations prescribed the circumstances in which an admission authority for a maintained school must give priority in their admissions arrangements to a child who is looked after by a Welsh local authority.
The Regulations made provision in support of baseline assessment, which was introduced by the Education Act 1997.

These Regulations revoke and replace the Education (Induction Arrangements for School Teachers) (Wales) Regulations 2005, as amended. The provisions of the 2005 Regulations, which required individuals who qualified as teachers after 1 April 2003 to complete an induction period before they could be employed by a maintained school are re-enacted but the references to the General Teaching Council for Wales, which was renamed under the Education Act 2014, have been removed and replaced with references to the Education Workforce Council.

These Regulations amend the Education (Local Curriculum for Pupils in Key Stage 4) (Wales) Regulations 2009 so that the minimum number of courses that a local authority must include in its local curriculum are 25, of which three must be vocational.

This Order gives legal effect to the assessment arrangements for reading and numeracy for pupils who attend schools maintained by a local authority (other than any established in a hospital) in Wales.

The Regulations made minor amendments to the Education (Pupil Information) (Wales) Regulations 2004 relating to the transfer of secure data, pupils’ common transfer files and reporting school performance to parents.

The Education (Schools) Act 1992 makes provision with respect to the inspection of schools and with respect to information about schools and their pupils.

The Regulations revoked and replaced the Education (School Day and School Year) (Wales) Regulations 2000, making provision about the length of the school day and school year and the training of teachers during the school year.

These Regulations relate to the Education Act 2005, which set out the statutory framework for the inspection of schools. The Regulations provided for the frequency and length of school inspections.
and made clear the duties of the local education authority.

**Education (School Teachers’ Qualifications) (Wales) Regulations 2004** [37] (Wales Statutory Instrument)

The Regulations made provision with regards to the accreditation of institutions providing initial teacher training and qualified teacher status.

**Education (Wales) Act 2014** [38] (Act of the National Assembly for Wales)

The Act renamed the GTCW the General Teaching Council for Wales (GTCW) (originally established under the Teaching and Higher Education Act 1998) as the Education Workforce Council and expanded its remit to include the registration and regulation of more of the people who are involved in teaching and learning in Wales. The Act also placed local authorities and governing bodies under a duty to co-operate and co-ordinate with each other to ensure that the term dates set are the same for every maintained school in Wales. [Explanatory notes] [39]

**Education (Wales) Measure 2009** [40] (Measure of the National Assembly for Wales)

The Measure made provision for children to have a right of appeal in respect of special educational needs and a right to make a claim in respect of disability discrimination in schools and made provision for advice and information services relating to special educational needs and disability. It also made provision about the school curriculum. [Explanatory notes] [41]

**Education (Wales) Measure 2011** [42] (Measure of the National Assembly for Wales)

The Measure made provision for collaboration between local authorities, governing bodies of maintained schools and further education institutions and made provision for the training of the governing bodies of maintained schools and prohibited the establishment of new foundation schools. [Explanatory notes] [43]

**Education Act 1944** [44] (Act of Parliament)

Established a legal framework embracing different categories of publicly-funded schools in which schools established by voluntary providers became fully integrated into the public education system. The Act also enshrined in legislation the separation of primary from secondary education and the principles for a balanced and broadly-based curriculum. Repealed and its remaining extant provisions re-enacted by the Education Act 1996.


**Education Act 1993** [47] (Act of Parliament)

**Education Act 1994** [48] (Act of Parliament)


**Education Act 1997** [28] (Act of Parliament)

Explanatory notes [51]


Explanatory notes [53]

Education and Inspections Act 2006 [54] (Act of Parliament)

Explanatory notes [55]

Education Reform Act 1988 [56] (Act of Parliament)

Equality Act 2010 [57] (Act of Parliament)

Provided a single legal framework to protect the rights of individuals and advance equality of opportunity for all. Defined the following 'protected characteristics' i.e. the categories to which the law applies: age, sex, race, disability, religion or belief, sexual orientation, gender reassignment, pregnancy or maternity. Consolidated all previous equality legislation such as the Race Relations Act, Disability Discrimination Act and Sex Discrimination Act and created the Public Sector Equality Duty replacing the former separate duties on race, disability and gender. Explanatory notes [58]

Education Workforce Council (Main Functions) (Wales) Regulations 2015 [59] (Wales Statutory Instrument)

These Regulations revoke the Education (Specified Work and Registration) (Wales) Regulations 2010 and re-make their provisions with some minor changes. They set out the provisions in relation to the requirements for registration of the education workforce with the Education Workforce Council and specify the work that may be carried out in schools by qualified teachers and persons who satisfy specified requirements.

Federation of Maintained Schools and Miscellaneous Amendments (Wales) Regulations 2010 [60] (Wales Statutory Instrument)


Gave individuals the right to access recorded information held by public sector organisations. Explanatory notes [62]


Took further education institutions out of local authority control and is the principal piece of legislation governing further education in England and Wales. Created a single higher education sector for all publicly-funded higher education institutions.


The Act gave measure-making powers to the National Assembly for Wales in the field of education and training.
Further and Higher Education (Governance and Information) (Wales) Act 2014 [66] (Act of the National Assembly for Wales)

Made provision to give effect to proposals to increase college freedoms, giving them greater control over their own governance and dissolution arrangements. A key consideration informing the provisions is the decision by the Office for National Statistics to reclassify FEIs as part of central government for the purpose of National Accounts. Introduced following a White Paper [67] published in 2012. Explanatory notes [68]


Explanatory notes [71]

Head Teachers' Report to Parents and Adult Pupils (Wales) (Amendment) Regulations 2014 [72]

Amends the 2011 legislation to provide for reporting the results of reading and numeracy tests and assessment against the Literacy and Numeracy Framework (LNF).

Head Teachers' Report to Parents and Adult Pupils (Wales) Regulations 2011 [73]

These Regulations make provision as to the report the head teacher is required to send to parents and adult pupils each school year (regulation 3 and the Schedule) and the additional information parents of registered pupils who are assessed in any key stage may request relating to the pupil’s levels of achievements in relevant subjects (regulation 4). These Regulations replace with changes provisions relating to head teacher’s reports to parents and adult pupils formerly contained in the Education (Pupil Information) (Wales) Regulations 2004 (“the 2004 Regulations”) as amended. The other provisions of the 2004 Regulations have been revoked and replaced by the Pupil Information (Wales) Regulations 2011.

Higher Education (Wales) Act 2015 [74] (Act of the National Assembly for Wales)

The Act gave the Higher Education Funding council for Wales (HEFCW) powers to regulate certain institutions and providers without having to rely on terms and conditions of funding, ensured the quality of higher education in Wales, prioritised equal access to higher education and stipulated that fee limits should be enforced. Explanatory notes [75]


Explanatory notes [77]


Although the Act focused principally on England, some provisions applied to the whole of the UK. It made managing and developing the Teaching Excellence Framework (TEF) [79] the responsibility of the newly created Office for Students (OfS), and created a single research and innovation funding body for higher education, United Kingdom Research and Innovation (UKRI). Explanatory notes [80]

Incorporated into UK law nearly all the rights contained in the European Convention on Human Rights, and gave citizens a clear legal statement of their basic rights and fundamental freedoms.

**Independent School Standards (Wales) Regulations 2003** [82] (Wales Statutory Instrument)

Set out the standards to which independent schools will be inspected.

**Learner Travel (Wales) Measure 2008** [83] (Measure of the National Assembly for Wales)

The Measure placed a duty on local authorities to assess the learner travel needs of their area for the following academic year and make suitable transport arrangements to facilitate the attendance of learners at their place of instruction. The Measure also placed a duty on each local authority and on Welsh Ministers to promote access to education and training through the medium of Welsh.

**Explanatory notes** [84]

**Learning and Skills (Wales) Measure 2009** [85] (Measure of the National Assembly for Wales)

The Measure made amendments to the *Education Act 2002* [50] and the curriculum in maintained secondary schools and placed a duty on local education authorities to form one or more local curricula for 14-16 year olds and promote access to and availability of courses of study which are taught in the Welsh language.

**Explanatory notes** [86]

**Learning and Skills Act 2000** [87] (Act of Parliament)

**Explanatory notes** [88]

**Local Education Authorities and Children’s Services Authorities (Integration of Functions) Order 2010** [89] (UK Statutory Instrument)

**Explanatory memorandum** [90]

**National Curriculum (Assessment Arrangements on Entry to the Foundation Phase) (Wales) Order 2011** [91] (Wales Statutory Instrument)

Made under the Education Act 2002

**National Curriculum (Desirable Outcomes, Educational Programmes and Baseline and End of Phase Assessment Arrangements for the Foundation Phase) (Wales) Order 2015** [92]

Revokes the existing end of Foundation Phase assessment arrangements contained in the National Curriculum (End of Foundation Phase Assessment Arrangements and Revocation of the First Key Stage Assessment arrangements) (Wales) Order 2011 and sets out the assessment arrangements that must be carried out by a practitioner in relation to each pupil in the reception year of the Foundation Phase and the assessment arrangements for the end of the Foundation Phase.

**National Curriculum (End of Foundation Phase Assessment Arrangements and Revocation of the First Key Stage Assessment Arrangements) (Wales) Order 2011** [93] (Wales Statutory Instrument)

Made under the Education Act 2002
Sets out the arrangements for ascertaining the achievements of pupils who are in the final year of the Key Stage 3.

Regulated the moderation provisions for all statutory teacher assessments of pupils in maintained (publicly funded) schools in Wales at the end of Key Stage 2 and Key Stage 3 (ages 11 and 14). Placed a duty on headteachers for their school to participate in a moderation cluster group and set out the purpose of these groups.

Explanatory note

Established a regulatory body for qualifications to be called Qualifications Wales and removed the Welsh Ministers’ functions relating to qualifications. Explanatory notes.

Imposed, for the purpose of section 1 of the School Standards and Framework Act 1998, a limit (30 pupils) on class sizes for infant classes at maintained schools in Wales. Revoked and replaced the Education (Infant Class Sizes) (Wales) Regulations 1998 and the Education (Infant Class Sizes) (Wales) (Amendment) Regulations 2009 (regulation 3).

The Regulations amended the School Government (Terms of Reference) (Wales) Regulations 2000, which outlined the terms of reference and responsibilities of governing bodies. The Regulations place a duty on governing bodies and head teachers to establish a performance management policy for their school.

These Regulations prescribe school information that must be published by local authorities and schools from 2011 onwards.
Included a wide range of provisions relating principally to school education, including the responsibilities of local authorities and their powers to intervene in schools causing concern; a new framework for maintained schools; school admissions and governance. It also set out local authorities’ duties in relation to the provision of childcare and nursery education.

**School Standards and Organisation (Wales) Act 2013** [110] (Act of the National Assembly for Wales).

The Act aimed to strengthen school standards, enhance local determination and reduce complexity. It introduced statutory guidance on intervention, reformed the statutory process for school organisation; removed the requirement for school governing bodies to hold annual parents’ meetings and introduced a new right for parents to call meetings with school governing bodies; gave local authorities and schools greater flexibility over the pricing of school meals; mainstreamed several grant-funded programmes to help streamline current processes; made local authorities accountable for planning Welsh-medium provision by making Welsh in Education Strategic Plans statutory. Introduced following a [White Paper](#) published in 2011. [Explanatory notes](#)

**School Teacher Appraisal (Wales) Regulations 2002** [113] (Wales Statutory Instrument)

Revoked and replaced the Education (School Teacher Appraisal) (Wales) Regulations 1999. The Regulations provided for the appraisal of the performance of school teachers (other than those employed under a fixed term contract for less than a year) and head teachers in maintained schools.

**School Teachers’ Pay and Conditions Act 1991** [114] (Act of Parliament)

**Social Services and Well-being (Wales) Act 2014** (Act of the National Assembly for Wales) [115]

An Act of the National Assembly for Wales to improve the well-being of people who need care and support, and carers who need support. Part 6 of the Act relates to the care of [looked after children](#) and places a principal duty on local authorities to safeguard and promote the well-being of looked after children. This principal duty includes a duty to promote the child’s educational achievement.

**Staffing of Maintained Schools (Wales) Regulations 2006** [116] (Wales Statutory Instrument)

The Regulations made provision for the staffing of maintained schools, including the performance of the head teacher and the appointment, conduct, discipline, suspension and dismissal of staff.


**Wales Act 2017** [118] (Act of Parliament)

Amended the [Government of Wales Act 2006](#), devolving further legislative powers to Wales. It changed the devolution model from a conferred matters model to a reserved powers model, enabling the National Assembly for Wales to legislate on any subject except those specifically reserved to the UK Parliament. [Explanatory notes](#)

Article last reviewed September 2019.

**DID YOU FIND WHAT YOU WERE LOOKING FOR?**

**YES**