

**2020 No. (W.)**

**EDUCATION, WALES**

**Education (Information about  
Children in Independent Schools)  
(Wales) Regulations 2020**

**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations are made under sections 537A and 569 of the Education Act 1996. The Regulations come into force on XXX.

An independent school in Wales will be required to disclose to a local authority at such times that the Welsh Ministers specify such information specified in the Schedule that is available to them (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 [ ], Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

**2020 No. (W. )**

**EDUCATION, WALES**

Education (Information about  
Children in Independent Schools)  
(Wales) Regulations 2020

*Made* \*\*\*

*Laid before the National Assembly for Wales*  
\*\*\*

*Coming into force* \*\*\*

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

**Title and commencement**

1.—(1) The title of these Regulations is the Education (Information about Children in Independent Schools) (Wales) Regulations 2020.

(2) These Regulations come into force on XX.

**Interpretation**

2.—(1) In these Regulations—

“the Act” means the Education Act 1996;

“child” means a child of compulsory school age within the meaning of section 8 of the Act;

---

(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). 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).

“independent school” means a school included in the register of independent schools in Wales under section 158 of the Education Act 2002<sup>(1)</sup>;

“local authority” means a local authority in Wales;

“relevant local authority” means the local authority in which the child is ordinarily resident;

“parent” has the same meaning as in section 576 of the Act.

### **Disclosure of information to local authority**

**3.** An independent school must disclose to each relevant local authority at such times as the Welsh Ministers may specify such of the information specified in the Schedule relating to a child as is available to the independent school.

*Name*

Minister for Education, one of the Welsh Ministers

Date

---

<sup>(1)</sup> 2002 c.32.

## SCHEDULE

Ref

### Information to be provided to the local authority

1. The child's name (including any former name).
2. The child's current address and postcode.
3. The child's gender or if the child's gender has not been specified a statement to that effect.
4. The child's date of birth.
5. The name and contact details of any parent of the child.