

SCHEDULE 2

Amendments to primary legislation

Education Act 2005 (c. 18)

- 8.**—(1) The Education Act 2005 is amended as follows.
- (2) In section 20 (functions of Chief Inspector)—
- (a) in subsection (1), after paragraph (d) insert—
- “(da) the development of pupils at maintained schools (except those over compulsory school age) by reference to the four purposes of a curriculum for those pupils,”;
- (b) after subsection (1) insert—
- “(1A) In subsection (1)(da)—
- “maintained school” does not include a community special school established in a hospital, and
- “the four purposes of a curriculum” for the pupils mentioned in paragraph (da) are those set out in section 2(1) of the Curriculum and Assessment (Wales) Act 2021.”
- (3) In section 28 (duty to arrange regular inspections of certain schools)—
- (a) in subsection (5), after paragraph (d) insert—
- “(da) the development of the pupils at the school (except those over compulsory school age) by reference to the four purposes of a curriculum for those pupils,”;
- (b) after subsection (5) insert—
- “(5A) The duty to report on the matters mentioned in subsection (5)(da) does not apply in the case of an inspection conducted at a community special school established in a hospital.
- (5B) In subsection (5)(da), “the four purposes of a curriculum” for the pupils mentioned in paragraph (da) are those set out in section 2(1) of the Curriculum and Assessment (Wales) Act 2021.”
- (4) In section 47 (meaning of “denominational education”)—
- (a) the existing provision becomes subsection (1);
- (b) in that subsection, after “in relation to a school” insert “in England”;
- (c) after that subsection insert—
- “(2) In this Part, “denominational education”, in relation to a school in Wales, means teaching and learning in respect of Religion, Values and Ethics, which is provided—
- (a) under paragraph 7(3) or paragraph 8(4) of Schedule 1 to the Curriculum and Assessment (Wales) Act 2021, or
- (b) under section 61 of that Act, and in accordance with—
- (i) any provisions of the school’s trust deed that relate to teaching and learning in respect of the mandatory element of Religion, Values and Ethics, or
- (ii) the tenets of the religion or religious denomination specified in relation to the school in an order under section 68A of the School Standards and Framework Act 1998.”