EXPLANATORY MEMORANDUM TO THE

THE ALBION JUNIOR SCHOOL (CHANGE TO SCHOOL SESSION TIMES) ORDER 2004

2004 No. 2685

1. This explanatory memorandum has been prepared by the Department for Education and Skills and is laid before Parliament by Command of Her Majesty.

This memorandum contains information for the Joint Committee on Statutory Instruments.

2. Description

2.1 This Order is made under section 2 of the Education Act 2002. Article 2 provides that the Changing of School Session Times (England) Regulations 1999 do not apply to the governing body of Albion Junior School Article 3 specifies that the Order shall have effect until 7 January 2005.

3. Matters of special interest to the Joint Committee on Statutory Instruments

3.1 There are five previous Power to Innovate Orders that relate to the Changing of School Session Times (England) Regulations 1999. These are:

- The Langley Junior School (Change to School Session Times) Order 2002 No.3063
- The Grinling Gibbons Primary school (Change to School Session Times) Order 2003 No.716
- The Norton College (Change to School Session Times) Order 2003 No.1671
- Hadleigh Junior School (Change to School Session Times) Order 2004 No.108
- Davies Lane Infant School (Change to School Session Times) Order 2004 No. 1712

4. Legislative Background

4.1 The Power is the result of concerns that innovative ideas can be unintentionally thwarted by detailed regulations and legislation. The Power is intended to facilitate the implementation of these ideas and to ensure that no opportunity is lost to trial innovative proposals that could raise standards. It is intended that the lessons learned will be used for further deregulation for the system as a whole.

4.2 The Powers to Facilitate Innovation provisions commenced on 1 October 2002 as the "Power to Innovate". These are set out in Sections 1 to 5 of the Education Act 2002.

5. Extent

5.1 This instrument applies to the Governing Body of Albion Junior School, Halfords Lane, West Bromwich, West Midlands, B71 4LG.

6. European Convention on Human Rights

Not applicable.

7. Policy background

7.1 The Power to Innovate provides the Governing Body of schools, LEAs and EAZs with an opportunity to apply to the Secretary of State to lift regulatory requirements in education legislation for a time-limited period (by means of a Power to Innovate Order), so they can trial a specific innovative project that has the potential to raise educational standards.

7.2 Albion Junior School has applied for exemption from the regulations that govern changes to the school session times. The school is due to relocate on 1st January 2005 and will move to physically adjoin its main feeder infant school. The Governing Body of the school wishes to alter the end times of the day to be brought in line with the Infant school mid-academic year. They do not have sufficient freedoms and flexibilities under the school session time regulations to be able to do this until September 2005. Therefore, they seek a Power to Innovate Order.

8. Impact

8.1 A Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies.

9. Contact

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