
STATUTORY INSTRUMENTS

1998 No. 1759

Education (Northern Ireland) Order 1998

PART III

ASSESSMENT AND PUPILS' PERFORMANCE

^{F1}CHAPTER I

F1 Pt. III Ch. I (arts. 7-9) repealed (1.8.2006) by [Education \(Northern Ireland\) Order 2006 \(S.I. 2006/1915 \(N.I. 11\)\)](#), arts. 1(2), 40, 44(2), [Sch. 3 Pt. I](#)

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CHAPTER II

ASSESSMENT ARRANGEMENTS AND PUPILS' PERFORMANCE

Assessment arrangements

Assessment arrangements

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F2 Art. 10 repealed (1.8.2006) by [Education \(Northern Ireland\) Order 2006 \(S.I. 2006/1915 \(N.I. 11\)\)](#), arts. 1(2), 44(2), [Sch. 3 Pt. I](#)

Pupils' performance

School performance targets

11.—(1) The Department may by regulations make such provision as it considers appropriate for requiring the Boards of Governors of grant-aided schools to secure that annual targets are set in respect of the performance of pupils at such schools—

- (a) in public examinations or in assessments conducted under [^{F3}Article 9 of the Education (Northern Ireland) Order 2006 in] key stages 1, 2 and 3, in the case of pupils of compulsory school age; and
- (b) in public examinations or in connection with the attainment of other academic or vocational qualifications, in the case of pupils of any age over that age.

(2) Regulations under this Article may require—

- (a) such targets; and

Changes to legislation: Education (Northern Ireland) Order 1998, PART III is up to date with all changes known to be in force on or before 10 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

(b) the past performance of pupils in the particular examinations or assessments, or in connection with the attainment of the particular qualifications, to which such targets relate, to be published in such manner as is specified in the regulations.

(3) Before making any regulations under this Article the Department shall consult—

- (a) [^{F4}the Authority];
- (b) the Council for Catholic Maintained Schools;
- (c) the Board of Governors and principal of [^{F5}a sample of affected schools]; and
- (d) any other person with whom consultation appears to it to be desirable.

[^{F5}(3A) In paragraph (3)(c) “a sample of affected schools” means a number of grant-aided schools selected by the Department as being a representative sample of all such schools affected by the regulations.]

(4) This Article does not apply to—

- (a) a school established in a hospital; or
- (b) a school of such class or description as may be specified in regulations under this Article.

F3 Words in art. 11(1)(a) substituted (1.8.2006) by Education (Northern Ireland) Order 2006 (S.I. 2006/1915 (N.I. 11)), arts. 1(2), 44(1), **Sch. 2 para. 15**

F4 Words in Order substituted (1.4.2015) by Education Act (Northern Ireland) 2014 (c. 12), **Sch. 3 para. 1(1)(a)** (with Sch. 2 para. 4(3), Sch. 3 para. 1(2)); S.R. 2015/35, art. 2(b)

F5 2003 NI 12

Provision of information on individual performance of pupils

12.—(1) The Department may by regulations make provision requiring the Board of Governors of each grant-aided school to provide to the Department such individual performance information relating to pupils or former pupils at the school as may be prescribed.

(2) In this Article “individual performance information” means information about the performance of individual pupils (identified in the prescribed manner)—

- [^{F6}(a) in any assessment made under Article 9 of the Education (Northern Ireland) Order 2006;]
- (b) in any prescribed public examination;
- (c) in connection with the attainment of any vocational qualification; or
- (d) in any such other assessment or examination, or in connection with the attainment of any such other qualification, as may be prescribed.

(3) The Department may provide any information received by it under paragraph (1)—

- (a) to any prescribed body or person;
- (b) to any body or person falling within a prescribed category.

(4) Any body or person holding any individual performance information may provide that information to any body to which this paragraph applies; and any body to which this paragraph applies—

- (a) may provide any information received by it under this paragraph—
 - (i) to the Department; or
 - (ii) to the Board of Governors of the school attended by the pupil or pupils to whom the information relates; and

- (b) may, at such times as the Department may determine, provide to any prescribed body such information received by it under this paragraph as may be prescribed.
- (5) Paragraph (4) applies to any body which, for the purposes of or in connection with the functions of the Department relating to education, is responsible for collating or checking information relating to the performance of pupils—
- (a) in any assessment or examination falling within paragraph (2)(a), (b) or (d); or
 - (b) in connection with the attainment of any qualification falling within paragraph (2)(c) or (d).
- (6) No individual performance information received under this Article shall be published in any form which includes the name of the pupil or pupils to whom it relates.
- (7) References in this Article to the attainment of a qualification of any description include references to the completion of any module or part of a course leading to any such qualification.

F6 Art. 12(2)(a) substituted (1.8.2006) by Education (Northern Ireland) Order 2006 (S.I. 2006/1915 (N.I. 11)), arts. 1(2), 44(1), **Sch. 2 para. 16**

Changes to legislation:

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Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

- Order words substituted by [2014 c. 12 \(N.I.\) Sch. 3 para. 1\(1\)\(b\)](#)

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- art. 89A inserted by [2022 c. 45 s. 5](#)