
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations consolidate, with amendments, the Education (Pupil Registration) Regulations 1995, to which there have been a number of subsequent amendments. The Education (Pupil Registration) Regulations 1995 and the Education (Pupil Registration) (Amendment) Regulations 1997 are revoked to the extent that they apply to England. The Education (Pupil Registration) (Amendment) (England) Regulations 2001 are revoked. The following changes of substance are made.

The name of a pupil must be included in the register from the beginning of the first day on which the school has agreed, or has been notified, that the pupil will attend the school (*regulation 5(3)*).

A pupil may be marked in the attendance register as unable to attend due to exceptional circumstances where the school site, or part of it, is closed or where transport normally provided for that pupil by the school or the LEA is unavailable (*regulation 6(1)*).

Where a pupil is attending another school at which he is a registered pupil he must be marked in the attendance register as attending an approved educational activity (*regulation 6(4)*).

Where a pupil is registered at more than one school his name may only be deleted from the admission register of a school which he has ceased to attend where the proprietor of any or every other school at which the pupil is registered gives his consent, (except where the pupil has died, been permanently excluded or is of no fixed abode) (*regulation 8(1)(c)*).

Before deleting a pupil's name from the admission register on the ground that they have not returned from a leave of absence exceeding ten days, both the proprietor and the local education authority must have failed, after reasonable enquiry, to ascertain where the pupil is (*regulation 8(1)(f)*).

The period after which a pupil's name may be deleted from the admission register on the ground that the pupil has been continuously absent without authorisation has been changed to twenty school days and additionally the proprietor must not have reasonable grounds to believe that the pupil is unable to attend the school by reason of sickness or unavoidable cause (*regulation 8(1)(h)*).

The name of a pupil who is detained in pursuance of a final court order or order of recall may now only be deleted from the register where that order is for a period of not less than four months and where the proprietor does not have reasonable grounds to believe that the pupil will return to school at the end of that period (*regulation 8(1)(i)*).

The requirement to make a return to the local education authority where a pupil's name is deleted on certain grounds is extended. That requirement now applies to deletions under regulation 8(1)(d),(e), (g), (i) and (m) and also applies as soon as the grounds for deletion are met and in any event before deleting the pupil's name (*regulation 12(3)*).

Where a register is kept by means of a computer that register must be backed-up in the form of an electronic, micro-fiche or printed copy not less than once a month (*regulation 15(2)*).