

2013 No. 143

OFFICIAL STATISTICS

**The Statistics and Registration Service Act 2007 (Disclosure of
Higher Education Student Information) Regulations (Northern
Ireland) 2013**

Made - - - - 23rd May 2013

Affirmed by resolution of the Assembly on 18th June 2013

Coming into force in accordance with regulation 1

The Department of Finance and Personnel makes these Regulations in exercise of the powers conferred by section 49(1) and (2), (5)(b) and (6)(b) of the Statistics and Registration Service Act 2007(a).

In accordance with section 49(7) of that Act these Regulations are made with the consent of the Minister for the Cabinet Office.

In accordance with section 49(8) of that Act the Department of Finance and Personnel and the Minister for the Cabinet Office are satisfied that the disclosure authorised by these Regulations is required by the Statistics Board (b) to enable it to carry out the functions in relation to which the disclosure is authorised, and is in the public interest.

Citation and commencement

1. These Regulations may be cited as the Statistics and Registration Service Act 2007 (Disclosure of Higher Education Student Information) Regulations (Northern Ireland) 2013 and shall come into operation on the day after the day on which they are affirmed by a resolution of the Assembly.

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954 (c) shall apply to these Regulations as it applies to an Act of the Assembly.

(2) In these Regulations —

“the Act” means the Statistics and Registration Service Act 2007;

“institution of higher education” means an institution within the higher education sector within the meaning of the Education and Libraries (Northern Ireland) Order 1993(d);

(a) 2007 c. 18

(b) The Statistics Board is established under section 1 of the Statistics and Registration Service Act 2007 (c.18).

(c) 1954 c. 33 (NI).

(d) 1993 No. 2810 (N.I. 12)

“mode of study” includes full and part time study and sandwich, block release and day release courses;

“student” means, for the purposes of these regulations, a person who undertakes a higher education course of study provided by an institution of higher education;

“unique student identifier” means the number which—

- (a) is assigned to a student and is used by the Department for Employment and Learning for record management purposes;
- (b) continues to apply to the student regardless of any change in the student’s institution of higher education; and
- (c) does not, without additional information, identify the individual.

Disclosure of individual student information

3.—(1) The Department for Employment and Learning may, for the purpose set out in paragraph (2), disclose to the Board the information set out regulation 4 in respect of individuals who have been students at any time since 1st August 2000.

(2) Information to be disclosed in accordance with paragraph (1) shall only relate to individuals who—

- (a) are or were studying at an institution of higher education in Northern Ireland; or
- (b) have or had a term time address in Northern Ireland; or
- (c) were resident in Northern Ireland prior to starting their course of study.

(3) The purpose mentioned in paragraph (1) is to enable the Board to carry out its functions in connection with—

- (a) the production of population statistics under section 20 (production of statistics) of the Act;
- (b) the assessment of census returns under the Census Act 1920(b) and Census Act (Northern Ireland) 1969(a).

4. The information referred to in regulation 3 is —

- (a) the student’s—
 - (i) surname, and any former surname;
 - (ii) first name;
 - (iii) middle name, or if more than one , each middle name;
 - (iv) date of birth;
 - (v) gender;
 - (vi) unique student identifier;
 - (vii) institution of higher education reference number;
 - (viii) location of study and, if different, the location of the institution of higher education;
 - (ix) type of term-time accommodation;
 - (x) full address (if held) and postcode of term-time accommodation; and
 - (xi) education institution attended prior to that student commencing higher education;
- (b) the student’s—
 - (i) country of residence prior to starting study; and
 - (ii) if available, the full address and postcode of residence prior to starting study;

(a) 1969 c.8.

- (c) in relation to each course of study for a particular qualification for which that student has enrolled—
 - (i) the actual commencement date and anticipated duration of the course;
 - (ii) the period over which the academic year falls;
 - (iii) the student's number of years of attendance on that course since enrolment;
 - (iv) the student's mode of study;
 - (v) the nature of the qualification which the course is, or was, directed; and
 - (vi) the dates on which the student ended the course and the reason for doing so;
- (d) whether the record held by the Department for Employment and Learning in respect of that student contains limited information and, if applicable, the reason for that.

Further disclosure of personal information by the Statistics Board

5.—(1) In the application of section 39 (confidentiality of personal information) of the Act to personal information which is disclosed to the Board under regulations 3 and 4, subsection (4)(c) of that section applies to the extent that the Board shall disclose such personal information to the Northern Ireland Statistics and Research Agency^(a).

(2) Information shall only be disclosed under paragraph (1) for the purpose of enabling or assisting the Board in—

- (a) the production of population statistics under section 20 (production of statistics) of the Act; and
- (b) the assessment of census returns under the Census Act 1920^(b) and the Census Act (Northern Ireland) 1969^(c).

(a) The Northern Ireland Statistics and Research Agency is an Executive Agency within the Department of Finance and Personnel.
(b) 1920 c.41.
(c) 1969 c.8.

Sealed with the Official Seal of the Department of Finance and Personnel on 23rd May 2013



23rd May 2013

Norman Caven
A senior officer
Department of Finance and Personnel

23rd May 2013

Francis Maude
Minister for the
Cabinet Office

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide that the Department for Employment and Learning may disclose to the Statistics Board information in respect of individuals who have been students at any time since 1st August 2000 for the purpose of enabling that Statistics Board to carry out its functions in connection with the production of population statistics and the assessment of census returns.

Regulation 1 describes when the regulations come into operation.

Regulation 2 lists the interpretations of certain terms used in the regulations.

Regulation 3 permits the disclosure of student information to the Statistics Board.

Regulation 4 lists the student information to be disclosed to the Statistics Board.

Regulation 5 requires the Statistics Board to disclose such information to the Northern Ireland Statistics and Research Agency and only for the purpose of assisting the Statistics Board to produce population statistics and assess census returns.

A regulatory impact assessment has not been produced for this rule as no impact on the private or voluntary sectors is foreseen.

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