
STATUTORY INSTRUMENTS

1993 No. 1993

EDUCATION, ENGLAND AND WALES

**The Education (Further Education Institutions
Information) (England) Regulations 1993**

<i>Made</i>	- - - -	<i>5th August 1993</i>
<i>Laid before Parliament</i>		<i>10th August 1993</i>
<i>Coming into force</i>	- -	<i>1st September 1993</i>

The Secretary of State for Education in exercise of the powers conferred on him by sections 50 and 89(4) of the Further and Higher Education Act 1992(1), hereby makes the following Regulations:

PART I
GENERAL

Citation, commencement and application

1.—(1) These Regulations may be cited as the Education (Further Education Institutions Information) (England) Regulations 1993 and shall come into force on 1st September 1993.

(2) These Regulations apply in relation to institutions within the further education sector in England.

Interpretation

2.—(1) In these Regulations—

“academic year” means the period from 1st September to the following 31st August;

“enrolled on a course” means entered in the records of an institution as a student taking that course, but where two institutions have so entered a student in respect of the same course he shall be considered to be enrolled at the institution which has undertaken to him to provide the course and not to be enrolled at the institution which has undertaken to the other institution to provide the course;

“full-time student” in relation to any examination or qualification means a student who was enrolled on a course leading to that examination or qualification at the institution in respect of

which the information is published at any time during the academic year in respect of which the information is published if the course was–

- (a) a full-time course; or
 - (b) a course which was part of a full-time course of studies at that institution;
- “GCE ‘A’ level examinations” and “GCE ‘AS’ examinations” mean General Certificate of Education advanced level and advanced supplementary examinations respectively;
- “GCSE” means General Certificate of Secondary Education;
- “GNVQ” means General National Vocational Qualification;
- “NVQ” means National Vocational Qualification;
- “part-time student” in relation to any examination or qualification means a student who was enrolled on a course leading to that examination or qualification at the institution in respect of which the information is published at any time during the academic year in respect of which the information is published but who was not a full-time student in relation to that examination or qualification;

(2) In these Regulations references to students of a particular age are references to students who attained that age during the academic year immediately preceding the academic year in respect of which the information is published.

(3) For the purposes of these Regulations a student shall be considered to have been entered for an examination if–

- (a) at any time during the academic year in respect of which the information is published he was entered for the examination,
- (b) any examination fee payable was paid, and
- (c) the entry was not subsequently withdrawn.

(4) For the purposes of these Regulations a student shall be considered to have been in his final year of studying towards a qualification if the governing body of the institution considered on whichever is the later of the following two dates that he was in his final year–

- (a) the 31st January during the academic year in respect of which the information is published, or
- (b) the date on which the course leading to that qualification began.

(5) In these Regulations–

- (a) where a percentage which is required to be calculated by virtue of these Regulations is not a whole number it shall be rounded to the nearest whole number, the fraction of one half being rounded upwards to the next whole number;
- (b) where an average point score which is required to be calculated by virtue of these Regulations is not a whole number, it shall be calculated to one decimal place.

(6) Any reference in these Regulations to a regulation is a reference to a regulation in these Regulations, any reference to a paragraph is a reference to a paragraph of the regulation or Schedule in which the reference is made, and any reference to a sub-paragraph is a reference to a sub-paragraph of the paragraph in which the reference is made.

Qualification of duties

3. The duties imposed on the governing body of an institution by virtue of these Regulations in respect of the publication of information apply only to the extent that that information is available to the governing body before the latest occasion on which the information is required to be published.

PART II

PUBLICATION OF INFORMATION

Information to be published by governing bodies

4. The governing body of every institution within the further education sector shall for each academic year publish the information specified in the Schedule and determined in accordance with regulation 5 at the time and in the manner provided for in regulation 6.

Determination of information

5.—(1) This regulation applies to the determination of the information specified in the Schedule.

(2) Subject to paragraph (4) if a student was entered for two or more examinations in the same subject in the same academic year only the examination in which he achieved the higher or highest grade shall be taken into account.

(3) In the case of an examination leading to the award of the GCSE in two subjects, a student shall be included only once in the number of students entered for the examination and taken into account only once in calculating the relevant percentages, but each grade awarded to him shall be treated as having been awarded in a separate subject.

(4) In the case of a student who was entered for both GCE “A” level and GCE “AS” examinations in the same subject, only the GCE “A” level examination result shall be taken into account.

(5) In calculating the number of GCE “A” level examinations for which a pupil is entered or for which he has achieved a grade, one GCE “AS” examination shall be treated as the equivalent of half a GCE “A” level examination.

(6) For the purpose of determining point scores in GCE “A” level and GCE “AS” examinations, the following grades of achievement equate to the following points:

GCE “A” Level: grade A = 10 points; grade B = 8 points; grade C = 6 points; grade D = 4 points; and grade E = 2 points;

GCE “AS”: grade A = 5 points; grade B = 4 points; grade C = 3 points; grade D = 2 points; and grade E = 1 point.

Time and manner of publication of information

6.—(1) This regulation applies to the publication of information under regulation 4.

(2) Such information shall be published—

- (a) when it relates to the academic year ending on 31st August 1993, on or before 31st January 1994; and
- (b) when it relates to any other academic year, on or before the 31st December which follows the end of that academic year.

(3) Such information shall be published by making copies available without charge—

- (a) for distribution to any person who requests a copy at the institution or through the post;
- (b) for reference at the institution; and
- (c) for reference at—
 - (i) public libraries,
 - (ii) secondary schools, and
 - (iii) Training and Enterprise Council offices

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in any locality in which the institution provides education for the residents of that locality.
(4) Paragraph (3)(c) shall not apply to the Workers' Educational Association.

SCHEDULE

Regulation 4

INFORMATION TO BE PUBLISHED BY GOVERNING BODIES

1. The name, address and telephone number of the institution.
- 2.—(1) Subject by subject, the numbers of full-time students aged 16, 17 or 18 entered for examinations for the GCSE, and the percentages of those numbers who—
 - (a) achieved grades A to C;
 - (b) achieved grades D to G;
 - (c) failed to achieve a pass or did not attempt the examination.(2) The information referred to in sub-paragraph (1) in relation to part-time students aged 16, 17 or 18.
(3) The information referred to in sub-paragraphs (1) and (2) in relation to students aged 19 or over.
- 3.—(1) Subject by subject, the numbers of full time students aged 16, 17 or 18 entered for GCE “A” level examinations, and the percentages of those numbers who—
 - (a) achieved each grade from A to N;
 - (b) attempted the examination but failed to achieve a grade;
 - (c) did not attempt the examination.(2) The information referred to in sub-paragraph (1) in relation to part-time students aged 16, 17 or 18.
(3) The information referred to in sub-paragraphs (1) and (2) in relation to students aged 19 or over.
- 4.—(1) Subject by subject, the numbers of full-time students aged 16, 17 or 18 entered for GCE “AS” examinations, and the percentages of those numbers who—
 - (a) achieved each grade from A to N;
 - (b) attempted the examination but failed to achieve a grade;
 - (c) did not attempt the examination.(2) The information referred to in sub-paragraph (1) in relation to part-time students aged 16, 17 or 18.
(3) The information referred to in sub-paragraphs (1) and (2) in relation to students aged 19 or over.
- 5.—(1) The number of full-time students aged 16, 17 or 18 entered for fewer than two GCE “A” level examinations or the equivalent.
(2) The percentage of the number of students referred to in sub-paragraph (1) whose point scores fell within the following ranges: 0 – 4 points; 5 – 9 points; 10 – 15 points.
(3) The average point score of the number of students referred to in sub-paragraph (1).
(4) The information referred to in sub-paragraphs (1) to (3) in relation to part-time students aged 16, 17 or 18.
(5) The information referred to in sub-paragraphs (1) to (4) in relation to students aged 19 or over.
- 6.—(1) The number of full-time students aged 16, 17 or 18 entered for two or more GCE “A” level examinations or the equivalent.

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(2) The percentage of the number of students referred to in sub-paragraph (1) whose point scores fell within the following ranges: 0 – 4 points; 5 – 9 points; 10 – 14 points; 15 – 19 points; 20 – 24 points; 25 – 29 points; 30 points or more.

(3) The average point score of the number of students referred to in sub-paragraph (1).

(4) The information referred to in sub-paragraphs (1) to (3) in relation to part-time students aged 16, 17 or 18.

(5) The information referred to in sub-paragraphs (1) to (4) in relation to students aged 19 or over.

7.—(1) Subject by subject and level by level, the numbers of full-time students aged 16, 17 or 18 who were in the final year of studying towards—

(a) a GNVQ at foundation, intermediate or advanced level;

(b) a Business and Technology Education Council first or national qualification;

(c) a City and Guilds of London Institute Diploma of Vocational Education.

(2) The percentages of the numbers referred to in sub-paragraph (1)(a) who achieved—

(a) passes (with or without merit or distinction);

(b) passes with merit;

(c) passes with distinction.

(3) The percentages of the numbers referred to in sub-paragraph (1)(b) and (c) who achieved passes.

(4) The information referred to in sub-paragraphs (1) to (3) in relation to part-time students aged 16, 17 or 18.

(5) The information referred to in sub-paragraphs (1) to (4) in relation to students aged 19 or over.

(6) Subject to sub-paragraphs (7) and (8) in publishing the information relating to the qualifications referred to in sub-paragraphs (1)(b) and (c) governing bodies shall so far as possible refer to the equivalent GNVQ subject and level and shall publish such information alongside the information relating to the qualifications referred to in sub-paragraph (1)(a) which relates to the equivalent subject and level.

(7) For the purposes of sub-paragraph (6)—

(a) the Business and Technology Education Council first qualification, and

(b) the City and Guilds of London Diploma of Vocational Education at intermediate level shall be treated as equivalent to the GNVQ intermediate level and,

(c) the Business and Technology Education Council national qualification, and

(d) the City and Guilds of London and Diploma of Vocational Education at national level shall be treated as equivalent to the GNVQ advanced level.

(8) To the extent that it is not possible to treat a subject as equivalent to a GNVQ subject for the purposes of sub-paragraph (6) governing bodies need not publish the information relating to the qualifications referred to in sub-paragraphs (1)(b) and (c) subject by subject.

8.—(1) Subject by subject and level by level, the numbers of full-time students aged 16, 17 or 18 who were in the final year of studying towards an NVQ, and the percentages of those numbers who achieved an award.

(2) The information referred to in sub-paragraph (1) in relation to part-time students aged 16, 17 or 18.

(3) The information referred to in sub-paragraphs (1) and (2) in relation to students aged 19 or over.

9.—(1) Subject by subject and level by level, the numbers of full-time students aged 16, 17 or 18 who were in the final year of studying towards vocational qualifications which are included in the Database of the National Council for Vocational Qualifications⁽²⁾, but which are not referred to in paragraph 7 or 8⁽³⁾, and the percentages of those numbers who achieved an award.

(2) The information referred to in sub-paragraph (1) in relation to part-time students aged 16, 17 or 18.

(3) The information referred to in sub-paragraphs (1) and (2) in relation to students aged 19 or over.

10.—(1) The number of full-time students aged 16, 17 or 18 who were in the final year of studying towards any qualification not referred to in paragraphs 1 to 9 and the percentage of that number of students who achieved the qualification towards which they were studying.

(2) The information referred to in sub-paragraph (1) in relation to part-time students aged 16, 17 or 18.

(3) The information referred to in sub-paragraphs (1) and (2) in relation to students aged 19 or over.

11.—(1) Under the following headings the numbers of full-time students who achieved the following qualifications—

(a) under the heading “Foundation and level 1 qualifications”—

(i) 4 or more grades A to G in examinations for the GCSE, but not including those who achieved more than 4 grades A to C;

(ii) GNVQ foundation level;

(iii) NVQ level 1;

(b) under the heading “Intermediate and level 2 qualifications”—

(i) 5 or more grades A to C in examinations for the GCSE;

(ii) GNVQ intermediate level;

(iii) the qualifications referred to in paragraph 7(7)(a) and (b);

(iv) NVQ level 2;

(v) level 2 of the qualifications referred to in paragraph 9;

(c) under the heading “Advanced and level 3 qualifications”—

(i) fewer than two grades A to E in GCE “A” level examinations or the equivalent;

(ii) two or more grades A to E in GCE “A” level examinations or the equivalent;

(iii) GNVQ advanced level;

(iv) the qualifications referred to in paragraph 7(7)(c) and (d);

(v) NVQ level 3;

(vi) level 3 of the qualifications referred to in paragraph 9;

(d) under the heading “Level 4 qualifications”—

(i) NVQ level 4;

(ii) level 4 of the qualifications referred to in paragraph 9;

(2) The National Council for Vocational Qualifications' database of vocational qualifications may be purchased from its offices at 222 Euston Road, London NW1 2BZ.

(3) A list of the vocational qualifications which meet these criteria will be provided to institutions within the further education sector by, and may be inspected at, the Department for Education, Sanctuary Buildings, 20 Great Smith Street, London SW1P 3BT.

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- (e) under the heading “Level 5 qualifications”, NVQ level 5;
 - (f) under the heading “All other qualifications”, any qualification referred to in paragraph 10.
- (2) The percentages of the numbers of students referred to in sub-paragraph (1) who intended to commence on achieving the qualification—
- (a) any course of further education;
 - (b) any course of higher education;
 - (c) employment;
 - (d) none of the activities referred to in (a) to (c).

5th August 1993

T. E. Boswell
Parliamentary Under Secretary of State,
Department for Education

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, made under section 50 of the Further and Higher Education Act 1992, apply to all institutions within the further education sector in England (regulation 1). They require the governing bodies of such institutions to publish information about the educational achievements of their students and their careers after completing their courses (regulation 4).

They prescribe how the information to be published is to be determined (regulation 5), and the time and manner of publication (regulation 6). The Schedule contains a detailed description of the information to be published.