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STATUTORY INSTRUMENTS

1994 No. 2387

EDUCATION, ENGLAND AND WALES

**The Education (School Information)
(England) (Amendment) Regulations 1994**

Made - - - - 11th September 1994

Laid before Parliament 12th September 1994

Coming into force - - 1st October 1994

In exercise of the powers conferred on the Secretary of State by section 55(5) of the Education Act 1944⁽¹⁾, sections 8(5), (5A), (5B), (6), (7) and 35(4) of the Education Act 1980⁽²⁾, sections 16 and 19(3) of the Education (Schools) Act 1992⁽³⁾, and section 153(1) and 301(6) of the Education Act 1993⁽⁴⁾ the Secretary of State for Education hereby makes the following Regulations:

**PART I
GENERAL**

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Education (School Information) (England) (Amendment) Regulations 1994 and shall come into force on 1st October 1994.

(2) Any reference in these Regulations to the principal Regulations is a reference to the Education (School Information) (England) Regulations 1994⁽⁵⁾.

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- (1) 1944 c. 31. Section 55 was amended by section 93 of and paragraph 5 of Part I of Schedule 8 to the Further and Higher Education Act 1992 (c. 13).
- (2) 1980 c. 20. Section 8(5) and (6) were amended and section 8(5A) and (5B) inserted by paragraph 4(1) of Schedule 4 to the Education (Schools) Act 1992.
- (3) 1992 c. 38. Section 16 applies in relation to grant-maintained special schools and their governing bodies by virtue of S.I. 1994/653.
- (4) 1993 c. 35.
- (5) S.I. 1994/1421 amended by regulation 4 of and schedule 3 to the Education (Pupil Referral Units) (Application of Enactments) Regulations 1994 (S.I. 1994/2103).

Amendment of the principal Regulations

2. In regulation 4 of the principal Regulations after “the governing body or the authority” there shall be inserted “in time for it to be reasonably practicable to provide or publish the information”.

3. In regulation 7 of the principal Regulations—

(a) for paragraph (1) there shall be substituted—

“—

(1) This regulation shall apply in relation to the publication by an authority of—

(a) information in respect of the matters specified in Schedule 1;

(b) particulars of the arrangements mentioned in section 8(1), (3) and (4) of the 1980 Act⁽⁶⁾; and

(c) particulars of the arrangements relating to voluntary aided or special agreement schools mentioned in section 8(2) and (3) of the 1980 Act where those particulars are being published by the authority on behalf of the governing body of the school pursuant to subsection (6) of that section.”

(b) in paragraph (7)(a) after “at the” there shall be inserted “offices of the”; and

(c) after paragraph (9) there shall be inserted—

“(10) The particulars referred to in paragraph (1)(c) shall be supplied to the authority by the governing body and shall be published without material alteration.”

4. In regulation 8 of the principal Regulations for “regulations 9 and 10” there shall be substituted “regulation 9”.

5. In paragraph (1) of regulation 10 of the principal Regulations after “Schedule 2” there shall be substituted “for assessment undertaken, examinations held, qualifications achieved in, or attendance during the reporting school year, is not available in time for it to be reasonably practicable to publish the information in accordance with regulation 11.”

6. After regulation 11 of the principal Regulations there shall be inserted—

“Publication of admissions arrangements

11A.—(1) This regulation applies in relation to the publication by the governing body of an aided or special agreement school of particulars of the arrangements mentioned in section 8(2) and (3) of the 1980 Act (except where those particulars are being published by the authority on the governing body’s behalf pursuant to section 8(6) of the 1980 Act).

(2) Such particulars shall be published by copies being made available at the school for distribution without charge to parents on request and for reference by parents and other persons.

(3) Such particulars shall be published during the publication school year and, except in the case of a primary school (other than a middle school deemed to be a primary school) or of a special school, it shall be published not later than six weeks before whichever is the earlier of the following dates—

(a) the date by which an application for admission to that school in respect of the admission school year should be made in accordance with the arrangements for admission to that school;

(b) the date up to which parents may express a preference for a school in respect of the admission school year.

(6) Section 8(3) of the Education Act 1980 (c. 20) was amended by section 31(2) of the Education Reform Act 1988 (c. 40).

(4) Without prejudice to the foregoing provisions of this regulation, such particulars of the arrangements mentioned in subsection (2)(b) of section 8 of the 1980 Act (appeals against admissions decisions) shall also be published by being set out in any document containing a notification to parents of a decision referred to in subsection (2) of section 7 of that Act refusing their child admission to a school for which such parents have expressed a preference in accordance with arrangements made under subsection (1) of section 6 of that Act.”.

11th September 1994

Gillian Shephard
Secretary of State for Education

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Education (School Information) (England) Regulations 1994 (“the principal Regulations”). Apart from minor and drafting amendments which correct defects in the principal Regulations, the changes made are as follows.

Regulations 4 and 10(1) of the principal Regulations are amended so that governing bodies and local education authorities are not in breach of their respective obligations to provide and publish information under those Regulations if the information in question is not available to them in time for it to be reasonably practicable to provide or publish it (regulations 2 and 5).

Amendments have been made to the principal Regulations to specify the time and manner of publication under section 8(2) of the Education Act 1980 by governing bodies of aided and special agreement schools of their admission arrangements, or by local education authorities on behalf of such governing bodies under section 8(6) of that Act (regulations 3(a) and (c) and 6).