
STATUTORY INSTRUMENTS

1996 No. 1936

EDUCATION, ENGLAND AND WALES

**The Education (School Information)
(Wales) (Amendment) Regulations 1996**

Made - - - - *1st August 1996*
Laid before Parliament *7th August 1996*
Coming into force - - *2nd September 1996*

In exercise of the powers conferred on the Secretary of State by sections 55(5) and 111A of the Education Act 1944(1), sections 8(5), (5A), (5B), (6), (7) and 35(4) and (5) of the Education Act 1980(2), sections 22 and 232(5) and (6) of the Education Reform Act 1988(3), sections 16 and 19(3) of the Education (Schools) Act 1992(4), sections 153(1) and 301(6) of the Education Act 1993(5) and section 298(8) of, and paragraph 3 of Schedule 18 to, the Education Act 1993, and after consulting with those persons with whom consultation appeared to him to be desirable, the Secretary of State for Wales hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Education (School Information) (Wales) (Amendment) Regulations 1996 and shall come into force on 2nd September 1996.

(2) Any reference in these Regulations to the principal Regulations is a reference to the Education (School Information) (Wales) Regulations 1994(6).

Amendment of the Principal Regulations

2. Regulation 3(1) of the principal Regulations shall be amended by insertion after the definition of “maintained school” of the following:

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- (1) 1944 c. 31; section 55(5) was inserted by section 93 of, and paragraph 5 of Part 1 of Schedule 8 to, the Further and Higher Education Act 1992 (c. 13), Section 111A was inserted by section 229(1) of the Education Reform Act 1988 (c. 40).
- (2) 1980 c. 20; section 8(5) and (6) were substituted, and section 8(5A) and (5B) inserted, by section 21(7) of, and paragraph 4(1) of Schedule 4 to, the Education (Schools) Act 1992 (c. 38).
- (3) 1988 c. 40. Section 22 was amended by section 21(7) of, and paragraph 6 of Schedule 4 to, the Education (Schools) Act 1992 and (in ways not relevant to these Regulations) by section 307(1) of, and paragraph 123 of Schedule 19 to, the Education Act 1993 (c. 35). It applies to grant-maintained special schools and their governing bodies by virtue of S.I. 1994/653. For matters to be prescribed, see section 235(7) of the 1988 Act and Section 114(1) of the Education Act 1944, and for the transfer of functions to the Secretary of State see S.I. 1964/490, S.I. 1970/1536 and S.I. 1995/2986.
- (4) 1992 c. 38. Section 16 applies to grant-maintained special schools and their governing bodies by virtue of S.I. 1994/653.
- (5) 1992 c. 35. Section 153 applies to grant-maintained special schools by virtue of S.I. 1994/1048.
- (6) S.I. 1994/2330, as amended by S.I. 1995/2070.

““NC scale” means the National Curriculum Scale describing levels of attainment in relation to each of the relevant subjects, as set out in the documents published by Her Majesty’s Stationery Office, which documents have effect by virtue of the respective orders for those subjects for the time being in force made under section 4(2)(a) and (b) of the 1988 Act(7);”.

3. There shall be inserted after Regulation 9 of the principal Regulations the following:

“Information to be published with the governors' report

9A. The governing body of each LEA-maintained school shall publish annually with the governors' report required to be prepared under section 30 of the Education (No. 2) Act 1986(8) the following particulars:—

- (a) the dates of the beginning and end of each term and of half-term holidays for the next school year, and
- (b) a summary of any changes to information contained in the school prospectus since it was last published,

and shall ensure that a copy of the above information is provided with each copy of the governors' report.”.

4. There shall be inserted after paragraph 10 of Schedule 2 to the principal Regulations the following:

“10A. A summary of any sporting aims of the school and particulars of the provision made for pupils at the school to participate in sport.”.

5. For paragraph 17 of Schedule 2 to the principal Regulations there shall be substituted:

“17.—(1) In the case of a maintained school providing for such pupils, the number of registered pupils who were, in the reporting school year, at or near the end of the final year of the first key stage.

(2) Where the number of such pupils is ten or more, in respect of each of the relevant subjects the percentage of that number who—

- (a) were assessed by teacher assessment as having reached each level of the NC scale;
- (b) were so assessed as working towards level 1; or
- (c) were exempted from assessment under section 18 or 19 of the 1988 Act.

(3) Subject to sub-paragraph (8), where the number of such pupils is ten or more, the information referred to in sub-paragraph (2)(a), (b) and (c) above, but in relation to each of the relevant attainment targets, and specifying the percentage of pupils who were absent from the NC tests.

(4) Where the number of such pupils is less than ten but not less than five, in respect of each of the relevant subjects, the percentage of pupils who were assessed by teacher assessment as having reached level 2 or above, on the NC scale.

(5) Subject to sub-paragraph (8), where the number of such pupils is less than ten but not less than five, in relation to each of the relevant attainment targets, the percentage of pupils who were assessed as having reached level 2 or above on the NC scale.

(6) Where the number of such pupils is not less than five, the percentage of that number who were assessed by teacher assessment as having reached level 2 or above on the NC scale in all of the relevant subjects.

(7) The current orders are S.I. 1995/51 (English), S.I. 1995/69 (Welsh), S.I. 1995/52 (Mathematics), and S.I. 1995/53 (Science).
 (8) 1986 c. 61 as amended by the Education (No. 2) Act 1986 (Amendment) (No. 3) Order 1994, S.I. 1994/2732.

(7) Where the number of such pupils is less than five, a statement recording that fact and explaining that the results of assessment are not to be published for reasons of confidentiality.

(8) Where a pupil has been assessed by both teacher assessment and NC tests the information referred to in sub-paragraphs (3) and (5) shall be given in respect of both types of assessment.

(9) The most recent National Curriculum assessment results published by the Secretary of State for such pupils showing the information referred to in sub-paragraphs (2)(a), (b), (c), (3) and (6), but in relation to Wales as a whole.”

6. For paragraph 17A of Schedule 2 to the principal Regulations there shall be substituted:

“**17A.**—(1) In the case of a maintained school providing for such pupils, the number of registered pupils who were, in the reporting school year, at or near the end of the final year of the second key stage.

(2) Subject to sub-paragraph (6), where the number of such pupils is ten or more, in respect of each of the relevant subjects, the percentage of pupils who—

- (a) were assessed as having reached each level of the NC scale;
- (b) were assessed as working towards level 1; or
- (c) were assessed but failed to register any level;

and the percentages of such pupils who, respectively, were exempted from assessment under section 18 or 19 of the 1988 Act, or failed to register a level because they missed the assessment by reason of unauthorised absence.

(3) Subject to sub-paragraph (6), where the number of such pupils is less than ten but not less than five, in respect of each of the relevant subjects, the percentage of pupils who were assessed as having reached level 4 or above.

(4) Subject to sub-paragraph (6), where the number of such pupils is not less than five, the percentage of that number who were assessed as having reached level 4 or above on the NC scale in English or Welsh (other than Welsh second language) and in both science and mathematics.

(5) Where the number of such pupils is less than five, a statement recording that fact and explaining that the results of assessment are not to be published for reasons of confidentiality.

(6) Where a pupil has been assessed by both teacher assessment and NC tests the information referred to in sub-paragraphs (2), (3) and (4) shall be given in respect of both types of assessment.

(7) The most recent National Curriculum assessment results published by the Secretary of State for such pupils showing the information referred to in sub-paragraphs (2) and (4), but in relation to Wales as a whole.”

7. For paragraph 18 of Schedule 2 to the principal Regulations there shall be substituted—

“**18.**—(1) In the case of a maintained school providing for such pupils, the number of registered pupils who were, in the reporting school year, at or near the end of the final year of the third key stage.

(2) Subject to sub-paragraph (6), where the number of such pupils is ten or more, in respect of each of the relevant subjects, the percentage of pupils who—

- (a) were assessed as having reached each level of the NC scale;
- (b) were assessed as working towards level 1; or

(c) were assessed but failed to register any level;

and the percentages of such pupils who respectively, were exempted from assessment under section 18 or 19 of the 1988 Act, or failed to register a level because they missed the assessment by reason of unauthorised absence.

(3) Subject to sub-paragraph (6), where the number of such pupils is less than ten but not less than five, in respect of each of the relevant subjects, the percentage of pupils who were assessed as having reached level 5 or above.

(4) Subject to sub-paragraph (6), where the number of such pupils is not less than five, the percentage of that number who were assessed as having reached level 5 or above on the NC scale in English or Welsh (other than Welsh second language) and in both science and mathematics.

(5) Where the number of such pupils is less than five, a statement recording that fact and explaining that the results of assessment are not to be published for reasons of confidentiality.

(6) Where a pupil has been assessed by both teacher assessment and NC tests the information referred to in sub-paragraphs (2), (3) and (4) shall be given in respect of both types of assessment.

(7) The most recent National Curriculum assessment results published by the Secretary of State for such pupils showing the information referred to in sub-paragraphs (2) and (4), but in relation to Wales as a whole.”

8. There shall be inserted after paragraph 18 of Schedule 2 to the principal Regulations the following:

“**18A.** For the reporting school year the percentage of pupils aged 15 leaving the school without an approved qualification within the meaning of section 5 of the 1988 Act.

18B. For the reporting school year, the percentage of pupils aged 16, 17 or 18 who achieved an Advanced General National Vocational Qualification or a National Vocational Qualification at level 3.

18C. For the admission school year, particulars of any targets for improvement set by the governing body of the school in respect of pupils' performance as measured by the percentages referred to in the following—

- (i) paragraphs 17(6), 17A(4), 18(4), 18A and 18B of this schedule;
- (ii) paragraphs 2(h), 10 and 15(m) of Schedule 1 to the Education (School Performance Information) (Wales) Regulations 1995⁽⁹⁾; and
- (iii) paragraph 4 of Schedule 2 to the Education (School Performance Information) (Wales) Regulations 1995,

except that in no case need the information be given separately for male pupils and female pupils.”

9. Paragraph 21 of Schedule 2 to the principal Regulations shall be amended as follows.

(1) For sub-paragraph (1) there shall be substituted the following:

“**21.—**(1) In relation to each year group in which all or the majority of registered pupils are subject to the provisions as to the recording of authorised and unauthorised absence in the Education (Pupil Registration) Regulations 1995⁽¹⁰⁾ the number of unauthorised

⁽⁹⁾ S.I. 1995/1904 as amended by S.I. 1996/1665.

⁽¹⁰⁾ S.I. 1995/2089.

absences in each term of the reporting school year expressed as a percentage of the total number of possible attendances in that term.”.

(2) In sub-paragraph (2) paragraph (a) for the words “Pupils' Registration Regulations 1956” there shall be substituted “Education (Pupil Registration) Regulations 1995.”.

1st August 1996

William Hague
Secretary of State for Wales

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 further amend the Education (School Information) (Wales) Regulations 1995. The main changes are as follows.

The Regulations define the National Curriculum scale without reference to the number of levels of attainment in that scale (regulation 2). They require LEA maintained schools to publish annually, with the governors' report, dates of school terms and a summary of changes in the prospectus. This brings the requirements into line with those for grant-maintained schools (regulation 3). They also require the prospectuses of secondary schools to contain details of unauthorised absences. Previously this only applied to primary schools (regulation 4).

The Regulations require prospectuses to contain details of sporting aims and provision and extend the information to be included about the results of assessment of pupils at key stages 1, 2 and 3 as well as at GCSE, A level, GNVQ and NVQ level 3. They require publication of certain all-Wales assessment results and details of the percentage of pupils leaving school without any recognised qualifications. They also require a school's prospectus to include particulars of any targets which the governors may have set for improvement against pupils' previous performance (regulation 5).