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EDUCATION, ENGLAND

**The Education (School Information) (England)
Regulations 2002**

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ORDER IN WHICH GCSE RESULTS OF PUPILS AGED 15 ARE TO BE MADE AVAILABLE AND SYLLABUSES COUNTING AS GCSE SYLLABUSES

In exercise of the powers conferred on the Secretary of State by sections 29(5), 408, 537 and 569(4) and (5) of the Education Act 1996(a), sections 92(b) and 138(1) of the School Standards and Framework Act 1998, and of all other powers enabling him in that behalf, the Secretary of State for Education and Skills hereby makes the following Regulations:

PART 1

General

Citation and commencement

1.—(1) These Regulations may be cited as the Education (School Information) (England) Regulations 2002 and shall come into force on 20th January 2003.

(2) These Regulations apply only in relation to England.

(a) 1996 c. 56; by virtue of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672), the powers conferred by these provisions are exercisable by the Secretary of State only in relation to England. For the definition of “regulations” see section 579(1).

(b) Section 92 of the 1998 Act was substituted by paragraph 7 of Schedule 4 to the 2002 Act; by virtue of section 211(1) of the 2002 Act, the powers conferred by section 92 as substituted are exercisable by the Secretary of State only in relation to England.

Revocation and Savings

2.—(1) Subject to paragraph (2), the Education (School Information) (England) Regulations 1998(a), the Education (School Information) (England) (Amendment) Regulations 1999(b) and the Education (School Information) (England) (Amendment) Regulations 2002(c) are hereby revoked.

(2) The Regulations revoked by paragraph (1) shall continue to have effect in relation to the publication school year ending in 2003 and nothing in these Regulations shall have effect in relation to that publication school year.

Interpretation

3.—(1) In these Regulations—

“the 1996 Act” means the Education Act 1996;

“the 1998 Act” means the School Standards and Framework Act 1998;

“the 2000 Act” means the Learning and Skills Act 2000(d);

“the 2002 Act” means the Education Act 2002(e);

“admission number” means the number of pupils in any relevant age group intended to be admitted in any school year as determined by an admission authority in accordance with section 89A(1) of the 1998 Act(f);

“admission school year” means a school year at the beginning of which pupils are to be admitted to any school;

“appropriate relevant area” means any relevant area (within the meaning of section 89(3) of the 1998 Act) that applies for consultation about the proposed admission arrangements for a school maintained by the relevant authority;

“assess” means assess pursuant to orders made under section 87(3)(c) of the 2002 Act and “assessment” shall be construed accordingly;

“associated documents” means the documents published by the Stationery Office, setting out any levels of attainment and attainment targets in relation to the core subjects, which documents have effect by virtue of the respective orders made under section 87(2)(a) and (b) of the 2002 Act for those subjects for the time being in force;

“authority” means a local education authority and, in relation to an authority, “the offices” means the education offices;

“composite prospectus” means a composite document required to be published by regulation 8;

“core subjects” means English, mathematics and science;

“GCE ‘A’ level examinations” and “GCE ‘AS’ examinations” means General Certificate of Education advanced level and advanced supplementary or advanced subsidiary examinations respectively;

“GCSE” means General Certificate of Secondary Education;

“GNVQ” means a General National Vocational Qualification;

“indicated admission number” means the number of pupils in any relevant age group referred to as such in, and determined in accordance with the net capacity assessment method set out in, the guidance, *Assessing the Net Capacity of Schools*, issued by the Department for Education and Skills in August 2002(g);

“IT Key Skills Unit” means a qualification known as such and approved by the Secretary of State under section 98 of the 2000 Act for the purpose of section 96 of that Act;

“local average figures” means the average figures for all schools maintained by the relevant authority (other than any special school established in a hospital), and all city technology colleges and city colleges for the technology of the arts and Academies, in the area of that relevant authority;

(a) S.I. 1998/2526.

(b) S.I. 1999/251.

(c) S.I. 2002/1172.

(d) 2000 c. 21.

(e) 2002 c. 32.

(f) Section 89A was inserted by section 47(2) of the 2002 Act.

(g) Reference DfES/0739/2001 REV, ISBN 184185610X.

“looked after children” has the same meaning as in section 22 of the Children Act 1989(a);

“maintained school” except in Part 4 means—

(a) any community, foundation or voluntary school, or

(b) any community or foundation special school which is not established in a hospital, but excludes any nursery school;

“national average figures” means the average figures for all schools in England;

“national summary figures” means the summary figures in respect of National Curriculum assessments of pupils for all schools in England;

“NC tasks” means National Curriculum standard tasks administered to pupils in the final year of the first key stage pursuant to article 5 of the Education (National Curriculum) (Key Stage 1 Assessment Arrangements) (England) Order 1999(b);

“NC tests” means National Curriculum tests administered to pupils in, as the case may be, the final year of the second key stage or the final year of the third key stage pursuant to, respectively, article 5 of the Education (National Curriculum) (Key Stage 2 Assessment Arrangements) (England) Order 1999(c) and article 10 of the Education (National Curriculum) (Key Stage 3 Assessment Arrangements) (England) Order 1999(d);

“non-maintained special school” means a special school which is not maintained by an authority (and which is not established in a hospital);

“previous school year” means the school year immediately preceding the reporting school year;

“publication school year” means the school year immediately preceding the admission school year;

“public examinations” means public examinations which are for the time being prescribed by regulations made under sections 402, 451, 453 and 454 of the 1996 Act;

“primary education” does not include such education provided at a middle school;

“relevant authority” in relation to a school means the authority which maintains the school;

“reporting school year” means the school year immediately preceding the publication school year;

“school prospectus” means the document described in regulation 14;

“special educational needs” and “special educational provision” have the same meanings as in section 312 of the 1996 Act;

“special school” has the meaning given to it by section 337(1) of the 1996 Act;

“the statutory arrangements” means assessment arrangements specified by orders made under section 87(3)(c) of the 2002 Act;

“teacher assessment” means assessment of a pupil by a teacher as specified in the statutory arrangements;

“unit” in relation to a vocational qualification, means a module or part of a course leading to that qualification which, when successfully completed, can be counted together with other modules or parts towards obtaining that qualification;

“VCE” means a vocational certificate of education known as such and accredited by the Qualifications and Curriculum Authority in accordance with its functions set out in section 24(2) of the Education Act 1997(e);

“vocationally related qualification” means a qualification known as such and accredited by the Qualifications and Curriculum Authority in accordance with its functions set out in section 24(2) of the Education Act 1997; and

references to levels and attainment targets are references to, respectively, the levels of attainment of the National Curriculum level scale and attainment targets set out in the associated documents.

(a) 1989 c. 41.

(b) S.I. 1999/1236.

(c) S.I. 1999/2188.

(d) S.I. 1999/2189.

(e) 1997 c. 44.

(2) In these Regulations, any reference to a date up to which parents may express a preference for a school is a reference to the date by which, in accordance with arrangements made by the relevant local education authority under section 86(1) of the 1998 Act, a parent wishing education to be provided for his child in the exercise of the authority's functions should express such a preference.

(3) In these Regulations, references to the first key stage, the second key stage, the third key stage and the fourth key stage are references to the periods set out in paragraphs (a) to (d) of section 82(1) of the 2002 Act.

(4) In these Regulations, references to pupils of a particular age are to pupils who attained that age during the period of twelve months ending on the 31st August immediately preceding the commencement of the reporting school year and who were registered pupils at the school on the third Thursday in January in the reporting school year.

(5) In these Regulations—

(a) except where otherwise provided, 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) In these Regulations, references to examinations for which pupils at the school were entered include examinations for which they were entered otherwise than in pursuance of section 402 of the 1996 Act.

(7) For the purposes of these Regulations, any examination for the GCSE for which a pupil aged 15 was entered during the previous school year or any earlier school year shall be treated as such an examination for which the pupil was entered during the reporting school year.

Qualification of duties

4. The duties imposed on a governing body and an authority by virtue of these Regulations in respect of provision, publication or making available information apply only to the extent that that information is available to the governing body or the authority in time for it to be reasonably practicable to provide, publish or make available the information before the latest occasion on which the information is required to be provided, published or made available as the case may be.

PART 2

Provision of Information by Head Teacher

Provision of information by head teacher to governing body

5. For the purpose of enabling the governing body to comply with their obligations under these Regulations, the head teacher of every maintained school shall make available to the governing body information about the matters mentioned in Schedule 3.

PART 3

Information to be Published or Provided by Authorities

Information to be published by authorities

6.—(1) An authority shall publish information in respect of each of the matters specified in Schedule 1.

(2) Where changes in respect of any of those matters have been decided on by the authority but not yet implemented, the authority shall also publish information about those changes.

(3) Subject to paragraph (4), an authority may, by agreement with the governing body of a foundation or voluntary aided school, publish the information specified in paragraphs 3 and 5 of Schedule 3 relating to that category of school on behalf of the governing body.

(4) Where it is agreed that the authority should publish information on behalf of the governing body, that information shall be provided by the governing body and shall be published without material alteration.

(5) This information shall be published as provided in regulation 7.

Time and manner of publication of information by authorities

7.—(1) This regulation shall apply in relation to the publication by an authority of the information in respect of the matters specified in Schedule 1.

(2) Such information and particulars shall be published during the publication school year and, except in so far as they relate exclusively to primary education or special educational provision, they shall be published no later than six weeks before the date up to which parents may express a preference for a school in respect of the admission school year.

(3) Subject to paragraphs (4) to (8), such information and particulars shall be published—

(a) by copies being made available for distribution without charge to parents on request, and for reference by parents and other persons—

(i) at the office of the relevant authority, and

(ii) at every school maintained by that authority, other than a nursery school or a special school;

(b) by copies being distributed without charge to parents of pupils at schools maintained by the relevant authority, other than nursery schools or special schools, who, in the publication school year, are in the final year at such schools and who might transfer to other schools so maintained; and

(c) by copies being made available for reference by parents and other persons at the public libraries in the area of the relevant authority.

(4) So far as the information in respect of the matters specified in paragraphs 3, 4 and 5 of Schedule 1 is concerned (schools maintained by the authority), the information in respect of schools in a particular part of the relevant local education authority's area need not—

(a) be made available at offices, schools and libraries outside that part, or

(b) be distributed to the parents of pupils who are at schools outside that part,

if information about how it may be obtained is available at those offices, schools and libraries or, as the case may be, is distributed to those parents.

(5) Where, in accordance with regulation 8, the authority publishes the information specified in paragraphs 1, 2 and 5 of Schedule 2, the authority shall not also be required, under this regulation, to publish the same information as specified in paragraphs 3, 4 and 5 of Schedule 1.

(6) Irrespective of the terminology used, it shall be sufficient compliance with paragraph (3)(a)(ii) if so much of the information and particulars as relates to schools classified as—

(a) primary schools,

(b) middle schools,

(c) secondary schools,

is available only in schools of the classification in question.

(7) It shall be sufficient compliance with paragraph (3)(b) if there is published so much of the information and particulars as is relevant having regard to the schools to which pupils in the final year at that school might transfer.

(8) So far as the particulars specified in Part 2 of Schedule 1 are concerned (special educational provision), paragraphs (3), (4), (6) and (7) shall not apply but the particulars shall be published—

(a) by copies being made available for distribution without charge to parents on request and, for reference by parents and other persons, at the offices of the relevant authority; and

(b) by copies being available for reference by parents and other persons—

(i) at every school maintained by the relevant authority, and

(ii) at the public libraries in the area of that authority.

PART 4

Composite Prospectus of Admission Information

Authority to publish composite prospectuses

8.—(1) The provisions of this Part apply in relation to maintained schools (as defined by section 84(6) of the 1998 Act).

(2) An authority shall publish in a composite document the information specified in Schedule 2, with respect to all maintained schools in the composite prospectus area.

(3) For the purposes of this regulation, “the composite prospectus area” comprises—

- (a) the relevant authority’s area; and
- (b) all such parts of the appropriate relevant area or appropriate relevant areas as extend beyond that authority’s area.

(4) An authority may, if they wish, carry out their obligation under paragraph (2) in either or both of the following ways—

- (a) by publishing separate composite prospectuses covering respectively primary schools and secondary schools; and
- (b) by dividing the composite prospectus area into two or more parts and publishing a separate composite prospectus covering respectively schools in each part.

Time and manner of publication of composite prospectus

9.—(1) A composite prospectus shall be published annually and before 1st October in each publication school year, and in any event no later than six weeks before the date up to which parents may express a preference in respect of the admission school year for any school mentioned in that prospectus.

(2) A composite prospectus shall be published—

- (a) by copies being made available for distribution without charge to parents on request—
 - (i) at the offices of the authority who are publishing it, and
 - (ii) at every school maintained by that authority; and
- (b) by copies being made available for reference by parents and other persons at the public libraries in that authority’s area.

Provision of information to the authority by governing bodies

10.—(1) For the purpose of enabling the authority to comply with their obligation under regulation 9, the governing body of every maintained school to be included in a composite prospectus under that regulation shall, in respect of each admission school year, provide to the relevant authority the information specified in Schedule 2 to these Regulations.

(2) The information referred to in Schedule 2 shall be provided no later than such time before the time required for publication of the prospectus as the authority may reasonably require.

PART 5

Information to be Published by Governing Bodies

General Information to be published by governing bodies

11.—(1) Subject to regulation 12, the governing body of a maintained school shall publish as respects that school the information specified in paragraphs 1 to 15 of Schedule 3.

(2) Subject to regulation 12, this information shall be published as provided in regulation 14.

Determination of examination results particulars and equivalency between GCSE examinations and vocational qualifications

12.—(1) The provisions of this regulation have effect for the purpose of determining the information specified in Schedule 3.

(2) Subject to paragraph (14), if a pupil has been entered for two or more examinations in the same subject in the same school year by virtue of regulation 3(7), 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 GCSE in two subjects, a pupil shall be included only once in the number of pupils 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 any GCSE examination for which pupils aged 15 were entered, the information shall commence with the subjects listed in the first column of Schedule 4 in the order in which they are so listed.

(5) For the purposes of this regulation, any GCSE examination in a subject listed in the first column of Schedule 4 is not to be treated as such unless the examination is in a syllabus referred to in the second column opposite that subject.

(6) For the purposes of paragraph 12(1)(e) of Schedule 3, where a pupil is awarded a grade in an examination relating to a GCSE short course, he shall be treated as having achieved that grade in half a GCSE subject.

(7) For the purposes of paragraph 12(1)(e) and (2) of Schedule 3, questions as to—

(a) which vocational qualification award corresponds to which GCSE examination grade, and

(b) the equivalency between GCSE examination results and vocational qualifications, shall be determined in accordance with paragraphs (8) to (13) below.

(8) Where a pupil is awarded a Part One GNVQ (Intermediate level), he shall be treated as having achieved A* to C in two GCSE subjects.

(9) Where a pupil is awarded a Part One GNVQ (Foundation level), he shall be treated as having achieved grade D to G in two GCSE subjects.

(10) Where a pupil is awarded an Intermediate GNVQ, he shall be treated as having achieved grade A* to C in four GCSE subjects.

(11) Where a pupil is awarded a Foundation GNVQ, he shall be treated as having achieved grade D to G in four GCSE subjects.

(12) Where a pupil is awarded a GNVQ Language Unit (Intermediate level), he shall be treated as having achieved grade A* to C in half a GCSE subject.

(13) Where a pupil is awarded a GNVQ Language Unit (Foundation level), he shall be treated as having achieved grade D to G in half a GCSE subject.

(14) In the case of a pupil who has been entered for both GCE 'A' level and GCE 'AS' examinations in the same subject—

(a) except in the circumstances described in sub-paragraph (b), only the GCE 'A' level examination result shall be taken into account;

(b) where the pupil fails to achieve a grade in the GCE 'A' level examination but achieves a grade between A and E inclusive in the GCE 'AS' examination, only the GCE 'AS' examination result shall be taken into account.

(15) Subject to paragraph (14), in calculating the number of GCE 'A' levels a pupil is entered for, one GCE 'AS' shall be treated as the equivalent of half a GCE 'A' level.

(16) Subject to paragraph (14), 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, namely:

VCE 'A' level double award: grade AA = 240 points; grade AB = 220 points; grade BB = 200 points; grade BC = 180 points; grade CC = 160 points; grade CD = 140 points; grade DD = 120 points; grade DE = 100 points, and grade EE = 80 points;

GCE/VCE 'A' level: grade A = 120 points; grade B = 100 points; grade C = 80 points; grade D = 60 points; and grade E = 40 points;

GCE/VCE 'AS' level: grade A = 60 points; grade B = 50 points; grade C = 40 points; grade D = 30 points; and grade E = 20 points.

Performance information relating to the reporting school year

13.—(1) This regulation applies where the information relating to the results of assessment, public examination results, vocational qualifications and units and school attendance referred to in paragraphs 9, 10, 11, 12, 13 and 15 of Schedule 3 for assessments 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 14.

(2) Where this regulation applies, the governing body shall, as soon as practicable after the information in question for the reporting school year is made available to them, and in any event not later than two weeks before the earlier of the two dates referred to in regulation 14(3), publish that information as a supplement to the school prospectus in the manner required by that regulation for the publication of the prospectus.

Publication of school prospectuses

14.—(1) This regulation applies to the publication by the governing body of a maintained school of information in relation to the school specified in Schedule 3.

(2) In the case of any maintained school—

- (a) such information shall be published in a single document and be identified as the school prospectus and may be combined with any other document whose preparation by the governing body is required by or under any enactment; and
- (b) copies shall be made available at the school for distribution without charge to parents on request and for reference by parents and other persons.

(3) The school prospectus shall be published during the publication school year and, except in the case 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.

(4) In the case of a special school such information shall also be published by copies being made available at the offices of the relevant authority for distribution without charge to parents on request and reference by parents and other persons.

(5) In the case of any maintained secondary school, a copy of the school prospectus shall be provided without charge to the offices in the area served by the school of persons providing career services in accordance with arrangements made, or directions given, under section 10 of the Employment and Training Act 1973(a).

PART 6

Supplementary

Supplementary provisions relating to published documents

15.—(1) This regulation shall apply in relation to any document which contains such information or particulars as are mentioned in the preceding provisions of these Regulations and which is published in accordance with them.

(2) Such a document shall state the school year to which the information or particulars in it relate and contain a warning that, although they were correct in relation to that year at a date specified in the document (not being earlier than six months before that of its publication), it should not be assumed that there will be no change affecting the relevant arrangements or some matters particularised—

- (a) before the start of, or during, the school year in question, or
- (b) in relation to subsequent school years.

(a) 1973 c. 50; section 10 was substituted by section 45 of the Trade Union Reform and Employment Rights Act 1993 (c. 19).

(3) If it appears requisite to the governing body in respect of such a document to be published by them or, as the case may be, an authority in respect of such a document to be published by them or on behalf of the governing body, that a translation of such a document in a language other than English should be available, or that a Braille or audio tape version of such a document should be available, it shall be translated into that language or produced in a Braille or audio tape version, as the case may be, and the document so translated or so produced shall be published in such manner as appears to the governing body or authority to be appropriate.

(4) Parents shall not be charged for a copy of such a translated document or such a document produced in a Braille or audio type version if they are entitled without charge to a copy of the original document.

18th November 2002

David Miliband
Minister of State
Department for Education and Skills

INFORMATION TO BE PUBLISHED BY AUTHORITIES

PART I

Miscellaneous matters

1. The addresses and telephone numbers of the offices of the authority to which enquiries in respect of primary and secondary education in their area should be addressed.
2. The arrangements for parents to obtain the information specified in Schedule 3 in the case of individual schools other than special schools.
3. As respects each school maintained by the authority, other than a special school—
 - (a) the name, address and telephone number of the school and the name of a person to whom enquiries should be addressed; and
 - (b) the expected number of pupils at the school and their age range.
4. The classification of each such school as—
 - (a) a community, foundation, voluntary controlled or voluntary aided school,
 - (b) a primary, middle or secondary school,
 - (c) a comprehensive, secondary modern or grammar school,
 - (d) a co-educational or single-sex school,
 - (e) a day or boarding school, or (as the case may be) a school taking both day and boarding pupils, except that for the purposes of sub-paragraphs (b) and (c) other terminology may be used according to usage in the authority.
5. The affiliations, if any, of each such school with a particular religious denomination.
6. The authority's general arrangements and policies in respect of transport for pupils of compulsory school age and below to and from schools and institutions within the further education sector including, in particular—
 - (a) the provision of free transport;
 - (b) the carriage on school buses of pupils for whom free transport is not provided; and
 - (c) the payment in whole or in part of reasonable travelling expenses.
7. The authority's general arrangements and policies in respect of the provision of milk, meals and other refreshment including, in particular, the remission in whole or in part of charges.
8. The authority's general arrangements and policies in respect of the provision of school clothing (including uniform and physical training clothes) and the making of grants to defray expenses in respect of such clothing and, in particular, the address from which parents may obtain detailed information about the assistance which is available and eligibility for it.
9. The authority's general arrangements and policies, in the case of pupils attending schools maintained by any authority in respect of—
 - (a) the making of grants to defray expenses (other than those mentioned in paragraphs 6 and 8), and
 - (b) the granting of allowances in the case of pupils over compulsory school age,and, in particular, the address from which parents may obtain detailed information about the assistance which is available and eligibility for it.
10. The authority's general policy in respect of the entering of pupils for public examinations.
11. The authority's general arrangements and policies in respect of special educational provision for pupils with special educational needs including, in particular, the arrangements for parents to obtain information about the matters mentioned in Part 2 of this Schedule.
12. The arrangements for parents and others to obtain copies of and to refer to particulars of the charging and remissions policies determined by the authority under section 457 of the 1996 Act.

PART 2

Special Educational Provision

13. The authority's detailed arrangements and policies in respect of—
 - (a) the identification and assessment of children with special educational needs and the involvement of parents in that process;

- (b) the provision made in community, voluntary and special schools maintained by them for pupils with special educational needs and the use made by them of such special schools maintained by other authorities; and
- (c) special educational provision provided otherwise than at school.

14. The authority's arrangements and policies in respect of the use of non-maintained special and independent schools.

15. The arrangements for parents who consider that their child may have special educational needs to obtain advice and further information.

16. The authority's arrangements and policies in respect of transport for pupils of compulsory school age and below to and from maintained and non-maintained special schools and independent schools.

17. The arrangements for parents to obtain the information particularised in Schedule 3 in the case of the special schools used by the authority which are maintained by them or other authorities.

SCHEDULE 2

Regulations 8 and 10

INFORMATION TO BE PUBLISHED IN THE COMPOSITE PROSPECTUS

1. As respects each school mentioned in the composite prospectus:
 - (a) the name, address and telephone number of the school and the name of a person to whom enquiries should be addressed, and
 - (b) the expected number of pupils at the school and their age range.
2. The classification of each such school as—
 - (a) a community, foundation, voluntary controlled or voluntary aided school,
 - (b) a primary, middle or secondary school,
 - (c) a comprehensive, secondary modern, or grammar school,
 - (d) a co-educational or single-sex school,
 - (e) a day or boarding school, or (as the case may be) a school taking both day and boarding pupils, except that for the purposes of sub-paragraph (b) or (c) other terminology may be used according to usage in the authority.
3. The particulars of the admissions policy determined for each school in relation to each relevant age group at the school (including ages above and below compulsory school age), including particulars of—
 - (a) arrangements made under section 86(1) of the 1998 Act and of any arrangements made for co-ordinating the admission of pupils to maintained schools made in accordance with section 89B(1) or (2) of the 1998 Act^(a);
 - (b) arrangements made under section 94(1) or (2) of the 1998 Act, whichever is applicable, and (as the case may be) subsections (1A) or (2A) of that section;
 - (c) any admission arrangements which give priority to children with special educational needs but for whom a statement has not been made under section 324 of the 1996 Act, including particulars of the evidence of those special needs which is required to qualify under the criterion;
 - (d) any admission arrangements which give priority to looked after children;
 - (e) any oversubscription criteria which will be applied to allocate places if there are more applicants than places to a particular school;
 - (f) the admission number determined for each relevant age group and, in relation to a school at which boarding accommodation is provided for pupils, the determination of the number of pupils in each relevant age group that it is intended to admit—
 - (i) as boarders, and (as the case may be)
 - (ii) otherwise than as boarders,
 and, in any case where the admission number determined is lower than the indicated admission number for that age group, the admission authority's reasons for determining that number; and
 - (g) any expected timescale for each stage of the admission process and, in particular, the date and time by which applications for admission must be received.
4. The authority's arrangements for transfer between schools maintained by them other than special schools, otherwise than at a normal admission age, including, in particular—
 - (a) the respective functions of the authority and the governing bodies of such schools as respects admission on transfer; and

^(a) Section 89B was inserted by section 48 of the 2002 Act.

- (b) the policy followed in deciding transfers.
- 5. The affiliations, if any, of each such school with a particular religious denomination.
- 6. In the case of each such school which is a secondary school, where the information is available—
 - (a) the number of places for pupils of the relevant age group at the school which were available at the start of the school year immediately following the reporting school year; and
 - (b) the number of written applications for places from the start of that year, or (as appropriate) preferences expressed for places at the school pursuant to arrangements made by the relevant authority under section 86(1) of the 1998 Act.
- 7. Information as to where and by what means parents may access sources of general information relating to the school, including such information as annual school performance tables and published reports of recent school inspections.

SCHEDULE 3

Regulations 5 and 11

INFORMATION TO BE PUBLISHED BY GOVERNING BODIES

1. The name, address and telephone number of the school and the names of both the head teacher and the chairman of the governing body.
2. The classification of the school as—
 - (a) a community, foundation, voluntary controlled or voluntary aided school or a community special or foundation special school,
 - (b) a primary, middle or secondary school,
 - (c) a comprehensive, secondary modern or grammar school,
 - (d) a co-educational or single-sex school,
 - (e) a day or boarding school or (as the case may be) a school taking both day and boarding pupils, except that for the purposes of sub-paragraph (b) or (c) other terminology may be used according to the usage in the authority.
3. Except where paragraph 16 applies, particulars of the admissions policy determined for the school (in the case of a community or voluntary controlled school) by the relevant authority or (in the case of a foundation or voluntary aided school) by the governing body in relation to each relevant age group at the school including ages above and below compulsory school age, including particulars of—
 - (a) admission arrangements made under section 86(1) of the 1998 Act and of any arrangements made for co-ordinating the admission of pupils to maintained schools made in accordance with section 89B (1) or (2) of the 1998 Act;
 - (b) arrangements made under section 94(1) or (2) of the 1998 Act, and (as the case may be) subsections (1A) or (2A) of that section;
 - (c) admission arrangements which give priority to children with special educational needs but for whom a statement has not been made under section 324 of the 1996 Act, including particulars of the evidence of those special needs which is required to qualify under the criterion;
 - (d) any admission arrangements which give priority to looked after children;
 - (e) any oversubscription criteria which will be applied to allocate places if there are more applicants than places to a particular school;
 - (f) the admission number determined for each relevant age group and, in relation to a school at which boarding accommodation is provided for pupils, the determination of the number of pupils in each relevant age group that it is intended to admit—
 - (i) as boarders, and (as the case may be)
 - (ii) otherwise than as boarders,
 and, in any case, where the admission number determined is lower than the indicated admission number for that age group, the admission authority's reasons for determining that number; and
 - (g) any expected timescale for each stage of the admission process and, in particular, the date and time by which applications for admission must be received.
4. Where there are specific arrangements for parents who are considering sending their child to the school to visit it, particulars of those arrangements.
5. Except where paragraph 16 applies, in the case of a secondary school, (where information is available)—
 - (a) the number of places for pupils of the normal age of entry to the school which were available at the start of the school year immediately following the reporting school year; and
 - (b) the number of written applications for places from the start of that year or preferences expressed for places at the school pursuant to arrangements made by the relevant authority under section 86(1) of the 1998 Act or under section 89B(1) or (2) of that Act.

6. A summary of the policy adopted for the schools by the governing body in relation to children with special educational needs as it appears from the information published by the governing body under regulation 3 of the Education (Special Educational Needs) (Information) Regulations 1999(a), a description of any significant changes to that policy during the reporting school year and a statement on the success of the governing body in implementing that policy.

7. A statement on the ethos and values of the school.

8.—(1) The affiliations, if any, of the school with a particular religion, or religious denomination.

(2) Without prejudice to paragraph 7—

- (a) particulars of the religious education provided at the school;
- (b) a statement that a pupil shall, pursuant to section 71 of the 1998 Act, be excused wholly or partly from attendance at religious worship in the school or from receiving religious education given at the school, or both, if the parent of the pupil so requests; and
- (c) particulars of any arrangements as respects the exercise by the parent of a pupil of rights under section 71 of the 1998 Act in relation to the pupil's attendance at religious worship or religious education or both,

9.—(1) In the case of a school with registered pupils in the final year of the first key stage, the number of such pupils.

(2) Where the number of such pupils is eleven or more, the percentage who in respect of each of mathematics, science, spelling and the attainment targets in English in sub-paragraph (3)—

- (a) in respect of each level of the National Curriculum level scale were assessed as having reached that level;
- (b) were assessed as working towards level 1, or
- (c) failed to register a level because they missed the assessment by reason of absence,

and the most recent national summary figures in respect of this information.

(3) The attainment targets in English are—

- (a) reading;
- (b) writing; and
- (c) speaking and listening.

(4) Where the number of such pupils is fewer than eleven but not fewer than five, the percentage who were assessed as having reached level 2 or above in each of the attainment targets in English in sub-paragraph (3) and in mathematics, science and spelling and the most recent national summary figures in respect of this information.

(5) Where the number of such pupils is eleven or more, the percentage who were exempted under section 92 or 93 of the 2002 Act from assessment by the administration of NC tasks and the percentage who were exempted under section 92 or 93 of that Act from teacher assessment.

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

(7) Where a pupil has been assessed both by a teacher and by the administration of any NC tasks the information in sub-paragraphs (2)(a) and (b) and (4) shall be given in respect of both types of assessment.

10.—(1) In the case of a school with registered pupils in the final year of the second key stage, the number of such pupils.

(2) Where the number of such pupils is eleven or more, the percentage who, in respect of each of the core subjects and each of the attainment targets in English referred to in paragraph 9(3)—

- (a) in respect of each level of the National Curriculum level scale were assessed by teacher assessment as having reached that level;
- (b) were assessed by teacher assessment as working towards level 1;
- (c) failed to register a level on being assessed by teacher assessment;
- (d) were exempted from assessment under section 92 or 93 of the 2002 Act; or
- (e) failed to register a level because they missed the assessment by reason of absence,

and the most recent national summary figures in respect of this information.

(3) Where the number of such pupils is eleven or more, the percentage who, in respect of each of the core subjects and each of the attainment targets in English referred to in paragraph 9(3)(a) and (b)—

- (a) in respect of each level above level 2 of the National Curriculum level scale were assessed by the administration of NC tests as having reached that level, or

(a) S.I. 1999/2506.

(b) were assessed by the administration of NC tests as having achieved below level 3 or failed to register a level on being so assessed,
and the most recent national summary figures in respect of this information.

(4) Where the number of such pupils is fewer than eleven but not fewer than five, the percentage who in respect of each of the core subjects and the attainment targets in English referred to in paragraph 9(3) were assessed as having reached level 4 or above and the most recent national summary figures in respect of this information.

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

11.—(1) In the case of a school with registered pupils in the final year of the third key stage, the number of such pupils.

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

- (a) in respect of each level of the National Curriculum level scale were assessed by teacher assessment as having reached that level;
- (b) were assessed by teacher assessment as working towards level 1;
- (c) failed to register a level on being assessed by teacher assessment;
- (d) were exempted from assessment under section 92 or 93 of the 2002 Act; or
- (e) failed to register a level because they missed the assessment by reason of absence,

and the most recent national summary figures in respect of this information.

(3) Where the number of such pupils is eleven or more, the percentage who—

- (a) in respect of each level above level 2 of the National Curriculum level scale, in mathematics and science, were assessed by the administration of NC tests as having reached that level;
- (b) in respect of each level above level 3 in English, were assessed by the administration of NC tests as having reached that level;
- (c) in mathematics and science, were assessed by the administration of NC tests as having achieved below level 3 or failed to register a level on being so assessed; or
- (d) in English, were assessed by the administration of NC tests as having achieved below level 4 or failed to register a level on being so assessed,

and the most recent national summary figures in respect of this information.

(4) Where the number of such pupils is fewer than eleven but not fewer than five, the percentage who in respect of each of the core subjects were assessed as having reached level 5 or above and the most recent national summary figures in respect of this information.

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

12.—(1) In the case of a school with registered pupils aged 15—

- (a) the number of those pupils;
- (b) the number of those pupils who were not entered during the reporting school year for any GCSE;
- (c) subject by subject, the number of those pupils who during the reporting school year were entered for any GCSE examination or registered for or studying towards—
 - (i) units of a Part One GNVQ, an Intermediate GNVQ or a Foundation GNVQ approved by the Secretary of State under section 98 of the 2000 Act for the purpose of section 96 of that Act,
 - (ii) units of a National Vocational Qualification or a vocationally related qualification approved by the Secretary of State under section 98 of the 2000 Act for the purpose of section 96 of that Act, or
 - (iii) an IT Key Skills Unit;
- (d) subject by subject, the number of those pupils who during the reporting school year—
 - (i) achieved each grade from A* to G in any GCSE examination,
 - (ii) were entered for a GCSE examination but failed to achieve a grade,
 - (iii) were entered for a GCSE examination but did not attempt the examination,
 - (iv) achieved, as the case may be, units of a Part One GNVQ, an Intermediate GNVQ or a Foundation GNVQ, a National Vocational Qualification (or all units studied for in relation to it) or an IT Skills Unit, which they were registered for or studying towards;
- (e) the percentage of those pupils who, during the reporting school year—
 - (i) were entered for a GCSE examination or were registered for or studying towards a Part One GNVQ, an Intermediate GNVQ or a Foundation GNVQ, in one or more subjects,

- (ii) were entered for such an examination or any such vocational qualification as is referred to in sub-paragraph (i) above, in five or more subjects,
- (iii) achieved any grade from A* to G in such an examination in one or more subjects,
- (iv) achieved any grade from A* to G in such an examination in five or more subjects,
- (v) achieved any grade from A* to C in such an examination in five or more subjects,
- (vi) irrespective of whether they were entered, did not achieve any grade in any such examination,

and, in respect of sub-paragraphs (iii), (iv) and (v) above, the most recent local and national average figures in respect of this information;

- (f) the total number of pupils who during the reporting school year were registered for or studying towards units of a Part One GNVQ, an Intermediate GNVQ or a Foundation GNVQ, the National Vocational Qualification (or units of such a qualification) or an IT Key Skills Unit, and
- (g) the percentage of the pupils mentioned in sub-paragraph (f) who, during the reporting school year, achieved, as the case may be, all units of the Part One GNVQ, the Intermediate GNVQ or the Foundation GNVQ, the National Vocational Qualification (or all units of such a qualification), or an IT Key Skills Unit which they were registered for or studying towards.

(2) In sub-paragraph (1)(e)(iii) to (v), references to pupils achieving particular grades in GCSE examinations shall be construed for the purposes of those provisions as including references to pupils achieving corresponding awards in an equivalent number of the vocational qualifications referred to in that sub-paragraph.

13. In the case of a school with registered pupils aged 16, 17 or 18 which is reporting results for the reporting school year 2002–2003 or any subsequent reporting school year—

- (a) the number of registered pupils aged 17 or 18 who during the reporting school year or the previous reporting school year were entered for any GCE or VCE ‘A’ level examination or GCE or VCE ‘AS’ examination or VCE double award examination;
- (b) the percentage of the pupils mentioned in sub-paragraph (a) whose point scores resulting from such examinations fell within the following ranges; 0–60 points; 61–119 points; 120–180 points; 181–239 points; 240–300 points; 301–359 points; 360 points or more;
- (c) the average point score of the pupils mentioned in sub-paragraph (a);
- (d) the number of registered pupils aged 16, 17 or 18 who during the reporting school year were entered for the International Baccalaureate Diploma;
- (e) the percentage of pupils mentioned in sub-paragraph (d) who achieved that qualification;
- (f) subject by subject the number of pupils aged 17 or 18 who during the reporting school year—
 - (i) achieved each grade from A to E at GCE or VCE ‘A’ level and ‘AS’ examinations or VCE double award examinations,
 - (ii) were entered for and attempted such a GCE or VCE ‘A’ level and ‘AS’ examinations or VCE double award examinations but failed to achieve a grade,
 - (iii) were entered for such an examination but did not attempt it;
- (g) the number of registered pupils aged 16, 17 or 18 who during the reporting school year were in the final year of study of a course leading to a National Vocational Qualification or a vocationally related qualification, or units of such a qualification, approved for all pupils aged 16, 17 or 18 by the Secretary of State under section 98 of the 2000 Act for the purpose of section 96 of that Act;
- (h) the percentage of the pupils mentioned in sub-paragraph (g) achieving each of those qualifications wholly or partly on the basis of work done in that school year; and
- (i) subject by subject, the number of registered pupils aged 16, 17 or 18 who during the reporting school year were in the final year of study of a course leading to a National Vocational Qualification or a vocationally-related qualification, or units of such a qualification, approved by the Secretary of State under section 98 of the 2000 Act for the purpose of section 96 of that Act,

and, in respect of sub-paragraphs (b), (c), (e) and (f), the most recent national average figures in respect of this information.

14. In the case of a maintained school with registered pupils aged 15, 16, 17 or 18, information in respect of the previous school year—

- (a) in respect of pupils aged 15 or 16, the number of those pupils, and the percentage of those pupils who have commenced—
 - (i) a course at any school or any course of further education;
 - (ii) employment;
 - (iii) a Government training programme,
 and the percentage of pupils not coming within (i), (ii) or (iii) above,
- (b) in respect of pupils aged 17 or over, the number of those pupils and the percentage of those pupils who have commenced—

- (i) any course of further education;
 - (ii) any course of higher education;
 - (iii) employment,
- and the percentage of pupils not coming within (i), (ii) or (iii) above.

15.—(1) The number of pupils of compulsory school age registered at any time on or before the Friday before the last Monday in May during the reporting school year.

- (2) The number of—
- (a) authorised absences, and
 - (b) unauthorised absences

of registered pupils of compulsory school age during the reporting school year on or before the Friday before the last Monday in May expressed as a percentage of the total number of possible attendances in that reporting school year.

- (3) For the purposes of this paragraph—
- (a) an “unauthorised absence” means an occasion on which a pupil is recorded as absent without authority pursuant to the Education (Pupil Registration) Regulations 1995(a) and “authorised absence” shall be construed accordingly;
 - (b) “the total number of possible attendances” means the number produced by multiplying the number of registered pupils of compulsory school age by the number of school sessions in the reporting school year on or before the Friday before the last Monday in May;
 - (c) a pupil is of compulsory school age unless before 1st September immediately preceding the reporting school year—
 - (i) he has not attained the age of five years, or
 - (ii) he has attained the age of sixteen years.

(4) Where a percentage required to be calculated by virtue of this paragraph is not a whole number, it shall be rounded to one decimal place.

(5) This paragraph does not apply in respect of boarding pupils.

16. This paragraph applies where the relevant information or particulars is published by the authority on behalf of the governing body pursuant to regulation 6(3).

SCHEDULE 4

Regulation 12

ORDER IN WHICH GCSE RESULTS OF PUPILS AGED 15 ARE TO BE MADE AVAILABLE AND SYLLABUSES COUNTING AS GCSE SYLLABUSES

English	All syllabuses entitled <i>English</i> which conform to the GCSE/fourth key stage Criteria for English.
Mathematics	All syllabuses entitled <i>Mathematics</i> which conform to the GCSE/fourth key stage Criteria for Mathematics.
Science	
Science single award	All combined or integrated science syllabuses entitled <i>Science: Single Award</i> which conform to the GCSE/fourth key stage Criteria for Science, which lead to a single GCSE award.
Science double award	All combined or integrated science syllabuses entitled <i>Science: Double Award</i> which conform to the GCSE/fourth key stage Criteria for Science, and which lead to two GCSE awards.
Biology	All syllabuses entitled <i>Biology</i> which conform to GCSE National Criteria for Biology.
Chemistry	All syllabuses entitled <i>Chemistry</i> which conform to GCSE National Criteria for Chemistry.
Physics	All syllabuses entitled <i>Physics</i> which conform to GCSE National Criteria for Physics.

(a) S.I. 1995/2089.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke and re-enact with amendments the Education (School Information) (England) Regulations 1998 as amended by the Education (School Information) (England) (Amendment) Regulations 1999 and the Education (School Information) (England) (Amendment) Regulations 2002 which they also revoke. However the 1998 regulations as amended will continue to apply for the publication school year ending in 2003.

The Regulations relate to information to be published by the governing bodies of maintained schools and local education authorities.

There are drafting changes, which include combining the provisions previously in Schedules 3 and 4 to the 1998 Regulations into one Schedule (Schedule 3), and changes arising from the nature of the powers in the substituted section 92 of the School Standards and Framework Act 1998. The main substantive changes to the Regulations are as follows.

Local education authorities are only required to publish details about admission arrangements in a composite prospectus (covered by Part 4 of the Regulations). The information published in the composite prospectus must contain detailed particulars of the admissions policy for each school (rather than a summary of the admissions policy) including particulars of arrangements for co-ordinated admissions and, where the admission number for a school is lower than the “indicated admission number”, the reasons (Schedule 2 paragraph 3). There are similar requirements for the school prospectus. (Schedule 3 paragraph 3).

These Regulations no longer contain the requirement that information about arrangements for appeals against admission decisions should (in addition to being published as part of the local education authority’s composite prospectus) be published in any document containing the notification to parents of an admission decision. This requirement is now contained in the Education (Admission Appeals Arrangements) (England) Regulations 2002 (SI 2002/2899).

Governing bodies are required to provide authorities with specified information to assist with publication of a composite prospectus (regulation 10).

The information to be published by authorities in respect of transport to and from schools and further education institutions applies only to pupils of compulsory school age and below (Schedule 1 paragraphs 6 and 16).

Local education authorities are not required to publish certain types of information if that information is also published in the composite prospectus (regulation 7(5)). The composite prospectus however is to include information as to where and by what means parents may access sources of general information relating to the school (Schedule 2 paragraph 7).

Copies of the guidance Assessing the Net Capacity of Schools referred to in the definition of “indicated admission number” in regulation 3(1) can be obtained from DfES Publications, PO Box 5050, Sherwood Park, Annesley, Nottingham NG15 0DJ (email dfes@prolog.uk.com).

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