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STATUTORY INSTRUMENTS

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**2005 No. 2152**

**EDUCATION, ENGLAND**

**The Education (School Information)  
(England) (Amendment) Regulations 2005**

*Made* - - - - *29th July 2005*  
*Laid before Parliament* *10th August 2005*  
*Coming into force* - - *1st September 2005*

In exercise of the power conferred on the Secretary of State by sections 408, 537, and 569(4) and (5) of the Education Act 1996(1), sections 92 and 138(1) of the School Standards and Framework Act 1998(2), and after consultation with such persons as appeared to her to be desirable, the Secretary of State for Education and Skills makes the following Regulations:

**Citation, commencement and interpretation**

1. These Regulations may be cited as the Education (School Information) (England) (Amendment) Regulations 2005 and shall come into force on 1st September 2005.
2. In these Regulations—  
“the principal regulations” means the Education (School Information) (England) Regulations 2002(3).

**Amendment of the principal regulations**

3. In the principal regulations—
  - (a) in regulation 3(1) omit the following definitions—  
“the 2000 Act”;  
“assess”;  
“associated documents”;

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(1) 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 sections are exercisable by the Secretary of State only in relation to England. Section 408(1) was amended by the Education Act 1997 (c. 44), section 57(1), Schedule 7, paragraph 30, the Learning and Skills Act 2000 (c.21), section 149, Schedule 9, paragraphs 1 and 57, and the Education Act 2002 (c. 32), section 215(1), Schedule 21, paragraph 46; and section 537(1) was amended by the School Standards and Framework Act 1998 (c. 31), section 140(1), Schedule 30, paragraphs 57 and 152.

(2) 1998 c. 31; by virtue of the National Assembly for Wales (Transfer of Functions) Order 1999 (SI 1999/672) the powers conferred by these provisions are exercisable by the Secretary of State only in relation to England. Section 92 was amended by the Education Act 2002, section 51, Schedule 4, paragraph 7.

(3) SI 2002/2897, as amended by the Education (Amendments to Regulations Requiring the Publication of Pupil Performance Information) (England) Regulations 2005 (SI 2005/845).

- “core subjects”;  
 “GCE “A” level examinations” and “GCE “AS” examinations”;  
 “GCSE”;  
 “GNVQ”;  
 “IT Key Skills Unit”;  
 “national average figures”;  
 “national summary figures”;  
 “NC tasks”;  
 “NC tests”;  
 “the statutory arrangements”;  
 “teacher assessment”;  
 “unit”;  
 “VCE”; and  
 “vocationally related qualification”,  
 and omit the words “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”;
- (b) in regulation 3 omit paragraphs (3), (5), (6) and (7);  
 (c) omit regulation 5;  
 (d) in regulation 6 omit paragraphs (3) and (4);  
 (e) omit regulations 11, 12 and 13;  
 (f) for regulation 14(1) substitute—  
     “(1) The governing body of a maintained school shall publish—  
         (a) the report containing special needs information referred to in section 317(5) of the Education Act 1996(4), and  
         (b) any other general information relating to that school which they may decide to publish,  
     as a single document identified as the school prospectus.”;
- (g) for regulation 14(2) substitute—  
     “(2) Copies of the school prospectus shall be made available at the school for distribution without charge to parents on request and for reference by parents and other persons.”;
- (h) omit Schedules 3 and 4.

### **Transitional Provisions**

4.—(1) Where, before the coming into force of these Regulations, the governing body of a maintained school has published a school prospectus in respect of the publication school year 2005/2006 in accordance with the principal regulations, nothing in these Regulations shall require such governing body to publish a further school prospectus in respect of that publication school year.

(2) For the purposes of this regulation—

“the publication school year” has the same meaning as in the principal regulations.

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(4) Section 317 was amended by the Education Act 2005 (c. 18), section 117, Schedule 18, paragraph 2.

29th July 2005

*Jacqui Smith*  
Minister of State  
Department for Education and Skills

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations make amendments to the Education (School Information) (England) Regulations 2002 (“the principal regulations”) in relation to the information that the governing bodies of maintained schools are obliged to publish in the school prospectus. The Regulations come into force on 1st September 2005.

Regulation 3(c) amends the principal regulations to remove the duty on the head teacher to make certain information available to the governing body.

Regulation 3(f) amends the principal regulations to provide that the governing body must publish the special educational needs report referred to in section 317(5) of the Education Act 1996 (“the SEN report”) and any other general information relating to the school which they may decide to publish as a single document identified as the school prospectus. The effect of this provision and paragraphs (e) and (h) of regulation 3 is that the only statutory requirement as to the contents of the school prospectus is the SEN report. The remainder of regulation 3 provides for amendments to the principal regulations consequential upon paragraphs (e), (f) and (h) of regulation 3.

Regulation 4 provides that the governing bodies of maintained schools which, before the coming into force of these Regulations, have already published a school prospectus in respect of the publication school year 2005/2006 in accordance with the principal regulations are not required by these Regulations to publish a further school prospectus in respect of the same publication school year.