
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe the supply of individual data items about children receiving education which is funded by the local authority outside mainstream schools, usually referred to as alternative provision. This could include education at an independent school. The providers of such education must supply such information to either the Secretary of State or the local authority which is funding such education, when required to do so.

Regulation 6 stipulates the items of individual information to be supplied.

Regulation 8 authorises the provision of such data to various prescribed bodies either by the Secretary of State, by a body responsible for collating information for him in connection with his functions in regard to alternative provision or by a local authority.

Regulation 9 prescribes that the relevant local authority or provider of alternative provision may be provided with individual information.

Regulation 10 stipulates the categories of bodies to which the Secretary of State can supply individual information.

A partial regulatory impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is available from the Department for Education and Skills, Great Smith Street, London SW1P 3BT and is annexed to the Explanatory Memorandum which is available alongside the instrument on the website of the Office of Public Sector Information, www.opsi.gov.uk.

A full regulatory impact assessment is to be prepared following a pilot collection of data.

The Special Educational Needs Code of Practice, referred to in regulation 2, can be accessed at the following link—

<http://www.teachernet.gov.uk/docbank/index.cfm?id=3724>