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STATUTORY INSTRUMENTS

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**2007 No. 2260**

**The Education (Supply of Information about the School Workforce) (No.2) (England) Regulations 2007**

**Citation and Commencement**

1.—(1) These Regulations may be cited as the Education (Supply of Information about the School Workforce) (No.2) (England) Regulations 2007 and come into force on 1<sup>st</sup> September 2007.

(2) These Regulations apply in relation to schools and authorities in England.

**Revocation**

2. The Education (Supply of Information about the School Workforce) (England) Regulations 2007(1) are revoked.

**Interpretation**

3.—(1) In these Regulations—

“the 1996 Act” means the Education Act 1996(2);

“the 2002 Act” means the Education Act 2002(3);

“the 2005 Act” means the Education Act 2005;

“the 2003 Regulations” means the Education (Specified Work and Registration) (England) Regulations 2003(4);

“the 2007 Regulations” means the Education (Supply of Information about the School Workforce) (England) Regulations 2007;

“A level” means the General Certificate of Education advanced level examination;

“authority” means a children’s services authority in England;

“census date” means the date specified in a request for information made under these Regulations;

“census period” means the period specified in a request for information made under these Regulations;

“the Document” means a document by reference to which provision for the remuneration and other conditions of employment of school teachers is made in an order made by the Secretary of State under section 122 of the 2002 Act;

“qualified teacher” means a teacher who is qualified in accordance with section 132 of the 2002 Act; and

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(1) [S.I. 2007/1264](#).

(2) [1996 c. 56](#).

(3) [2002 c. 32](#).

(4) [S.I. 2003/1663](#), as amended by [S.I. 2007/2117](#).

“teacher” means a person who provides primary or secondary education under a contract of employment or for service and where the contract requires him to carry out work of a kind which is specified by regulations under section 133(1) of the 2002 Act.

(2) In these Regulations, a “teaching assistant” means a person who carries out work under paragraph 10 of Schedule 2 to the 2003 Regulations.

#### **Persons to whom a school proprietor or an authority may be required to supply information**

4. For the purposes of section 114(2)(c) of the 2005 Act, an authority is a prescribed person.

#### **Provision of information to authorities by schools maintained by them**

5. On receiving a request from the authority by which a school is maintained, the proprietor of that school must provide to that authority such information referred to in Schedule 1 to these Regulations as is so requested concerning each qualifying worker or qualifying trainee employed at or otherwise engaged to work at that school.

#### **Provision of information by authorities to the Secretary of State**

6. Within twenty-seven days of receiving a request from the Secretary of State, an authority must provide him such information referred to in Schedule 1 as has been supplied to that authority under regulation 5 or concerning each qualifying worker or qualifying trainee employed or otherwise engaged by that authority, as is so requested.

#### **Provision of information by Academies, city technology colleges and city colleges for the technology of the arts to the Secretary of State**

7. Within twenty-seven days of receiving a request from the Secretary of State, the proprietor of an Academy, a city technology college or a city college for the technology of the arts must provide him such of the information referred to in Schedule 1 to these Regulations as is so requested in respect of qualifying workers or qualifying trainees employed or otherwise engaged to work at that school.

#### **Persons to whom the Secretary of State may supply information for qualifying purposes**

8.—(1) For the purposes of section 114(3) of the 2005 Act, the persons referred to in paragraph (2) are prescribed persons.

(2) The persons referred to in paragraph (1) are—

- (a) the Local Government Association;
- (b) Her Majesty’s Chief Inspector of Education, Children’s Services and Skills;
- (c) the Qualifications and Curriculum Authority<sup>(5)</sup>;
- (d) the Learning and Skills Council for England<sup>(6)</sup>;
- (e) the Audit Commission for Local Authorities and the National Health Service in England and Wales<sup>(7)</sup>;
- (f) the National College for School Leadership<sup>(8)</sup>;

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(5) The Qualifications and Curriculum Authority was established by section 21 of the Education Act 1997 (c. 44).

(6) The Learning and Skills Council for England was established by section 1 of the Learning and Skills Act 2000 (c. 21).

(7) The Audit Commission was established by section 11 of the Local Government Act 1982 (c. 32) and continued by section 1 of the Audit Commission Act 1998 (c. 18).

(8) The National College for School Leadership is a private company limited by guarantee registered in England and Wales, company number 04014904.

- (g) the Office of Manpower Economics<sup>(9)</sup>;
- (h) the Training and Development Agency for Schools<sup>(10)</sup>;
- (i) the General Teaching Council for England<sup>(11)</sup>;
- (j) an authority;
- (k) Service Children’s Education<sup>(12)</sup>;
- (l) the proprietor of a school; and
- (m) persons conducting research relating to qualifying workers or qualifying trainees which may be expected to be of public benefit.

(3) The Secretary of State may provide information referred to in Schedule 1 to these Regulations in respect of persons who are or have been qualifying workers or qualifying trainees to any person prescribed in paragraph (2).

### **Supply by the Secretary of State of information to persons who lawfully held or could have required the supply of that information**

9.—(1) For the purposes of section 114(6) of the 2005 Act, the persons referred to in paragraph (2) are prescribed persons.

(2) The persons referred to in paragraph (1) are—

- (a) an authority;
- (b) the proprietor of the school at which—
  - (i) the qualifying worker works or is due to start working;
  - (ii) the qualifying trainee is training or is due to start training;
- (c) the General Teaching Council for England;
- (d) the Training and Development Agency for Schools; and
- (e) Her Majesty’s Chief Inspector of Education, Children’s Services and Skills.

(3) The Secretary of State may provide information in respect of persons who are or have been qualifying workers or qualifying trainees to any person prescribed in paragraph (2).

### **Prohibition on further disclosure**

10. No person to whom information is supplied by virtue of these Regulations may further disclose that information other than pursuant to an order of the court, an enactment or rule of law.

### **Effect of section 497 of the 1996 Act**

11. Section 497 of the 1996 Act is, in relation to the duties imposed by these Regulations to have effect as if the reference in subsection (2)(a) of that section to a local education authority were a reference to an authority.

### **Saving provision**

12. Despite the revocation in regulation 2, a request made pursuant to regulation 4, 5 or 6 of the 2007 Regulations is treated for the purposes of these Regulations as a request made pursuant to 5, 6

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(9) The Office of Manpower Economics is an Agency of the Department for Business, Enterprise and Regulatory Reform.

(10) The Training and Development Agency for Schools was established originally as The Teacher Training Agency by section 1 of the Education Act 1994 (c. 30) and was renamed by section 74 of the Education Act 2005 (c. 18).

(11) The General Teaching Council for England was established by section 1 of the Teaching and Higher Education Act 1998 (c.30).

(12) Service Children’s Education is part of the Ministry of Defence.

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

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or 7 of these Regulations respectively, and information received by any person pursuant to the 2007 Regulations may be processed as if it had been received pursuant to these Regulations.

26th July 2007

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