
EXPLANATORY NOTE

(This note is not part of these Regulations)

These Regulations, which apply to England, impose requirements on schools and children’s services authorities in England to supply information relating to qualifying workers or qualifying trainees (as defined). They replace the Education (Supply of Information about the School Workforce) (England) (Regulations) 2007 which are revoked by this instrument.

Regulation 5 requires the governing body of any maintained school, on receiving a written request from the authority by which the school is maintained, to supply such of the information referred to in Schedule 1 as may be requested to a children’s services authority (an “authority”), which is prescribed for this purpose (regulation 4). There is a similar duty in regulation 6 which requires authorities to supply to the Secretary of State information requested by him.

Regulation 7 imposes duties on the proprietor of any Academy, city technology college or city college for the technology of the arts, on receiving a written request from the Secretary of State, to supply such of the information referred to in Schedule 1 as may be requested.

Regulation 8 prescribes the persons to whom the Secretary of State, for the purposes of section 114(3) of the Act, is authorised to supply information. Such persons include schools, children’s services authorities and the General Teaching Council for England. The information may only be used for a qualifying purpose as specified in section 114(5) of the Education Act 2005.

Regulation 9 prescribes the persons to whom the Secretary of State, for the purposes of section 114(6) of the Act, is authorised to supply information.

Regulation 10 forbids the further disclosing of information by any person to whom information has been supplied under these Regulations, subject to the exceptions of where the information is supplied pursuant to a court order, or under a provision of an Act or statutory instrument, or a rule of law.

Regulation 11 allows the Secretary of State to make an order for enforcing the performance of a duty imposed upon an authority or person where it has failed in respect of that duty.

An 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 Children, Schools and Families, Great Smith Street, London SW1P 3BT and is annexed to the Explanatory Memorandum which is available alongside on the website of the Office of Public Sector Information, www.opsi.gov.uk.