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STATUTORY INSTRUMENTS

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**2011 No. 1438**

**EDUCATION, ENGLAND**

**The Information as to Provision of Education  
(England) (Amendment) Regulations 2011**

<i>Made</i>	- - - -	<i>7th June 2011</i>
<i>Laid before Parliament</i>		<i>10th June 2011</i>
<i>Coming into force</i>	- -	<i>6th July 2011</i>

The Secretary of State for Education makes the following Regulations in exercise of the powers conferred by sections 29(3) and 569(4) of the Education Act 1996<sup>(1)</sup>:

**Citation and commencement**

1. These Regulations may be cited as the Information as to Provision of Education (England) (Amendment) Regulations 2011 and come into force on 6th July 2011.

**Amendment of the Information as to Provision of Education (England) Regulations 2008**

2. The Information as to Provision of Education (England) Regulations 2008<sup>(2)</sup> are amended as follows.

3. In regulation 4, for “4th August” substitute “27th August”.
4. In the heading to Schedule 1, for “4th August” substitute “27th August”.
5. In Schedule 1—
  - (a) in paragraphs 1 and 6—
    - (i) for “January” substitute “May”; and
    - (ii) after “each” insert “Academy located in the area of the authority and in each”;
  - (b) paragraph 2 is revoked;
  - (c) in paragraph 3, for the words from “A forecast of the number of registered pupils” to “each school year over- ” substitute—

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(1) 1996 c.56. See section 579(1) for the definitions of “prescribed” and “regulations”. Section 29(3) is amended by paragraph 67 of Schedule 30 to the School Standards and Framework Act 1998 (c.31).  
(2) S.I. 2008/4, as amended by S.I. 2008/3089, 2009/1556 and 2010/1836.

“Forecasts of the number of registered pupils in respect of each school year, for whom primary education will be provided and for whom secondary education will be provided, in Academies located in the area of the authority and in community, foundation and voluntary schools maintained by the authority, on 1st January in each school year, for—”;

- (d) in paragraph 4, for the words from “a forecast for each district” to “each school year for” substitute—

“forecasts for each district of the number of registered pupils in respect of each school year, firstly for whom primary education will be provided and secondly for whom secondary education will be provided, in Academies located in the area of the authority and in community, foundation and voluntary schools maintained by the authority, on 1st January in each school year, for—”;

- (e) for paragraph 7, substitute—

“7. The admission numbers, for the school year in which the information is provided to the Secretary of State, for each age group or groups to which pupils are normally admitted to the school, in respect of each—

- (a) Academy located in the area of the authority, and
- (b) community, foundation and voluntary school maintained by the authority.”;

- (f) after paragraph 7, insert—

“8. An estimate of any expected future level of shortfall of places in any—

- (a) Academy located in the area of the authority,
- (b) community, foundation or voluntary school maintained by the authority, or
- (c) geographical area within the area of authority,

together with details of any action planned by the authority or any other body to secure additional capacity, and the date by which such action is planned to be completed.

9. A statement about any other expected changes of capacity in any—

- (a) Academy located in the area of the authority,
- (b) community, foundation or voluntary school maintained by the authority, or
- (c) area within the area of the authority.”

7th June 2011

*Nick Gibb*  
Minister of State  
Department for Education

## **EXPLANATORY NOTE**

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

These Regulations amend the Information as to Provision of Education (England) Regulations 2008, which prescribe the information that local authorities are required each year to provide to the Secretary of State in relation to the provision of primary and secondary education in their area. They change the date by which information must be provided to the Secretary of State, extend the requirement for certain information about maintained schools to Academies, and remove the requirement to provide information about surplus places. They insert a requirement to provide information about admission numbers, estimates of expected level of shortfall of places, and details of other expected changes of capacity, and make other minor changes.