

2012 No. 1554

EDUCATION, ENGLAND

**The Information as to Provision of Education (England)
(Amendment) Regulations 2012**

<i>Made</i> - - - -	<i>18th June 2012</i>
<i>Laid before Parliament</i>	<i>22nd June 2012</i>
<i>Coming into force</i> - -	<i>16th July 2012</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(a):

Citation and commencement

1. These Regulations may be cited as the Information as to Provision of Education (England) (Amendment) Regulations 2012 and come into force on 16th July 2012.

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

2.—(1) The Information as to Provision of Education (England) Regulations 2008(b) are amended as follows.

(2) In regulation 3—

- (a) in respect of the definition of “admission number”, for “89A” substitute “88D”(c), and
- (b) after the definition of “offer” insert—

““pupil planning area” means an area within the area of a local authority which is used by that authority for the purposes of assessing current and future pupil demand for school provision;”.

(3) In regulation 4 and the heading of Schedule 1, for “27th” substitute “10th”.

(4) In Schedule 1—

(a) in paragraph 1—

(i) for the words “pupils in” to the end substitute—

“pupils in—

(a) all such schools which are primary schools and all such schools which are secondary schools; and

(a) 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, and Schedule 31, to the School Standards and Framework Act 1998 (c.31), and S.I. 2010/1158.
(b) S.I. 2008/4. Relevant amending instruments are S.I. 2008/3089 and S.I. 2011/1438. There are other amendments not relevant to these Regulations.
(c) Section 88D of the School Standards and Framework Act 1998 (c.31) was inserted by section 151(1) and (4) of the Education and Skills Act 2008 (c.25).

- (b) all schools within each pupil planning area (if any).”;
- (b) paragraph 3 is to stand as paragraph 3(1) and after that paragraph insert—
 - “(2) The information in paragraph 3(1) must be provided in relation to—
 - (a) the area of the authority; and
 - (b) each pupil planning area (if any).”;
- (c) in paragraph 6—
 - (i) for the words “on that third Thursday,” to the end substitute—
 - “on that third Thursday—
 - (a) of all such primary schools and all such secondary schools; and
 - (b) of all schools within each pupil planning area (if any).”;
- (d) after paragraph 6 insert—
 - “**6A.** Forecasts of the total capacity of the primary schools and secondary schools described in paragraph 6 within each pupil planning area (if any) for a two year period commencing on the third Thursday in May in the year in which the information is provided to the Secretary of State.”;
- (e) paragraph 7 is to stand as paragraph 7(1) and after that paragraph insert—
 - “(2) The total admission numbers described in paragraph 7(1) for all such schools within each pupil planning area (if any).”;
- (f) after paragraph 7 insert—
 - “**7A.**—(1) The number of pupils, for the school year in which the information is provided to the Secretary of State, for each age group (except those age groups described in paragraph 7) which is used to determine the capacity to admit new pupils to those age groups, in respect of each—
 - (a) Academy located in the area of the authority; and
 - (b) community, foundation and voluntary school maintained by the authority.
 (2) The total number described in paragraph 7A(1) for all such schools within each pupil planning area (if any).”;
- (g) for paragraph 8(c) substitute—
 - “(c) pupil planning area or, where pupil planning areas are not used by the authority, any geographical area within the area of the authority.”;
- (h) for paragraph 9(c) substitute—
 - “(c) pupil planning area or, where pupil planning areas are not used by the authority, any area within the area of the authority.”;
- (i) after paragraph 9 insert—
 - “**10.** When an authority provides information for pupil planning areas in accordance with this Schedule, it must inform the Secretary the State of any changes made to any pupil planning area within the authority’s area from the previous year.”.

18th June 2012

Jonathan Hill
Parliamentary Under Secretary 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 (S.I. 2008/4), 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. These Regulations change the date by which information must be provided to the Secretary of State from 27th August to 10th August and extend the requirement to provide certain information to pupil planning areas where local authorities divide their area for the purposes of assessing current and future pupil demand and school capacity. These Regulations additionally require local authorities to provide forecasts of the total capacity of primary and secondary schools in each of their pupil planning areas, and to provide the admission numbers in schools for each age group and the total such numbers within each pupil planning area. Where a local authority has changed their pupil planning areas from the previous year, they must inform the Secretary of State of the changes.

An impact assessment has not been produced for this instrument as it has no impact on businesses and civil society organisations.

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STATUTORY INSTRUMENTS

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