

2013 No. 1193

EDUCATION, ENGLAND

The Education (Individual Pupil Information) (Prescribed Persons) (England) (Amendment) Regulations 2013

<i>Made</i> - - - -	<i>20th May 2013</i>
<i>Laid before Parliament</i>	<i>29th May 2013</i>
<i>Coming into force</i> - -	<i>28th June 2013</i>

The Secretary of State for Education makes the following Regulations in exercise of the powers conferred by section 537A(4), (5) and (6) of the Education Act 1996(a):

Citation and commencement

1. These Regulations may be cited as the Education (Individual Pupil Information) (Prescribed Persons) (England) (Amendment) Regulations 2013 and come into force on 28th June 2013.

Amendment of the Education (Individual Pupil Information) (Prescribed Persons) (England) Regulations 2009

2.—(1) The Education (Individual Pupil Information) (Prescribed Persons) (England) Regulations 2009(b) are amended as follows.

(2) In regulation 3 (prescribed persons)—

(a) in paragraph (5)—

(i) omit sub-paragraph (q),

(ii) after sub-paragraph (v), insert—

“(w)where a school is designated under section 69(3) of the School Standards and Framework Act 1998(c) as having a religious character—

(i) in the case of a school designated as Church of England or Roman Catholic, the appropriate diocesan authority(d),

(ii) in the case of a school designated as Jewish, the Jewish Studies Education Inspection Service,

(iii) in the case of a school designated as Methodist, the Education Secretary to the Methodist Church,

(a) 1996 c. 56. Section 537A was inserted by section 20 of the Education Act 1997 (c.44) and substituted by section 140(1) of, and paragraph 153 of Schedule 30 to, the Schools Standards and Framework Act 1998 (c.31). See section 579 of the Education Act 1996 for the definitions of “prescribed” and “regulations”.

(b) S.I. 2009/1563 as amended by S.I. 2010/677, 2010/1940, 2012/765, 2012/956, 2012/979 and 2013/235.

(c) 1998 c.31 (“the 1998 Act”). Section 124B of the 1998 Act applies section 69(3) to independent schools.

(d) See section 142 of the 1998 Act for the definition of “appropriate diocesan authority”.

- (iv) in the case of a school designated as Muslim, the Association of Muslim Schools,
 - (v) in the case of a school designated as Sikh, the Network of Sikh Organisations,
 - (vi) in the case of a school designated as Seventh Day Adventist, the Education Department of the British Union Conference of the Seventh Day Adventists.”
- (b) in paragraph (6) for sub-paragraph (d), substitute—
- “(d) persons who, for the purpose of promoting the education or well-being of children in England are—
 - (i) conducting research or analysis,
 - (ii) producing statistics, or
 - (iii) providing information, advice or guidance,
- and who require individual pupil information for that purpose(a);”.

20th May 2013

Michael Gove
Secretary of State
Department for Education

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make amendments to regulation 3 of the Education (Individual Pupil Information) (Prescribed Persons) (England) Regulations 2009 (“the 2009 Regulations”), and come into force on 28th June 2013.

Regulation 3 of the 2009 Regulations prescribes persons and categories of person to whom individual pupil information may be provided. It is amended to omit the reference to the British Educational Communications and Technology Agency (Becta); to prescribe various bodies in respect of schools designated as having a religious character; and to prescribe a category of person carrying out specified activities and who require individual pupil information for the purpose of promoting the education or well-being of children in England.

No impact assessment has been produced for this instrument because no significant impact on business, civil society organisations or the public sector is foreseen.

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- (a) For the purposes of these Regulations, ‘well-being’ has the meaning referred to in sections 332E and 507B of the Education Act 1996 in relation to those sections. Section 332E was inserted by section 1 of the Special Educational Needs (Information) Act 2008 (c.11) and section 507B was inserted by section 6(1) of the Education and Inspections Act 2006 (c.40).

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