



Education Act 1996

1996 CHAPTER 56

PART IX

ANCILLARY FUNCTIONS

CHAPTER IV

PROVISION OF INFORMATION BY GOVERNING BODIES ETC.

[^{F1}537A Provision of information about individual pupils.

- (1) Regulations may make provision requiring—
 - (a) the governing body of every school which is—
 - (i) maintained by a [^{F2}local authority], or
 - (ii) a special school which is not maintained by such an authority, and
 - (b) the proprietor of every
[independent school, [^{F4}or
^{F3}(i)
(ii) alternative provision Academy that is not an independent school,]
to provide to the relevant person such individual pupil information as may be prescribed.
- (2) In subsection (1) “the relevant person” means one or more of the following—
 - (a) the Secretary of State, and
 - (b) any prescribed person.
- (3) Where any person within paragraph (b) of subsection (2) receives information by virtue of subsection (1), the Secretary of State may require that person to provide any such information—
 - (a) to him, or
 - (b) to any prescribed person.

Status: Point in time view as at 01/04/2012.

Changes to legislation: Education Act 1996, Section 537A is up to date with all changes known to be in force on or before 22 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (4) The Secretary of State may provide any individual pupil information—
- (a) to any information collator,
 - (b) to any prescribed person, or
 - (c) to any person falling within a prescribed category.
- (5) Any information collator—
- (a) may provide any individual pupil information—
 - (i) to the Secretary of State,
 - (ii) to any other information collator, or
 - (iii) to the governing body or proprietor of the school attended by the pupil or pupils to whom the information relates; and
 - (b) may, at such times as the Secretary of State may determine, provide such individual pupil information as may be prescribed—
 - (i) to any prescribed person, or
 - (ii) to any person falling within a prescribed category.
- (6) Any person holding any individual pupil information (other than the Secretary of State or an information collator) may provide that information to—
- (a) the Secretary of State,
 - (b) any information collator, or
 - (c) any prescribed person.
- (7) No information received under or by virtue of this section shall be published in any form which includes the name of the pupil or pupils to whom it relates.
- (8) Regulations under this section may provide that, in such circumstances as may be prescribed, the provision of information to a person other than the Secretary of State is to be treated, for the purposes of any provision of such regulations or this section, as compliance with any requirement imposed by or by virtue of any such provision and relating to the provision of information to the Secretary of State.
- (9) In this section—
- “individual pupil information” means information relating to and identifying individual pupils or former pupils at any school within subsection (1), whether obtained under subsection (1) or otherwise;
- “information collator” means any body which, for the purposes of or in connection with the functions of the Secretary of State relating to education, is responsible for collating or checking information relating to pupils.]

Textual Amendments

- F1** S. 537A substituted (20.11.1998 with savings as mentioned in art. 5 of the S.I. 1998/2791) by 1998 c. 31, s. 140(1), **Sch. 30 para.153** (with ss. 138(9), 144(6)); S.I. 1998/2791, **arts.3, 5**
- F2** Words in Act substituted (5.5.2010) by **The Local Education Authorities and Children’s Services Authorities (Integration of Functions) Order 2010** (S.I. 2010/1158), **Sch. 2 para. 7(2)** (with Sch. 2 para. 7(4)(5))
- F3** Words in s. 537A(1)(b) renumbered as s. 537A(1)(b)(i) (1.4.2012) by **The Alternative Provision Academies (Consequential Amendments to Acts) (England) Order 2012** (S.I. 2012/976), art. 1, **Sch. para. 7** (with art. 3)

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- F4** S. 537A(1)(b)(ii) and word inserted (1.4.2012) by [The Alternative Provision Academies \(Consequential Amendments to Acts\) \(England\) Order 2012 \(S.I. 2012/976\)](#), art. 1, **Sch. para. 7** (with art. 3)

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