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STATUTORY INSTRUMENTS

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**1990 No. 1381**

**EDUCATION, ENGLAND AND WALES**

**The Education (Individual Pupils'  
Achievements) (Information) Regulations 1990**

<i>Made</i>	- - - -	<i>9th July 1990</i>
<i>Laid before Parliament</i>		<i>10th July 1990</i>
<i>Coming into force</i>	- -	<i>1st August 1990</i>

In exercise of the powers conferred on the Secretary of State by sections 22(1) and 232(5) of the Education Reform Act 1988<sup>(1)</sup>, and after consulting with those persons with whom consultation appeared to them to be desirable, the Secretary of State for Education and Science, as respects England, and the Secretary of State for Wales, as respects Wales, hereby make the following Regulations:

**Citation**

1. These Regulations may be cited as the Education (Individual Pupils' Achievements) (Information) Regulations 1990 and shall come into force on 1st August 1990.

**Definitions**

2.—(1) In these Regulations—

“the Act” means the Education Reform Act 1988;

“key stage” means any of the periods set out in paragraphs (a) to (d) respectively of section 3(3) of the Act, and a reference to the fourth key stage is a reference to the period set out in section 3(3)(d) of the Act;

“levels of attainment” means the levels set out in any document of a kind referred to in section 4(4) of the Act the provisions of which have effect, or (as the case may be) have effect as amended, by virtue of any Order made under section 4(2)(a) or (b) of the Act;

“maintained school” has the meaning assigned to it by section 25(1) of the Act;

“profile component” means any grouping of attainment targets for the purposes of the statutory arrangements;

“school day” means a day on which the school meets; and

“the statutory arrangements” means assessment arrangements specified by orders made under section 4(2)(c) of the Act.

(2) In these Regulations, unless the context otherwise requires, any reference to a numbered regulation is a reference to the regulation bearing that number in these Regulations and any reference in a regulation to a numbered paragraph is to the paragraph of that regulation bearing that number.

### **General duty of head teacher**

3.—(1) The head teacher of every maintained school shall make available in writing to the parent of each registered pupil at the school the information relating to that pupil’s educational achievements specified in regulation 4.

(2) That information shall be made available at the times and in the manner specified in regulation 5.

### **Information to be provided to parents**

4.—(1) The information required to be made available by regulation 3 is—

- (a) where the pupil is in the final year of a key stage in any foundation subject in relation to which attainment targets and programmes of study are specified, and his achievements in that subject have been assessed in accordance with the statutory arrangements—
  - (i) the pupil’s level of attainment in the subject and in each profile component of the subject so assessed;
  - (ii) a statement that the levels have been so assessed;
  - (iii) where the pupil has been exempted from any attainment target, a statement to that effect referring to the target; and
  - (iv) the name of any subject in which the pupil has been awarded the General Certificate of Secondary Education and of any other qualification awarded to him in reliance (in either case) on his assessment in accordance with the statutory arrangements;
- (b) where the pupil is in a year (other than the final year) of a key stage in any foundation subject in relation to which year attainment targets and programmes of study are specified, brief particulars of his achievements in that subject;
- (c) in any year in which sub-paragraph (a) or (b) applies to a pupil, brief particulars of his achievements in any foundation subject which is required by the National Curriculum to be taught to him for a reasonable time by virtue of section 10(2)(a) and (3) of the Act and in any other subject or activity which forms part of the school curriculum; and
- (d) where the pupil is over compulsory school age and is not in any year of any key stage, brief particulars of his achievements in any subject or activity which forms part of the school curriculum.

(2) The brief particulars referred to in paragraph (1)(b) and (d) shall include the results of any public examination taken by the pupil for which he was prepared by the school in the school year to which the information relates, and where the brief particulars referred to in paragraph (1)(b) include references to the pupil’s levels of attainment they shall contain a statement that those levels have not been assessed in accordance with the statutory arrangements.

(3) In paragraph (1)(a)(iii) a reference to a pupil who has been exempted from any attainment target is a reference to a pupil to whom any attainment target does not apply or applies with modifications (as the case may be) by virtue of—

- (a) regulations made under section 17 of the Act; or

(b) provision made pursuant to section 18 of the Act in the pupil's statement of special educational needs made under section 7 of the Education Act 1981<sup>(2)</sup>; or

(c) a direction given by a head teacher pursuant to regulations made under section 19 of the Act<sup>(3)</sup>.

(4) In this regulation "specified" means specified for the time being by an order made under section 4(2)(a) and (b) of the Act.

### **Time and manner of provision of information**

5.—(1) Subject to paragraphs (2) and (3) the head teacher shall send the information (whether by post or otherwise) to the pupil's parent not later than 31st July in each year immediately following the end of the school year to which the information relates.

(2) Where the head teacher receives information after 31st July in any year consisting of the results of public examinations taken by a pupil at the school during the school year immediately preceding that date, he shall send that information (whether by post or otherwise) as soon as reasonably practicable to the parent of that pupil.

(3) In the case of a pupil who is at the end of the fourth key stage or who is over compulsory school age and not in any year of any key stage, paragraph (1) shall have effect with the substitution of "30th September" for "31st July".

### **Additional information to be made available to parents in certain cases**

6.—(1) Subject to paragraph (2) it shall be the duty of the head teacher, in the case of a pupil mentioned in regulation 4(1)(a), to disclose to that pupil's parent, when requested to do so by that parent, the relevant data, and to make available to the parent without charge a copy of those data.

(2) The head teacher shall comply with any request pursuant to paragraph (1) within fifteen school days of its receipt by him or, if the request is received on a day which is not a school day, within fifteen school days of the first school day following the day on which he received the request.

(3) In paragraph (1) "the relevant data" means the levels of attainment achieved by the pupil in each attainment target in any foundation subject in respect of which the pupil has been assessed in accordance with the statutory arrangements.

9th July 1990

*John MacGregor*  
Secretary of State for Education and Science

9th July 1990

*David Hunt*  
Secretary of State for Wales

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(2) 1981 c. 60

(3) The Regulations in force at the date these Regulations are made are the Education (National Curriculum) (Temporary Exceptions for Individual Pupils) Regulations 1989 (S.I.1989/1181).

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## EXPLANATORY NOTE

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

These Regulations, made under section 22 of the Education Reform Act 1988 (“the Act”), require head teachers of schools maintained by local education authorities and of grant-maintained schools to provide information about individual pupils' educational achievements to parents of the pupils, including pupils over compulsory school age.

If a pupil is in the final year of a key stage in a foundation subject of the National Curriculum for which attainment targets and programmes of study have been specified by an order made under section 4, the information consists of the summary results of any assessment of the pupil in that subject in accordance with assessment arrangements specified by an order made under section 4 of the Act (regulation 4(1)(a)), together with brief particulars of his achievements in any foundation subject which is required to be taught to him for a reasonable time and in any other subject or activity forming part of the school curriculum (regulation 4(1)(c)).

If the pupil is in another year of a key stage of a foundation subject for which attainment targets and programmes of study have been specified, or if he is required to be taught a foundation subject for a reasonable time, the information consists of brief particulars of the pupil's achievements in those subjects, and of his achievements in other school subjects and activities, including the results of any public examinations he or she has taken (regulation 4(1)(b) and (c) and (2)).

If a pupil has been excepted from any National Curriculum attainment target the head teacher is required to provide that information (regulation 4(1)(a)(iii) and (3)).

In the case of pupils over compulsory school age the information consists of brief particulars of his achievements in school subjects and activities and any public examination results (regulation 4(1)(d) and (2)).

The information must be sent to parents by 31st July (regulation 5(1)) except for pupils at the end of key stage 4 or over compulsory school age in which case the relevant date is 30th September (regulation 5(3)). If the head teacher receives public examination results after 31st July he must send these to parents as soon as reasonably practicable (regulation 5(2)).

The head teacher is required to provide, on request by a parent, details of a pupil's level of attainment for each attainment target where the pupil has been assessed in accordance with arrangements specified by a section 4 order (regulation 6).