

---

STATUTORY INSTRUMENTS

---

**1991 No. 1658**

**The Education (School Curriculum and Related Information) (Wales) Regulations 1991**

**Citation, commencement, application and revocation**

**1. –**

(1) These Regulations may be cited as the Education (School Curriculum and Related Information) (Wales) Regulations 1991 and shall come into force on 12th August 1991.

(2) These Regulations apply to schools in Wales only.

(3) These Regulations do not apply in relation to nursery schools.

(4) The Education (School Information) Regulations 1981(1) are hereby revoked insofar as they apply to Wales.

**Interpretation**

**2. –**

(1) In these Regulations:–

“the 1986 Act” means the Education (No. 2) Act 1986(2);

“the 1988 Act” means the Education Reform Act 1988;

“education authority” means a local education authority;

“Her Majesty’s Inspector” means an inspector appointed by Her Majesty under section 77(2) of the Education Act 1944(3);

“maintained school” means–

(a) any county or voluntary school;

(b) any maintained special school which is not established in a hospital; and

(c) except in relation to a local education authority, any grant-maintained school;

“primary education” does not include such education provided in a middle school;

“relevant education authority”, in relation to a school, means the education authority by whom the school is maintained;

“school” means a school maintained by an education authority other than a nursery school;

“special educational needs” and

“special educational provision” have the same meanings as in the Education Act 1981(4);

“scheme of work” means any written document other than a syllabus describing the content and organisation of any course of study to be followed by pupils at the school.

---

(1) S.I.1981/630, amended by S.I. 1983/41, 1988/41, 1988/1023 and 1989/398.

(2) 1986 c. 61.

(3) 1944 c. 31.

(4) 1981 c. 60.

(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, any reference to a numbered paragraph is to the paragraph of that regulation bearing that number, any reference in a paragraph to a sub-paragraph is a reference to a sub-paragraph of that paragraph, and any reference to a numbered Schedule is to the Schedule bearing that number in these Regulations.

(3) In these Regulations any reference to the date up to which parents may express a preference for a school is a reference to the date by which, in accordance with arrangements made by the relevant education authority in pursuance of section 6(1) of the Act of 1980, a parent wishing education to be provided for his/her child in the exercise of the authority's functions should express such a preference.

(4) For the purposes of any reference in regulations 5(3) and (4), 6(2), 7(2) and (4) and 12(2) to the school year to which particulars or information relate, particulars of such arrangements as are mentioned in the following provisions of section 8 of the Act of 1980, namely—

- (a) subsection (1)(c) (education authority's admission arrangements);
- (b) subsection (1)(c) (education authority's arrangements for the expression of parental preferences and appeals against admissions decisions);
- (c) subsection (2)(a) (admission arrangements made by the governors of an aided or special agreement school); and
- (d) subsection (2)(b) (arrangements so made for appeals against admissions decisions);

shall be treated as relating not to the time when a preference may be expressed, an application for admission made or a right of appeal exercised but to the school year in which a child would be provided with education or admitted as a registered pupil at a school.

(5) For the purposes of any such reference:—

- (a) the information specified in paragraph 1 of Schedule 2, so far as it relates to the chairman of the governors and is correct at the date specified for the purposes of regulation 12(2), shall be deemed to relate to the school year to which the rest of the information specified in the said paragraph relates, and
- (b) the information specified in sub-paragraph (1)(d) of paragraph 16 of Schedule 2 relating to public examinations shall be deemed to relate not to the year there mentioned but to the school year to which the rest of the information specified in the said paragraph relates.

### **General Information to be published by education authorities**

**3. –**

(1) The information with respect to their policy and arrangements in respect of primary and secondary education (including such education provided in a middle school) in their area to be published by an education authority in pursuance of section 8(5) of the Act of 1980 shall be information in respect of each of the matters specified in Schedule 1.

(2) The said information shall be published as provided in regulation 5.

### **Information as respects individual schools to be published by education authorities or school governors**

**4. –**

(1) The information to be published in pursuance of section 8(5)(a) of the Act of 1980:—

- (a) in the case of a school other than an aided school by the relevant education authority;
- (b) in the case of an aided school, by the governors thereof or, in pursuance of section 8(6) of that Act, on their behalf by the relevant education authority;

shall be the information specified in Schedule 2.

(2) The said information shall be published as provided in regulation 6.

(3) This paragraph applies where the information relating to school attendance referred to in regulation 17 of Schedule 2 “the school attendance information” which is published in accordance with subsection (5) of section 8 of the Act of 1980 (read with regulations 4 and 6) does not relate to the school year immediately preceding the school year in which the information is published “the previous school year”.

(4) Where paragraph (3) of this regulation applies the persons referred to in paragraph (1) of this regulation shall, when the school attendance information for the previous school year becomes available to them, publish that information as provided in regulation 6.

### **Time and manner of publication by education authorities of general information admission arrangements etc**

5. –

(1) This regulation shall also apply in relation to the publication, in pursuance of section 8(5) of the Act of 1980 (read with regulation 3), by an education authority, of information in respect of the matters specified in Parts I and II of Schedule 1.

(2) This regulation shall also apply in relation to the publication, in pursuance of subsection (9) of section 8 of the Act of 1980, by an education authority, of particulars of the arrangements there mentioned (including the particulars mentioned in subsections (3) and (4) of that section).

(3) Such information and particulars in relation to each school year shall be published in advance of that year and, except in so far as they relate exclusively to primary education, or special educational provision, they shall be published not later than six weeks before the date up to which parents may express a preference for a school.

(4) Subject to the following paragraphs, such information and particulars shall be published:–

(a) by copies being made available for distribution without charge to parents on request, and for reference by parents and other persons:–

(i) at the offices of the relevant education authority; and

(ii) at every school maintained by that authority, other than a nursery school or a special school;

(b) by copies being distributed without charge to parents of pupils at schools maintained by the relevant education authority, other than nursery schools and special schools, who, in the year next preceding that to which the information and particulars relate, are in the final year at such schools and who might transfer to other schools so maintained; and

(c) by copies being made available for reference by parents and other persons at the public libraries in the area of the relevant education authority.

(5) So far as the information in respect of the matters specified in paragraphs 3, 4 and 5 of Schedule 1 is concerned (schools maintained by the education authority), the information in respect of schools in a particular part of the relevant education authority’s area need not:–

(a) be made available, in pursuance of paragraph (4)(a) and (c), at the offices, schools and libraries there mentioned which are outside that part;

(b) be distributed, in pursuance of paragraph (4)(b), to the parents of pupils there mentioned who are at schools which are outside that part;

if information as to how it may be obtained is available at those offices, schools and libraries or, as the case may be, is distributed to those parents.

(6) So far as publication at schools is concerned, it shall be a sufficient compliance with paragraph (4)(a)(ii) if so much of the information and particulars as relates to schools classified as:—

- (a) primary schools;
- (b) middle schools;
- (c) secondary schools (other than sixth form colleges); or
- (d) sixth form colleges;

(irrespective of the terminology used) is available only in schools of the classification in question.

(7) So far as publication y distribution to parents of pupils at a particular school is concerned, it shall be a sufficient compliance with paragraph (4)(b) if there is so published so much of the information and particulars as is relevant having regard to the schools to which pupils in the final year at that school might transfer.

(8) So far as the particulars specified in Part II of Schedule 1 are concerned (special education provision), paragraphs (4), (5), (6) and (7) shall not apply but the particulars shall be published:—

- (a) by copies being available for distribution without charge to parents on request, and for reference by parents and other persons, at the offices of the relevant education authority; and
- (b) by copies being available for reference by parents and other persons:—
  - (i) at every school maintained by the relevant education authority; and
  - (ii) at the public libraries in the area of that authority.

### **Time and manner of publication by education authorities and governors of information as respect individual schools**

#### **6. –**

(1) This regulation shall apply in relation to the publication, in pursuance of subsection (5) of section 8 of the Act of 1980 (read with regulation 4):—

- (a) by an education authority; or
- (b) by the governors of an aided or special agreement school or by the relevant education authority acting on their behalf under subsection (6) of the said section 8;

as the case may be, of the information in relation to a school specified in Schedule 2.

(2) Such information in relation to each school year shall be published in advance of that year and, except in the case of a primary school (other than a middle school deemed to be a primary school) or of a special school, it shall be published not later than six weeks before whichever is the earlier of the following dates:—

- (a) the date by which an application for admission to that school, in the year to which the information relates, should be made in accordance with the arrangements for admission to that school;
- (b) the date up to which parents may express a preference for a school.

(3) In the case of any school where any such information as is referred to in paragraph 4 of Schedule 2 is to be published by the education authority, it shall be supplied to them by the governing body and shall be published without material alteration.

(4) In the case of a special school such information shall also be published by copies being made available at the office of the relevant education authority for distribution without charge to parents on request and for reference by parents and other persons.

### **Time and manner of publication by governors of admission arrangements**

#### **7. –**

(1) This regulation shall apply in relation to the publication, in pursuance of subsection (2) of section 8 of the Act of 1980:–

- (a) by the governors of an aided school; or
- (b) by the relevant education authority acting on their behalf under subsection (6) of the said section 8;

of particulars of the arrangements mentioned in subsection (2) of that section (including the particulars mentioned in subsection (3) therefore).

(2) Such particulars in relation to each school year shall be published in advance of that year and, except in the case of a primary school (other than a middle school deemed to be a primary school), they shall be published not later than six weeks before whichever is the earlier of the two dates mentioned in regulation 6(2)(a) and (b).

(3) Such particulars shall be published by copies being made available at the school for distribution on request, without charge, to parents considering applying for their child's admission to the school and for reference by parents and other persons.

(4) Except in the case of a primary school (other than a middle school deemed to be a primary school), such particulars shall be published by copies being distributed without charge to parents of pupils who, in the year to which the particulars related, might transfer from other schools:–

- (a) which are maintained by the relevant education authority; and
- (b) at which, in the judgement of the governors (having regard to the schools from which pupils have commonly transferred in previous years), there are pupils in respect of whom applications for admission to the school are likely to be made.

### **Information to be published with the annual report and supply of copies of that report**

#### **8. –**

(1) The governing body of every maintained school shall publish with the annual report required to be prepared under section 30 of the 1986 Act or section 58(5)(j) of the 1988 Act (as the case may be) the following particulars:–

- (a) the dates of the beginning and end of each term and of half-term holidays for the next school year;
- (b) a summary of any changes to information contained in the school prospectus since it was last published; and
- (c) the information about school attendance most recently published in accordance with these Regulations or regulation 9 (as the case may be).

(2) The governing body of every maintained school shall furnish a copy of such a report as is referred to in paragraph (1) and of the particulars and summary referred to therein to the headteacher of the school and:–

- (a) in the case of a grant-maintained school, to the Secretary of State; and
- (b) in the case of any other school, to the education authority.

### **Attendance information: grant-maintained schools**

#### **9. –**

(1) The governing body of every grant-maintained school shall publish in the school prospectus published by them in accordance with articles of government made under section 58(2) of the Education Reform Act 1988 the information referred to in paragraph (2) of this regulation.

(2) That information is the information referred to in paragraph 17 of Schedule 2 save that the references in that paragraph to “the relevant school year” shall be construed as references to the school year immediately preceding the school year in which the prospectus is published.

### **Requirements as to provision of and access to documents**

#### **10. –**

(1) Every education authority shall furnish the governing body and the headteacher of every county, voluntary and special school maintained by them (other than a special school established in a hospital) with an up-to-date copy of any written statement made by them under section 17 of the 1986 Act (statement of policy in relation to secular curriculum).

(2) The governing body of every county, controlled and maintained special school (other than a special school established in a hospital) shall furnish the headteacher and the education authority with an up-to-date copy of any written statement made by them in pursuance of provision made under section 18(1) of the 1986 Act (statement of conclusions as to the aims of the secular curriculum for the school and how (if at all) the education authority’s policy should be modified).

(3) The governing body of every aided school shall, where they have made any written statement of their policy as to the secular curriculum for the school, furnish a copy of it to the headteacher and to the education authority.

(a) (4) (a) The governing body of every grant-maintained school shall make and keep up-to-date a written statement of what, in their opinion, should be the aims of the secular curriculum for the school, including a statement concerning their view as to the question of whether sex education should form part of the secular curriculum for the school and, if so, of their policy with regard to the content and organisation of the relevant part of the curriculum.

(b) A copy of the statement required by sub-paragraph (a) shall be furnished by the governing body to the headteacher of the Secretary of State.

(5) Every headteacher to whom any copy of a statement is furnished under this regulation shall make it available, at all reasonable times, to persons wishing to inspect them.

#### **11. –**

(1) Subject to paragraph (2), the headteacher of every maintained school shall make available copies of the documents referred to in paragraph (3), at all reasonable times, to persons wishing to inspect them.

(2) Paragraph (1) does not apply to such documents where they relate solely to a nursery class in a primary school.

(3) The documents referred to in paragraph (1) are:–

(a) all statutory instruments and departmental circulars sent by the Welsh Office to the headteacher or the governing body relating to the powers and duties imposed by or under Chapter I of Part I of the 1988 Act (The Curriculum);

(b) all published reports of Her Majesty’s Inspectors referring expressly to the school;

(c) all schemes of work currently used in the school;

(d) all syllabuses followed by pupils at the school, whether for qualifications authenticated by an outside person or otherwise;

- (e) in the case of any county, voluntary or maintained special school not established in a hospital, the arrangements made by the education authority under section 23 of the 1988 Act for the consideration and disposal of complaints;
- (f) in the case of any grant-maintained school the arrangements made by the governing body under the school's articles of government for the consideration and disposal of complaints relating to any matter concerning the curriculum followed within the school;
- (g)
  - (i) in the case of any maintained school other than a grant-maintained school, any agreed syllabus for religious education adopted by the education authority which applies in that school;
  - (ii) (in addition,) in the case of any voluntary school, that part of the trust deed governing religious education and any other written statement produced by the government body about the arrangements which have been made for religious education in that school; and
  - (iii) in the case of any grant-maintained school, such of the documents referred to in sub-paragraph (g)(i) or (ii) as apply in relation to that school.

**12. –**

(1) The headteacher of any maintained school shall within a reasonable time supply a copy of any document (except those which are copyright) which he is required to make available for inspection under regulations 10 and 11.

(2) The headteacher may make a charge (not exceeding the cost of production) in respect of any copies supplied under paragraph (1), and shall account therefore to the governing body or the education authority as appropriate.

**Supplementary provisions relating to published documents**

**13. –**

(1) This regulation shall apply in relation to any document which contains such information or particulars as are mentioned in the preceding provisions of these Regulations and which is published in accordance therewith.

(2) Such a document shall state the school year to which the information or particulars contained therein relate and contain a warning that, though they were correct in relation to that year at a date specified in the document (not being earlier than six months before that of its annual publication), it should not be assumed that there will be no change affecting the relevant arrangements or some matter particularised:–

- (a) before the start of, or during, the school year in question; or
- (b) in relation to subsequent school years.

**Translation of Documents**

**14. –**

(1) Where any document required to be published or to be made available for public inspection under these Regulations is published in Welsh, then if it appears requisite to an education authority or, as the case may be, the governing body of a maintained school that the document should be published in English, or in English and Welsh as well, it shall be so published.

(2) Where any document required to be published or to be made available for public inspection under these Regulations is published in English, then if it appears requisite to an education authority or, as the case may be, the governing body of a maintained school that the document should be published in Welsh or in Welsh and English as well, it shall be so published.

---

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

---

(3) If it appears to an education authority, or as the case may be, the governing body of a maintained school that a translation of any document required to be published or to be made available for public inspection by or under these Regulations in a language other than English or Welsh is required, it shall be translated into that language and the translated document shall be published in such manner as appears to the authority or governors to be appropriate.

(4) No charge shall be made for a copy of any document translated in accordance with paragraphs (1) or (2) to any person who is entitled without charge, to a copy of the original document, and where a charge for a copy of the original document may be made, no greater charge shall be made for a copy of any document so translated.

### **Supplementary Provision**

**15.** Where by virtue of any provision made in these Regulations any duty is placed on the governing body of any school to provide or to publish any information, and that information is not within their knowledge but is within the knowledge of the headteacher of that school, he shall supply it to them; and the converse shall apply in the case of any such duty to provide or publish any information which is placed on a headteacher.