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STATUTORY INSTRUMENTS

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**1994 No. 1048**

**EDUCATION, ENGLAND AND WALES**

**The Education (Special Educational  
Needs) (Information) Regulations 1994**

<i>Made</i>	- - - -	<i>7th April 1994</i>
<i>Laid before Parliament</i>		<i>13th April 1994</i>
<i>Coming into force</i>	- -	<i>1st September 1994</i>

In exercise of the powers conferred on the Secretary of State by section 8(5) and (7) of the Education Act 1980(1) and sections 153(1), 161(5) and 305(1)(2) of, and paragraph 14 of Schedule 11 to, the Education Act 1993(3), the Secretary of State for Education, as respects England, and the Secretary of State for Wales, as respects Wales, hereby make the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Education (Special Educational Needs) (Information) Regulations 1994 and shall come into force on 1st September 1994.

**Publication of information about special educational needs**

2.—(1) The governing body of each county, voluntary, or grant-maintained school, shall publish information about the matters set out in Schedule 1.

(2) The governing body of each maintained or grant-maintained special school, other than a special school established in a hospital, shall publish information about the matters set out in Schedule 2.

(3) The governing body of each maintained or grant-maintained special school which is established in a hospital shall publish information about the matters set out in Schedule 3.

**Manner of publication of information**

3.—(1) The information referred to in regulation 2 shall be published in a single document by making copies available free of charge—

(a) for distribution—

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(1) 1980 c. 20; section 8(5) was substituted by the Education (Schools) Act 1992 (c. 38), Schedule 4, paragraph 4(1).

(2) See the definitions of “prescribed” and “regulations”.

(3) 1993 c. 35.

- (i) to parents of pupils or prospective pupils, and
- (ii) to the local education authority, District Health Authority or funding authority for the area in which the school is situated,

who or which request a copy at the school or through the post; and

- (b) for reference at the school.

(2) The first occasion on which copies of the document referred to in paragraph (1) above are made available in accordance with that paragraph shall be no later than 1st August 1995.

#### **Publication of information – supplementary**

4. Where the information referred to in regulation 2 is to be published by the local education authority with the agreement of the governing body pursuant to section 8(6) of the Education Act 1980(4), it shall be supplied to them by the governing body and shall be published without material alteration.

#### **Annual reports**

5.—(1) The annual report for each county, voluntary, maintained special, grant– maintained or grant–maintained special school shall include a report containing the information about the implementation of the governing body’s policy for pupils with special educational needs as specified in Schedule 4.

(2) Paragraph (1) above shall apply in relation to the first annual report prepared after 1st August 1995 and to each annual report prepared thereafter.

#### **Modification of the Education Act 1993 in relation to grant–maintained special schools**

6. The provisions of Part II, Chapter X and Part III of the Education Act 1993 set out in paragraphs (a) and (b) below shall have effect with the modifications as therein stated–

- (a) section 153 (provision of information by governing body) shall apply to the governing body of a grant–maintained special school; and
- (b) section 161(5) (duties of governing body etc. in relation to pupils with special educational needs) shall apply to each grant–maintained special school and the reference in that subsection to “annual report” shall include a report prepared under the articles of government of a grant–maintained special school.

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(4) Section 8(6) was substituted by the Education (Schools) Act 1992 (c. 38), Schedule 4, paragraph 4(1).

## SCHEDULE 1

Regulation 2(1)

### INFORMATION FROM COUNTY, VOLUNTARY AND GRANT–MAINTAINED SCHOOLS

#### **BASIC INFORMATION ABOUT THE SCHOOL'S SPECIAL EDUCATIONAL PROVISION**

1. The objectives of the governing body in making provision for pupils with special educational needs, and a description of how the governing body's special educational needs policy will contribute towards meeting those objectives.
2. The name of the person who is responsible for co–ordinating the day to day provision of education for pupils with special educational needs at the school (whether or not the person is known as the SEN co–ordinator).
3. The arrangements which have been made for co–ordinating the provision of education for pupils with special educational needs at the school.
4. The admission arrangements for pupils with special educational needs who do not have a statement in so far as they differ from the arrangements for other pupils.
5. The kinds of provision for special educational needs in which the school specialises and any special units.
6. Facilities for pupils with special educational needs at the school including facilities which increase or assist access to the school by pupils who are disabled.

#### **INFORMATION ABOUT THE SCHOOL'S POLICIES FOR THE IDENTIFICATION, ASSESSMENT AND PROVISION FOR ALL PUPILS WITH SPECIAL EDUCATIONAL NEEDS**

7. How resources are allocated to and amongst pupils with special educational needs.
8. How pupils with special educational needs are identified and their needs determined and reviewed.
9. Arrangements for providing access by pupils with special educational needs to a balanced and broadly based curriculum (including the National Curriculum).
10. How pupils with special educational needs engage in the activities of the school together with pupils who do not have special educational needs.
11. How the governing body evaluate the success of the education which is provided at the school to pupils with special educational needs.
12. Any arrangements made by the governing body relating to the treatment of complaints from parents of pupils with special educational needs concerning the provision made at the school.

#### **INFORMATION ABOUT THE SCHOOL'S STAFFING POLICIES AND PARTNERSHIP WITH BODIES BEYOND THE SCHOOL**

13. Any arrangements made by the governing body relating to in–service training for staff in relation to special educational needs.
14. The use made of teachers and facilities from outside the school including links with support services for special educational needs.
15. The role played by the parents of pupils with special educational needs.

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16. Any links with other schools, including special schools, and the provision made for the transition of pupils with special educational needs between schools or between the school and the next stage of life or education.

17. Links with child health services, social services and educational welfare services and any voluntary organisations which work on behalf of children with special educational needs.

## SCHEDULE 2

Regulation 2(2)

### INFORMATION FROM MAINTAINED AND GRANT-MAINTAINED SPECIAL SCHOOLS

#### **BASIC INFORMATION ABOUT THE SCHOOL'S SPECIAL EDUCATIONAL PROVISION**

1. The objectives of the governing body in making provision for pupils with special educational needs, and a description of how the governing body's special educational needs policy will contribute towards meeting those objectives.

2. The kinds of special educational needs for which provision is made at the school.

3. Facilities for pupils at the school including facilities which increase or assist access to the school by pupils who are disabled.

#### **INFORMATION ABOUT THE SCHOOL'S POLICIES FOR THE ASSESSMENT AND PROVISION FOR ALL PUPILS WITH SPECIAL EDUCATIONAL NEEDS**

4. How resources are allocated amongst pupils.

5. How the needs of pupils are identified and reviewed.

6. Arrangements for providing access by pupils to a balanced and broadly based curriculum (including the National Curriculum).

7. How the governing body evaluate the success of the education which is provided at the school to pupils.

8. Any arrangements made by the governing body relating to the treatment of complaints from parents of pupils concerning the provisions made at the school.

#### **INFORMATION ABOUT THE SCHOOL'S STAFFING POLICIES AND PARTNERSHIP WITH BODIES BEYOND THE SCHOOL**

9. Any arrangements made by the governing body relating to in-service training for staff in relation to special educational needs.

10. The use made of teachers and facilities from outside the school including links with support services for special educational needs.

11. The role played by parents of pupils.

12. Any links with other schools, and any arrangements for managing the transition of pupils between schools or between the school and the next stage of life or education.

13. Links with child health services, social services and educational welfare services and any voluntary organisations which work on behalf of children with special educational needs.

### SCHEDULE 3

Regulation 2(3)

#### INFORMATION FROM SPECIAL SCHOOLS IN HOSPITALS

1. The name of the person who is responsible for co-ordinating the day to day provision of education for pupils with special educational needs at the school (whether or not the person is known as the SEN co-ordinator).
2. How pupils with special educational needs are identified and their needs determined and reviewed.
3. How resources are allocated to and amongst pupils with special educational needs.
4. How the educational progress of pupils with special educational needs is monitored.
5. How the contents of a pupil's statement are ascertained and made known to staff.
6. The arrangements for ensuring continuity of the educational provision set out in a pupil's statement differentiating where necessary between long stay and short stay patients.
7. Arrangements for providing access by pupils with special educational needs to a balanced and broadly based curriculum.
8. The use made of teachers and facilities from outside the school including links with support services for special educational needs.

### SCHEDULE 4

Regulation 5

#### INFORMATION IN ANNUAL REPORT

1. The success of the governing body's special educational needs policies in the period since the last annual report.
2. Significant changes in the governing body's policy on pupils with special educational needs since the last annual report.
3. The outcome of any consultation carried out under section 161(3) of the Education Act 1993.
4. How resources have been allocated to and amongst pupils with special educational needs since the last annual report.

6th April 1994

*Eric Forth*  
Parliamentary Under Secretary of State,  
Department for Education

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

7th April 1994

*John Redwood*  
Secretary of State for Wales

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### **EXPLANATORY NOTE**

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

These Regulations make provision for the publication (no later than 1st August 1995) of information about matters relating to the provision of education for pupils with special educational needs in their schools by the governing bodies of county, voluntary, maintained special, grant-maintained and grant-maintained special schools.

The annual reports prepared after 1st August 1995 by such governing bodies must provide the prescribed information about their policy for pupils with special educational needs.