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STATUTORY INSTRUMENTS

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**1998 No. 2526**

**EDUCATION, ENGLAND AND WALES**

**The Education (School Information)  
(England) Regulations 1998**

<i>Made</i>	- - - -	<i>14th October 1998</i>
<i>Laid before Parliament</i>		<i>14th October 1998</i>
<i>Coming into force</i>	- -	<i>5th November 1998</i>

In exercise of the powers conferred on the Secretary of State by sections 29(5), 408, 414(6) and (9), 509(6), 537, 539 and 569(4) and (5) of the Education Act 1996(1), and after consulting with those persons with whom consultation appeared to him to be desirable, the Secretary of State for Education and Employment hereby makes the following Regulations:

**PART I  
GENERAL**

**Citation, commencement and application**

1.—(1) These Regulations may be cited as the Education (School Information) (England) Regulations 1998 and shall come into force on 5th November 1998.

(2) These Regulations apply in relation to maintained schools in England.

**Revocation**

2. The Education (School Information) (England) Regulations 1996(2) are hereby revoked.

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(1) 1996 c. 56; section 408(2)(d) is amended (as from 1st October 1998) by paragraph 106(b) of Schedule 30 to the School Standards and Framework Act 1998 (c. 31); section 408 applies in relation to grant-maintained special schools not established in a hospital and their governing bodies by virtue of S.I. 1994/653. By the same S.I., section 537(7) is applied in relation to grant-maintained special schools and their governing bodies. Section 539 applies to the governing body of a grant-maintained special school by virtue of S.I. 1994/1048. S.I. 1994/653 and 1994/1048 continue to have effect by virtue of paragraph 1 of Schedule 39 to the Education Act 1996, which continues the effect of subordinate legislation made under provisions repealed and re-enacted by that Act. For the meaning of “prescribed” and “regulations” see section 579(1) of that Act.

(2) S.I. 1996/2585.

## Interpretation

3.—(1) In these Regulations, unless the context otherwise requires—

“the 1996 Act” means the Education Act 1996;

“admission school year” means a school year at the beginning of which pupils are to be admitted to any school;

“assess” means assess pursuant to orders made under section 356(2)(c) of the 1996 Act<sup>(3)</sup> and “assessment” shall be construed accordingly;

“associated documents” means the documents published by Her Majesty’s Stationery Office, setting out any levels of attainment and attainment targets in relation to the core subjects, which documents have effect by virtue of the respective section 356(2)(a) and (b) orders for those subjects for the time being in force<sup>(4)</sup>;

“authority” means a local education authority and, in relation to an authority, “the offices” means the education offices;

“core subjects” means English, mathematics and science;

“GCE ‘A’ level examinations” and “GCE ‘AS’ examinations” means General Certificate of Education advanced level and advanced supplementary examinations respectively;

“GCSE” means General Certificate of Secondary Education;

“GNVQ” means a General National Vocational Qualification;

“local average figures” means the average figures for all schools maintained by the relevant authority (other than any special school established in a hospital), all grant-maintained schools, grant-maintained special schools (other than any established in a hospital), and all city technology colleges and city colleges for the technology of the arts, in the area of that relevant authority;

“maintained school” means:

- (a) any county or voluntary school;
- (b) any special school maintained by an authority which is not established in a hospital;
- (c) any grant-maintained school or grant-maintained special school which is not established in a hospital,

but excludes any nursery school;

“national average figures” means the average figures for all schools in England;

“national summary figures” means the summary figures in respect of National Curriculum assessments of pupils for all schools in England;

“NC tasks” means National Curriculum standard tasks administered to pupils in the final year of the first key stage pursuant to article 5 of the Education (National Curriculum) (Assessment Arrangements for the Core Subjects) (Key Stage 1) (England) Order 1995<sup>(5)</sup>;

“NC tests” means National Curriculum tests administered to pupils in, as the case may be, the final year of the second key stage or the final year of the third key stage pursuant to,

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- (3) The orders currently in force are the Education (National Curriculum) (Assessment Arrangements for the Core Subjects) (Key Stage 1) (England) Order 1995, S.I. 1995/2071 as amended by S.I. 1996/2114 and 1997/1931; the Education (National Curriculum) (Assessment Arrangements for the Core Subjects) (Key Stage 2) (England) Order 1995, S.I. 1995/2072 as amended by S.I. 1996/2115; and the Education (National Curriculum) (Key Stage 3 Assessment Arrangements) (England) Order 1996, S.I. 1996/2116.
  - (4) The relevant orders for the first and second key stages are S.I. 1995/51 (English), 1995/52 (mathematics) and 1995/53 (science) and the relevant orders for the third key stage are those orders and in addition S.I. 1995/57 (modern foreign languages), 1998/1986 (technology), 1998/1987 (physical education), 1998/1988 (history), 1998/1989 (geography), 1998/1990 (art), and 1998/1991 (music). The last six mentioned S.I. apply from 1st September 1998, replacing, respectively, S.I. 1995/56, 1995/60, 1995/54, 1995/55, 1995/58 and 1995/59.
  - (5) S.I. 1995/2071, amended by S.I. 1996/2114 and 1997/1931.

respectively, article 5 of the Education (National Curriculum) (Assessment Arrangements for the Core Subjects) (Key Stage 2) (England) Order 1995(6) and article 10 of the Education (National Curriculum) (Key Stage 3 Assessment Arrangements) (England) Order 1996(7);

“non-maintained special school” means a special school which is neither maintained by an authority nor a grant-maintained special school (and which is not established in a hospital);

“previous school year” means the school year immediately preceding the reporting school year;

“publication school year” means the school year immediately preceding the admission school year;

“public examinations” means public examinations which are for the time being prescribed by regulations made under sections 402, 451, 453 and 454 of the 1996 Act(8);

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

“relevant authority”, in relation to a county or voluntary school or a special school maintained by an authority which is not established in a hospital, means the authority by which the school is maintained and, in relation to a grant-maintained school or a grant-maintained special school which is not established in a hospital, means the authority in whose area the school is situated;

“reporting school year” means the school year immediately preceding the publication school year;

“school prospectus” means the document described in regulation 11;

“special educational needs” and “special educational provision” have the same meanings as in section 312 of the 1996 Act;

“special school” has the meaning assigned to it by section 337(1) of the 1996 Act;

“the statutory arrangements” means assessment arrangements specified by orders made under section 356(2)(c) of the 1996 Act;

“teacher assessment” means assessment of a pupil by a teacher as specified in the statutory arrangements;

“unit” in relation to a vocational qualification, means a module or part of a course leading to that qualification which, when successfully completed, can be counted together with other modules or parts towards obtaining that qualification; and

references to levels and attainment targets are references to, respectively, the levels of attainment of the National Curriculum level scale and attainment targets set out in the associated documents.

(2) In these Regulations, unless the context otherwise requires, a reference to a numbered regulation or Schedule is a reference to a regulation in, or a Schedule to, these Regulations so numbered and any reference to a paragraph is to a paragraph of the regulation or Schedule in which the reference is made and, any reference to a sub-paragraph is a reference to a sub-paragraph of the paragraph in which the reference is made.

(3) In these Regulations, any reference to a 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 local education authority under section 411(1) of the 1996 Act, a parent wishing education to be provided for his child in the exercise of the authority’s functions should express such a preference.

(4) In these Regulations, unless the context otherwise requires, a reference to publication by the governing body of a school includes a reference to publication on behalf of the governing body by the relevant authority by virtue of section 414(8) of the 1996 Act.

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(6) S.I. 1995/2072 as amended by S.I. 1996/2115.

(7) S.I. 1996/2116.

(8) The current regulations are the Education (Prescribed Public Examinations) Regulations 1989 (S.I. 1989/377).

(5) In these Regulations, references to the first key stage, the second key stage, the third key stage and the fourth key stage are references to the periods set out in paragraphs (a) to (d) of section 355(1) of the 1996 Act.

(6) In these Regulations, unless the context otherwise requires, references to pupils of a particular age are to pupils who attained that age during the period of twelve months ending on the 31st August immediately preceding the commencement of the reporting school year and who were registered pupils at the school on the third Thursday in January in the reporting school year.

(7) In these Regulations—

- (a) except where otherwise provided, where a percentage which is required to be calculated by virtue of these Regulations is not a whole number it shall be rounded to the nearest whole number, the fraction of one half being rounded upwards to the next whole number;
- (b) where an average point score which is required to be calculated by virtue of these Regulations is not a whole number, it shall be calculated to one decimal place.

(8) In these Regulations, references to examinations for which pupils at the school were entered include examinations for which they were entered otherwise than in pursuance of section 402 of the 1996 Act.

(9) For the purposes of these Regulations, any examination for the GCSE for which a pupil aged 15 was entered during the previous school year or any earlier school year shall be treated as such an examination for which the pupil was entered during the reporting school year.

#### **Qualification of duties**

4. The duties imposed on governing bodies and authorities by virtue of these Regulations in respect of provision, publication or making available of information apply only to the extent that that information is available to the governing body or the authority in time for it to be reasonably practicable to provide, publish or make available the information before the latest occasion on which the information is required to be provided, published or made available as the case may be.

## **PART II**

### **PROVISION OF INFORMATION BY HEAD TEACHER**

#### **Provision of information by head teacher to governing body**

5. For the purpose of enabling the governing body to comply with their obligations under these Regulations, the head teacher of every maintained school shall make available to the governing body information about the matters mentioned in Schedule 2.

## **PART III**

### **INFORMATION TO BE PUBLISHED OR PROVIDED BY AUTHORITIES**

#### **General information to be published by authorities**

6.—(1) An authority shall publish with respect to its policy and arrangements in respect of primary and secondary education (including such education provided in a middle school) in its area information in respect of each of the matters specified in Schedule 1.

(2) Where changes in respect of any of those matters have been decided on by the authority but not yet implemented, the authority shall also publish information about those changes.

(3) This information shall be published as provided in regulation 7.

**Time and manner of publication by authorities of general information and particulars of school admission arrangements and related matters.**

7.—(1) This regulation shall apply in relation to the publication by an authority of—

- (a) information in respect of the matters specified in Schedule 1;
- (b) particulars of the arrangements mentioned in section 414(1), (3), (4) and (5) of the 1996 Act; and
- (c) particulars of the arrangements relating to voluntary aided or special agreement schools mentioned in section 414(2), (3) and (4) of the 1996 Act where those particulars are being published by the authority on behalf of the governing body of the school pursuant to subsection (8) of that section.

(2) Such information and particulars shall be published during the publication school year and, except in so far as they relate exclusively to primary education or special educational provision, they shall be published no later than six weeks before the date up to which parents may express a preference for a school in respect of the admission school year.

(3) Subject to paragraphs (4) to (9), 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 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 authority, other than nursery schools or special schools, who, in the publication school year, 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 authority.

(4) 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 authority), the information in respect of schools in a particular part of the relevant local education authority's area need not—

- (a) be made available at offices, schools and libraries outside that part; or
- (b) be distributed to the parents of pupils who are at schools outside that part,

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

(5) It shall be a sufficient compliance with paragraph (3)(a)(ii) if so much of the information and particulars as relates to schools classified as—

- (a) primary schools;
- (b) middle schools; or
- (c) secondary schools,

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

(6) It shall be a sufficient compliance with paragraph (3)(b) if there is 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.

(7) So far as the particulars specified in Part II of Schedule 1 are concerned (special educational provision), paragraphs (3), (4), (5) and (6) 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 authority; and
- (b) by copies being available for reference by parents and other persons—
  - (i) at every school maintained by the relevant authority, and
  - (ii) at the public libraries in the area of that authority.

(8) Without prejudice to the foregoing provisions of this regulation, such particulars of the arrangements made by the relevant authority under section 423(1) of the 1996 Act (appeals against admission decisions) and mentioned in section 414(1)(c) of that Act shall also be published by being set out in any document containing a notification to parents of a decision referred to in section 423(1) of that Act refusing their child admission to a school for which the parents have expressed a preference in accordance with arrangements made under section 411(1) of that Act.

(9) Information about the matters mentioned in paragraphs 7(2) and 18 of Schedule 1 (transport arrangements and policies) shall also be published by copies being distributed without charge to institutions within the further education sector or at which a further education funding council has secured provision which (in either case) the authority consider students resident within its area may wish to attend.

(10) The particulars referred to in paragraph (1)(c) shall be supplied to the authority by the governing body and shall be published without material alteration.

## PART IV

### INFORMATION TO BE PUBLISHED BY GOVERNING BODIES

#### **General information to be published by governing bodies**

8.—(1) Subject to regulation 9, the governing body of a maintained school shall publish as respects that school the information specified in Schedule 2.

(2) Subject to regulation 9, this information shall be published as provided in regulation 11.

#### **Determination of examination results particulars and equivalency between GCSE examinations and vocational qualifications**

9.—(1) The provisions of this regulation have effect for the purpose of determining the information specified in Schedule 2.

(2) Subject to paragraph (14), if a pupil has been entered for two or more examinations in the same subject in the same school year, or in different school years which are treated as the same school year by virtue of regulation 3(9), only the examination in which he achieved the higher or highest grade shall be taken into account.

(3) In the case of an examination leading to the award of GCSE in two subjects, a pupil shall be included only once in the number of pupils entered for the examination and taken into account only once in calculating the relevant percentages, but each grade awarded to him shall be treated as having been awarded in a separate subject.

(4) In the case of any GCSE examination for which pupils aged 15 were entered, the information shall commence with the subjects listed in the first column of Schedule 4 in the order in which they are so listed.

(5) For the purposes of this regulation, any GCSE examination in a subject listed in the first column of Schedule 4 is not to be treated as such unless the examination is in a syllabus referred to in the second column opposite that subject.

(6) For the purposes of paragraph 12(1)(e) of Schedule 2, where a pupil is awarded a grade in an examination relating to a GCSE short course, he shall be treated as having achieved that grade in half a GCSE subject.

(7) For the purposes of paragraph 12(1)(e) and (2) of Schedule 2, questions as to—

(a) which vocational qualification award corresponds to which GCSE examination grade, and

(b) the equivalency between GCSE examination results and vocational qualifications,

shall be determined in accordance with paragraphs (8) to (13) below.

(8) Where a pupil is awarded a Part One GNVQ (Intermediate level), he shall be treated as having achieved grade A\* to C in two GCSE subjects.

(9) Where a pupil is awarded a Part One GNVQ (Foundation level), he shall be treated as having achieved grade D to G in two GCSE subjects.

(10) Where a pupil is awarded an Intermediate GNVQ, he shall be treated as having achieved grade A\* to C in four GCSE subjects.

(11) Where a pupil is awarded a Foundation GNVQ, he shall be treated as having achieved grade D to G in four GCSE subjects.

(12) Where a pupil is awarded a GNVQ Language Unit (Intermediate level), he shall be treated as having achieved grade A\* to C in half a GCSE subject.

(13) Where a pupil is awarded a GNVQ Language Unit (Foundation level), he shall be treated as having achieved grade D to G in half a GCSE subject.

(14) In the case of a pupil who has been entered for both GCE 'A' level and GCE 'AS' examinations in the same subject—

(a) except in the circumstances described in sub-paragraph (b), only the GCE 'A' level examination result shall be taken into account;

(b) where the pupil achieves grade N or fails to achieve a grade in the GCE 'A' level examination but achieves a grade between A and E inclusive in the GCE 'AS' examination, only the GCE 'AS' examination result shall be taken into account.

(15) Subject to paragraph (14), in calculating the number of GCE 'A' levels a pupil is entered for, one GCE 'AS' shall be treated as the equivalent of half a GCE 'A' level.

(16) Subject to paragraph (14), for the purpose of determining point scores in GCE 'A' level and GCE 'AS' examinations, the following grades of achievement equate to the following points, namely:

GCE 'A' level: grade A=10 points; grade B=8 points; grade C=6 points; grade D=4 points; and grade E=2 points;

GCE 'AS': grade A=5 points; grade B=4 points; grade C=3 points; grade D=2 points; and grade E=1 point.

### **Performance information relating to the reporting school year**

**10.**—(1) This regulation applies where the information relating to the results of assessment, public examination results, vocational qualifications and units and school attendance referred to in paragraphs 9, 10, 11, 12, 13 and 15 of Schedule 2 for assessment undertaken, examinations held, qualifications achieved in, or attendance during the reporting school year, is not available in time for it to be reasonably practicable to publish the information in accordance with regulation 11.

(2) Where this regulation applies, the governing body shall, as soon as practicable after the information in question for the reporting school year is made available to them, and in any event not later than two weeks before the earlier of the two dates referred to in paragraph (3) of regulation 11, publish that information as a supplement to the school prospectus in the manner required by that regulation for the publication of the prospectus.

### **Publication of school prospectuses**

**11.**—(1) This regulation applies in relation to the publication by the governing body of a maintained school of information in relation to the school specified in Schedule 2.

(2) In the case of any maintained school—

- (a) such information shall be published in a single document to be known as the school prospectus; and
- (b) copies shall be made available at the school for distribution without charge to parents on request and for reference by parents and other persons.

(3) The school prospectus shall be published during the publication school 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 respect of the admission school year 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 in respect of the admission school year.

(4) Where any information of the kind referred to in Schedule 2 is to be published by the relevant authority, it shall be supplied to them by the governing body and shall be published without material alteration.

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

(6) In the case of any maintained secondary school, a copy of the school prospectus shall be provided without charge to the offices in the area served by the school of persons providing careers services in accordance with arrangements made, or directions given, under section 10 of the Employment and Training Act 1973<sup>(9)</sup>.

### **Publication of admissions arrangements**

**12.**—(1) This regulation applies in relation to the publication by the governing body of an aided or special agreement school of particulars of the arrangements mentioned in section 414(2), (3) and (4) of the 1996 Act (except where those particulars are being published by the authority on the governing body's behalf pursuant to section 414(8) of the 1996 Act).

(2) Such particulars shall be published by copies being made available at the school for distribution without charge to parents on request and for reference by parents and other persons.

(3) Such particulars shall be published during the publication school 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—

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(9) 1973 c. 50.



- (a) the date by which an application for admission to that school in respect of the admission school year 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 in respect of the admission school year.

(4) Without prejudice to the foregoing provisions of this regulation, such particulars of the arrangements mentioned in subsection (2)(b) of section 414 of the 1996 Act (appeals against admissions decisions) shall also be published by being set out in any document containing a notification to parents of a decision referred to in subsection (2) of section 423 of that Act refusing their child admission to a school for which such parents have expressed a preference in accordance with arrangements made under subsection (1) of section 411 of that Act.

## PART V

### INFORMATION TO BE MADE AVAILABLE BY GOVERNING BODIES

**13.** The governing body of a maintained school shall make available in the school prospectus the information specified in Schedule 3.

## PART VI

### SUPPLEMENTARY

#### **Supplementary provisions relating to published documents**

**14.—**(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 with them.

(2) Such a document shall state the school year to which the information or particulars contained in it relate and contain a warning that, although 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 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.

(3) If it appears requisite to the governing body in respect of such a document to be published by them or, as the case may be, an authority in respect of such a document to be published by them or on behalf of the governing body, that a translation of such a document in a language other than English should be available or that a braille or audio tape version of such a document should be available, it shall be translated into that language or produced in a braille or audio tape version, as the case may be, and the document so translated or so produced shall be published in such manner as appears to the governing body or authority to be appropriate.

(4) Parents shall not be charged for a copy of such a translated document or such a document produced in a braille or audio tape version if they are entitled without charge to a copy of the original document.

## PART VII

### TRANSITIONAL PROVISIONS

15. Where before the date that these Regulations come into force the governing body of a maintained school have already published, pursuant to regulation 8 of the Education (School Information) (England) Regulations 1996, for the publication school year ending in 1998 the information specified in Schedule 2 to those Regulations, the duties imposed under regulations 8 and 13 of these Regulations shall not apply in respect of that governing body and that school in relation to that publication school year.

14th October 1998

*Charles Clarke*  
Parliamentary Under Secretary of State,  
Department for Education and Employment

## SCHEDULE 1

Regulation 6

### INFORMATION TO BE PUBLISHED BY AUTHORITIES

#### PART I

##### MISCELLANEOUS MATTERS

1. The addresses and telephone numbers of the offices of the authority to which inquiries in respect of primary and secondary education in their area should be addressed.

2. The arrangements for parents to obtain the information specified in Schedule 2 in the case of individual schools other than special schools.

3. As respects each school maintained by the authority, other than a special school—

- (a) the name, address and telephone number of the school, and
- (b) the expected number of pupils at the school and their age range.

4. The classification of each such school as—

- (a) a county, voluntary controlled, voluntary aided or special agreement school;
- (b) a primary, middle or secondary school;
- (c) a comprehensive, secondary modern, grammar or bilateral school;
- (d) a co-educational or single-sex school;
- (e) a day or boarding school or a school taking both day and boarding pupils;

except that for the purposes of sub-paragraphs (b) and (c) other terminology may be used according to usage in the authority.

5. The affiliations, if any, of each such school with a particular religious denomination.

6. The authority's arrangements for transfer between schools maintained by them other than special schools, otherwise than at a normal admission age, including, in particular—

- (a) the respective functions of the authority and governing bodies of such schools as respects admission on transfer, and
- (b) the policy followed in deciding transfers.

7.—(1) The authority's general arrangements and policies in respect of transport to and from schools including, in particular—

- (a) the provision of free transport;
- (b) the carriage on school buses of pupils for whom free transport is not provided, and
- (c) the payment in whole or in part of reasonable travelling expenses.

(2) The authority's general arrangements and policies in respect of transport to and from institutions within the further education sector, including in particular—

- (a) the provision of free transport;
- (b) the carriage on buses provided by the authority of students for whom free transport is not provided, and
- (c) the payment in whole or in part of reasonable travelling expenses.

8. The authority's general arrangements and policies in respect of the provision of milk, meals and other refreshment including, in particular, the remission in whole or in part of charges.

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

**9.** The authority's general arrangements and policies in respect of the provision of school clothing (including uniform and physical training clothes) and the making of grants to defray expenses in respect of such clothing and, in particular, the address from which parents may obtain detailed information about the assistance which is available and eligibility for it.

**10.** The authority's general arrangements and policies, in the case of pupils attending schools maintained by any authority in respect of—

- (a) the making of grants to defray expenses (other than those mentioned in paragraphs 7 and 9), and
- (b) the granting of allowances in the case of pupils over compulsory school age,

and, in particular, the address from which parents may obtain detailed information about the assistance which is available and eligibility for it.

**11.** The authority's general policy in respect of the entering of pupils for public examinations.

**12.** The authority's general arrangements and policies in respect of special educational provision for pupils with special educational needs including, in particular, the arrangements for parents to obtain information about the matters mentioned in Part II of this Schedule.

**13.** The arrangements for parents and others to obtain copies of and to refer to particulars of the charging and remissions policies determined by the authority under section 457 of the 1996 Act.

## PART II

### SPECIAL EDUCATIONAL PROVISION

**14.** The authority's detailed arrangements and policies in respect of—

- (a) the identification and assessment of children with special educational needs and the involvement of parents in that process;
- (b) the provision made in county, voluntary and special schools maintained by them for pupils with special educational needs and the use made by them of such special schools maintained by other authorities; and
- (c) special educational provision provided otherwise than at a school.

**15.** The authority's arrangements and policies in respect of the use of grant-maintained, grant-maintained special, non-maintained special and independent schools.

**16.** The arrangements for parents who consider that their child may have special educational needs to obtain advice and further information.

**17.** The authority's arrangements and policies in respect of transport to and from maintained (including grant-maintained) and non-maintained special schools and independent schools.

**18.** The authority's arrangements and policies for persons who are over compulsory school age but have not attained the age of nineteen years and who attend any institution within the further education sector or any institution outside the further education sector and the higher education sector, where a further education funding council has secured provision for such persons under section 4(3) or (5) of the Further and Higher Education Act 1992, in respect of transport to and from those institutions.

**19.** The arrangements for parents to obtain the information particularised in Schedule 2 in the case of the special schools used by the authority which are maintained by them or other authorities.

## SCHEDULE 2

Regulation 8

### INFORMATION TO BE PUBLISHED BY GOVERNING BODIES

1. The name, address and telephone number of the school and the names of both the head teacher and the chairman of the governors.

2. The classification of the school as—

- (a) a county, controlled, aided, special agreement, special (maintained by an authority), grant-maintained, or grant-maintained special school;
- (b) a primary, middle or secondary school;
- (c) a comprehensive, secondary modern, grammar or bilateral school;
- (d) a co-educational or single-sex school;
- (e) a day or boarding school or a school taking both day and boarding pupils;

except that for the purposes of sub-paragraph (b) or (c) other terminology may be used according to usage in the authority.

3. Particulars of the admissions policy adopted for the school (in the case of a county or controlled school) by the relevant authority or (in the case of a voluntary aided, special agreement or grant-maintained school) by the governing body in relation to each age at which pupils are admitted to the school including ages above and below compulsory school age.

4. Where there are specific arrangements for parents who are considering sending their child to the school to visit it, particulars of those arrangements.

5. In the case of a secondary school, where information is available—

- (a) the number of places for pupils of the normal age of entry to the school which were available at the start of the school year immediately following the reporting school year; and
- (b) the number of written applications for places from the start of that year or preferences expressed for places at the school pursuant to arrangements made by the relevant authority under section 411(1) of the 1996 Act.

6. A summary of the policy adopted for the school by the governing body in relation to children with special educational needs as it appears from the information published by the governing body under regulations 2 to 4 of the Education (Special Educational Needs) (Information) Regulations 1994(10).

7. A statement on the ethos and values of the school.

8.—(1) The affiliations, if any, of the school with a particular religion, or religious denomination.

(2) Without prejudice to paragraph 7—

- (a) particulars of the religious education provided at the school;
- (b) a statement that a pupil shall, pursuant to section 389 of the 1996 Act, be excused wholly or partly from attendance at religious worship in the school or from receiving religious education given in the school, or both, if the parent of the pupil so requests; and
- (c) particulars of any arrangements as respects the exercise by the parent of a pupil of rights under section 389 of the 1996 Act in relation to the pupil's attendance at religious worship or religious education or both.

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(10) S.I. 1994/1048.

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**9.—(1)** In the case of a school with registered pupils in the final year of the first key stage, the number of such pupils.

(2) Where the number of such pupils is ten or more, the percentage who in respect of each of mathematics, science, spelling and the attainment targets in English in sub-paragraph (3)—

- (a) in respect of each level of the National Curriculum level scale were assessed as having reached that level;
- (b) were assessed as working towards level 1; or
- (c) failed to register a level because they missed the assessment by reason of absence.

(3) The attainment targets in English are—

- (a) reading;
- (b) writing; and
- (c) speaking and listening.

(4) Where the number of such pupils is fewer than ten but not fewer than five, the percentage who were assessed as having reached level 2 or above in each of the attainment targets in English in sub-paragraph (3) and in mathematics, science and spelling.

(5) Where the number of such pupils is ten or more, the percentage who were exempted under section 364 or 365 of the 1996 Act from assessment by the administration of NC tasks and the percentage who were exempted under section 364 or 365 of that Act from teacher assessment.

(6) Where the number of such pupils is fewer than five, a statement recording the fact and explaining that the results of assessment are not to be published for reasons of confidentiality.

(7) Where a pupil has been assessed both by a teacher and by the administration of any NC tasks the information in sub-paragraphs (2)(a) and (b) and (4) shall be given in respect of both types of assessment.

**10.—(1)** In the case of a school with registered pupils in the final year of the second key stage, the number of such pupils.

(2) Where the number of such pupils is ten or more, the percentage who, in respect of each of the core subjects and each of the attainment targets in English referred to in paragraph 9(3)—

- (a) in respect of each level of the National Curriculum level scale were assessed by teacher assessment as having reached that level;
- (b) were assessed by teacher assessment as working towards level 1;
- (c) failed to register a level on being assessed by teacher assessment;
- (d) were exempted from assessment under section 364 or 365 of the 1996 Act; or
- (e) failed to register a level because they missed the assessment by reason of absence.

(3) Where the number of such pupils is ten or more, the percentage who, in respect of each of the core subjects and each of the attainment targets in English referred to in paragraph 9(3)(a) and (b)—

- (a) in respect of each level above level 2 of the National Curriculum level scale were assessed by the administration of NC tests as having reached that level; or
- (b) were assessed by the administration of NC tests as having achieved below level 3 or failed to register a level on being so assessed.

(4) Where the number of such pupils is fewer than ten but not fewer than five, the percentage who in respect of each of the core subjects and the attainment targets in English referred to in paragraph 9(3) were assessed as having reached level 4 or above.

(5) Where the number of such pupils is fewer than five, a statement recording the fact and explaining that the results of assessment are not to be published for reasons of confidentiality.

**11.**—(1) In the case of a school with registered pupils in the final year of the third key stage, the number of such pupils.

(2) Where the number of such pupils is ten or more, the percentage who in respect of each of the core subjects—

- (a) in respect of each level of the National Curriculum level scale were assessed by teacher assessment as having reached that level;
- (b) were assessed by teacher assessment as working towards level 1;
- (c) failed to register a level on being assessed by teacher assessment;
- (d) were exempted from assessment under section 364 or 365 of the 1996 Act; or
- (e) failed to register a level because they missed the assessment by reason of absence.

(3) Where the number of such pupils is ten or more, the percentage who—

- (a) in respect of each level above level 2 of the National Curriculum level scale, in mathematics and science, were assessed by the administration of NC tests as having reached that level;
- (b) in respect of each level above level 3 in English, were assessed by the administration of NC tests as having reached that level;
- (c) in mathematics and science, were assessed by the administration of NC tests as having achieved below level 3 or failed to register a level on being so assessed; or
- (d) in English, were assessed by the administration of NC tests as having achieved below level 4 or failed to register a level on being so assessed.

(4) Where the number of such pupils is fewer than ten but not fewer than five, the percentage who in respect of each of the core subjects were assessed as having reached level 5 or above.

(5) Where the number of such pupils is fewer than five, a statement recording the fact and explaining that the results of assessment are not to be published for reasons of confidentiality.

**12.**—(1) In the case of a school with registered pupils aged 15—

- (a) the number of those pupils;
- (b) the number of those pupils who were not entered during the reporting school year for any GCSE;
- (c) subject by subject, the number of those pupils who during the reporting school year were entered for any GCSE examination or registered for or studying towards—
  - (i) a GNVQ Language Unit or units of a Part One GNVQ, an Intermediate GNVQ or a Foundation GNVQ, awarded by the EDEXCEL Foundation, the City and Guilds of London Institute or the Royal Society of Arts Examination Board and approved by the Secretary of State under section 400 of the 1996 Act;
  - (ii) a National Vocational Qualification, or units of such a qualification, awarded by the City and Guilds of London Institute, the Royal Society of Arts Examination Board, the Pitman Examination Institute or the London Chamber of Commerce and Industry Examination Board and approved by the Secretary of State under section 400 of the 1996 Act;
  - (iii) the Diploma of Vocational Education of the City and Guilds of London Institute approved by the Secretary of State under section 400 of the 1996 Act; or
  - (iv) the Initial Awards of the Royal Society of Arts Examination Board approved by the Secretary of State under section 400 of the 1996 Act;
- (d) subject by subject, the number of those pupils who during the reporting school year—

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- (i) achieved each grade from A\* to G in any GCSE examination;
  - (ii) were entered for a GCSE examination but failed to achieve a grade;
  - (iii) were entered for a GCSE examination but did not attempt the examination;
  - (iv) achieved, as the case may be, the GNVQ Language Unit, units of a Part One GNVQ, an Intermediate GNVQ or a Foundation GNVQ, the National Vocational Qualification (or all units studied for in relation to it), the Diploma or the Initial Awards referred to in sub-paragraph (1)(c) for which they were registered for or studying towards;
- (e) the percentage of those pupils who, during the reporting school year—
- (i) were entered for a GCSE examination or were registered for or studying towards a Part One GNVQ, an Intermediate GNVQ, a Foundation GNVQ or a GNVQ Language Unit referred to in sub-paragraph (1)(c), in one or more subjects;
  - (ii) were entered for such an examination or any such vocational qualification as is referred to in sub-paragraph (1)(e)(i), in five or more subjects;
  - (iii) achieved any grade from A\* to G in such an examination in one or more subjects;
  - (iv) achieved any grade from A\* to G in such an examination in five or more subjects;
  - (v) achieved any grade from A\* to C in such an examination in five or more subjects;
  - (vi) irrespective of whether they were entered, did not achieve any grade in any such examination;
- (f) the total number of pupils who during the reporting school year were registered for or studying towards units of a Part One GNVQ, an Intermediate GNVQ or a Foundation GNVQ, the National Vocational Qualification (or units of such a qualification), the Diploma or Initial Awards referred to in sub-paragraph (1)(c); and
- (g) the percentage of the pupils mentioned in sub-paragraph (f) who, during the reporting school year, achieved, as the case may be, all units of the Part One GNVQ, the Intermediate GNVQ or the Foundation GNVQ, the National Vocational Qualification (or all units of such a qualification), the Diploma or Initial Awards referred to in sub-paragraph (1)(c) for which they were registered for or studying towards.

(2) In sub-paragraph (1)(e)(iii) to (v), references to pupils achieving particular grades in GCSE examinations shall be construed for the purposes of those provisions as including references to pupils achieving corresponding awards in an equivalent number of the vocational qualifications referred to in that sub-paragraph.

**13.** In the case of a school with registered pupils aged 16, 17 or 18—

- (a) the number of those pupils who during the reporting school year were entered for fewer than two GCE ‘A’ level examinations or the equivalent;
- (b) the percentage of the pupils mentioned in sub-paragraph (a) whose point scores fell within the following ranges: 0—4 points; 5—9 points; 10—15 points;
- (c) the average point score of the pupils mentioned in sub-paragraph (a);
- (d) the number of registered pupils aged 16, 17 or 18 who during the reporting school year were entered for two or more GCE ‘A’ levels or the equivalent;
- (e) the percentage of the pupils mentioned in sub-paragraph (d) whose point scores fell within the following ranges: 0—4 points; 5—9 points; 10—14 points; 15—19 points; 20—24 points; 25—29 points; 30 points or more;
- (f) the average point score of the pupils mentioned in sub-paragraph (d);



- (g) the number of registered pupils aged 16, 17 or 18 who were entered during the reporting school year for the International Baccalaureate Diploma;
- (h) the percentage of the pupils mentioned in sub-paragraph (g) who achieved that qualification;
- (i) the number of registered pupils aged 16, 17 or 18 who were in the final year of study of a course leading to—
  - (i) an Advanced GNVQ awarded by the EDEXCEL Foundation, the City and Guilds of London Institute or the Royal Society of Arts Examination Board;
- (iii) the National Certificate or Diploma of the EDEXCEL Foundation; or
  - (iii) the Diploma of Vocational Education of the City and Guilds of London Institute at national level;
- (j) the percentage of the pupils mentioned in sub-paragraph (i) achieving each of those qualifications wholly or partly on the basis of work done in that school year;
- (k) subject by subject, the number of registered pupils aged 16, 17 or 18 who during the reporting school year—
  - (i) achieved each grade from A to N at GCE ‘A’ level and ‘AS’ examinations;
  - (ii) were entered for and attempted such a GCE ‘A’ level or ‘AS’ examination but failed to achieve a grade;
  - (iii) were entered for such an examination but did not attempt it;
  - (iv) were in the final year of study of a course leading to—
    - (i) an Advanced GNVQ awarded by the EDEXCEL Foundation, the City and Guilds of London Institute or the Royal Society of Arts Examination Board;
    - (ii) the National Certificate or Diploma of the EDEXCEL Foundation; or
    - (iii) the Diploma of Vocational Education of the City and Guilds of London Institute at national level; and
    - (iv) achieved any of the qualifications in (i) to (iii) above wholly or partly on the basis of work done in that year.
- (l) the number of registered pupils aged 16, 17 or 18 who were in the final year of study of a course leading to—
  - (i) an Intermediate GNVQ awarded by the EDEXCEL Foundation, the City and Guilds of London Institute or the Royal Society of Arts Examination Board;
  - (ii) the First Certificate or Diploma of the EDEXCEL Foundation; or
  - (iii) the Diploma of Vocational Education of the City and Guilds of London Institute at intermediate level.
- (m) the percentage of the pupils mentioned in sub-paragraph (l) achieving each of those qualifications wholly or partly on the basis of work done in that school year; and
- (n) subject by subject, the number of registered pupils aged 16, 17 or 18 who during the reporting school year were in the final year of study of a course leading to—
  - (i) an Intermediate GNVQ awarded by the EDEXCEL Foundation, the City and Guilds of London Institute or the Royal Society of Arts Examination Board;
  - (ii) the First Certificate or Diploma of the EDEXCEL Foundation; or
  - (iii) the Diploma of Education of the City and Guilds of London Institute at intermediate level; and

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(iv) achieved any of the qualifications in (i) to (iii) above wholly or partly on the basis of work done in that school year.

**14.** In the case of a maintained school with registered pupils aged 15, 16, 17 or 18, information in respect of the previous school year—

- (a) in respect of pupils aged 15 or 16, the number of those pupils, and the percentage of those pupils who have commenced—
  - (i) a course at any school or any course of further education;
  - (ii) employment;
  - (iii) a Government training programme; and
  - (iv) the percentage of pupils not coming within (i), (ii), or (iii) above;
- (b) in respect of pupils aged 17 or over, the number of those pupils and the percentage of those pupils who have commenced—
  - (i) any course of further education;
  - (ii) any course of higher education;
  - (iii) employment; and
  - (iv) the number of pupils not coming within (i), (ii) or (iii) above.

**15.—(1)** The number of pupils of compulsory school age registered at any time on or before the Friday before the last Monday in May during the reporting school year.

(2) The number of—

- (a) authorised absences; and
- (b) unauthorised absences

of registered pupils of compulsory school age during the reporting school year on or before the Friday before the last Monday in May expressed as a percentage of the total number of possible attendances in that reporting school year.

(3) For the purposes of this paragraph—

- (a) an “unauthorised absence” means an occasion on which a pupil is recorded as absent without authority pursuant to the Education (Pupil Registration) Regulations 1995<sup>(11)</sup> and “authorised absence” shall be construed accordingly;
- (b) “the total number of possible attendances” means the number produced by multiplying the number of registered pupils of compulsory school age by the number of school sessions in the reporting school year on or before the Friday before the last Monday in May;
- (c) a pupil is of compulsory school age unless before 1st September immediately preceding the reporting school year—
  - (i) he has not attained the age of five years; or
  - (ii) he has attained the age of sixteen years.

(4) Where a percentage required to be calculated by virtue of this paragraph is not a whole number, it shall be rounded to one decimal place.

(5) This paragraph does not apply in respect of boarding pupils.

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<sup>(11)</sup> S.I. 1995/2089, amended by S.I. 1997/2624.

## SCHEDULE 3

Regulation 13

## INFORMATION TO BE MADE AVAILABLE BY GOVERNING BODIES

1. In the case of a school providing education for pupils at the first, second or third key stage, the most recent national summary figures in respect of the key stage or stages for which the school provides education, corresponding to paragraphs 9(2) and (4), 10(2), (3), and (4) (in so far as the information in these sub-paragraphs of paragraph 10 relates to the core subjects only), and 11(2), (3) and (4) of Schedule 2.
2. In the case of a school providing education for pupils aged 15—  
in relation to the results of GCSE examinations and the GNVQ qualifications, the National Vocational Qualification (or units of such a qualification), the Diploma and the Initial Awards referred to in paragraph 12 (1)(c) of Schedule 2, the most recent local and national average figures corresponding to paragraph 12(1)(e)(iii), (iv) and (v) of that Schedule.
3. In the case of a school providing education for pupils aged 16, 17 or 18—  
in relation to the results of GCE “A” level and GCE “AS” examinations, the most recent national average figures corresponding to paragraph 13(b), (c), (e) and (f) of Schedule 2.

## SCHEDULE 4

Regulation 9(4)

## ORDER IN WHICH GCSE RESULTS OF PUPILS AGED 15 ARE TO BE MADE AVAILABLE AND SYLLABUSES COUNTING AS GCSE SYLLABUSES

English	All syllabuses entitled <i>English</i> which conform to the GCSE/fourth key stage Criteria for English.
Mathematics	All syllabuses entitled <i>Mathematics</i> which conform to the GCSE/fourth key stage Criteria for Mathematics.
Science:	
Science single award	All combined or integrated science syllabuses entitled <i>Science: Single Award</i> which conform to the GCSE/fourth key stage Criteria for Science, which lead to a single GCSE award.
Science double award	All combined or integrated science syllabuses entitled <i>Science: Double Award</i> which conform to the GCSE/fourth key stage Criteria for Science, and which lead to two GCSE awards.
Biology	All syllabuses entitled <i>Biology</i> which conform to GCSE National Criteria for Biology.
Chemistry	All syllabuses entitled <i>Chemistry</i> which conform to GCSE National Criteria for Chemistry.
Physics	All syllabuses entitled <i>Physics</i> which conform to GCSE National Criteria for Physics.

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## EXPLANATORY NOTE

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

These Regulations revoke and replace, with amendments, the Education (School Information) (England) Regulations 1996.

They relate to information to be published by maintained schools and local education authorities. For the purposes of these Regulations, “maintained school” means a county or voluntary school, a special school maintained by a local education authority which is not established in a hospital, and a grant-maintained school or a grant-maintained special school not established in a hospital.

Statutory references in the Regulations have been updated to reflect the provisions of the Education Act 1996. There are also minor drafting changes.

The main substantive changes to the Regulations relate to information to be included in the school prospectus. The amount of the information to be included is reduced.

There are a few minor changes to the information to be included in the prospectus relating to key stages one, two and three. These include information about spelling at key stage one and attainment targets in English at key stage two (*paragraphs 9, 10 and 11 of Schedule 2*).

In the case of a school with registered pupils aged 15, the prospectus is now to include particulars in relation to a Part One GNVQ (“GNVQ” means a General National Vocational Qualification), an Intermediate GNVQ or a Foundation GNVQ and a GNVQ Language Unit, awarded by the EDEXCEL Foundation. As before, information as to any National Vocational Qualification, or units of such a qualification, the Diploma of Vocational Education of the City and Guilds of London Institute and the Initial Awards of the Royal Society of Arts Examination Board is still to be included (*paragraph 12 of Schedule 2*).

If it appears requisite to a governing body of a school or a local education authority that the documents they publish should be available in a braille or audio tape version, they must produce it in such a form. This is in addition to the existing provision with respect to the translation of documents into a language other than English (*regulation 14(3)*).

By way of transitional provision, where a governing body have already published the annual prospectus before the commencement of these Regulations, they are not required to publish a further annual prospectus by virtue of these Regulations in that school year (*regulation 15*).