
STATUTORY INSTRUMENTS

1998 No. 2526

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

**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⁽¹⁾ are hereby revoked.

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⁽²⁾ 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⁽³⁾;

“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;

⁽¹⁾ S.I. 1996/2585.

⁽²⁾ 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.

⁽³⁾ 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.

“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(4);

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

“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(7);

“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;

(4) S.I. 1995/2071, amended by S.I. 1996/2114 and 1997/1931.

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

(6) S.I. 1996/2116.

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

“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.

(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

Status: *This is the original version (as it was originally made).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

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.