

**2007 No. 2975**

**EDUCATION, ENGLAND**

**The Education (School Performance Targets) (England)  
(Amendment) Regulations 2007**

<i>Made</i>	- - - -	<i>14th October 2007</i>
<i>Laid before Parliament</i>		<i>22nd October 2007</i>
<i>Coming into force</i>	- -	<i>12th November 2007</i>

The Secretary of State for Children, Schools and Families, in exercise of the powers conferred by sections 19 and 54 of the Education Act 1997(a), makes the following Regulations:

**Citation, commencement and application**

1.—(1) These Regulations may be cited as the Education (School Performance Targets) (England) (Amendment) Regulations 2007 and come into force on 12th November 2007.

(2) These regulations apply only in relation to schools in England.

**Amendment of Regulations**

2. The Education (School Performance Targets) (England) (Amendment) Regulations 2004(b) are amended as follows.

3. In regulation 2 (Interpretation)—

(a) in the definition of “approved qualification”, omit the words “entry level, level 1 or”;

(b) before the definition of “GCE AS level” insert—

““first key stage” has the same meaning as in section 82(1)(a) of the 2002 Act;”;

““fourth key stage pupils” means pupils who are in the fourth key stage referred to in section 82(1)(d) of the 2002 Act;”;

(c) omit the definitions of “level 1”, “level 4” and “level 5”; and

(d) before “level 2 threshold”, insert—

““level” means any level of the National Curriculum attainment targets as specified in an Order made or having effect as if made by the Secretary of State under section 87(3)(a) of the 2002 Act (c) and “level 4” and “level 5” are construed accordingly;”.

4. In regulation 3 (Targets for pupils in the second key stage), for paragraph (3) substitute—

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(a) 1997 c. 44; section 19(3) was substituted by paragraph 213 of Schedule 30 to the School Standards and Framework Act 1998 (c. 31). For the meaning of “regulations”, see section 56(1).

(b) S.I. 2004/2858 as amended by S.I. 2004/3323, 2005/2449 and 2006/3151.

(c) Some extant Orders were made under section 356 of the Education Act 1996 (c. 56) which has subsequently been repealed, and these Orders have effect as if they were made under the 2002 Act.

- “(3) The targets referred to in paragraph (2) are—
- (a) the percentage of the relevant group of second key stage pupils to achieve level 4 or above in such tests in both English and mathematics;
  - (b) in such tests in English, the percentage of the relevant group of second key stage pupils to achieve a level that is at least 2 levels higher than the level achieved at the end of the first key stage; and
  - (c) in such tests in mathematics, the percentage of the relevant group of second key stage pupils to achieve a level that is at least 2 levels higher than the level achieved at the end of the first key stage.”.

**5.** In regulation 4 (Targets for pupils in the third key stage), for paragraph (3) substitute—

- “(3) The targets referred to in paragraph (2) are—
- (a) the percentage of the relevant group of third key stage pupils to achieve level 5 or above in NC tests in both English and mathematics;
  - (b) the percentage of the relevant group of third key stage pupils to achieve level 5 or above in NC tests in science;
  - (c) in NC tests in English, the percentage of the relevant group of third key stage pupils to achieve a level that is at least 2 levels higher than the level achieved at the end of the second key stage; and
  - (d) in NC tests in mathematics, the percentage of the relevant group of third key stage pupils to achieve a level that is at least 2 levels higher than the level achieved at the end of the second key stage.”.

**6.** In regulation 5 (Targets for pupils aged 15)—

- (a) in the title of the regulation and in paragraph (2), for “pupils aged 15” substitute, “pupils in the fourth key stage”;
- (b) in paragraph (1), for “attained the age of 15”, substitute “in the fourth key stage”;
- (c) for paragraph (3), substitute—

- “(3) The targets referred to in paragraph (2) are—
- (a) the percentage of the relevant group of fourth key stage pupils to achieve the level 2 threshold in approved qualifications including grades A\*-C in English and Mathematics GCSE qualifications;
  - (b) in approved GCSE qualifications in English the percentage of the relevant group of fourth key stage pupils to achieve a grade that is the equivalent of a level at least 2 levels higher than the level achieved at the end of the third key stage; and
  - (c) in approved GCSE qualifications in mathematics, the percentage of the relevant group of fourth key stage pupils to achieve a grade that is the equivalent of a level at least 2 levels higher than the level achieved at the end of the third key stage.”;

(d) in paragraph (5)—

- (i) for “the relevant group of pupils aged 15” substitute “the relevant group of pupils in the fourth key stage”;
- (ii) for sub-paragraphs (i) and (ii) substitute—
  - “(i) will be registered pupils at a maintained school; and
  - (ii) will be in the final year of the fourth key stage.”;

(e) after paragraph (7), insert —

“(8) For the purposes of paragraph (3) of this regulation, the equivalent of a level is that which is shown in the table in Schedule 1A.”.

**7.** Before Schedule 2, insert—

“SCHEDULE 1A

Regulations 5(3) and (8)

<i>National Curriculum level</i>	<i>Equivalent level at GCSE</i>
8	A*
7	A
6	B
5	C
4	D
3	E
2	F
Below level 2	G”

14th October 2007

*Jim Knight*  
Minister of State  
Department for Children, Schools and Families

## **EXPLANATORY NOTE**

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

These Regulations make two principal amendments to the Education (School Performance Targets) (England) (Amendment) Regulations 2004 (S.I. 2004/2858 as amended by S.I. 2004/3323, S.I. 2005/2449 and S.I. 2006/3151). The target at the end of each key stage (excluding the first key stage) is now for each pupil to achieve the required level in both English and mathematics. Progression targets have been introduced so that schools also focus on children who make progress but are unable to achieve the expected levels.

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