
STATUTORY INSTRUMENTS

2007 No. 3373

EDUCATION, ENGLAND

The Education (Information About Individual Pupils) (England) (Amendment) Regulations 2007

Made - - - - 27th November 2007
Laid before Parliament 6th December 2007
Coming into force - - 30th December 2007

The Secretary of State for Children, Schools and Families makes the following Regulations in exercise of the powers conferred by sections 537A(1) and 569(4) of the Education Act 1996(1):

Citation, commencement and application

1.—(1) These Regulations may be cited as the Education (Information About Individual Pupils) (England) (Amendment) Regulations 2007 and come into force on 30th December 2007.

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

Amendment of the Education (Information About Individual Pupils) (England) Regulations 2006

2. In Part 1 of Schedule 1 to the Education (Information About Individual Pupils) (England) Regulations 2006(2), after paragraph 18 insert—

“19.—(1) Information that the pupil normally resides with a person specified in subparagraph (2) who is—

(a) a person subject to military law by virtue of section 205(1)(a) or (f), 206 or 208 of the Army Act 1955(3);

(b) a person subject to air-force law by virtue of section 205(1)(a) or (g), 206 or 208 of the Air Force Act 1955(4); or

(1) 1996 c. 56. Section 537A was inserted by the Education Act 1997 (c. 44), section 20, and substituted by the School Standards and Framework Act 1998 (c. 31), Schedule 30, paragraph 153. By virtue of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) the powers conferred by that section are exercisable by the Secretary of State in relation to England. See section 579(1) for the definitions of “prescribed” and “regulations”.

(2) S.I. 2006/2601.

(3) 1955 c. 18. These provisions will be repealed by Schedule 17 to the Armed Forces Act 2006 (c. 52).

(4) 1955 c. 19. These provisions will be repealed by Schedule 17 to the Armed Forces Act 2006.

- (c) a person subject to the Naval Discipline Act 1957⁽⁵⁾ by virtue of section 111(1), 112, 113 or 114 of that Act,

and who has been assigned Personal Status Category 1 or 2 (within the meaning of the “Personal Status Category Definitions” document published by the Ministry of Defence on 18th October 2007) by the Secretary of State for Defence.

- (2) The person referred to in sub-paragraph (1) is—
- (a) a parent of the pupil;
 - (b) a person who is not the pupil’s parent and who is married to, or a civil partner of, a parent of the pupil; or
 - (c) a person not falling within paragraphs (a) or (b) who has parental responsibility for the pupil within the meaning of section 3 of the Children Act 1989⁽⁶⁾.
- (3) Section 576 of the 1996 Act (meaning of “parent”) shall not apply to this paragraph.”.

27th November 2007

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

⁽⁵⁾ 1957 c. 53. These provisions will be repealed by Schedule 17 to the Armed Forces Act 2006.
⁽⁶⁾ 1989 c. 41.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Education (Information About Individual Pupils) (England) Regulations 2006 (S.I. 2006/2601). The effect of the amendment is that schools maintained by a local education authority are required to provide additional information to that authority, and non-maintained special schools, city technology colleges, city colleges for the technology of the arts and Academies are required to provide additional information to the Secretary of State. The additional information is required if a pupil normally resides with a person who—

- (a) is the pupil’s parent, step-parent, parent’s civil partner or someone with parental responsibility for the pupil;
- (b) is subject to military law, air-force law or the Naval Discipline Act 1957 by virtue of certain specified provisions (i.e. Regular Service personnel), and
- (c) has been assigned Personal Status Category 1 or 2 by the Secretary of State for Defence.

A copy of “Personal Status Category Definitions”, which defines Personal Status Categories 1 and 2, may be obtained from the Ministry of Defence website www.mod.uk or by writing to the Ministry of Defence at the following address:

SP Pol Service Conditions – Projects and Legislation 2, Level 7 Zone B, MOD Main Building, Whitehall, London SW1A 2HB.

A full regulatory impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.