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STATUTORY INSTRUMENTS

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**2016 No. 808**

**EDUCATION, ENGLAND**

**The Education (Pupil Information) (England)  
(Miscellaneous Amendments) Regulations 2016**

<i>Made</i>	- - - -	<i>20th July 2016</i>
<i>Laid before Parliament</i>		<i>27th July 2016</i>
<i>Coming into force</i>	- -	<i>1st September 2016</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 408, 537A(1) and (2), 563 and 569(4) of the Education Act 1996<sup>(1)</sup>.

In accordance with section 408(5) of that Act, the Secretary of State has consulted those with whom consultation appeared to be desirable.

**Citation and commencement**

1. These Regulations may be cited as the Education (Pupil Information) (England) (Miscellaneous Amendments) Regulations 2016 and come into force on 1st September 2016.

**Amendments of the Education (Information about Individual Pupils) (England) Regulations 2013**

2. After paragraph 2(k) of Schedule 1 to the Education (Information about Individual Pupils) (England) Regulations 2013<sup>(2)</sup> (provision of information about individual pupils) insert—

- “(l) nationality;
- (m) country of birth;
- (n) proficiency in speaking, reading and writing in English.”.

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(1) 1996 c. 56. By virtue of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) the powers conferred by these sections are exercisable by the Secretary of State only in relation to England. Section 408 was amended by: section 57 of, and Schedule 7 to, the Education Act 1997 (c. 44); section 140 of, and Schedule 30 to, the School Standards and Framework Act 1998 (c. 31); section 149 of, and Schedule 9 to, the Learning and Skills Act 2000 (c. 21); and section 215 of, and Schedule 21 to, the Education Act 2002 (c. 32). See section 579(1) of the Education Act 1996 for the definition of “regulations”.

(2) S.I. 2013/2094, there are amending instruments but none is relevant.

### **Amendment of the Education (Pupil Information) (England) Regulations 2005**

**3.** In paragraph 1 of Schedule 2 to the Education (Pupil Information) (England) Regulations 2005<sup>(3)</sup> (information forming part of the common transfer file)—

- (a) in sub-paragraph (f), omit the “and” at the end;
- (b) after sub-paragraph (g), insert—
  - “(h) nationality;
  - (i) country of birth;
  - (j) proficiency in speaking, reading and writing in English.”.

20th July 2016

*Nick Gibb*  
Minister of State  
Department for Education

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(3) [S.I. 2005/1437](#) was amended by [S.I. 2008/1747](#); there are other amending instruments but none is relevant.

## EXPLANATORY NOTE

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

These Regulations amend the Education (Information about Individual Pupils)(England) Regulations 2013 (S.I. 2013/2094) and the Education (Pupil Information) (England) Regulations 2005 (S.I. 2005/1437). These amendments require schools to provide three additional pieces of information to be included in the pupil register and common transfer file (the file of information that follows a pupil who moves from one school to another): pupil nationality, country of birth and proficiency to speak, read and write English. The Secretary of State publishes guidance online at [www.gov.uk/government/publications/school-census-2016-to-2017-guide-for-schools-and-las](http://www.gov.uk/government/publications/school-census-2016-to-2017-guide-for-schools-and-las) regarding the collection of pupil information.

An impact assessment has not been produced for this instrument as it has no impact on businesses and civil society organisations. The instrument has a minimal impact on the public sector.