



# Education (Schools) Act 1992

## 1992 CHAPTER 38

### *Information about schools*

#### **16 Power of Secretary of State to require information**

- (1) The Secretary of State may by regulations make provision requiring the proprietor of each independent school and the governing body of every school which is—
  - (a) maintained by a local education authority,
  - (b) a grant-maintained school, or
  - (c) a special school which is not maintained by a local education authority,to provide such information about the school as may be prescribed.
- (2) For the purposes of this section information about the continuing education of pupils leaving a school, or the employment or training taken up by such pupils on leaving, is to be treated as information about the school.
- (3) Where the Secretary of State exercises his power to make regulations under this section he shall do so with a view to making available information which is likely to—
  - (a) assist parents in choosing schools for their children;
  - (b) increase public awareness of the quality of the education provided by the schools concerned and of the educational standards achieved in those schools; or
  - (c) assist in assessing the degree of efficiency with which the financial resources of those schools are managed.
- (4) Information which is required by virtue of regulations under this section shall be provided—
  - (a) in such form and manner,
  - (b) on such occasions, and
  - (c) to such person or persons, in addition to or in place of the Secretary of State, as may be prescribed.
- (5) No information provided in accordance with regulations under this section shall name any pupil to whom it relates.

- (6) The Secretary of State may—
- (a) publish information provided in accordance with regulations under this section in such form and manner as he considers appropriate;
  - (b) make arrangements for such information to be published in such form and manner, and by such persons, as he may specify for the purposes of this section;
  - (c) make regulations requiring local education authorities to publish prescribed categories of such information, together with such supplementary information as may be prescribed, in such form and manner as may be prescribed.
- (7) The Secretary of State may make regulations requiring—
- (a) the governing body of any school which is maintained by a local education authority, or which is a grant-maintained school, or
  - (b) any local education authority,
- to provide prescribed persons with prescribed categories of information published under subsection (6).
- (8) Information provided under subsection (7) shall be provided in such form and manner as may be prescribed.
- (9) Regulations under this section may make provision enabling the Secretary of State, in such circumstances as may be prescribed, to order the deletion from the register of independent schools of the name of any independent school the proprietor of which fails to comply with any requirement imposed by or under the regulations.
- (10) This section is not to be taken as restricting, or otherwise affecting, any other powers that the Secretary of State may have to make regulations with respect to, or otherwise to require, the provision of information by any person.
- (11) In subsection (9) “the register of independent schools” means—
- (a) in relation to any school in England, the register of independent schools kept under section 70 of the Education Act 1944 by the Registrar of Independent Schools for England; and
  - (b) in relation to any school in Wales, the equivalent register kept by the Registrar of Independent Schools for Wales.
- (12) This section does not apply to nursery schools.

## **17 Information as to schools and pupils: Scotland**

In Part II of the Education (Scotland) Act 1980 (rights and duties of parents and functions of education authorities in relation to individual pupils) after section 28H (appeals relating to exclusion of pupils from schools) there shall be inserted the following sections—

### *“Information as to schools and pupils*

#### **28I Information as to schools**

- (1) The Secretary of State may by regulations make provision requiring—
- (a) in respect of every school for the management of which an education authority is responsible, the education authority; and

- (b) in respect of every other school—
  - (i) where the school has a board of management, the board of management;
  - (ii) in any other case, the managers,to provide to him and to such persons (including education authorities) as may be prescribed such information as regards the school and pupils attending the school as may be prescribed.
- (2) For the purposes of this section information about the continuing education of pupils leaving a school, or the employment or training taken up by such pupils on leaving, is to be treated as information about the school.
- (3) Where the Secretary of State exercises his power to make regulations under this section he shall do so with a view to making available information which is likely to—
  - (a) assist parents in choosing schools for their children;
  - (b) increase public awareness of the quality of the education provided by the schools concerned and the educational standards achieved in those schools; or
  - (c) assist in assessing the degree of efficiency with which the financial resources of those schools are managed.
- (4) Information which is required by virtue of regulations made under this section shall be provided—
  - (a) in such form and manner; and
  - (b) on such occasions,as may be prescribed.
- (5) No information provided in accordance with regulations made under this section shall name any pupil to whom it relates.
- (6) The Secretary of State may—
  - (a) publish information provided in accordance with regulations made under this section in such form and manner as he considers appropriate;
  - (b) require an education authority to publish such information at such times and in such form and manner as he may specify for the purposes of this section; or
  - (c) make arrangements for such information to be published in such form and manner, and by such persons, as he may specify for the purposes of this section.
- (7) The powers given to the Secretary of State by this section and section 28J of this Act may be exercised so as to make different provision in relation to different areas.
- (8) This section and sections 28J and 28K of this Act are not to be taken as restricting, or otherwise affecting, any other powers that the Secretary of State may have to make regulations with respect to, or otherwise require, the provision of information by any person.
- (9) Regulations made under this section and sections 28J and 28K of this Act may make different provision for different cases or classes of case.

- (10) This section does not apply to nursery schools.

**28J Requirement to provide information as to school education**

- (1) The Secretary of State may make regulations requiring education authorities, boards of management and managers of grant-aided schools to provide to prescribed persons such information or documents or categories of information or documents relating to school education as may be prescribed.
- (2) Information or documents provided in pursuance of regulations made under subsection (1) above shall be provided—
- (a) in such form and manner; and
  - (b) on such occasions,
- as may be prescribed.

**28K Information as to pupils**

- (1) The Secretary of State may by regulations make provision requiring that such information and reports as may be prescribed as regards pupils attending schools to which this section applies shall be supplied to the parents of such pupils at such times and in such form and manner as may be determined by or in accordance with the regulations.
- (2) This section applies to any school which is not a grant-aided school, an independent school or a nursery school.
- (3) Regulations made under this section may contain provision as to—
- (a) the means of involvement of parents in consideration of such reports; and
  - (b) the extent to which any information relating to general standards of performance in examinations or other forms of assessment of any group of pupils shall be supplied to parents of other pupils.”