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STATUTORY INSTRUMENTS

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**1993 No. 2077**

**The Education (School Performance Information) (England) (No. 2) Regulations 1993**

**PART I**  
**GENERAL**

**Citation, commencement and application**

1.—(1) These Regulations may be cited as the Education (School Performance Information) (England) (No. 2) Regulations 1993 and shall come into force on 6th September 1993.

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

**Interpretation**

2.—(1) In these Regulations, except where the context otherwise requires—

“the 1988 Act” means the Education Reform Act 1988;

“assessment” means assessment pursuant to orders made under section 4 of the 1988 Act<sup>(1)</sup> and “level” shall be construed in accordance with the provisions of such orders;

“attainment targets” have the meaning given by section 2 of the 1988 Act;

“authority”, in relation to a school maintained by a local education authority, means that authority and, in relation to a grant-maintained school, a non-maintained special school or an independent school, means the authority in whose area the school is situated;

“CTC” means city technology college and city college for the technology of the arts;

“GCE ‘A’ level examinations” and “GCE ‘AS’ examinations” mean General Certificate of Education advanced level and advanced supplementary examinations respectively;

“GCSE” means General Certificate of Secondary Education;

“maintained school” means—

(a) any county or voluntary school;

(b) any maintained special school which is not established in a hospital;

(c) any grant-maintained school

but excludes nursery schools;

“middle deemed secondary school” means a middle school deemed to be a secondary school by virtue of the Education (Middle Schools) Regulations 1980<sup>(2)</sup>;

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(1) The regulations currently in force are the Education (National Curriculum) (Assessment Arrangements for English, mathematics, science, technology, history and geography) (Key Stage 1) Order 1992, S.I. 1992/1857 and the Education (National Curriculum) (Assessment Arrangements for English, mathematics, science and technology) (Key Stage 3) Order 1992, S.I. 1992/1858.

(2) S.I. 1980/918.

“prescribed public examination” means a public examination which is for the time being prescribed by regulations made under section 106 of the 1988 Act<sup>(3)</sup>;

“previous school year” means a school year preceding the reporting school year;

“reporting school year” means the school year immediately preceding the school year in which information provided to the Secretary of State under these Regulations is to be published by him;

“special class” means a class so designated by the authority (in the case of a school maintained by the authority), governing body (in the case of a grant-maintained school) or proprietor (in the case of a non-maintained special school or an independent school), in which all or the majority of pupils have special educational needs;

“summer term” means the term in which assessment takes place;

“unauthorised absence” means an occasion on which a pupil is recorded as absent without authority pursuant to the Pupils' Registration Regulations 1956<sup>(4)</sup>; and

“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.

(2) In these Regulations, except where the context otherwise requires—

(a) 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;

(b) references to examinations for which pupils at the school were entered include examinations for which they were entered otherwise than in pursuance of section 117 of the 1988 Act;

(c) references to key stages are references to the periods set out in section 3(3) of the 1988 Act.

(3) Particulars to which these Regulations apply may be made available in the form of data from which the particulars are capable of being extracted by computer.

(4) For the purposes of these Regulations any examination for the GCSE for which a pupil aged 15 was entered during a previous school year shall be treated as such an examination for which the pupil was entered during the reporting school year.

(5) Information relating to unauthorised absences for any term which begins before 28th May and finishes after that date shall not include any information relating to any date after 28th May.

(6) In calculating the number of `A' levels a pupil is entered for, one `AS' shall be treated as the equivalent of half an `A' level.

(7) For the purpose of determining point scores in GCE `A' level and GCE `AS' examinations the following grades of achievement equate to the following points, namely:

GCE `A' level: grade A = 10 points; grade B = 8 points; grade C = 6 points; grade D = 4 points; and grade E = 2 points.

GCE `AS': grade A = 5 points; grade B = 4 points; grade C = 3 points; grade D = 2 points; and grade E = 1 point.

(8) In these Regulations, unless the context otherwise requires, any reference to a numbered regulation is a reference to the regulation bearing that number in these Regulations, any reference to a numbered paragraph is to the paragraph of that regulation bearing that number, any reference in a

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(3) The current regulations are the Education (Prescribed Public Examination) Regulations 1989 (S.I. [1989/377](#)).

(4) S.I. [1956/357](#); these regulations have been amended by the Education (Pupils' Attendance Records) Regulations 1991 (S.I. [1991/1582](#)).

paragraph to a sub-paragraph is a reference to a sub-paragraph of that paragraph and any reference to a Schedule is to a Schedule to these Regulations.

### **Qualification of duties**

3. The duties imposed on governing bodies and local education authorities by virtue of these Regulations in respect of provision or publication of information apply only to the extent that that information is available to the governors or the authority before the latest occasion on which the information is required to be provided or published, as the case may be.

### **Revocation**

4. The Education (School Performance Information) (England) Regulations 1993<sup>(5)</sup> are revoked.

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(5) S.I. 1993/1503.