
STATUTORY INSTRUMENTS

1994 No. 1186

EDUCATION, ENGLAND AND WALES

**The Education (School Performance
Information) (Wales) Regulations 1994**

<i>Made</i>	- - - -	<i>21st April 1994</i>
<i>Laid before Parliament</i>		<i>29th April 1994</i>
<i>Coming into force</i>	- -	<i>20th May 1994</i>

In exercise of the powers conferred on the Secretary of State by sections 16 and 19(3) of the Education (Schools) Act 1992⁽¹⁾ the Secretary of State for Wales hereby makes the following Regulations:

PART I
GENERAL

Citation, commencement and application

1.—(1) These Regulations may be cited as the Education (School Performance Information) (Wales) Regulations 1994 and shall come into force on 20th May 1994.

(2) These Regulations apply in relation to schools and local education authorities in Wales only.

Interpretation

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

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

“authorised absence” means an occasion on which a pupil is recorded as absent with authority pursuant to the Pupils' Registration Regulations 1956⁽²⁾;

“the Document” means the Document published by the Secretary of State containing information provided in accordance with regulation 3 of these Regulations for the area of each local education authority in Wales;

⁽¹⁾ 1992 c. 38.

⁽²⁾ S.I.1956/357: these Regulations have been amended by the Education (Pupils' Attendance Records) Regulations 1991 (S.I. 1991/1582).

“independent school” means any school at which full time education is provided for five or more pupils of secondary school age (whether or not such education is also provided for pupils under that age) not being a school maintained by a local education authority, a grant maintained school or a special school not maintained by a local education authority;

“maintained school” means—

- (a) any county or voluntary secondary school;
- (b) any maintained special school which is not established in a hospital; and
- (c) any grant-maintained secondary school;

and “maintained primary school” and “maintained secondary school” mean, respectively, a maintained school which is a primary school or a maintained school which is a secondary school;

“reporting school year” means the school year immediately preceding the school year in which information is required to be provided to the Secretary of State pursuant to regulation 3;

“Schools' Census enumeration date” means the date falling in the reporting school year on which the Secretary of State requires information relating to the school pursuant to section 92 of the Education Act 1944(3);

“unauthorised absence” means an occasion on which a pupil is recorded as absent without authority pursuant to the Pupils' Registration Regulations 1956.

(2) In these Regulations, unless the context otherwise requires, a 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 paragraph to a sub-paragraph is a reference to a sub-paragraph of that paragraph and any reference to a Schedule is to the Schedule to these Regulations.

(3) In these Regulations references to absences are references to those absences recorded in a register where the majority of the pupils are subject to the provisions relating to recording of authorised and unauthorised absence.

(4) In these Regulations, a reference to the reporting period is a reference to the period commencing at the beginning of the reporting school year and ending on the date of the Late May Bank Holiday.

(5) In these Regulations references to key stages are references to the periods set out in section 3(3) of the 1988 Act.

PART II

PROVISION OF INFORMATION TO THE SECRETARY OF STATE

3. The governing body of every maintained secondary school and the proprietor of every non-maintained special school and the proprietor of every independent school shall, within two weeks of receiving a written request from the Secretary of State, provide him with the information referred to in the Schedule.

PART III

PUBLICATION OF INFORMATION

Provision of School Performance Information by Governing Bodies and by Local Education Authorities

4.—(1) The governing body of every maintained secondary school providing education for pupils over the age of 14 years who are of compulsory school age and the governing body of every maintained primary school providing education for pupils in the final year of the second key stage shall provide the Document in the manner and to the persons specified in paragraph (2).

(2) The Document shall be provided—

- (a) in the case of any maintained school, by copies of the Document being made available by the governing body of the school at the school for reference by parents and other persons on request;
- (b) in the case of a maintained secondary school, by copies of the Document being distributed without charge by the governing body of the school to parents of pupils who are in the final year of the fourth key stage at the school; and
- (c) in the case of a maintained primary school, by copies of the Document being distributed without charge by the governing body of the school to parents of pupils in the final year at the school before transfer to a school with an older range.

(3) Copies of the Document shall be made available by each local education authority in Wales for distribution to libraries in its area for reference by members of the public.

Avoidance of duplication of information in certain circumstances

5. Nothing in these Regulations shall require a governing body or proprietor to make the same published particulars available to any person on more than one occasion, nor to make available to any person particulars which have already been made available to that person.

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THE SCHEDULE

Regulation 3

INFORMATION TO BE PROVIDED TO THE SECRETARY OF STATE

Part I:

1. The total number of pupils who are subject to the provisions relating to the recording of authorised and unauthorised absence who were registered at the school on the Schools' Census enumeration date.
2. For the reporting period and for pupils who are subject to the provisions relating to the recording of authorised and unauthorised absence—
 - (a) the number of sessions missed by pupils due to authorised absence;
 - (b) the number of sessions missed by pupils due to unauthorised absence;
 - (c) the number of sessions missed by pupils due to absence (both authorised and unauthorised);
 - (d) the maximum number of sessions that a pupil could attend.

Part II:

For the reporting school year, the number of hours of taught lesson time per week given to a full time pupil in key stages 3 and 4, excluding registration, tutorial time, assemblies and breaktimes.

21st April 1994

John Redwood
Secretary of State for Wales

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, made under Sections 16 and 19(3) of the Education (Schools) Act 1993, apply to schools in Wales only (regulation 1).

Regulation 2 contains interpretation provisions.

Regulation 3 imposes duties on governing bodies of maintained secondary schools and proprietors of non-maintained special schools and independent schools to provide specified information to the Secretary of State. The information to be provided is set out in the Schedule to the Regulations.

Under regulation 4, the governing body of every maintained secondary school providing education for pupils over the age of 14 years who are of compulsory school age, the governing body of every maintained primary school providing education for pupils in the final year of the second key stage and every local education authority in Wales shall make available and distribute in the manner specified in the regulations information to be published by the Secretary of State which contains information provided to him under regulation 3.

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Under regulation 5, the governing body is not required to make the same published particulars available to the same person on more than one occasion.