
STATUTORY INSTRUMENTS

1994 No. 1420

The Education (School Performance Information) (England) Regulations 1994

**PART I
GENERAL**

Citation, commencement and application

1.—(1) These Regulations may be cited as the Education (School Performance Information) (England) Regulations 1994 and shall come into force on 21st June 1994.

(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” in relation to a maintained school means assessment pursuant to orders made under section 4 of the 1988 Act⁽¹⁾ and “level” shall be construed in accordance with the provisions of such orders and in relation to a CTC means assessment pursuant to an agreement with the Secretary of State under section 105 of the 1988 Act;

“assessment term” means the term in which assessment is completed;

“attainment targets” has 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 or grant-maintained special 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;

“lesson time” means time during which pupils are normally required to attend lessons or engage in private study supervised by a teacher during school hours;

“maintained school” means—

- (a) any county or voluntary school;
- (b) any special school maintained by an authority which is not established in a hospital;

⁽¹⁾ The orders currently in force are the Education (National Curriculum) (Assessment Arrangements for the Core Subjects (Key Stage 1) Order 1993 (S.I.1993/1983) and the Education (National Curriculum) (Assessment Arrangements for the Core Subjects (Key Stage 3) Order 1993 (S.I.1993/1984).

(c) any grant-maintained school or grant-maintained special school which is not established in a hospital

but excludes any nursery school;

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

“non-maintained special school” means a special school which is not maintained by an authority nor a grant-maintained special school;

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

“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 or grant-maintained special 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;

“special school” has the meaning assigned to it by section 182(1) of the Education Act 1993(4);

“unauthorised absence” means an occasion on which a pupil is recorded as absent without authority pursuant to the Pupils' Registration Regulations 1956(5) and “authorised absence” shall be construed accordingly; 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; and

(d) references to a school maintained by an authority do not include such a school which is established in a hospital.

(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 authorised or unauthorised absences shall not include any information relating to any date after 27th May in the reporting school year.

(2) S.I. 1980/918, amended by S.I. 1994/581.

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

(4) 1993 c. 35.

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

(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) 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, and any reference to a Schedule is to a Schedule to these Regulations.

Qualification of duties

3. The duties imposed on governing bodies, authorities and proprietors 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 governing body, authority or proprietor 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) (No. 2) Regulations 1993(6) are revoked.