
STATUTORY INSTRUMENTS

1995 No. 1904

EDUCATION, ENGLAND AND WALES

WALES

**The Education (School Performance
Information) (Wales) Regulations 1995**

<i>Made</i>	- - - -	<i>20th July 1995</i>
<i>Laid before Parliament</i>		<i>27th July 1995</i>
<i>Coming into force</i>	- -	<i>19th August 1995</i>

In exercise of the powers conferred on the Secretary of State by sections 8(5) and 35(4) and (5) of the Education Act 1980(1), sections 22 and 232(5) and (6) of the Education Reform Act 1988(2), sections 16 and 19(3) of the Education (Schools) Act 1992(3) and sections 153(1) and 301(6) of the Education Act 1993(4), and after consulting with those persons with whom consultation appeared to him to be desirable, 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 1995 and shall come into force on 19th August 1995.

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

(1) 1980 c. 20. Section 8(5) was substituted by paragraph 4(1) of Schedule 4 to the Education (Schools) Act 1992 (c. 38).
(2) 1988 c. 40. Section 22 was amended by paragraph 6 of Schedule 4 to the Education (Schools) Act 1992 (c. 38) and (in ways not relevant to these Regulations) by paragraph 123 of Schedule 19 to the Education Act 1993 (c. 35). It applies to grant-maintained special schools and their governing bodies by virtue of S.I.1994/653. For matters to be prescribed, see section 235(7) of the 1988 Act and section 114(1) of the Education Act 1944 (c. 31), and for the transfer of functions to the Secretary of State see S.I. 1964/490, S.I. 1970/1536 and S.I. 1978/274.
(3) 1992 c. 38. Section 16 applies to grant-maintained special schools and their governing bodies by virtue of S.I. 1994/653.
(4) 1993 c. 35. Section 153 applies to grant-maintained special schools by virtue of S.I. 1994/1048.

Revocation

2. The Education (School Performance Information) (Wales) (No. 2) Regulations 1994(5) are revoked.

Interpretation

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

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

“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;

“CoE” means Certificate of Education;

“the Document” means the most recent booklet published by, or under arrangements made by, the Secretary of State under section 16(6) of the Education (Schools) Act 1992 containing information provided to him in accordance with these Regulations or compiled from such information, relating both to the area of the authority by which the school is maintained (in the case of an LEA maintained school) or in which the school is situated (in the case of any other maintained school), and to Wales as a whole;

“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;

“GCSE short course” means a GCSE course designed to cover a proportion only (being not less than half) of the corresponding full GCSE course of study, and to which the same grading standards are applied;

“independent school” means any school at which full-time education is provided for five or more pupils over the age of 11 (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;

“GNVQ” means General National Vocational Qualification;

“LEA maintained school” means—

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

“maintained school” means—

- (a) any LEA maintained school; and
- (b) any grant-maintained school or grant-maintained special school which is not established in a hospital;

but excludes any nursery school; and a “maintained primary school” means a maintained school which is a primary school and a “maintained secondary school” a maintained school which is a secondary school;

“non-maintained special school” means a special school which is neither a LEA maintained school nor a grant-maintained special school (and is not established in a hospital);

“NVQ” means National Vocational Qualification;

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

“public examination” means a public examination which is for the time being prescribed by regulations under section 106 of the 1988 Act⁽⁶⁾;

“relevant three year period” means the period of three school years ending at the expiration of the reporting school year and the period of three school years ending at the expiration of the previous 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;

“Schools' Census enumeration date” means the date on which the Secretary of State annually requires information relating to maintained schools pursuant to section 92 of the Education Act 1944 and on which independent schools are requested to provide corresponding information;

“special class or unit” means a class or unit (as the case may be) so designated by the authority (in the case of a LEA maintained school), governing body (in the case of a 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;

“unauthorised absence” means an occasion on which a pupil is recorded as absent without authority pursuant to the Pupils' Registration Regulations 1956⁽⁷⁾ and “authorised absence” shall be construed accordingly; and

“Welsh-speaking school” has the meaning assigned to it by section 3(7) of the 1988 Act.

(2) 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 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.

(3) In these Regulations, references to pupils of a particular age are—

- (a) in relation to information to be provided in respect of the reporting school year, references to the 31st August immediately preceding the commencement of that school year; or
- (b) in relation to information to be provided in respect of a relevant three year period, references to the 31st August immediately preceding the commencement of the first, second or third school year of that period (as the case may be) in respect of which information is being ascertained for the purpose of determining an average number or percentage (as the case may be) over that period.

(4) In these Regulations, except in regulation 4, references to a GCSE examination (however expressed) do not include such an examination where the course leading to the examination is a GCSE short course.

(5) In these Regulations 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.

(6) In these Regulations references to key stages are to the periods set out in section 3(3) of the 1988 Act⁽⁸⁾.

⁽⁶⁾ The current regulations are the Education (Prescribed Public Examinations) Regulations 1989 (S.I. 1989/377).

⁽⁷⁾ S.I. 1956/357; these regulations have been amended by the Education (Pupils' Attendance Records) Regulations 1991 (S.I. 1991/1582).

⁽⁸⁾ Section 3(3) was amended by paragraph 113(a) of Schedule 19 to the Education Act 1993.

(7) For the purposes of these Regulations, references to examinations for which pupils aged 16, 17 or 18 were entered are—

- (a) in relation to the reporting school year, references to examinations intended to be sat in that school year; or
- (b) in relation to a relevant three year period, references to examinations intended to be sat in the first, second or third school year of that period (as the case may be) in respect of which information is being ascertained for the purpose of determining an average number or percentage (as the case may be) over that period,

the results of which are given in the August at the end of that school year.

(8) Where under these Regulations information is required to be provided in respect of pupils aged 15, the information to be provided is—

- (a) in the case of a requirement to provide information relating to pupils entering for examinations, information relating to pupils entering for examinations intended to be sat; or
- (b) in the case of information relating to pupils' achievements, information relating to results given,

in the reporting school year or (as the case may be) in the first, second or third school year of the relevant three year period in respect of which information is being ascertained for the purpose of determining the average number or percentage over that period, and (in either case) in any earlier school year commencing after 1990.

(9) For the purposes of these Regulations, a pupil shall be treated as having been entered for an examination whether or not the pupil sat the examination.

(10) In calculating the number of GCE 'A' level examinations a pupil is entered for, one GCE 'AS' examination shall be treated as the equivalent of half of a GCE 'A' level examination.

(11) 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.

(12) In these Regulations, references to a level, in relation to any NVQ or GNVQ, are references to the level for the qualification as recorded in the National Database of Vocational Qualifications⁽⁹⁾ maintained by the National Council for Vocational Qualifications.

Determination of examination entries and results

4.—(1) The provisions of this regulation have effect for the purpose of determining the examination entries and results referred to in Schedule 1.

(2) If a pupil has been entered for two or more examinations in the same subject to be sat in the same school year or, where information is by virtue of regulation 3(8) required to cover entries for examinations in earlier school years commencing after 1990, in any earlier such year, only the entry and result in respect of the examination in which the higher or highest grade was achieved shall be taken into account.

(3) In the case of an examination leading to the award of the GCSE in two subjects, a pupil shall be included only once in the number of pupils entered for the examination and taken into account only once in calculating the relevant percentage but each grade awarded shall be treated as having been awarded in a separate subject.

(4) For GCE 'A' level or GCE 'AS' examinations the following grades equate to the following points, namely:

(9) The National Council for Vocational Qualifications' database of Vocational Qualifications may be purchased from its offices at 222 Euston Road, London SW1P 3BT.

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

(5) In relation to GCSE examinations, references to grade A include the starred grade A.

(6) Where under these Regulations an average number or percentage over a relevant three year period is required to be provided, it shall be determined in accordance with Schedule 5.

Qualification of duties

5. The duties imposed on head teachers, governing bodies, authorities and proprietors by virtue of these Regulations in respect of the provision of information apply only to the extent that the information is available to the head teacher, governing body, authority or proprietor (as the case may be) in time for it to be reasonably practicable for the information to be provided before the latest occasion on which the information is required to be provided.

PART II

PROVISION OF INFORMATION BY HEAD TEACHER

Provision of information by head teacher to governing body

6. The head teacher of every maintained secondary school shall each year make available to the governing body information about the matters relating to the school mentioned in Schedules 1 to 4 to these Regulations for the purpose of enabling them to comply with their obligations under these Regulations.

PART III

PROVISION OF INFORMATION TO THE SECRETARY OF STATE

Provision of information relating to schools to the Secretary of State

7. The governing body of every maintained secondary school, the governing body of every non-maintained special school and the proprietor of every independent school with registered pupils aged 15, 16, 17 or 18 shall, within two weeks of receiving a written request from the Secretary of State, provide him with the information relating to public examinations for which such pupils were entered and qualifications achieved by them together with the other information which is referred to—

(a) in the case of information being provided in respect of pupils aged 15, in Parts I and III of Schedule 1 and paragraphs 3 and 4 of Schedule 2; and

(b) in the case of information being provided in respect of pupils aged 16, 17 or 18, in Part II of Schedule 1 and in paragraphs 1 and 2 of Schedule 2.

8. The governing body of every maintained secondary school, the governing body 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 such information relating to the schools as is referred to in Schedules 3 and 4.

PART IV

PUBLICATION OF INFORMATION

Information to be provided by the governing body to parents

9.—(1) The governing body of every maintained secondary school shall provide the information referred to in Schedules 1 to 4 in the manner and to the persons specified in paragraph (2).

(2) The information shall be provided by copies being made available at the school for reference by parents and other persons on request.

Provision of local and all-Wales performance information by governing bodies and local education authorities

10.—(1) The governing body of every maintained secondary school with pupils in the final year of the fourth key stage, the governing body of every maintained primary school with pupils in the final year of the second key stage and the authority 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 a maintained secondary school, by copies being made available by the governing body of the school at the school for reference by parents and other persons on request, and by copies being distributed (without charge) by the governing body to parents of pupils in the final year of the fourth key stage;
- (b) in the case of a maintained primary school, by copies being made available by the governing body of the school at the school for reference by parents and other persons on request, and by copies being distributed (without charge) by the governing body to parents of pupils in the final year of the second key stage; and
- (c) by copies being made available by the authority at libraries in their area for reference by members of the public.

Avoidance of duplication of information in certain circumstances

11. Nothing in these Regulations shall require a head teacher, governing body or proprietor to make the same published particulars available to any person on more than one occasion.

SCHEDULE 1

Regulations 7 and 9

INFORMATION ABOUT EXAMINATION RESULTS

PART I

gcse, gcse short course and coe summaries

1. For the reporting school year, the number of male pupils aged 15, the number of female pupils aged 15 and the number of all pupils aged 15.
2. For that school year, the percentage of male pupils aged 15, the percentage of female pupils aged 15 and the percentage of all pupils aged 15 who—
 - (a) were entered for an examination for the GCSE in one or more subjects;
 - (b) achieved any grade from A to C in a GCSE examination in one or more subjects;
 - (c) achieved any grade from A to G in a GCSE examination in one or more subjects;
 - (d) achieved no grade in any GCSE examination;
 - (e) did not achieve any grade from A to G in a GCSE or GCSE short course examination but who achieved any pass grade in one or more CoE examinations;
 - (f) did not achieve either any grade from A to G in a GCSE or GCSE short course examination or any pass grade in a CoE examination;
 - (g) were entered for an examination for GCSE in five or more subjects;
 - (h) achieved any grade from A to C in GCSE examinations in five or more subjects;
 - (i) achieved any grade from A to G in GCSE examinations in five or more subjects;
 - (j) were entered for one or more GCSE, GCSE short course or CoE examinations; and
 - (k) achieved any grade from A to G in a GCSE short course examination in one or more subjects.
3. Each category of information referred to in paragraph 2 above, but for each relevant three year period expressed as an average percentage over that period.

PART II

‘A’ and ‘AS’ level summaries

4. For the reporting school year, the number of male pupils aged 16, 17 or 18, the number of female pupils aged 16, 17 or 18 and the number of all pupils aged 16, 17 or 18.
5. For that school year, the number of male pupils aged 16, 17 or 18, the number of female pupils aged 16, 17 or 18 and the number of all pupils aged 16, 17 or 18 who were entered for less than two GCE ‘A’ level examinations or the GCE ‘AS’ examination equivalent.
6. For that school year the percentage of male pupils, the percentage of female pupils and the percentage of all pupils referred to in paragraph 5 above whose achievements fall into each of the following ranges of points (as determined by paragraph (5) of regulation 4) namely; 0 to 4 points, 5 to 9 points and 10 to 15 points.
7. For that school year, in relation to pupils referred to in paragraph 5 above, the average number of points (as determined by paragraph (5) of regulation 4) achieved by, respectively, male pupils, female pupils and all pupils referred to in that paragraph as determined by ascertaining the total

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number of points achieved by the pupils concerned and dividing that figure by the total number of such pupils.

8. For that school year, the number of male pupils, the number of female pupils and the number of all pupils referred to in paragraph 4 above who were entered for two or more GCE 'A' level examinations or the GCE 'AS' examination equivalent.

9. For that school year, the percentage of male pupils, the percentage of female pupils and the percentage of all pupils referred to in paragraph 8 above who achieved any grade from A to C at GCE 'A' level or the GCE 'AS' examination equivalent in two or more subjects (a GCE 'AS' examination grade from A to C being treated as equivalent to one half of a GCE 'A' level grade from A to C for this purpose).

10. For that school year, the percentage of male pupils, the percentage of female pupils and the percentage of all pupils referred to in paragraph 8 above who achieved any grade from A to E at GCE 'A' level or the GCE 'AS' examination equivalent in two or more subjects (a GCE 'AS' examination grade from A to E being treated as the equivalent of one half of a GCE A level grade from A to E for this purpose).

11. For that school year, the percentage of male pupils, the percentage of female pupils and the percentage of all pupils referred to in paragraph 8 above whose achievements fall into each of the following ranges of points (as determined by paragraph (5) of regulation 4) namely; 0 points, 1 to 4 points, 5 to 9 points, 10 to 14 points, 15 to 19 points, 20 to 24 points, 25 to 29 points and 30 points or over.

12. For that school year, in relation to pupils referred to in paragraph 8 above, the average number of points achieved by, respectively, male pupils, female pupils and all pupils referred to in that paragraph as determined by ascertaining the total number of points achieved by the pupils concerned and dividing that figure by the total number of such pupils.

13. For that school year, in relation to entries for GCE 'A' level and GCE 'AS' subject examinations by pupils referred to in paragraph 4 above, the total number of points (as determined by paragraph (5) of regulation 4) achieved by, respectively, male pupils, female pupils and all pupils as determined by ascertaining the total number of points achieved by the pupils concerned and dividing that figure by the total number of such entries by such pupils (an entry for a GCE 'AS' examination being treated as half of a GCE 'A' level examination entry for this purpose).

14. Each category of information referred to in each of paragraphs 6 and 7 and 11 to 13, but in relation to each relevant three year period expressed as an average percentage or number (as the case may be) over that period.

PART III

summaries of gcse results in selected subject areas

15. For the reporting school year, the percentage of male pupils aged 15, the percentage of female pupils aged 15 and the percentage of all pupils aged 15 who—

- (a) were entered for a GCSE English examination;
- (b) achieved any grade from A to C in a GCSE English examination;
- (c) achieved any grade from A to G in a GCSE English examination;
- (d) were entered for a GCSE Welsh examination;
- (e) achieved any grade from A to C in a GCSE Welsh examination;
- (f) achieved any grade from A to G in a GCSE Welsh examination;

- (g) were entered for a GCSE Mathematics examination;
- (h) achieved any grade from A to C in a GCSE Mathematics examination;
 - (i) achieved any grade from A to G in a GCSE Mathematics examination;
- (j) were entered for a GCSE Science examination;
- (k) achieved any grade from A to C in a GCSE Science examination; and
- (l) achieved any grade from A to G in a GCSE Science examination.

16. Each category of information referred to in paragraph 15 above, but for each relevant three year period expressed as an average percentage over that period.

PART IV

subject listings of gcse, gcse short course and coe examinations

17. For the reporting school year, in relation to each GCSE subject examination entered by all pupils aged 15 and separately in relation to each such subject examination entered by male pupils aged 15 and female pupils aged 15—

- (a) the percentage who were entered;
- (b) the percentage of those entered who achieved any grade from A to C;
- (c) the percentage of those entered who achieved any grade from D to G; and
- (d) the percentage of those entered who did not achieve any grade from A to G.

18. For the reporting school year, in relation to each GCSE short course subject examination entered by pupils aged 15 and separately in relation to each subject examination entered by male pupils aged 15 and female pupils aged 15—

- (a) the percentage who were entered;
- (b) the percentage of those entered who achieved any grade from A to G; and
- (c) the percentage of those entered who did not achieve any grade from A to G.

19. For that school year, in relation to each CoE subject examination entered by all pupils aged 15, and separately in relation to each such subject examination entered by male pupils aged 15 and female pupils aged 15—

- (a) the percentage who were entered;
- (b) the percentage of those entered who achieved a pass with merit;
- (c) the percentage of those entered who achieved a pass grade; and
- (d) the percentage of those entered who did not achieve a pass grade.

PART V

subject listings for gce 'a' level and gce 'as' examinations

20. For the reporting school year, the total number of male pupils aged 16, 17 or 18, the total number of female pupils aged 16, 17 or 18 and the total number of all pupils aged 16, 17 or 18 entered for one or more GCE 'A' level or GCE 'AS' examinations.

21. For that school year, in relation to each GCE 'A' level and GCE 'AS' subject examination entered by pupils aged 16, 17 or 18 and separately in relation to each such examination entered by male pupils aged 16, 17 or 18 and female pupils aged 16, 17 or 18—

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- (a) the percentage of those referred to in paragraph 20 above who entered for the examination;
- (b) the percentage of those entered for the examination who achieved any grade from A to C;
- (c) the percentage of those entered for the examination who achieved any grade from D to E;
- (d) the percentage of those entered for the examination who did not achieve any grade from A to E.

SCHEDULE 2

Regulations 7 and 9

INFORMATION ABOUT VOCATIONAL QUALIFICATIONS

1. The number of pupils aged 16, 17 or 18 who achieved an intermediate GNVQ or an NVQ at level 2 awarded by the Business and Technology Education Council, the City and Guilds of London Institute or RSA Examinations Board in the period commencing on the 1st August in the previous school year and ending on 31st July in the reporting school year.
2. The information about vocational qualifications referred to in paragraph 1 above but in relation to an Advanced GNVQ or an NVQ at level 3.
3. The percentage of pupils aged 15 who achieved a Foundation GNVQ or a NVQ at level 1 awarded by the Business and Technology Education Council, the City and Guilds of London Institute or RSA Examinations Board in the period referred to in paragraph 1.
4. The information about vocational qualifications referred to in paragraph 3 above but in relation to an Intermediate GNVQ or an NVQ at level 2.

SCHEDULE 3

Regulations 8 and 9

BACKGROUND INFORMATION ABOUT THE SCHOOL

1. The name of the school.
2. The address of the school (including the postcode).
3. The telephone number of the school.
4. Whether the school is a LEA maintained school (other than a special school), a special school maintained by a local education authority, a grant-maintained school, a grant-maintained special school, an independent school or a non-maintained special school.
5. Whether the school is a Welsh-speaking school on the Schools' Census enumeration date.
6. The number of pupils at the school who on that date have statements of special educational needs maintained for them under section 168 of the Education Act 1993.
7. The number of registered pupils at the school on that date.
8. The number (if any) of special classes or units in the school on that date, and the number of registered pupils in each such class or unit on that date.
9. In the case of an independent school whether the school participates in the assisted places scheme on that date.
10. The age range of pupils at the school on that date.
11. The number of registered pupils at the school aged 16 and over on that date.

SCHEDULE 4

Regulations 8 and 9

INFORMATION ABOUT AUTHORISED AND UNAUTHORISED ABSENCE

1. The total number of pupils aged 11, 12, 13, 14 or 15 registered at the school on the Schools' Census enumeration date in the reporting school year.
- 2.—(1) For the reporting period—
 - (a) the number of sessions missed by such pupils due to authorised absence;
 - (b) the number of sessions missed by such pupils due to unauthorised absence;
 - (c) the number of sessions missed by such pupils due to absence (both authorised and unauthorised); and
 - (d) the maximum number of sessions that such a pupil could attend.
- (2) In paragraph (1) the reporting period is the period commencing at the beginning of the reporting school year and ending on the date of the Late May Bank Holiday.

SCHEDULE 5

DETERMINATION OF AVERAGES OVER RELEVANT THREE YEAR PERIODS

1. The determination of averages over relevant three year periods shall be made in accordance with the provisions of this Schedule.
- (2) References in this Schedule to—
 - (a) the cohort are to the pupil grouping to which the information relates the percentage of pupils in which who fall into a second pupil grouping is being determined; and
 - (b) the relevant category of pupils are to the second of the pupil groupings referred to in subparagraph (a) above.
3. In the case of information which is to be given as a percentage, it shall be determined by applying the formula—

$$\frac{A+B+C}{D+E+F} \times 100,$$

where

A, B and C are the number of pupils falling into the relevant category of pupils in, respectively, the first, second and third school years of the relevant three year period in respect of which the determination is being made; and

D, E and F are the total number of pupils falling into the cohort in relation to, respectively, the first, second and third school years of that period.

4. Where, by virtue of paragraph 14 of Schedule 1, information referred to in paragraph 7 or 12 of that Schedule is required to be given in relation to each relevant three year period as an average number over that period, it shall be determined by applying the formula—

$$\frac{G+H+I}{J+K+L}$$

where,

G, H and I are the total number of points achieved by pupils falling into the pupil grouping in respect of which the information is being determined in, respectively, the first, second and

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third school years of the relevant three year period in respect of which the determination is being made; and

J, K and L are the total number of pupils falling into that grouping in relation to, respectively, the first, second and third school years of that period.

5. Where, by virtue of paragraph 14 of Schedule 1, information referred to in paragraph 13 of that Schedule is required to be given in relation to each relevant three year period as an average number over that period, it shall be determined by applying the formula—

$$\frac{G + H + I}{M + N + O}$$

where,

G, H and I represent the matters denoted by those letters in the formula referred to in paragraph 4 above; and

M, N and O are the total number of entries for GCE 'A' level or 'AS' subject examinations by the pupils concerned in, respectively, the first, second and third school years of the relevant three year period in respect of which the determination is being made (an entry for a GCE 'AS' examination being treated as half of a GCE 'A' level examination entry for this purpose).

20th July 1995

William Hague
Secretary of State for Wales

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations apply in relation to schools and local education authorities in Wales. They replace (with some changes highlighted below) the Education (School Performance Information) (Wales) (No. 2) Regulations 1994 which are revoked. The Regulations relate to the provision to the Secretary of State, and publication, of information about the performance of schools and certain other specified information.

Part I of the Regulations contains general provisions.

Part II imposes duties on head teachers to provide information to governing bodies of maintained secondary schools for the purpose of enabling them to comply with their obligations under the Regulations (regulation 6).

Part III imposes duties on governing bodies of maintained secondary schools (including grant-maintained and grant-maintained special schools) and non-maintained special schools and proprietors of independent schools with pupils over the age of eleven to provide the Secretary of State with the information specified in the Schedules (other than Parts IV and V of Schedule 1) in relation to their school (regulations 7 and 8).

Part IV of the Regulations requires governing bodies of certain schools to provide to parents and others the information specified in those Schedules by making it available at the school (regulation 9). In the case of every maintained secondary school with pupils in the final year in the fourth key stage and every maintained primary school with pupils in the final year of the second key

stage, governing bodies must provide the booklet relating to the area which the Secretary of State publishes, containing information provided by them under Part III, by making the booklet available at the school and distributing copies of it to parents of the pupils concerned. In addition, the local education authority must make this information available at their libraries for reference by members of the public (regulation 10).

The Regulations make it clear that the same published particulars are not required to be made available to any person on more than one occasion (regulation 11).

Some of the detailed requirements of the Schedules have changed. In particular there is no longer a requirement to provide performance information in respect of the previous school year. Instead three yearly averages are required in specified cases.

In Part I of Schedule 1, some of the information formerly required to be provided is no longer required, and additional information is specified in sub-paragraphs (e) (f) (j) and (k) of paragraph 2 including information about entries and results in GCSE short course examinations. In addition, paragraph 3 requires averages to be provided covering each of two “relevant three year periods” ; namely, the three year periods ending at the expiration of, respectively, the reporting school year and the previous school year.

Part II of Schedule 1 requires some new information about ‘A’ level and ‘AS’ examinations to be provided (see paragraphs 9 and 10) and for some of the information in that Part (as specified in paragraphs 6 and 7 and 11 to 13) to be given as an average over each relevant three year period. There are some omissions in Part III. Again, three yearly averages are required to be given.

Part IV has been extended to cover subject listings for GCSE short course examinations.

Schedule 2 is slightly different from the previous version in that information is now required to be given separately in relation to specific levels of GNVQ’s or NVQ’s.

The background information about the school which is required to be provided under Schedule 3 has been expanded to cover whether the school is a Welsh-speaking school.

The requirements contained in what used to be Schedule 5 (information about the amount of lesson time given at the school) have been dropped.

A new Schedule, Schedule 5, is included explaining how averages for relevant three year periods are to be determined.