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## 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.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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.