
STATUTORY INSTRUMENTS

1995 No. 924

EDUCATION, ENGLAND AND WALES

**The Education (Individual Pupils' Achievements)
(Information) (Amendment) Regulations 1995**

<i>Made</i>	- - - -	<i>28th March 1995</i>
<i>Laid before Parliament</i>		<i>31st March 1995</i>
<i>Coming into force</i>	- -	<i>21st April 1995</i>

In exercise of the powers conferred on the Secretary of State by sections 22 and 232(5) of the Education Reform Act 1988(1), and after consulting with those persons with whom consultation appeared to her to be desirable, the Secretary of State hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Education (Individual Pupils' Achievements) (Information) (Amendment) Regulations 1995 and shall come into force on 21st April 1995.

(2) Any reference in these Regulations to the principal Regulations is a reference to the Education (Individual Pupils' Achievements) (Information) Regulations 1993(2).

Amendment of the principal Regulations

2.—(1) Paragraph (1) of regulation 3 of the principal Regulations (interpretation) shall be amended as follows.

(2) After the definition of “attendance record” there shall be inserted the following definition—

““external marking agency” means a body nominated by the School Curriculum and Assessment Authority(3) and approved by the Secretary of State to mark NC tests;”.

(3) In the definition of “key stage” after “first,” there shall be inserted “second,” and for “, (c) and” there shall be substituted “to”.

(4) For the definition of “NC tests” there shall be substituted—

““NC tests”, in relation to pupils in the final year of the first key stage, means standard tasks administered to pupils for the purpose of assessing the level of attainment they have achieved

(1) 1988 c. 40; section 22 was amended by the Education (Schools) Act 1992 (c. 38), Schedule 4, paragraph 6 and by the Education Act 1993 (c. 35), Schedule 19, paragraph 123.

(2) S.I.1993/3182.

(3) The School Curriculum and Assessment Authority was established under section 244 of the Education Act 1993.

in English and mathematics and, in relation to pupils in the final year of the second or third key stage, “NC tests” and “NC tasks” mean respectively National Curriculum tests and National Curriculum tasks administered to pupils for the purpose of assessing the level of attainment which they have achieved in any core subject.”.

- (5) After the definition of “teacher assessment” there shall be inserted the following definition—
- “the 1993 (Key Stage 1) Order” means the Education (National Curriculum) (Assessment Arrangements for the Core Subjects) (Key Stage 1) Order 1993(4);
- “the 1994 (Key Stage 2) Order” means the Education (National Curriculum) (Assessment Arrangements for the Core Subjects) (Key Stage 2) (England) Order 1994(5);
- “the 1994 (Key Stage 3) Order” means the Education (National Curriculum) (Assessment Arrangements for the Core Subjects) (Key Stage 3) (England) Order 1994(6);”.

3.—(1) Regulation 4 of the principal Regulations (headteacher’s report to parents and adult pupils) shall be amended as follows.

- (2) In paragraph (1) for “and (4)” there shall be substituted “, (4) and (4A) to (4C)”.
- (3) In paragraph 3(a) after “first,” there shall be inserted “second,”.
- (4) In paragraph (4) after “first” there shall be inserted “, second”.
- (5) After paragraph (4) there shall be inserted the following paragraphs—

“(4A) In the case of the pupils registered at the school in the final year of the first key stage there shall be included in the report the information specified in paragraph 1 of Schedule 2A relating to the educational achievements of all pupils at schools in England who were in the final year of that key stage in the preceding school year and whose achievements were assessed or examined, as the case may be, in that preceding school year.

(4B) In the case of the pupils registered at the school in the final year of the third key stage there shall be included in the report the information specified in paragraph 2 of Schedule 2A relating to the educational achievements of all pupils at schools in England who were in the final year of that key stage in the preceding school year and whose achievements were assessed or examined, as the case may be, in that preceding school year.

(4C) For the purposes of these Regulations, references to “NC tests or, as the case may be, NC tasks in accordance with regulation 4(4C)” in relation to the information to be reported means—

- (a) where in the case of pupils in the final year of the second or third key stage both NC tests and NC tasks are administered to a pupil, only the result of whichever tests or tasks indicates the highest level of attainment which the pupil has achieved in any core subject concerned is required to be reported, or
- (b) where in the case of such pupils only NC tests or only NC tasks are administered to a pupil, the result of whichever tests or tasks are administered is required to be reported.”.

- (6) In paragraph (5) for “and (4)” there shall be substituted “, (4) and (4A) to (4C)”.

- (7) For paragraph (8)(c) there shall be substituted—

“(c) the results of NC tests taken by a pupil at the end of the second or third key stage or pursuant to article 6A(1) of the 1993 (Key Stage 1) Order as given in the record of

(4) S.I. 1993/1983 as amended by S.I. 1994/2099 which added article 6A; article 6A applies article 4(3) of the Education (National Curriculum) (Assessment Arrangements for the Core Subjects) (Key Stage 2) (England) Order 1994 in relation to a pupil to whom article 6A applies; article 4(3) requires that, following the marking of NC tests, the external marking agency shall provide to the headteacher a record of the results consisting of a statement of each level of attainment achieved by the pupil.

(5) S.I. 1994/2100.

(6) S.I. 1994/2101.

results provided by the external marking agency in accordance with, as the case may be, the 1994 (Key Stage 2) Order or the 1994 (Key Stage 3) Order; or”.

(8) For paragraph (8)(d) there shall be substituted—

“(d) the information referred to in paragraphs 1A(3) and 2(3) of Schedule 1 and paragraphs 1A and 2 of Schedule 2.”.

(9) After paragraph (8) there shall be inserted the following paragraphs—

“(9) Paragraphs (10) and (11) apply where, before the end of the summer term the headteacher has requested, but not received the result of, a review by the external marking agency of the result of any of the NC tests taken by a pupil in the final year of the second or third key stage or pursuant to article 6A(1) of the 1993 (Key Stage 1) Order.

(10) The information specified in paragraph (3)(a) shall indicate that the result which is the subject of the review is provisional.

(11) Once the reviewed result has been received by the headteacher, he shall send as soon as practicable and in any event not later than the following 30th September after that summer term, information giving the reviewed result of the NC tests, to those persons who earlier received the information pursuant to paragraphs (1) and (10) that the result of the NC tests was provisional, whether or not it is different from that as originally notified to those persons.”.

4. Regulation 5(1) of the principal Regulations (additional information to be made available) shall be amended by the insertion after “core subject” of “in accordance with the statutory arrangements”.

5. Regulation 6(4) of the principal Regulations (school leaver’s report) shall be amended by the insertion before “shall both provide” of “is made available”.

6.—(1) Regulation 7 of the principal Regulations (report when pupil changes school) shall be amended as follows.

(2) In paragraph (2)(a) for “both teacher and NC test assessed levels” there shall be substituted the following—

“(i) in the case of assessments in respect of the final year of Key Stage 1, both teacher and NC test assessed levels, and

(ii) in the case of assessments in respect of the final year of the second or third key stage, levels assessed by both teacher assessment and the results of NC tests or, as the case may be, NC tasks in accordance with regulation 4(4C)”.

(3) In paragraph (2)(b) there shall be inserted after “core subjects” the words “in accordance with the statutory arrangements”.

7. Regulation 8(2)(b) of the principal Regulations (restrictions on provision of information) shall be amended by the insertion before “paragraph (a)” of the prefix “sub-”.

8.—(1) Schedule 1 to the principal Regulations (information about individual pupils) shall be amended as follows.

(2) For paragraph 1 there shall be substituted the following—

“1.—(1) The information specified in Part 2 of this Schedule.

(2) Subject to sub-paragraph (4), teacher assessment of the pupil’s subject level in mathematics and science, together with the results of any NC tests in mathematics.

(3) Subject to sub-paragraph (4), teacher assessment of the pupil’s level of attainment in the attainment targets in English entitled “Speaking and Listening”, “Reading”, “Writing”,

“Spelling” and “Handwriting” together with the results of any NC tests in such attainment targets.

(4) Where pursuant to article 6A(1) of the 1993 (Key Stage 1) Order, the NC tests for English or mathematics, or both, laid down for the purposes of the 1994 (Key Stage 2) Order are administered to a pupil, the results of any such Key Stage 2 NC tests as recorded pursuant to article 4(3) of the 1994 (Key Stage 2) Order in which the pupil concerned achieved level 4 or above in the levels of attainment for the core subject concerned in place of the results of the NC tests for that core subject referred to in sub-paragraphs (2) or (3), or both, as the case may be.

(5) A brief account of what the pupil’s achievements reported in accordance with the above sub-paragraphs show about the pupil’s progress in the core subjects individually and in relation to other children in the same year of the key stage which draws attention to any particular strengths and weaknesses of the pupil.”.

(3) After paragraph 1 there shall be inserted—

“PUPILS IN THE FINAL YEAR OF THE SECOND KEY STAGE

1A.—(1) The information specified in Part 2 of this Schedule.

(2) Teacher assessment of the pupil’s subject level in each of the core subjects together with the results of NC tests or, as the case may be, NC tasks in accordance with regulation 4(4C).

(3) A brief account of what the pupil’s achievements reported pursuant to sub-paragraph (2) show about the pupil’s progress in the core subjects individually and in relation to other children in the same year of the key stage which draws attention to any particular strengths and weaknesses of the pupil.”.

(4) In paragraph 2(2), the substitution for “of NC tests in such subjects” of “in such subjects of NC tests or, as the case may be, NC tasks in accordance with regulation 4(4C)”.

9.—(1) Schedule 2 to the principal Regulations (information about pupils at the school) shall be amended as follows.

(2) For paragraph 1(1) there shall be substituted—

“(1) For the purposes of this paragraph registered pupils are registered pupils at the school on the day which is two weeks before the last school day of the summer term.”.

(3) In paragraph 1(2) for

“attainment target in mathematics entitled “Number””

there shall be substituted “core subject of mathematics”.

(4) In paragraph 1(4), the insertion at the end of “and the core subject of mathematics”.

(5) After paragraph 1 there shall be inserted the following—

“PUPILS IN THE FINAL YEAR OF THE SECOND KEY STAGE

1A.—(1) For the purposes of this paragraph registered pupils are registered pupils at the school on the day which is two weeks before the last school day of the summer term.

(2) The percentages of registered pupils at the school in the final year of the second key stage who achieved each level in each core subject shown both as determined by teacher assessment and by NC tests or, as the case may be, NC tasks in accordance with regulation 4(4C).

(3) The percentage of registered pupils in the final year of the second key stage who are working towards level 1.

(4) The percentages of registered pupils in the final year of the second key stage who are exempt from each core subject.

(5) The percentages of registered pupils at the school in the final year of the second key stage who were absent from each NC test referred to in sub-paragraph (2).”.

(6) In paragraph 2(2), the insertion at the end of “or as the case may be, NC tasks in accordance with regulation 4(4C)”.

10. After Schedule 2 to the principal Regulations there shall be inserted the following Schedule—

“SCHEDULE 2A

Regulation (4A) and (4B)

INFORMATION ABOUT PUPILS AT SCHOOLS IN ENGLAND

PUPILS IN THE FINAL YEAR OF THE FIRST KEY STAGE

1.—(1) The percentages referred to in this paragraph are those that are provided by the Department for Education in respect of all registered pupils at schools in England in the final year of the first key stage in the preceding school year.

(2) The percentages of such pupils who achieved each level of attainment in the attainment targets in English, entitled “Reading”, “Writing”, “Spelling” and “Handwriting” and in the attainment target in mathematics entitled “Number”, shown both as determined by teacher assessment and by NC tests.

(3) The percentage of such pupils who were working towards level 1.

(4) The percentages of such pupils who were exempt from each attainment target referred to in sub-paragraph (2).

(5) The percentages of such pupils who were absent from each NC test referred to in sub-paragraph (2).

PUPILS IN THE FINAL YEAR OF THE THIRD KEY STAGE

2.—(1) The percentages referred to in this paragraph are those that are provided by the Department for Education in respect of all registered pupils at schools in England in the final year of the third key stage in the preceding school year.

(2) The percentages of such pupils who achieved each level of attainment in the core subjects of English, mathematics and science shown both as determined by teacher assessment and by NC tests or, as the case may be, NC tasks in accordance with regulation 4(4C).

(3) The percentage of such pupils who were working towards level 1.

(4) The percentages of such pupils who were exempt from each core subject.

(5) The percentages of such pupils who were absent from each NC test referred to in sub-paragraph (2).”.

11. For Schedule 3 there shall be substituted the following Schedule—

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

“SCHEDULE 3

Regulation 6(3)

SCHOOL ACHIEVEMENTS

Your Name :

School :

Provide brief particulars of achievement, subject by subject :

Signature (Teacher) :

Signature (Student) :

Date :

QUALIFICATIONS AND CREDITS

Your Name :

Subjects/qualifications/credits and awarding body, level/result and date achieved :

Signature (Teacher) :

Date :

March 1995

Secretary of State for Education

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Education (Individual Pupils' Achievements) (Information) Regulations 1993 (“the principal Regulations”). Apart from minor drafting amendments, the following changes of substance are made.

The educational achievements of pupils in the final year of the second key stage are to be reported in the headteacher’s report (“the report”), both in relation to the individual pupil and in relation to all such pupils at the school (regulations 3(1) to (4), 8(1), (3), 9(1) and (5)).

In the case of pupils in the final year of the first or third key stage, the report must include the national comparative information about the educational achievements of all pupils at schools in England who, in relation to the report for pupils in the final year of the first key stage, were in the final year of that key stage in the preceding school year and, in relation to the report for pupils in the final year of the third key stage, were in the final year of that key stage in the preceding school year (regulations 3(1), (5) and 10).

In the case of pupils in the final year of the second or third key stage, only the result of whichever NC tests or NC tasks (where both are administered to the pupil) indicates the pupil’s highest level of attainment must be included in the report (regulation 3(1) and (5)).

Where a headteacher requests a review of the result of any NC tests taken by a pupil in the final year of the second or third key stage by the external marking agency and the result of the review is not known to the headteacher before the end of the summer term, he is required to indicate in the report that the result that is the subject of the review is provisional. The reviewed result is to be reported before the following 30th September, whether it is different or not to the provisional result (regulation 3(1) and (9)).

Regulation 8(1) and (2) amend paragraph 1 of Schedule 1 to the principal Regulations. The information on the individual educational achievements of pupils in the final year of the first key stage will include, where applicable, the results of any key stage 2 NC tests administered to the pupil pursuant to article 6A(1) of the Education (National Curriculum) (Assessment Arrangements for the Core Subjects) (Key Stage 2) (England) Order 1994.

For the purposes of the information to be included in the report on the educational achievements of pupils at the school in the final year of the first key stage, “registered pupils” means those pupils registered at the school as at two weeks before the end of the summer term (regulation 9(2)).