
STATUTORY INSTRUMENTS

1997 No. 1832

EDUCATION, ENGLAND AND WALES

WALES

The Education (School Information) (Wales) Regulations 1997

<i>Made</i>	- - - -	<i>20th July 1997</i>
<i>Laid before Parliament</i>		<i>1st August 1997</i>
<i>Coming into force</i>	- -	<i>25th August 1997</i>

In exercise of the powers conferred on the Secretary of State by sections 408, 414(6), (7) and (9), 509(6), 537(1) to (8), 539(1) and 569(4) and (5) of, and paragraph 3 of Schedule 1 to, the Education Act 1996(1), 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 Information) (Wales) Regulations 1997 and shall come into force on 25th August 1997.

(2) These Regulations apply only in relation to schools in Wales.

Revocation

2. The Education (School Information) (Wales) Regulations 1994(2), the Education (School Information) (Wales) (Amendment) Regulations 1995(3) and the Education (School Information) (Wales) (Amendment) Regulations 1996(4) are hereby revoked.

(1) 1996 c. 56. Section 537(4) is amended by paragraph 37 of Schedule 7 to the Education Act 1997. Sections 408 and 537(7) are applied to grant-maintained special schools and their governing bodies by virtue of S.I. 1994/653 and section 539(1) is applied to such schools by S.I. 1994/1048. For the meaning of “prescribed” and “regulations” see section 579(1).
(2) S.I. 1994/2330.
(3) S.I. 1995/2070.
(4) S.I. 1996/1936.

Interpretation

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

“the Act” means the Education Act 1996;

“admission school year” means a school year at the beginning of which pupils are to be admitted to any school;

“assessment” means assessment under the statutory arrangements, and references to a “level” shall be construed in accordance with those arrangements;

“attainment targets” has the meaning given by section 353(a) of the Act;

“authority” means a local education authority and, in relation to an authority, “the offices” means the education offices;

“class” has the meaning given to that term by section 355(5) of the Act;

“key stage” means any of the periods set out in paragraphs (a) to (d) respectively of section 355(1) of the Act, and a reference to the first, second or third key stage is a reference to the periods set out respectively in the said paragraphs (a) to (c);

“LEA maintained school” means:

- (a) any county or voluntary school;
- (b) any special school maintained by an authority which is not established in a hospital; and
- (c) except in Part III and Schedule 2, any pupil referral unit;

but excludes any nursery school.

“maintained school” means:

- (a) any county or voluntary school;
- (b) any special school maintained by an authority which is not established in a hospital;
- (c) any grant-maintained school or grant-maintained special school which is not established in a hospital; and
- (d) except in Part III and Schedule 2, any pupil referral unit;

but excludes any nursery school;

“NC tests”, in the case of pupils in the final year of the first key stage, means standard task assessments administered to pupils in accordance with the statutory arrangements 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 in accordance with those arrangements;

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

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

“primary education” does not include such education provided at a middle school;

“public examinations” means public examinations which are for the time being prescribed by regulations made under section 451(3) and (4) of the Act⁽⁵⁾;

“publication school year” means the school year immediately preceding the admission school year;

“relevant attainment targets” means—

- (a) the “Reading”, “Writing” and “Spelling” attainment targets in English; and

(5) The current regulations are the Education (Prescribed Public Examinations) Regulations 1989 (S.I. 1989/337). For the meaning of “prescribed” see section 579(1).

(b) the “Listening”, “Viewing and Speaking”, “Reading” and “Writing” attainment targets in Welsh;

“relevant authority”, in relation to an LEA maintained school, means the authority by which the school is maintained;

“relevant subjects” means in relation to the first key stage—

(a) mathematics and science;

(b) in the case of schools and classes which are Welsh-speaking, Welsh; and

(c) in the case of schools and classes which are not Welsh-speaking, English;

and means, in relation to the second and third key stages, mathematics, science, Welsh and English;

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

“special educational needs” and “special educational provision” have the meanings given to those terms in section 312 of the Act;

“special school” has the meaning given to it by section 337(1) of the Act; and

“the statutory arrangements” means assessment arrangements specified by orders made under section 356(2)(c) of the Act⁽⁶⁾;

“teacher assessment” means assessment by a teacher in accordance with the statutory arrangements.

(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 any reference to a date up to which parents may express a preference for a school is a reference to the date on or before which, in accordance with arrangements made by the relevant authority under section 411(1) of the Act, a parent wishing education to be provided for his child in the exercise of the authority’s functions should express such a preference.

(4) In these Regulations, unless the context otherwise requires, 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.

(5) In these Regulations, unless otherwise stated, where a percentage which is required to be calculated by virtue of these Regulations is not a whole number it shall be rounded to the nearest whole number, the fraction of one half being rounded upwards to the next whole number.

(6) In these Regulations, a reference to a school or class which is Welsh-speaking is a reference to a school or class (as the case may be) in which, in relation to pupils in the first key stage, more than one half of the following subjects namely:

(i) religious education; and

(ii) the subjects other than English and Welsh which are foundation subjects in relation to pupils at the school or in the class (as the case may be);

are taught (wholly or partly) in Welsh.

(6) The current Orders are the Education (National Curriculum) (Assessment Arrangements for English, Welsh, Mathematics and Science) (Key Stage 1) (Wales) Order 1995 (S.I. 1995/2207), the Education (National Curriculum) (Assessment Arrangements for English, Welsh, Mathematics and Science) (Key Stage 2) (Wales) Order 1995 (S.I. 1995/2208) and the Education (National Curriculum) (Key Stage 3 Assessment Arrangements) (Wales) Order 1996 (S.I. 1996/2337).

Qualification of duties

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

PART II

INFORMATION TO BE PUBLISHED BY AUTHORITIES

General information to be published by authorities

5.—(1) An authority shall publish with respect to its policy and arrangements in respect of primary and secondary education (including such education provided in a middle school) in its area information in respect of each of the matters specified in Schedule 1.

(2) The information shall be published as provided in regulation 6.

Time and manner of publication by authorities of general information and particulars of school admission arrangements and related matters

6.—(1) This regulation shall apply in relation to the publication by an authority of:

- (a) information in respect of the matters specified in Schedule 1;
- (b) particulars of the arrangements mentioned in subsections (1), (3) and (5) of section 414 of the Act; and
- (c) particulars of the arrangements relating to voluntary aided schools mentioned in subsections (2) and (3) of section 414 of the Act where those particulars are being published by the authority on behalf of the governing body of the school pursuant to subsection (8) of that section.

(2) Such information and particulars shall be published before the end of the publication school year and, except in so far as they relate exclusively to primary education or special educational provision or provision to which section 19 of the Act applies (education provided in a pupil referral unit or otherwise than at school), they shall be published no later than six weeks before the date up to which parents may express a preference for a school in respect of the admission school year.

(3) Subject to paragraphs (4) to (9), such information and particulars shall be published—

- (a) by copies being distributed without charge to parents on request, and made available for reference by parents and other persons—
 - (i) at the offices of the relevant authority; and
 - (ii) at every LEA maintained school, other than a special school or a pupil referral unit;
- (b) by copies being distributed without charge to parents of pupils at LEA maintained schools, other than special schools or pupil referral units, who, in the publication school year, are in the final year at such schools and who might transfer to other such schools so maintained; and
- (c) by copies being made available for reference by parents and other persons at the public libraries in the area of the relevant authority.

(4) So far as the information in respect of the matters specified in paragraphs 3, 4 and 5 of Schedule 1 is concerned (LEA maintained schools), the information in respect of schools in a particular part of the relevant authority's area need not—

- (a) be made available at offices, schools and libraries outside that part; or
- (b) be distributed to the parents of pupils who are at schools outside that part,

if information about how it may be obtained is available at those offices, schools and libraries or, as the case may be, is distributed to those parents.

(5) It shall be a sufficient compliance with paragraph (3)(a)(ii) if so much of the information and particulars as relates to schools classified as—

- (a) primary schools;
- (b) middle schools; or
- (c) secondary schools,

(irrespective of the terminology used) is available only in schools of the classification in question.

(6) It shall be a sufficient compliance with paragraph (3)(b) if there is published so much of the information and particulars as is relevant having regard to the schools to which pupils in the final year at that school might transfer.

(7) So far as the particulars specified in Part II of Schedule 1 are concerned (special educational provision), paragraphs (3), (4), (5) and (6) shall not apply but the particulars shall be published—

- (a) by copies being distributed without charge to parents on request, and made available for reference by parents and other persons at the offices of the relevant authority; and
- (b) by copies being made available for reference by parents and other persons—
 - (i) at every LEA maintained school; and
 - (ii) at the public libraries in the area of that authority.

(8) Without prejudice to the foregoing provisions of this regulation, such particulars of the arrangements made by the relevant authority under section 423(1) of the Act (appeals against admission decisions) and mentioned in section 414(1)(c) of the Act shall also be published by being set out in any document containing a notification to parents of a decision referred to in section 423(1) of the Act refusing their child admission to a school for which the parents have expressed a preference in accordance with arrangements made under section 414(1) of the Act.

(9) Information about the matters mentioned in paragraphs 8(2) and 20 of Schedule 1 (transport arrangements and policies) shall also be published by copies being distributed without charge to institutions within the further education sector or at which a further education funding council has secured provision which (in either case) the authority consider students resident within its area may wish to attend.

(10) The particulars referred to in paragraph (1)(c) shall be supplied to the authority by the governing body and shall be published without material alteration.

PART III

INFORMATION TO BE PUBLISHED BY GOVERNING BODIES

General information to be published by governing bodies

7.—(1) Subject to regulation 8, the governing body of a maintained school shall publish as respects that school the information specified in Schedule 2.

(2) Subject to regulation 8, the information shall be published as provided in regulation 9.

Assessment and school attendance information not relating to the reporting school year

8.—(1) This regulation applies where the information relating to the results of assessment and school attendance referred to in paragraphs 18, 19, 20 and 26 of Schedule 2 is not available in time for it to be reasonably practicable to publish the information in accordance with regulation 9.

(2) Where this regulation applies the governing body shall, as soon as practicable after the information in question for the reporting school year is made available to them, and in any event not later than two weeks before the earlier of the two dates referred to in paragraph (3) of regulation 9, publish that information as a supplement to the school prospectus in the manner required by that regulation for the publication of the prospectus.

Time and manner of publication of information by governing bodies about their schools

9.—(1) This regulation applies in relation to the publication by the governing body of a maintained school of—

- (a) information in relation to the school specified in Schedule 2 (including such information which is being published by the authority on the governing body's behalf pursuant to section 414(8) of the Act); and
- (b) in relation to a voluntary aided school, particulars of the arrangements mentioned in section 414(2) and (3) of the Act (except where those particulars are being published by the authority on the governing body's behalf pursuant to section 414(8) of the Act).

(2) Subject to paragraphs (4) and (5), such information and particulars—

- (a) shall be published collectively in the form of a single document to be known as the school prospectus; and
- (b) copies of the school prospectus shall be distributed without charge to parents on request and made available at the school for reference by parents and other persons.

(3) Such information and particulars shall be published during the publication school year and, except in the case of a primary school (other than a middle school deemed to be a primary school) or of a special school, not later than six weeks before whichever is the earlier of the following dates—

- (a) the date by which an application for admission to that school in respect of the admission school year should be made in accordance with the arrangements for admission to that school; or
- (b) the date up to which parents may express a preference for a school in respect of the admission school year.

(4) In the case of the particulars referred to in paragraph (1)(b) above, those particulars shall also be published separately by—

- (a) their being distributed without charge to parents of pupils at LEA maintained schools, other than special schools, who, in the publication school year, are in the final year at such schools and who might transfer to the school publishing the particulars; and
- (b) the relevant authority being provided with such copies as they may request (in writing) for distribution to their offices and to public libraries and schools for reference by parents and other persons.

(5) In the case of that part of the particulars referred to in paragraph (1)(b) above as comprises particulars of the governing body's arrangements under section 423(2) of the Act (appeals against admission decisions) and mentioned in section 414(2)(b) of the Act, that part of those particulars shall also be published by being set out in any document containing a notification to parents of a decision referred to in section 423(2) of the Act refusing their child admission to a school for which the parents have expressed a preference in accordance with arrangements made under section 411(1) of the Act;

(6) Where the information referred to in paragraph (1)(a) is being published by the relevant authority, the information shall be supplied to them by the governing body and shall be published without material alteration.

(7) In the case of a special school the information referred to in paragraph (1)(a) shall also be published by copies being made available at the offices of the relevant authority for distribution without charge to parents on request and for reference by parents and other persons.

PART IV SUPPLEMENTARY

Supplementary provisions relating to published documents

10.—(1) This regulation shall apply in relation to any document which contains such information or particulars as are mentioned in the preceding provisions of these Regulations and which is published in accordance with those provisions.

(2) Such a document shall state the school year to which the information or particulars contained in it relate and contain a warning that, although they were correct in relation to that year at a date specified in the document (not being earlier than six months before that of its publication), it should not be assumed that there will be no change affecting the relevant arrangements or some matter particularised—

- (a) before the start of, or during, the school year in question; or
- (b) in relation to subsequent school years.

Translation of Documents

11.—(1) Where any document required to be published or to be made available for inspection under these Regulations is published in Welsh, then if it appears requisite to an authority or, as the case may be, a governing body that the document should be translated into English it shall be so translated and the translated document shall be published in such manner as appears to the authority or governing body to be appropriate.

(2) Where any document required to be published or to be made available for inspection under these Regulations is published in English, then if it appears requisite to an authority or, as the case may be, a governing body that the document should be translated into Welsh, it shall be so translated and the translated document shall be published in such manner as appears to the authority or governing body to be appropriate.

(3) If it appears to an authority, or as the case may be, a governing body that a translation of any document required to be published or to be made available for public inspection by or under these Regulations in a language other than English or Welsh is required, it shall be translated into that language and the translated document shall be published in such manner as appears to the authority or governing body to be appropriate.

(4) No charge shall be made for a copy of any document translated in accordance with paragraphs (1) to (3) to any person who is entitled without charge, to a copy of the original document.

SCHEDULE 1

Regulation 5

GENERAL INFORMATION TO BE PUBLISHED BY AUTHORITIES

PART I—

MISCELLANEOUS MATTERS

1. The addresses and telephone numbers of the offices of the authority to which enquiries, in respect of primary and secondary education in their area, should be addressed.

2. The arrangements for parents to obtain the information particularised in Schedule 2 in the case of individual LEA maintained schools maintained by the authority other than special schools.

3. As respects each such LEA maintained school other than a special school or a pupil referral unit—

- (a) the name, address and telephone number of the school; and
- (b) the expected number of pupils at the school and their age range.

4. The classification of each such LEA maintained school (other than a special school or pupil referral unit) as—

- (a) a county, voluntary controlled or voluntary aided school;
- (b) a primary, middle or secondary school;
- (c) a comprehensive, secondary modern, grammar or bilateral school;
- (d) a co-educational or single-sex school;
- (e) a day or boarding school or a school taking both day and boarding pupils;

except that for the purpose of sub-paragraphs (b) and (c) other terminology may be used.

5. The affiliations, if any, of each such school with a particular religious denomination.

6.—(1) The authority's general arrangements and policies as respects the use of the Welsh language in their LEA maintained schools other than aided schools—

- (a) in the whole or in different parts of the authority's area;
- (b) in all such schools or in different types of schools; and
- (c) by pupils of all ages or specific age groups.

(2) Particulars of any exemptions from the National Curriculum in Welsh under sections 363, 364 or 365 of the Act affecting pupils at their LEA maintained schools, specifying the nature of the exemption and the schools affected (but not so as to identify individual pupils affected).

7. The authority's arrangements for transfer between LEA maintained schools, other than special schools and pupil referral units, otherwise than at a normal admission age, including, in particular—

- (a) the respective functions of the authority and governing bodies of schools as respects admission on transfer; and
- (b) the policy followed in deciding transfers.

8.—(1) The authority's general arrangements and policies in respect of transport to and from schools (including non-maintained schools attended by pupils whose fees in respect of the education provided for them at the school are paid by the authority) including, in particular—

- (a) the provision of free transport;

- (b) the carriage on school buses of pupils for whom free transport is not provided; and
 - (c) the payment in whole or in part of reasonable travelling expenses.
- (2) The authority's general arrangements and policies in respect of transport to and from institutions within the further education sector including, in particular—
- (a) the provision of free transport;
 - (b) the carriage on buses provided by the authority of students for whom free transport is not provided; and
 - (c) the payment in whole or in part of reasonable travelling expenses.
- 9.** The authority's general arrangements and policies in respect of the provision of milk, meals and other refreshment including, in particular, the remission in whole or in part of charges.
- 10.** The authority's general arrangements and policies in respect of the provision of school clothing (including uniform and physical training clothes) and the making of grants to defray expenses in respect of such clothing and, in particular, the address from which parents may obtain detailed information as to the assistance which is available and eligibility for it.
- 11.** The authority's general arrangements and policies, in the case of pupils attending LEA maintained schools, in respect of—
- (a) the making of grants to defray expenses (other than those mentioned in paragraphs 8 and 10); and
 - (b) the granting of allowances in the case of pupils over compulsory school age;
- and, in particular, the address from which parents may obtain detailed information as to the assistance which is available and eligibility for it.
- 12.** The authority's general policy in respect of the entering of pupils for public examinations.
- 13.** The authority's general arrangements and policies in respect of special educational provision for pupils with special educational needs including, in particular, the arrangements for parents to obtain information about the matters mentioned in Part II of this Schedule.
- 14.** The arrangements for parents and others to obtain copies of and to refer to particulars of the charging and remissions policies determined by the authority under section 457 of the Act.
- 15.** Changes in respect of any matter mentioned in this Part which it has been determined will be made after the start of the school year to which the information relates.

PART II—

SPECIAL EDUCATIONAL PROVISION

- 16.** The authority's detailed arrangements and policies in respect of—
- (a) the identification and assessment of children with special educational needs and the involvement of parents in that process;
 - (b) the provision made in their LEA maintained schools for pupils with special educational needs and the use made by them of special schools maintained by other authorities; and
 - (c) special educational provision provided otherwise than at school.
- 17.** The authority's arrangements and policies as respects the use of grant-maintained schools, grant-maintained special schools, non-maintained special schools and independent schools in providing for pupils with special educational needs.

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18. The arrangements for parents who consider that their child may have special educational needs to obtain advice and further information.

19. The authority's arrangements and policies in respect of transport to and from maintained schools, non-maintained special schools and, where they cater for pupils with special educational needs, independent schools.

20. The authority's arrangements and policies for persons who are over compulsory school age but have not attained the age of nineteen years and who attend any institution within the further education sector or any institution outside the further education sector and the higher education sector where a further education funding council has secured provision for such persons under section 4(3) or (5) of the Further and Higher Education Act 1992 (7), in respect of transport to and from those institutions.

21. The arrangements for parents to obtain the information particularised in Schedule 2 in the case of the special schools used by the authority which are maintained by them or other authorities.

22. Changes in respect of any matter mentioned in this Part which it has been determined will be made after the start of the school year to which the information relates.

PART III—

EXCEPTIONAL PROVISION OF EDUCATION IN SCHOOL OR ELSEWHERE

23. The authority's general arrangements and policies in respect of the provision of education to which section 19 of the Act applies (education provided in a pupil referral unit or otherwise than at school).

24. Particulars of any changes in those arrangements or policies which it has been determined will be made after the start of the school year to which the information relates.

SCHEDULE 2

Regulation 7

INFORMATION TO BE PUBLISHED BY GOVERNING BODIES

1. The name, address and telephone number of the school and the names of the head teacher and of the chairman of the governing body.

2. The classification of the school as—

- (a) a county, voluntary controlled, voluntary aided, special (maintained by an authority), grant-maintained or grant-maintained special school;
- (b) a primary, middle or secondary school;
- (c) a comprehensive, secondary modern, grammar or bilateral school;
- (d) a co-educational or single-sex school;
- (e) a day or boarding school or a school taking both day and boarding pupils;

except that for the purposes of sub-paragraph (b) or (c) other terminology may be used.

3. In relation to maintained schools other than special schools, particulars of the admissions policy adopted for the school by the relevant authority or the governing body (according as to which

(7) 1992 c. 13.

is responsible for the admissions policy) in relation to each age at which pupils are admitted to the school (including ages above and below compulsory school age).

4. Where there are specific arrangements for parents who are considering sending their child to the school to visit it, particulars of those arrangements.

5. In the case of a secondary school or a school (other than a special school) which provides secondary education, where information is available—

- (a) the number of places for pupils of the normal age of entry to the school for secondary education which were available at the start of the admission school year; and
- (b) the number of written applications for such places from the start of that year or preferences expressed for such places at the school pursuant to arrangements made by the relevant authority under section 411(1) of the Act.

6.—(1) A statement on the curriculum and organisation of education and teaching methods at the school, including details of any special arrangements in the curriculum or otherwise for particular categories of pupils, including those with statements of special educational needs made pursuant to section 324 of the Act.

(2) A summary of the policy adopted for the school by the governing body in relation to children with special educational needs as it appears from the information published by the governing body under regulations 2 to 4 of the Education (Special Educational Needs) (Information) Regulations 1994⁽⁸⁾.

7. A statement on the ethos and values of the school.

8.—(1) In the case of any LEA maintained school, particulars of the manner in which complaints are to be made under arrangements made pursuant to section 409 of the Act.

(2) In the case of any other maintained school, the arrangements made by the governing body for the consideration and disposal of complaints relating to any matter concerning the curriculum followed within the school, including in particular the discharge by the governing body of the duties imposed on them under Part V of the Act.

9. A summary of the content and organisation of that part of the curriculum relating to sex education (where such education forms part of the secular curriculum of the school).

10. Particulars of any careers education provided and any arrangements made for work experience for pupils.

11. A summary of any sporting aims of the school and particulars of the provision made for pupils at the school to participate in sport.

12.—(1) The affiliations, if any, of the school with a particular religion or religious denomination.

(2) Without prejudice to paragraphs 6 and 7, particulars of the religious education provided at the school.

(3) Particulars of any arrangements as respects the exercise by the parent of a pupil of their rights under section 389 of the Act in relation to the pupil's attendance at religious worship or education, and of any alternative provision made for the pupils concerned.

(4) Particulars of any determination made by a standing advisory council in respect of the school under section 394 of the Act.

13. A summary of the charging and remissions policies determined by the governing body of the school under section 457 of the Act.

⁽⁸⁾ S.I. 1994/1048.

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14.—(1) For the admission school year, the times at which each school session begins and ends on a school day.

(2) The dates of school holidays (including half term holidays) during the admission school year.

15. Changes in respect of any matter mentioned in the preceding paragraphs which it has been determined will be made after the start of the school year to which the particulars relate.

16.—(1) Subject to paragraph (3), the information specified in Parts I, II and III of Schedule 1 and in Schedule 2 to the Education (School Performance Information) (Wales) Regulations 1997⁽⁹⁾

(2) The averages of pupils at secondary schools and schools (other than special schools) which provide secondary education, in the area of the authority and in Wales of—

(i) their results in public examinations; and

(ii) their rates of, respectively, unauthorised absence and absence (both authorised and unauthorised),

as set out in the most recent booklet published by, or under arrangements made by, the Secretary of State under section 537(6) of the Act (referred to in the above mentioned Regulations as “the Document”) containing information provided to him in accordance with those Regulations (or the Regulations revoked by those Regulations) or compiled from such information, covering 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 Wales as a whole.

(3) The information referred to in paragraph (1) need not be given separately for male pupils and female pupils.

17.—(1) Without prejudice to paragraph 6, particulars as to the use of the Welsh language in the school by pupils of all age groups or of different age groups including, in particular—

(a) the use of Welsh as the language in which instruction is given in all or any subjects forming part of the curriculum and, where instruction in any such subject is given in Welsh of the extent, if any, to which alternative instruction in English is available in that subject; and

(b) of the extent, if any, to which Welsh is the normal language of communication at the school.

(2) Particulars of any exemption from the National Curriculum in Welsh under section 363, 364 or 365 of the Act (but not so as to identify any individual pupils affected).

18.—(1) In the case of a maintained school providing for such pupils, the number of registered pupils who were, in the reporting school year, at or near the end of the final year of the first key stage.

(2) Where the number of such pupils is ten or more, in respect of each of the relevant subjects the percentage of that number who—

(a) were assessed by teacher assessment as having reached each level;

(b) were so assessed as working towards level 1; or

(c) were exempted from assessment under section 364 or 365 of the Act.

(3) Subject to sub-paragraph (8), where the number of such pupils is ten or more, the information referred to in sub-paragraph (2)(a), (b) and (c) above, but in relation to each of the relevant attainment targets, and specifying the percentage of pupils who were absent from the NC tests.

(4) Where the number of such pupils is less than ten but not less than five, in respect of each of the relevant subjects, the percentage of pupils who were assessed by teacher assessment as having reached level 2 or above.

(9) S.I. 1997/1633.

(5) Subject to sub-paragraph (8), where the number of such pupils is less than ten but not less than five, in relation to each of the relevant attainment targets, the percentage of pupils who were assessed as having reached level 2 or above.

(6) Where the number of such pupils is not less than five, the percentage of that number who were assessed by teacher assessment as having reached level 2 or above in all of the relevant subjects.

(7) Where the number of such pupils is less than five, a statement recording that fact and explaining that the results of assessment are not to be published for reasons of confidentiality.

(8) Where a pupil has been assessed by both teacher assessment and NC tests or tasks the information referred to in sub-paragraphs (3) and (5) shall be given in respect of both types of assessment.

(9) The most recent National Curriculum assessment results published by the Secretary of State for such pupils showing the information referred to in sub-paragraphs (2)(a), (b), (c), (3), and (6), but in relation to Wales as a whole.

19.—(1) In the case of a maintained school providing for such pupils, the number of registered pupils who were, in the reporting school year, at or near the end of the final year of the second key stage.

(2) Subject to sub-paragraph (6), where the number of such pupils is ten or more, in respect of each of the relevant subjects, the percentage of pupils who—

- (a) were assessed as having reached each level;
- (b) were assessed as working towards level 1; or
- (c) were assessed but failed to register any level;

and the percentages of such pupils who, respectively, were exempted from assessment under section 364 or 365 of the Act, or failed to register a level because they missed the assessment by reason of unauthorised absence.

(3) Subject to sub-paragraph (6), where the number of such pupils is less than ten but not less than five, in respect of each of the relevant subjects, the percentage of pupils who were assessed as having reached level 4 or above.

(4) Subject to sub-paragraph (6), where the number of such pupils is not less than five, the percentage of such pupils who were assessed as having reached level 4 or above in English or Welsh (other than Welsh second language) and in both science and mathematics.

(5) Where the number of such pupils is less than five, a statement recording that fact and explaining that the results of assessment are not to be published for reasons of confidentiality.

(6) Where a pupil has been assessed by both teacher assessment and NC tests or tasks the information referred to in sub-paragraphs (2), (3) and (4) shall be given in respect of both types of assessment.

(7) The most recent National Curriculum assessment results published by the Secretary of State for such pupils showing the information referred to in sub-paragraphs (2) and (4), but in relation to Wales as a whole.

20.—(1) In the case of a maintained school providing for such pupils, the number of registered pupils who were, in the reporting school year, at or near the end of the final year of the third key stage.

(2) Subject to sub-paragraph (6), where the number of such pupils is ten or more, in respect of each of the relevant subjects, the percentage of pupils who—

- (a) were assessed as having reached each level;
- (b) were assessed as working towards level 1; or
- (c) were assessed but failed to register any level;

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and the percentages of such pupils who, respectively, were exempted from assessment under section 364 or 365 of the Act, or failed to register a level because they missed the assessment by reason of unauthorised absence.

(3) Subject to sub-paragraph (6), where the number of such pupils is less than ten but not less than five, in respect of each of the relevant subjects, the percentage of pupils who were assessed as having reached level 5 or above.

(4) Subject to sub-paragraph (6), where the number of such pupils is not less than five, the percentage of such pupils who were assessed as having reached level 5 or above in English or Welsh (other than Welsh second language) and in both science and mathematics.

(5) Where the number of such pupils is less than five, a statement recording that fact and explaining that the results of assessment are not to be published for reasons of confidentiality.

(6) Where a pupil has been assessed by both teacher assessment and NC tests or tasks the information referred to in sub-paragraphs (2), (3) and (4) shall be given in respect of both types of assessment.

(8) The most recent National Curriculum assessment results published by the Secretary of State for such pupils showing the information referred to in sub-paragraphs (2) and (4), but in relation to Wales as a whole.

21. For the reporting school year the percentage of pupils aged 15 leaving the school without an approved qualification within the meaning of section 400 of the Act.

22. For the reporting school year, the percentage of pupils aged 16, 17 or 18 who achieved an Advanced General National Vocational Qualification or a National Vocational Qualification at level 3.

23. For the admission school year, particulars of any targets for improvement set by the governing body of the school in respect of pupils' performance as measured by the percentages referred to in the following—

- (i) paragraphs 18(6), 19(4), 20(4), 21 and 22 of this Schedule;
- (ii) paragraphs 2(h), 10 and 15(m) of Schedule 1 to the Education (School Performance Information) (Wales) Regulations 1997; and
- (iii) paragraph 4 of Schedule 2 to those Regulations,

except that in no case need the information be given separately for male pupils and female pupils.

24. In the case of a maintained school with registered pupils who were aged 15 or 16 on the 1st September at the commencement of the previous school year, the number of such pupils and the percentage of that number falling within the following categories—

- (a) persons pursuing a course at any school or any course of further education;
- (b) persons in employment;
- (c) persons on a Youth Training Scheme;
- (d) persons known to the governing body not to fall within the terms of (a), (b) or (c) above; and
- (e) persons whom it is not known by the governing body whether they fall within any of the above categories.

25. In the case of a maintained school with registered pupils who were aged 17 on the 1st September at the commencement of the previous school year, the number of such pupils, and the percentage of that number falling within the following categories—

- (a) persons pursuing a course of further education;
- (b) persons pursuing a course of higher education;

- (c) persons in employment;
- (d) persons known to the governing body not to fall within the terms of (a), (b) or (c) above; and
- (e) persons whom it is not known by the governing body whether they fall within any of the above categories.

26.—(1) In relation to each year group in which all or the majority of registered pupils are subject to the provisions as to the recording of authorised and unauthorised absence in the Education (Pupil Registration) Regulations 1995⁽¹⁰⁾, the number of unauthorised absences in each term of the reporting school year expressed as a percentage of the total number of possible attendances in that term.

(2) For the purposes of this paragraph—

- (a) an “authorised absence” means an occasion on which a pupil is recorded as absent with authority pursuant to the Education (Pupil Registration) Regulations 1995;
- (b) an “unauthorised absence” means an occasion on which a pupil is recorded as absent without authority pursuant to those Regulations;
- (c) “the total number of possible attendances” means the number produced by multiplying the number of registered pupils in the year group at the beginning of the term who are subject to the unauthorised absence provisions by the number of school sessions in that term.

(3) Where a percentage required to be calculated by virtue of this paragraph is not a whole number, it shall be rounded to one decimal point.

Signed by the authority of the Secretary of State for Wales

Peter Hain
Parliamentary Under Secretary of State, Welsh
Office

20th July 1997

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations consolidate (with some very minor changes) the Education (School Information) (Wales) Regulations 1994 (as amended), which are revoked. There are no changes of substance. However, following changes made by the Education (School Performance Information) (Wales) Regulations 1997, the information which governing bodies are required to publish under paragraph 16 of Schedule 2 concerning the performance of pupils in GCSE examinations will now cover equivalent achievements in GCSE short course examinations and, in two cases, equivalent GNVQ and NVQ qualifications of the kind referred to in those Regulations.

⁽¹⁰⁾ S.I. 1995/2089, amended by S.I. 1996/1665.

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