
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe which bodies and persons may be provided with “individual performance information” under section 537A(3) and (4)(b) of the Education Act 1996 (*regulation 3*).

“Individual performance information” is defined by section 537A(2) to mean

“information about the performance of individual pupils (identified in the prescribed manner)

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- (a) in any assessment made for the purposes of the National Curriculum or in accordance with a baseline assessment scheme (within the meaning of Chapter I of Part IV of the Education Act 1997);
 - (b) in any prescribed public examination;
 - (c) in connection with the attainment of any vocational qualification; or
 - (d) in any such other assessment or examination, or in connection with the attainment of any such other qualification, as may be prescribed”.

These Regulations also prescribe which individual performance information may be provided by those bodies which are responsible for collating or checking information relating to the performance of pupils. That information relates to any National Curriculum assessments of pupils at or near the end of the final year of the first, second or third key stage (*regulation 3*).