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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations revoke and replace, with amendments, the Education (Particulars of Independent Schools) Regulations 1982 (as amended by a number of subsequent Regulations). They relate to applications for registration of independent schools under section 465 of the Education Act 1996, and information to be provided periodically by the proprietors of registered schools pursuant to section 467 of the 1996 Act.

Apart from minor drafting amendments, the changes made from the 1982 Regulations are set out below.

Regulation 7 and paragraphs 9, 10 and 18 of the Schedule oblige the proprietor of a registered school to provide information to the Registrar about employees at a school. These provisions are extended so as to require the same information to be supplied as regards persons engaged to provide certain services at a school other than under a contract of employment (regulation 2(2)).

A proprietor is required to notify the Registrar of changes of certain particulars relating to the school within one month of the change taking place. Under the previous Regulations the change had to be notified “forthwith” (regulation 6).

A proprietor is no longer required to state in the application for registration and in each annual return the numbers of teachers employed at the school who are graduates (paragraph 9 of the Schedule).

The particulars to be supplied in an annual return as regards courses of study pursued by pupils who have attained the age of 15 have been changed (paragraph 17 of the Schedule).

A proprietor is no longer required to supply in every annual return the details of all teachers and other staff employed at the school; henceforth he will only have to give details of staff members who have started or ceased to be employed since the previous annual return, or (in the case of the first return) since the application for registration (paragraph 18 of the Schedule).

The Schedule to the Regulations requires a proprietor to provide the following new information in the application for registration and in each annual return:

- (a) where the school has a governing body, the name and address of the Chairman of Governors (paragraph 3(3));
- (b) (in the case of an application for registration only) whether the school premises are at two or more separate locations, and if so the address of each location (paragraph 4(2));
- (c) where the school is, or forms part of, a charity, the name of the charity and its registered charity number (paragraph 5);
- (d) the number and details of children at the school who have statements of special educational needs, and number of pupils who have such needs but in respect of whom no statement is maintained (paragraph 8);
- (e) whether the school has a policy of admitting pupils which is based wholly or partially by reference to their ability or aptitude (paragraph 14); and
- (f) (in the case of annual returns only) details of changes in the accommodation provided at the school since the date of the last annual return (or, in the case of the first return, the date of the application) (paragraph 19).