

**2004 No. 3373**

**EDUCATION, ENGLAND**

**The Education (Provision of Information by Independent Schools) (England) (Amendment) Regulations 2004**

<i>Made</i> - - - -	<i>20th December 2004</i>
<i>Laid before Parliament</i>	<i>23rd December 2004</i>
<i>Coming into force</i> - -	<i>17th January 2005</i>

In exercise of the powers conferred on the Secretary of State by sections 160(1), 168 and 210(7) of the Education Act 2002(a), the Secretary of State for Education and Skills hereby makes the following Regulations:

**Citation, commencement and application**

1.—(1) These Regulations may be cited as the Education (Provision of Information by Independent Schools) (England) (Amendment) Regulations 2004 and shall come into force on 17th January 2005.

(2) These Regulations apply only in relation to England.

**Amendments**

2. The Education (Provision of Information by Independent Schools) (England) Regulations 2003(b) are amended in accordance with the following provisions of these Regulations.

3. In regulation 3(b) after “and” insert “Parts 1 to 4 of”.

4. In regulation 4 (Interpretation) insert the following definition—

““looked after by a local authority” has the meaning assigned to it by section 22(1) of the Children Act 1989(c.41);”.

5. At the end of regulation 8(1) before the full stop insert “within one month following the date on which that person ceases to provide services to the school”.

6. For paragraphs 2(1) and (2) of the Schedule substitute the following—

“2.—(1) Where the proprietor is an individual, his full name, any previous names by which he has been known, his usual residential address, telephone number and date of birth.

(2) Where the proprietor is a corporation, a Scottish firm or a body of persons named as the proprietor in the register or in an application to enter a school in the register—

(a) the address and telephone number of its registered or principal office, and

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(a) 2002 c. 32; see section 212 (1) for the definition of “regulations”, by virtue of which these regulations made by the Secretary of State apply only in relation to England. Section 212(1) also defines “prescribed”.

(b) S.I. 2003/1934.

- (b) for each member of the Corporation, Scottish firm or body of persons his full name, any previous names by which he has been known, his usual residential address and date of birth.”.

7. After paragraph 5 of the Schedule insert the following—

“5A. The number of pupils at the school who are looked after by a local authority.”.

8. In paragraph 9 of the Schedule for everything following “paragraphs” substitute “2(2)(b), 3(1) to 3(13), 3(15) and 7.”

9. In paragraph 10(b) of the Schedule omit “National Insurance number”.

10. In paragraph 10(c) of the Schedule after “part-time teacher” insert “(except that no information is required on qualifications in the case of a teacher who has ceased employment)”.

11. In paragraph 12(4) for everything following “for” substitute “boys and girls.”.

12. After paragraph 13 of the Schedule insert the following—

“13A. Where a change has occurred in the membership of any corporation, Scottish firm or body of persons named as the proprietor in the register or in an application to enter a school in the register, in relation to any new member the information required in paragraph 2(2)(b) of this Schedule.”.

20th December 2004

Stephen Twigg  
Minister of State  
Department for Education and Skills

### EXPLANATORY NOTE

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

These Regulations amend the Education (Provision of Information by Independent Schools) (England) Regulations 2003.

The principal amendments are—

- (a) the insertion of a time limit of one month within which the proprietor of an independent school must provide prescribed information to the Secretary of State where he ceases, or might have ceased, to use a person’s service on certain grounds (*regulation 5*);
- (b) a change to the details relating to proprietors required in an application for registration of an independent school (*regulation 6*);
- (c) the insertion of a new requirement to state the number of pupils looked after by a local authority in the return submitted to the Secretary of State within three months of admission of pupils to the school (*regulation 7*); and
- (d) a change to the details required in the annual return relating to new members of bodies involved in the management of schools (*regulation 12*).

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