

**EXPLANATORY MEMORANDUM TO
THE EDUCATION (INDIVIDUAL PUPIL INFORMATION) (PRESCRIBED
PERSONS) (AMENDMENT) REGULATIONS 2006**

2006 No. 1505

1. This explanatory memorandum has been prepared by the Department for Education and Skills and is laid before Parliament by Command of Her Majesty.

This memorandum contains information for the Select Committee on Statutory Instruments.

2. **Description**

2.1 This statutory instrument amends the Education (Individual Pupil Information) (Prescribed Persons) Regulations 1999 (S.I. 1999/903) (“the Principal Regulations”) for the purposes of widening the scope of information about individual pupils which may be provided by information collators (bodies responsible for the collating or checking of information relating to pupils on behalf of the Secretary of State) to prescribed persons and persons falling within a prescribed category; and adding other persons to the list of persons prescribed in the Regulations to whom individual pupil information may be provided.

3. **Matters of special interest to the Select Committee on Statutory Instruments**

3.1 None

4. **Legislative Background**

4.1 Regulation 3 of the Principal Regulations prescribe the information relating to pupils which information collators may provide, the persons to whom individual pupil information may be provided; and the category of persons to whom such information may be provided .

4.2 Regulation 3(3) of the Principal Regulations, once amended, will enable information collators to provide prescribed persons and persons falling within a prescribed category with information about individual pupils specified in the Schedule to The Education (Information about Individual Pupils) ((England) Regulations 2001 (S.I. 2001/4020) and information about the educational achievements of pupils in external qualifications approved under section 98 of the Learning and Skills Act 2000 (2000 c.21).

4.3 Regulation 3(4) and (5) of the Principal Regulations, once amended, will enable the Secretary of State, information collators and any other persons holding any individual pupil information to provide such information to persons who were not previously included in the list of prescribed persons and persons falling within a category not previously prescribed.

5. Extent

5.1 This instrument applies to England

6. European Convention on Human Rights

6.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy background

7.1 As collection and use of pupil data has become more sophisticated in recent years there was a need to amend the Education (individual Pupil Information) (Prescribed Persons) Regulations 1999 to widen the scope of information about individual pupils which may be provided, and to extend the list of prescribed persons. These amendments will enable the Secretary of State, information collators and any other persons holding any individual pupil information to provide such information to those previously not listed allowing these organisations to use the data for research purposes or in their work with schools for example in target setting or maintaining schools effectiveness.

8. Impact

8.1 A Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies.

9. Contact

Anna Barker at the Department for Education and Skills Tel: 0207 925 5688 or e-mail: Anna.Barker@dfes.gsi.gov.uk can answer any queries regarding the instrument.