

**2007 No. 2972**

**EDUCATION, ENGLAND**

**The Education (Local Education Authority Performance Targets)  
(England) (Amendment) Regulations 2007**

<i>Made</i>	- - - -	<i>14th October 2007</i>
<i>Laid before Parliament</i>		<i>22nd October 2007</i>
<i>Coming into force</i>	- -	<i>12th November 2007</i>

The Secretary of State, in exercise of the powers conferred by sections 102 and 120 of the Education Act 2005(a), makes the following Regulations:

**Citation, commencement and application**

1.—(1) These Regulations may be cited as the Education (Local Education Authority Performance Targets) (England) (Amendment) Regulations 2007 and come into force on 12th November 2007.

(2) These regulations apply in relation to England.

**Amendment of Regulations**

2. The Education (Local Education Authority Performance Targets) (England) Regulations 2005(b) are amended as follows.

3. In regulation 2(1) (Interpretation)—

(a) before “GCE AS level” insert—

““fourth key stage” has the same meaning as in section 82(1)(d) of the 2002 Act(c);”;

(b) before “level 2 threshold” insert—

““level” means any level of the National Curriculum attainment targets as specified in an order made or having effect as if made by the Secretary of State under section 87(3)(a) of the 2002 Act(d) and “level 4” and “level 5” are construed accordingly;”;

(c) before “second key stage pupils” insert—

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(a) 2005 c. 18; for the meaning of “prescribed” and “regulations”, section 122(2) and (3)(c) applies to section 102 the definitions in section 579(1) of 1996 c. 56.

(b) S.I. 2005/2450 as amended by S.I. 2006/3150.

(c) The Education Act 2002 (c. 32).

(d) Some extant orders were made under section 356 of the Education Act 1996 (c. 56) which has subsequently been repealed and these Orders have effect as if they were made under the 2002 Act.

““persistently absent” means absent for any reason or combination of reasons for a number of sessions that totals at least twenty percent of the national average of sessions available in the statistical reporting period;”;

(d) after the definition of “second key stage pupils” insert—

““statistical reporting period” means that part of the school year for which schools are required by the local education authority to return absence data to the Secretary of State in the school census, and in this definition, “school census” means the arrangement (known by that name) under which the Secretary of State collects information about schools each year;”;

(e) omit the definition of “teacher assessment”;

(f) omit the definitions of “level 4” and “level 5”.

4. In paragraph 1 of the Schedule (Second key stage targets), for sub-paragraph (1), substitute—

“(1) The following targets—

- (a) the percentage of the relevant group of second key stage pupils to achieve level 4 or above in NC tests in both English and mathematics;
- (b) in such tests in English, the percentage of the relevant group of second key stage pupils to achieve a level that is at least 2 levels higher than the level achieved at the end of the first key stage; and
- (c) in such tests in mathematics, the percentage of the relevant group of second key stage pupils to achieve a level that is at least 2 levels higher than the level achieved at the end of the first key stage.”.

5. In paragraph 2 of the Schedule (Third key stage targets), for sub-paragraph (1), substitute—

“(1) The following targets—

- (a) the percentage of the relevant group of third key stage pupils to achieve level 5 or above in NC tests in both English and mathematics;
- (b) the percentage of the relevant group of third key stage pupils to achieve level 5 or above in NC tests in science;
- (c) in such tests in English, the percentage of the relevant group of third key stage pupils to achieve a level that is at least 2 levels higher than the level achieved at the end of the second key stage; and
- (d) in such tests in mathematics, the percentage of the relevant group of third key stage pupils to achieve a level that is at least 2 levels higher than the level achieved at the end of the second key stage.”.

6. In paragraph 3 of the Schedule (Approved qualifications targets)—

(a) in the title of the paragraph for “Approved qualifications targets”, substitute “Fourth key stage targets”.

(b) for sub-paragraphs (1) to (3) substitute—

“(1) The following targets in connection with the performance of the relevant group of fourth key stage pupils in approved qualifications—

- (c) the percentage of the relevant group of fourth key stage pupils to achieve the level 2 threshold in approved qualifications including grades A\*-C in English and Mathematics GCSE qualifications;
- (d) in approved GCSE qualifications in English, the percentage of the relevant group of fourth key stage pupils to achieve a grade that is the equivalent of a level at least 2 levels higher than the level achieved at the end of the third key stage; and
- (e) in approved GCSE qualifications in mathematics, the percentage of the relevant group of fourth key stage pupils to achieve a grade that is the equivalent of a level at least 2 levels higher than the level achieved at the end of the third key stage.”.

(2) For the purposes of sub-paragraph (1) of this paragraph, the equivalent of a level is that which is shown in the table below.

<i>National Curriculum level</i>	<i>Equivalent level at GCSE</i>
8	A*
7	A
6	B
5	C
4	D
3	E
2	F
Below level 2	G

(3) In this paragraph, “the relevant group of fourth key stage pupils” means all persons who, in the school year, the authority anticipates will be—

- (a) registered pupils at a maintained school, and
- (b) in the final year of the fourth key stage.

7. In paragraph 4 of the Schedule (Ethnic minority targets), between “Irish” and “Any other white background”, insert “Traveller of Irish heritage” and “Gypsy/Roma”.

8. For paragraph 5 of the Schedule (Absence targets), substitute—

“5. In respect of absences from maintained schools, a target for the total number of pupils in secondary schools who are persistently absent expressed as a percentage of the total number of pupils for those schools.”.

9. For paragraph 7 of the Schedule (GCSE and approved qualifications targets for looked after children), substitute—

“7.—(1) In connection with the performance of the relevant group of pupils in the fourth key stage who will have been looked after by the local authority for a continual period of 12 months or more by the end of the school year, the target is the percentage of such persons who are expected to achieve the level 2 threshold in approved qualifications including grades A\*-C in English and Mathematics GCSE qualifications.”.

(1) In this paragraph “the relevant group of pupils in the fourth key stage” means all pupils who, in the school year, the authority anticipates will be in the final year of the fourth key stage.

(2) In this paragraph “English” and “Mathematics” have the same meaning as in sub-paragraph (4) of paragraph 3 of this Schedule.

14th October 2007

*Jim Knight*  
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Department for Children, Schools and Families

## **EXPLANATORY NOTE**

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

These Regulations amend the Education (Local Education Authority Performance Targets) (England) Regulations 2005 (S.I. 2005/2450 as amended by S.I. 2006/3150) in three principal respects. They require single targets to be set for achievement in both English and mathematics at the end of each key stage (excluding the first key stage), and they introduce for each of the relevant key stages (excluding the first key stage) progression targets in English and mathematics (regulations 4, 5, 6 and 9); and they require local authorities to set targets in secondary schools for persistent absence as defined (regulation 8).

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