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STATUTORY INSTRUMENTS

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**2007 No. 712**

**The Education (Provision of Information About Young Children) (England) Regulations 2007**

**Citation, commencement and application**

1.—(1) These Regulations may be cited as the Education (Provision of Information About Young Children) (England) Regulations 2007 and come into force on 30th March 2007.

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

**Interpretation**

2.—(1) In these Regulations—

“the 1996 Act” means the Education Act 1996;

“the 2006 Act” means the Childcare Act 2006;

“the Chief Inspector” means, subject to paragraph (2), Her Majesty’s Chief Inspector of Education, Children’s Services and Skills<sup>(1)</sup>;

“local authority” has the same meaning as “English local authority” in section 106 of the 2006 Act;

“relevant school” means a school at which the child is a registered pupil<sup>(2)</sup>.

(2) At any time before 1st April 2007 “the Chief Inspector” means Her Majesty’s Chief Inspector of Schools in England.

3. For the purposes of these Regulations, “relevant nursery education” means nursery education, within the meaning of Part 5 of the School Standards and Framework Act 1998<sup>(3)</sup>, which is provided to a pupil in a maintained school or a maintained nursery school.

**Prescribed person under section 537A(2)(b) of the 1996 Act**

4. The local authority in whose area relevant nursery education is provided is a prescribed person for the purposes of section 537A(2)(b) of the 1996 Act.

**Prescribed person under section 99(2)(b) of the 2006 Act**

5. The local authority in whose area funded nursery education is provided is a prescribed person for the purposes of section 99(2)(b) of the 2006 Act.

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(1) The office of Her Majesty’s Chief Inspector of Education, Children’s Services and Skills is established by section 113 of the Education and Inspections Act 2006 (c.40).

(2) See section 434(5) of the Education Act 1996 for the definition of “registered pupil”.

(3) 1998 c.31.

### **Provision of information by relevant nursery education provider to a relevant person under section 537A(1) of the 1996 Act**

6.—(1) The information set out in Part 1 of the Schedule is prescribed for the purposes of section 537A(1) of the 1996 Act.

(2) The governing body of a maintained school or a maintained nursery school providing relevant nursery education, when required to do so by the relevant person, must provide to that person the information set out in Part 1 of the Schedule.

### **Provision of information by funded nursery education provider to a relevant person under section 99(1) of the 2006 Act**

7.—(1) The information set out in Parts 1 and 2 of the Schedule is prescribed information for the purposes of section 99(1) of the 2006 Act.

(2) A person who provides funded nursery education as defined in the 2006 Act, when required to do so by the relevant person, must provide to that person each item of information set out in Part 1 or 2 of the Schedule that is requested.

(3) When providing any item of information set out in the Schedule a person referred to in paragraph (2) must also provide—

- (a) the early years reference number allocated to the provider by the Department for Education and Skills;
- (b) the early years unique reference number or other identifier allocated to the provider by the Chief Inspector on registration; and
- (c) (if known) the local authority code allocated by the Department for Education and Skills to the local authority in whose area the funded nursery education is provided.

### **Prescribed persons under section 537A(3)(b) of the 1996 Act**

8. The following are prescribed persons for the purposes of section 537A(3)(b) of the 1996 Act—

- (a) the Chief Inspector;
- (b) any local authority which makes a payment to the local authority prescribed in regulation 4 in respect of any pupil who is provided with relevant nursery education.

### **Prescribed persons under section 99(3)(b) of the 2006 Act**

9. The following are prescribed persons for the purposes of section 99(3)(b) of the 2006 Act—

- (a) the Chief Inspector;
- (b) the local authority providing financial assistance in respect of the funded nursery education, if different from the local authority prescribed at regulation 5;
- (c) the proprietor of a relevant school.

### **Prescribed persons under section 537A(4)(b) of the 1996 Act and section 99(4)(b) of the 2006 Act**

10. The following are prescribed persons for the purposes of section 537A(4)(b) of the 1996 Act and section 99(4)(b) of the 2006 Act—

- (a) the Chief Inspector;
- (b) the Qualifications and Curriculum Authority<sup>(4)</sup>.

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(4) The Qualifications and Curriculum Authority was established by section 21 of the Education Act 1997 (c.44).

**Prescribed persons under section 537A(6)(c) of the 1996 Act**

11. Any local authority which makes a payment to the local authority prescribed in regulation 4 in respect of any pupil who is provided with relevant nursery education, is prescribed for the purposes of section 537A(6)(c) of the 1996 Act.

**Prescribed persons under section 99(6)(c) of the 2006 Act**

12. The following are prescribed persons under section 99(6)(c) of the 2006 Act—

- (a) the local authority providing financial assistance in respect of the funded nursery education, if different from the local authority prescribed in regulation 5;
- (b) the proprietor of a relevant school.

**Prescribed categories of persons under section 537A(4)(c) of the 1996 Act and section 99(4)(c) of the 2006 Act**

13. Persons conducting research into the educational achievements of pupils and who require individual pupil information for that purpose are prescribed for the purposes of section 537A(4)(c) of the 1996 Act.

14. Persons conducting research into the educational achievements of children and who require individual child information for that purpose are prescribed for the purposes of section 99(4)(c) of the 2006 Act.

6th March 2007

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