
STATUTORY INSTRUMENTS

2011 No. 1903

EDUCATION, ENGLAND

**The Morpeth School, Oaklands School
and Swanlea School Order 2011**

Made - - - - - *29th July 2011*
Laid before Parliament *3rd August 2011*
Coming into force - - - *1st September 2011*

The governing bodies of Morpeth School(1), Oaklands School(2) and Swanlea School(3) (“the Governing Bodies”), being qualifying bodies for the purposes of Chapter 1 of Part 1 of the Education Act 2002(4) (“the Act”), have, in accordance with section 4(2) of the Act, consulted the local authority and such other persons as appear to them to be appropriate;

It is the opinion of the Secretary of State for Education, pursuant to section 1(1)(a) of the Act, having regard to the matters set out in section 1(2), that the implementation of the provisions of this Order may contribute to the raising of educational standards in England;

The Secretary of State, on the application of the Governing Bodies, makes the following Order in exercise of the powers conferred by section 2(1) of the Act:

Citation and commencement

1. This Order may be cited as the Morpeth School, Oaklands School and Swanlea School Order 2011 and comes into force on 1st September 2011.

Interpretation

2. In this Order, “the 1996 Act” means the Education Act 1996(5).

(1) Morpeth School, Portman Place, Bethnal Green, London, E2 0PX. Department for Education number 100967.
(2) Oaklands School, Old Bethnal Green Road, Bethnal Green, London, E2 6PR. Department for Education number 100972.
(3) Swanlea School, 31 Brady Street, Whitechapel, London, E1 5DJ. Department for Education number 100973.
(4) 2002 c.32. Chapter 1 of Part 1 was amended by Schedules 14 and 16 to the Education and Inspections Act 2006 (c.40), the Schedule to the Legislative and Regulatory Reform Act 2006 (c.51) and S.I. 2010/1158.
(5) 1996 c. 56.

Relaxation of requirements in relation to pupils over compulsory school age

3. The following requirements are relaxed in relation to the Governing Bodies as they apply in relation to pupils who are over compulsory school age⁽⁶⁾—

- (a) the requirement in section 434(1) of the 1996 Act for the proprietor⁽⁷⁾ of a school to cause to be kept a register containing the prescribed particulars in respect of all persons who are pupils at the school;
- (b) the requirement in section 434(3)(b) of the 1996 Act that the name of a pupil shall only be deleted from a register on a prescribed ground;
- (c) the requirement in regulation 3 of the Education (Information about Individual Pupils) (England) Regulations 2006⁽⁸⁾ to provide the information set out in Schedule 1 to those Regulations to the local authority which maintain a school within fourteen days of the receipt of a request for that information by that local authority.

Modification

4. In its application to the Governing Bodies, regulation 5 of the Education (Pupil Registration) (England) Regulations 2006⁽⁹⁾ is modified so that it has effect as if after “all the pupils” there was inserted “of compulsory school age”.

Time period

5. This Order has effect until 31st August 2012.

29th July 2011

Jonathan Hill
Parliamentary Under Secretary of State
Department for Education

⁽⁶⁾ “Compulsory school age” is defined in section 8 of the Education Act 1996.

⁽⁷⁾ “Proprietor” is defined in section 579 of the Education Act 1996. In relation to a community, foundation or voluntary school, it means the governing body of the school.

⁽⁸⁾ [S.I. 2006/2601](#). References to “local education authority” were substituted by references to “local authority” by [S.I. 2010/1172](#).

⁽⁹⁾ [S.I. 2006/1751](#), to which there are amendments not relevant to this Order.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is made under section 2 of the Education Act 2002 and relates to the Morpeth School, Oaklands School and Swanlea School (“the Schools”).

Article 3(a) relaxes the requirement on each of the governing bodies of the Schools imposed by section 434(1) of the Education Act 1996 (“the 1996 Act”) so that it does not require them to keep a register of pupils (“admissions register”) who are over compulsory school age.

Article 3(b) relaxes the requirement in section 434(3) of the 1996 Act, which sets out that the name of a pupil must not be deleted from the admissions register otherwise than on a prescribed ground, so that it does not apply to pupils over compulsory school age, who may then be removed on other grounds.

Article 3(c) relaxes the requirement on the governing body of a school maintained by a local authority in regulation 3 of the Education (Information about Individual Pupils) (England) Regulations 2006. Regulation 3 provides that the governing body must provide specific information about registered pupils within fourteen days of the receipt of a request for that information by the local authority. The requirement is relaxed so that the information does not have to be provided about registered pupils who are over compulsory school age.

As a consequence of the relaxation made by article 3(a), article 4 modifies regulation 5 of the Education (Pupil Registration) (England) Regulations 2006 so that the requirement on the governing bodies of the Schools to keep an admissions register only applies to pupils of compulsory school age.