
EXPLANATORY NOTE

(This note is not part of the Regulations)

The Education (Information About Individual Pupils) (England) Regulations 2013 (“the 2013 Regulations”) require local authorities and the governing bodies and proprietors of certain schools (specified in regulations 3 to 5 of the 2013 Regulations) to provide specified information to the Secretary of State. The 2013 Regulations are currently the legal basis for the termly “school census”.

These Regulations provide for a new mandatory data-collection to replace an existing voluntary collection. They amend the 2013 Regulations by inserting a new [regulation 5A](#) ([regulation 2\(3\)](#) of these Regulations). The new [regulation 5A](#) imposes a different requirement to provide information. For specified types of schools, the “appropriate person” must provide the Secretary of State (or a person specified by the Secretary of State) with information about every pupil at the school (new [regulation 5A\(1\)](#) and [\(2\)](#)). The information must be provided when the Secretary of State requests it, by the deadline given in the request, and it must relate to whatever times the request specifies (for example it may be information about the time when the request is made, or times in the past) ([paragraph \(2\)](#)). As well as providing the specified information about current registered pupils, the appropriate person must also provide the information about former pupils, if it relates to a time when they were still registered ([paragraph \(3\)](#)).

New [regulation 5A](#) gives schools an option to provide the required information by providing the Secretary of State (or someone specified by the Secretary of State) with full-time access to an electronic management information system so that the information can be extracted whenever required.

These Regulations also insert a new [Schedule 1A](#) into the 2013 Regulations that lists the information that must be provided ([regulation 2\(4\)](#)).

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

An Explanatory Memorandum is published alongside this instrument on www.legislation.gov.uk. Hard copies are available from the Department for Education, Sanctuary Buildings, Great Smith Street, London SW1P 3BT.