2000 No. 3370

EDUCATION, ENGLAND

Education (Information About Individual Pupils) (England) Regulations 2000

Made - - - - -	*21st December 2000*
Laid before Parliament	*22nd December 2000*
Coming into force - -	*18th January 2001*

In exercise of the powers conferred on the Secretary of State by sections 537A(1) and (2) and 569(4) of the Education Act 1996(**a**), the Secretary of State for Education and Employment hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Education (Information About Individual Pupils) (England) Regulations 2000 and shall come into force on 18th January 2001.

Interpretation

2. In these Regulations—

"the 1996 Act" means the Education Act 1996;

"GCE "A" Level examination" and "GCE "AS" examination" mean General Certificate of Education advanced level examination and General Certificate of Education advanced supplementary examination respectively;

"GCSE" means General Certificate of Secondary Education;

"GNVQ" means General National Vocational Qualification;

"GNVQ precursor" means any of—

(a) the National Certificate or National Diploma of the EDEXCEL Foundation;

(b) the Diploma of Vocational Education of the City and Guilds of London Institute at national level;

(c) the First Certificate or First Diploma of the EDEXCEL Foundation; or

(d) the Diploma of Vocational Education of the City and Guilds of London Institute at intermediate level;

being qualifications approved by the Secretary of State under section 400 of the 1996 Act;

"NVQ" means National Vocational Qualification;

"permanently excluded" means a pupil who has been permanently excluded from a school on disciplinary grounds;

"permanent exclusion date" means the date on which the name of a permanently excluded pupil is deleted from the Register;

"post advanced level course" means a course of study being undertaken by a pupil who has completed a course leading to any of—

(**a**) 1996 c. 56. By virtue of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) the powers conferred by these sections are exercisable by the Secretary of State in relation to England.

(i) a GCE "A" level examination,
(ii) a GCE "AS" examination,
(iii) a GNVQ at level 3,
(iv) a GNVQ precursor at level 3, or
(v) a NVQ at level 3 and is no longer studying any of those courses;

"Register" means the register of pupils kept under section 434 of the 1996 Act and in accordance with the Education (Pupil Registration) Regulations 1995(**a**); and

"unique pupil number" means a combination of numbers which together with a letter or letters are allocated to a pupil and are particular to him, by use of a formula determined by the Department for Education and Employment.

Revocation

3. The Education (Information About Individual Pupils) (England) Regulations 1999(**b**) are hereby revoked.

Provision of information by schools maintained by local education authorities to their local education authorities

4. Within fourteen days of receiving a request from the local education authority by which a school is maintained, the governing body of that school shall provide to the authority such of the information referred to in the Schedule to these Regulations as is so requested.

Jaqui Smith
Parliamentary Under-Secretary of State,
21st December 2000 Department for Education and Employment

THE SCHEDULE

Regulation 4

PROVISION OF INFORMATION ABOUT INDIVIDUAL PUPILS

PART I

ALL PUPILS

1. In respect of each pupil on the school's Register on the date specified in the request for information the following information.

2.—(1)

The pupil's—

(a) gender;
(b) date of birth;
(c) current unique pupil number, and, where the school has held a previous unique pupil number for that pupil, the previous number;
(d) surname, and where the pupil has a former surname which is known to the governing body, that former surname;
(e) first name, or if more than one, each first name;
(f) ethnic group;
(g) date of admission to the school; and
(h) first language.

(2) The postcode of the home where the pupil normally resides.

3. Whether the pupil is a day or boarding pupil at the school.

4. Whether, pursuant to section 512(3) and (3A)(**c**) of the 1996 Act, the pupil has applied and found to be eligible for free school meals.

(**a**) S.I. 1995/2089.
(**b**) S.I. 1999/989.
(**c**) Sub-section (3A) was inserted by section 115(4) of the School Standards and Framework Act 1998 (1998 c. 31) with effect from 6th December 1999.

5. Where the pupil has special educational needs, which stage of the five stage scale referred to in "The Code of Practice on the Identification and Assessment of Special Educational Needs"(**a**) issued, and from time to time revised, under section 313 of the 1996 Act applies to him.

6. In the case of a school which provides primary education—

(a) whether the pupil is receiving nursery education in a nursery class at the school; and

(b) where the pupil is under compulsory school age, whether he is part-time, and, for the purposes of this paragraph, "part-time" means that the pupil is attending fewer than ten school sessions in any week during which the school meets.

7. In the case of a school which provides secondary education and where the pupil is aged 16 or over on 31st August preceding the date on which the request for information is made—

(a) the number, if any, of GCSE subjects the pupil is studying;

(b) the number, if any, of GCE "A" level examination subjects (excluding the subject entitled "general studies") the pupil is studying;

(c) the number, if any, of GCE "AS" examination subjects the pupil is studying;

(d) whether the pupil is studying a post advanced level course;

(e) the level of any GNVQ for which the pupil is studying;

(f) the level of any GNVQ precursor for which the pupil is studying;

(g) the level of any NVQ for which the pupil is studying; and

(h) whether the pupil is studying a course other than any of the kind referred to above.

8. In the case of a special school that is not a special school established in a hospital whether the pupil boards at the school for seven or less nights per week.

9. In the case of a special school, including a special school established in a hospital—

(a) whether the pupil is a registered pupil at one school or more than one school; and

(b) where the pupil is registered as a pupil at more than one school, the school that the pupil attends for the majority of his time.

PART II

Excluded Pupils

1. In respect of each pupil permanently excluded from the school and whose permanent exclusion date was in the year ending on 31st August preceding the date on which the request for information is made.

2.

The pupil's—

(a) gender;

(b) date of birth;

(c) surname;

(d) first name or, if more than one, each first name;

(e) ethnic group;

(f) permanent exclusion date; and

(g) unique pupil number.

3. Where the pupil has special educational needs at the time of his permanent exclusion from the school, the stage of the five stage scale referred to in "The Code of Practice on the Identification and Assessment of Special Educational Needs" issued, and from time to time revised, under section 313 of the 1996 Act which applied to him at the time of his exclusion.

(**a**) ISBN 0 85522 444 4. The Code of Practice, originally issued under section 157 of the Education Act 1993 (c. 35), continues to have effect by virtue of the 1996 Act, Schedule 39, paragraph 1.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke and replace the Education (Information About Individual Pupils) (England) Regulations 1999.

Regulation 4 requires the governing body of any maintained school on receiving a written request from the local education authority by which the school is maintained to supply within fourteen days such of the information referred to in the Schedule as may be requested.

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