STATUTORY INSTRUMENTS

2006 No. 3150

EDUCATION, ENGLAND

The Education (Local Education Authority Performance Targets) (England) (Amendment) Regulations 2006

Made - - - -	*28th November 2006*
Laid before Parliament	*6th December 2006*
Coming into force - -	*28th December 2006*

In exercise of the powers conferred upon the Secretary of State by sections 29(3) and 569(4) of the Education Act 1996(**a**) and sections 102 and 120(1) of the Education Act 2005(**b**) the Secretary of State for Education and Skills 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 2006 and shall come into force on 28th December 2006.

(2) These Regulations apply in relation to England.

Amendment of Regulations

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

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

(a) before the definition of "the 2002 Act" insert—

""the 2000 Act" means the Learning and Skills Act 2000(**d**);";

(b) in the definition of "approved qualification" for "the Learning and Skills Act 2000" substitute "the 2000 Act";

(c) after the definition of "GCSE" insert—

""level 2 threshold" means the achievement by a pupil of 5 GCSE qualifications at grades A* to C or the achievement by a pupil of a score of at least 100% when aggregating the contribution percentage assigned by the Qualifications and Curriculum Authority to each approved qualification taken by the pupil at level 2;".

(**a**) 1996 c.56.*See* section 579 for the definition of "prescribed". 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 only in relation to England. Section 29(3) was amended by paragraph 67 of Schedule 30 to the School Standards and Framework Act 1998 (c. 31).
(**b**) 2005 c.18.
(**c**) S.I. 2005/2450.
(**d**) 2000 c.21.

4.—(1)In paragraph 3 of the Schedule (approved qualification targets)—

(a) after paragraph (1)(a) insert—

"(aa) the percentage of the relevant group of pupils aged 15 to achieve, by the end of the school year, the level 2 threshold in approved qualifications including grades A* to C in English and Mathematics GCSE qualifications;";

(b) after sub-paragraph (3) insert—

"(4) For the purposes of this paragraph—

(a) "English" means any GCSE qualification approved by the Secretary of State under section 98 of the 2000 Act for the purposes of section 96 of that Act with the subject title English, but does not include—

(i) a qualification only in English Literature;

(ii) a qualification resulting from any GCSE short course;

(iii) a qualification resulting from any combination of short courses, unless separately approved as a single or double GCSE qualification in English.

(b) "Mathematics" means any GCSE qualification approved by the Secretary of State under section 98 of the 2000 Act for the purposes of section 96 of that Act with the subject title Mathematics, but does not include—

(i) a qualification only in statistics;

(ii) a qualification resulting from any GCSE short course;

(iii) a qualification resulting from any combination of short courses, unless separately approved as a single or double GCSE qualification in Mathematics. ".

5. In paragraph 7 of the Schedule (GCSE and approved qualification targets for looked after children)—

(a) in sub-paragraph 7(1)—

(i) in paragraph (a) omit the word "and";

(ii) at the end of paragraph (b) for the full stop substitute "; and";

(iii) after paragraph (b) insert—

"(c) the percentage of such persons who are expected to achieve by the end of the school year the level 2 threshold in approved qualifications including grades A* to C in English and Mathematics GCSE qualifications.";

(b) after sub-paragraph (2) insert—

"(3) In this paragraph "English" and "Mathematics" have the same meaning as in paragraph 3 of this Schedule.".

Jim Knight
Minister of State
Department for Education & Skills

28th November 2006

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Education (Local Education Authority Performance Targets) (England) Regulations 2005 (S.I. 2005/2450) ("the principal Regulations").

The principal amendments will—

(a) require targets to be set for the proportion of pupils aged 15 to achieve the level 2 threshold in approved external qualifications including grades A* - C in GCSE English and Mathematics (regulation 4);

(b) require separate targets to be set in connection with—

(i) those pupils aged 15 who will have been looked after by the local authority for a continual period of 12 months by the end of the relevant school year (regulation 5); and

(ii) those pupils within an ethnic group where there are more than 30 pupils within the relevant group (by virtue of paragraph 4 of the Schedule to the principal Regulations and the amendments made by regulation 4 of these regulations).

Some consequential drafting amendments are made (regulation 3).

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