STATUTORY INSTRUMENTS

2007 No. 3436

EDUCATION, ENGLAND

CHILDREN AND YOUNG PERSONS, ENGLAND

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

Made - - - -	*6th December 2007*
Laid before Parliament	*13th December 2007*
Coming into force - -	*10th January 2008*

The Secretary of State for Children, Schools and Families makes the following Regulations in exercise of the powers conferred by section 537A(4)(c) of the Education Act 1996(**a**) and sections 99(1) and (4)(c) and 104(2) of the Childcare Act 2006(**b**):

Citation, commencement and application

1.—(1) These Regulations may be cited as the Education (Provision of Information About Young Children) (England) (Amendment) Regulations 2007, and come into force on 10th January 2008.

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

Amendment of the Education (Provision of Information About Young Children) (England) Regulations 2007

2.—(1) The Education (Provision of Information About Young Children) (England) Regulations 2007(**c**) are amended as follows.

(2) After regulation 14, insert—

"**15.** Persons having access to a database established and operated by the Secretary of State under section 12 of the Children Act 2004(**d**) are prescribed for the purposes of section 537A(4)(c) of the 1996 Act and section 99(4)(c) of the 2006 Act.".

(3) In Part 2 of the Schedule, after paragraph 11 insert—

"**11A.—(1)** Where the person provides funded nursery education to the child in more than 38 weeks in the funding period, the number of hours of funded nursery education which the

(**a**) 1996 c. 56. Section 537A was inserted by the Education Act 1997 (c. 44), section 20, and substituted by the School Standards and Framework Act 1998 (c. 31), Schedule 30, paragraph 153. By virtue of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) the powers conferred by this section are exercisable by the Secretary of State in relation to England. See section 579(1) for the definitions of "prescribed" and "regulations".

(**b**) 2006 c. 21. Section 99 of the Childcare Act 2006 is modified by section 100(2) and (3) of that Act until section 7 of the Act comes into force. See section 99(9) for the definitions of "prescribed" and "regulations".

(**c**) S.I. 2007/712, amended by S.I. 2007/3224.

(**d**) 2004 c. 31. Section 12 was amended by paragraph 43 of Schedule 2 to the Childcare Act 2006.

child receives from that person during the period starting with 1st January and ending with 31st March in the calendar year in which the information is requested.

(2) In this paragraph "the funding period" means the period, being no longer than 12 months, of arrangements between the person providing funded nursery education and a local education authority in England under which the person provides such nursery education.".

Beverley Hughes
Minister of State
Department for Children, Schools and Families

6th December 2007

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Education (Provision of Information About Young Children) (England) Regulations 2007 (S.I. 2007/712) ('the principal Regulations').

Regulation 2(2) prescribes a further category of persons to whom the Secretary of State may provide any individual child information or individual pupil information. This will ensure that such information, after it has been disclosed for inclusion in a database established and operated by the Secretary of State under section 12 of the Children Act 2004, may be viewed by users of such a database.

Regulation 2(3) provides for an additional item of prescribed information to be provided by a provider of funded nursery education under regulation 7 of, and Part 2 of the Schedule to, the principal Regulations.

An impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

£3.00

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E1664 12/2007 171664T 19585

