STATUTORY INSTRUMENTS

2013 No. 1759

EDUCATION, ENGLAND AND WALES

The Education (School Performance Information) (England) (Amendment) Regulations 2013

Made - - - -	*15th July 2013*
Laid before Parliament	*18th July 2013*
Coming into force - -	*1st September 2013*

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 537A(1) and (2) and 569(4) of the Education Act 1996(**a**).

Citation and commencement

1. These Regulations may be cited as the Education (School Performance Information) (England) (Amendment) Regulations 2013 and come into force on 1st September 2013.

Amendment to the Education (School Performance Information) (England) Regulations 2007

2.—(1) The Education (School Performance Information) (England) Regulations 2007(**b**) are amended as follows.

(2) In regulation 2 (interpretation)—

(a) in paragraph (1)—

(i) for the definition of "the Document" substitute—

""the Document" means the document entitled "Assessment and reporting arrangements Key Stage 1 (including the Year 1 phonics screening check)" published by the Secretary of State under article 9 of the 2004 Order;"; and

(ii) omit the definition of "the Phonics Document"; and

(b) in paragraph (2) omit "regulation 13 and".

(3) In regulation 5 (provision of information about first key stage assessment results to local authorities)—

(a) in paragraph (1)—

(**a**) 1996 c.56. Section 537A was substituted by paragraph 153 of Schedule 30 to the School Standards and Framework Act 1998 (c. 31) and is amended by S.I. 2010/1158. See section 579 for definitions of "prescribed" and "regulations".

(**b**) S.I. 2007/2324; relevant amending instruments are S.I. 2010/677, 2012/765 and 2012/1274.

(i) after “maintained school” insert “and the proprietor of every Academy”;

(ii) after “key stage” insert “or, in the case of an Academy has registered pupils aged 7 years,”(**a**); and

(iii) for “that term” substitute “the assessment term”; and

(b) in paragraph (2)—

(i) after “maintained school” insert “and the proprietor of every Academy”;

(ii) after “applies” insert “or, in the case of an Academy has registered pupils who have been assessed to ascertain the extent to which pupils understand the correspondence between graphemes and phonemes in English,”; and

(iii) for “that term” substitute “the assessment term”.

(4) After regulation 12 (provision of general information about primary schools to the Secretary of State) insert—

“Provision of information about second and third key stage assessment results

12ZA.—(1) The governing body of every maintained school and the proprietor of every Academy which, in the assessment term of the reporting school year has registered pupils who are at or near the end of the final year of the second key stage or, in the case of an Academy has registered pupils aged 11 years, must each year, on or before the last Friday in June, provide the information relating to assessment referred to in Part 1 of Schedule 8 to—

(a) where the authority has informed the governing body or proprietor that it will be collating the information, the authority; or

(b) in any other case, the Secretary of State.

(2) The governing body of every maintained school and the proprietor of every Academy or CTC which, in the assessment term of the reporting school year has registered pupils who are at or near the end of the final year of the third key stage or, in the case of an Academy or CTC has registered pupils aged 14 years, must each year, on or before the last Friday in June, provide the information relating to assessment referred to in Part 2 of Schedule 8 to—

(a) where the authority has informed the governing body or proprietor that it will be collating the information, the authority; or

(b) in any other case, the Secretary of State.”.

(5) Omit regulation 13 (provision of information about second and third key stage assessment results to the National Data Collection Agency).

(6) Omit regulation 14 (provision of information about second and third key stage assessments to the external marking agency).

(7) In paragraph 2(2) of Schedule 1 (provision of information to local authorities) for “the Phonics Document” substitute “the Document”.

(8) In paragraph 1 of Part 1 of Schedule 8 (provision of information to the National Data Collection Agency and the external marking agency)—

(a) in paragraph (1) after “key stage,” insert “or, in the case of an Academy, aged 11 years,”; and

(b) for paragraph (2)(a) substitute—

“(a) the level of the National Curriculum level scale achieved by the pupil as determined by teacher assessment in—

(i) each attainment target specified for the core subject; and

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(**a**) The effect of the references in these Regulations to pupils at Academies aged 7, 11 and 14 is to include those children at Academies who are the equivalent cohort to the key stage 1, 2 and 3 pupils.

(ii) the core subject;".

(9) In paragraph 1(1) of Part 2 of Schedule 8 after "key stage," insert "or, in the case of an Academy or CTC, aged 14 years,".

(10) Omit Part 3 of Schedule 8.

Elizabeth Truss
Parliamentary Under Secretary of State
Department for Education

15th July 2013

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Education (School Performance Information) (England) Regulations 2007 to omit the reference to the Phonics Document.

They also make provision for Academies to report the information about pupils in key stage 1 set out in the assessment and reporting arrangements to relevant local authorities.

The Regulations also require schools to report subject teacher assessment levels in relation to pupils in key stage 2 and 3 for each attainment target in English, mathematics and science, and overall subject levels. This information is to be reported to the authority or the Secretary of State. They omit the requirement to provide information about the second and third key stage assessments to the National Data Collection Agency and the external marking agency.

An impact assessment has not been produced for this instrument as it has no impact on businesses, the public sector or civil society organisations.

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