STATUTORY INSTRUMENTS

1999 No. 1470

EDUCATION, ENGLAND AND WALES

WALES

The Education (School Performance Information) (Wales) (Amendment) Regulations 1999

Made - - - -	*24th June 1999*
Laid before Parliament	*29th June 1999*
Coming into force	*1st September 1999*

In exercise of the powers conferred on the Secretary of State by sections 408, 537 and 569(4) and (5) of the Education Act 1996**(a)** and sections 92(3) and (4) and 138(7) and (8) of the School Standards and Framework Act 1998**(b)** and after consulting with those persons with whom consultation appeared to him to be desirable, the Secretary of State for Wales hereby makes the following Regulations:

Citation, commencement and application

1. These Regulations may be cited as the Education (School Performance Information) (Wales) (Amendment) Regulations 1999 and shall come into force on 1st September 1999.

Amendment of principal Regulations

2. The Education (School Performance Information) (Wales) Regulations 1998**(c)** Regulations shall be amended as follows.

3. In regulation 3(1)–

(a) for the definition of "authority" substitute

" "authority" means a local education authority; ";

(b) in the definition of "the Document" omit "(in the case of a LEA maintained school) or in which the school is situated (in the case of any other maintained school)";

(c) in the definition of "independent school" omit "a grant-maintained school";

(d) omit the definition of "LEA maintained school";

(e) for the definition of "lower examinations" substitute:–

" "lower examinations" means GCSE and GCSE short course examinations, examinations leading to the award of a NVQ at level 1 or 2, examinations leading to the award of a Part 1 or full GNVQ at Foundation or Intermediate level, and examinations leading to the award of a GNVQ Language Unit;";

(a) 1996 c. 56. Section 408 is amended by paragraph 106 of Schedule 30 to the School Standards and Framework Act 1998 (c. 31); and section 537 is amended by paragraph 37 of Schedule 7 to the Education Act 1997 (c. 44) and by paragraph 152 of Schedule 30 to the School Standards and Framework Act 1998. For the meaning of "prescribed" and "regulations" *see* section 579(1) of the Education Act 1996.

(b) 1998 c. 31. For the meaning of regulations *see* section 142(1) of the Act.

(c) S.I. 1998/1867.

(f) for the definition of "maintained school" substitute–

" "maintained school" means a community, foundation or voluntary school or a community or foundation special school, but does not include a nursery school;";

(g) in the definition of "non-maintained special school" for "which is neither a LEA maintained school nor a grant-maintained special school" substitute "which is not maintained by a local education authority";

(h) for the definition of "previous year" substitute–

" "previous year" means the school year which immediately precedes the school year immediately preceding the publication school year;";

(i) for the definition of "reporting year" substitute–

" "reporting year" means the school year immediately preceding the publication school year;";

(j) for the definition of "special class or unit" substitute–

" "special class or unit" means a class or unit (as the case may be) so designated by the authority (in the case of a maintained school), or the proprietor (in the case of a non-maintained special school or an independent school), in which all or the majority of pupils have special educational needs;".

4. In regulation 4–

(a) in paragraph (5)(b) and in paragraph 5(d) for the words, "D* to G" substitute "D to G";

(b) in paragraph (5)(g) omit the word "and";

(c) after paragraph (5)(h) insert the following sub-paragraphs–

"(i) a GNVQ Language Unit at Intermediate level is equivalent to one half of a GCSE at grades A* to C; and

(ii) a GNVQ Language Unit at Foundation level is equivalent to one half of a GCSE at grades D to G.";

(d) in paragraph (7), at the end insert the following:–

"GNVQ Language Unit, Intermediate Level = 3.5 points;
GNVQ Language Unit, Foundation Level = 2.0 points.".

5. In regulation 10 insert after paragraph (4) the following paragraph–

"(5) In this regulation references to the authority are references to the authority for the area to which the information (other than the information relating to Wales as a whole) contained in the document and Summary Document relates, or, where that information relates to the areas of two or more authorities, each of those authorities.".

6. For paragraph 2 of Schedule 1 substitute–

"**2.** For that year and any earlier year, the percentage of male pupils aged 15, the percentage of female pupils aged 15 and the percentage of all pupils aged 15 who–

(a) were entered for one or more GCSE examinations, two or more GCSE short course examinations or one or more other lower examinations;

(b) achieved any grade from A to C in one or more GCSE examinations or an equivalent achievement in other lower examinations or in GCSE and other lower examinations (in any combination);

(c) achieved any grade from A to G in one or more GCSE examinations or an equivalent achievement in other lower examinations or in GCSE and other lower examinations (in any combination);

(d) did not achieve any grade from A to G in a GCSE or an equivalent achievement in any other lower examination;

(e) did not achieve any grade from A to G in a GCSE or an equivalent achievement in any other lower examinations but who achieved any pass grade in a CoEA examination;

(f) did not achieve any grade from A to G in a GCSE or an equivalent achievement in any other lower examination or any pass grade in a CoEA examination;
(g) were entered for five or more GCSE examinations or an equivalent number of entries in other lower examinations or GCSE and other lower examinations (in any combination), "equivalent number" being determined in the same way as "equivalent achievement" in regulation 4(5) but ignoring any reference to grades achieved;
(h) were entered for one or more lower examinations or CoEA examinations;
(i) achieved any grade from A to C in five or more GCSE examinations, or an equivalent achievement in other lower examinations or in GCSE or other lower examinations (in any combination);
(j) achieved any grade from A to G in five or more GCSE examinations, or an equivalent achievement in other lower examinations or in GCSE and other lower examinations (in any combination).".

7. In paragraph 4 of Schedule 1, omit the words "(a) to (k)".

8. For paragraph 1 of Schedule 2 substitute the following paragraph–

"**1.** The number of pupils aged 16, 17 or 18 who achieved either an Intermediate GNVQ or a NVQ at level 2 following a course of study approved by the Secretary of State or a designated body under section 400 of the Act or under section 37 of the Education Act 1997.".

9. For paragraph 3 of Schedule 2 substitute the following paragraph–

"**3.** The percentage of pupils aged 15 who achieved either a Foundation GNVQ, or a NVQ at level 1 following a course of study approved by the Secretary of State or a designated body under section 400 of the Act or under section 37 of the Education Act 1997.".

10. In paragraph 4 of Schedule 3 omit "LEA" and "a grant-maintained school, a grant-maintained special school".

Signed by authority of the Secretary of State for Wales

Jon Owen Jones
Parliamentary Under Secretary of State,
Welsh Office

24th June 1999

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Education (School Performance Information) (Wales) Regulations 1998 (S.I. 1998/1867). The amendments:

(a) make changes consequential upon the introduction of new school categories by the School Standards and Framework Act 1998;

(b) add GNVQ Language Units to the list of qualifications in respect of which school performance information must be given;

(c) bring into line the end dates of the years in respect of which information about GNVQ and NVQ results and other results must be given; and

(d) ensure that performance information is published by the authority for the area to which the information relates or, where the information relates to two or more local authority areas, by each of the authorities concerned.

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