STATUTORY INSTRUMENTS

2006 No. 3151

EDUCATION, ENGLAND

The Education (School Performance Targets) (England) (Amendment) Regulations 2006

Made - - - -	*30th November 2006*
Laid before Parliament	*6th December 2006*
Coming into force - -	*29th December 2006*

In exercise of the powers conferred upon the Secretary of State by sections 19 and 54(3) of the Education Act 1997(**a**), 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 (School Performance Targets) (England) (Amendment) Regulations 2006 and shall come into force on 28th December 2006.

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

Amendment of Regulations

2. The Education (School Performance Targets) (England) Regulations 2004(**b**) are amended as follows.

3. In regulation 2 (Interpretation)—

(a) after the definition of "GCE AS level" insert—

""GCSE" means General Certificate of Secondary Education;";

(b) after the definition of "level 2" 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;".

4. In regulation 5 (targets for pupils aged 15)—

(a) after paragraph (3)(a) insert—

"(aa) the percentage of the relevant group of pupils aged 15 to achieve, by the end of the following school year, the level 2 threshold in approved

(**a**) 1997 c. 44. 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 19 was amended by section 140(1) of the School Standards & Framework Act 1998 (c. 31).

(**b**) S.I. 2004/2858, amended by S.I. 2005/2449; there is another amending instrument but it is not relevant.

qualifications including grades A* to C in English and Mathematics GCSE qualifications;";

(b) after paragraph (6) insert—

"(7) For the purposes of this Regulation—

(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 in English.

(b) "Mathematics" means any GCSE qualification approved by the Secretary of State under section 98 of the 2002 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 accredited as a single or double GCSE in Mathematics.".

Jim Knight
Minister of State
Department for Education & Skills

30th November 2006

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Education (School Performance Targets) (England) Regulations 2004 (S.I. 2004/2858, as amended by S.I. 2004/3323 and 2005/2449) ("the principal Regulations") so that a governing body is required to set targets 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).

The effect of this change is that—

(a) by regulation 8 of the principal Regulations, the governing body is required to report the targets (as soon as practicable after they are set and by no later than 15 January in the relevant school year) to the relevant Local Education Authority (LEA);

(b) the LEA is required to report these targets to the Secretary of State pursuant to regulation 5 of the Education (Local Education Authority Performance Targets) (England) Regulations 2005 (S.I. 2005/2450, as amended by S.I. 2006/3150).

A consequential drafting amendment is also made (regulation 3).

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