STATUTORY INSTRUMENTS

2017 No. 37

EDUCATION, ENGLAND

The School Information (England) (Amendment) Regulations 2017

Made - - - -	*19th January 2017*
Laid before Parliament	*23rd January 2017*
Coming into force - -	*14th February 2017*

The Secretary of State for Education makes the following regulations in exercise of the powers conferred by sections 92 and 138 of the School Standards and Framework Act 1998(**a**):

Citation and Commencement

1. These Regulations may be cited as the School Information (England) (Amendment) Regulations 2017 and come into force on 14th February 2017.

Amendments to the School Information (England) Regulations 2008

2. The School Information (England) Regulations 2008(**b**) are amended as follows.

3. In regulation 1(2) (citation, commencement and application) omit the words "and only to information in relation to the academic year 2010-2011 and subsequent years".

4. In regulation 2 (interpretation) in the appropriate places insert—

"admission register" is the register to be kept in accordance with regulation 4(a) of the Education (Pupil Registration) (England) Regulations 2006(**c**);

"registered parent" means a person named in the admission register for a school as the parent (as defined by section 576 of the Education Act 1996) of a pupil registered at the school in accordance with regulation 5(1)(c) of the Education (Pupil Registration) (England) Regulations 2006;

"school with an atypical age of admission" means a school in which the start of the first year of education normally provided by that school is at the beginning of the fourth key stage or the preceding year but does not include a school designed to provide education for pupils formerly educated at a middle school;

5. In regulation 5 (local authority to publish composite prospectus)—

(**a**) 1998 c31. Section 92 was amended by section 51 of and schedule 4 to the Education Act 2002 (c.32) (the 2002 Act) and S.I. 2010/1158. See section 142 of the 2002 Act for the definition of "prescribed" and "regulations".
(**b**) S.I. 2008/3093 as amended by S.I. 2010/1172, S.I. 2012/8, S.I. 2012/979, S.I. 2012/1124, S.I. 2013/758, S.I. 2014/2103, the Deregulation Act 2015 (c.20) and S.I. 2016/451.
(**c**) S.I. 2006/1751.

(a) In regulation 5(1) after "composite prospectus area" insert "and in relation to all schools with an atypical age of admission within reasonable travelling distance of the local authority area"; and

(b) After regulation 5(2) insert—

"(2A) Where there is a school with an atypical admission age in the local authority area or within reasonable travelling distance of the local authority area, a local authority must publish in its composite prospectus a prominent statement that there is such a school and specify in particular—

(a) the age range of the school; and

(b) where in the prospectus information about it can be found.".

6. After Regulation 9 insert —

"**Information about schools with an atypical admission age**

9A.—(1) Where there is a school with an atypical age of admission in a local authority area or within reasonable travelling distance of the local authority area the local authority must provide the information specified in paragraph (2) to the person specified in paragraph (3).

(2) The information is—

(a) a statement of the fact that there is a school with an atypical age of admission in the local authority area or within a reasonable travelling distance of the local authority area;

(b) the name of the school referred to in sub-paragraph (2)(a);

(c) a statement that the pupil referred to in paragraph (3) may apply for admission to that school; and

(d) in relation to the school referred to in sub-paragraph (2)(b) the information specified in Part 2 of Schedule 2.

(3) The person is the registered parent of a pupil registered at a school within the area of the local authority who may apply in the offer year to be admitted to the relevant age group of a school with an atypical age of admission in the local authority area or within reasonable travelling distance of the local authority area. Relevant age group means an age group in which pupils are normally admitted (or as the case may be, will normally be admitted) to the school.

(4) Any information to be provided in accordance with paragraph (1) must—

(a) be sent by post or by electronic means to the postal or electronic address for the registered parent recorded in the admission register; and

(b) subject to regulation 9B, be sent on or after publication by the local authority of its composite admissions prospectus for the following academic year and not later than 12th September in the year of publication of the composite prospectus.

Transitional provision

9B. By no later than 14th March 2017 a local authority must provide the information to the registered parents in accordance with Regulation 9A in respect of admission in the academic year 2017-18.".

John Nash
Parliamentary Under Secretary of State for the School System
Department for Education

19th January 2017

EXPLANATORY NOTE

(This note is not part of the Regulations)

These regulations amend the School Information England Regulations 2008 (the 2008 Regulations).

Regulation 4 amends regulation 2 of the 2008 regulations to include new definitions, including a definition of a school with an "atypical age of admission". This means a school whose first year of admission is the beginning of the fourth key stage or the year before that, but does not include the type of school that pupils progress to from Middle Schools, commonly known as a High School.

Regulation 5(a) amends regulation 5(1) of the 2008 regulations to require a local authority to include in its composite prospectus information about schools with an atypical age of admission which are outside, but within a reasonable travelling distance of, the local authority area.

Regulation 5(b) inserts a new regulation 5(2A) into the 2008 regulations to provide that a local authority must include in its composite prospectus a prominent statement about schools in its area (or within reasonable travelling distance of its area) which have an atypical age of admission. It must give information about the age range of the schools and where to find information about them in the composite prospectus.

Regulation 6 inserts a new regulation 9A into the 2008 Regulations. Regulation 9A places a requirement on local authorities to send information to parents about schools with an atypical age of admission that are in, or within reasonable travelling distance of, the local authority area. Local authorities are required by regulation 9A(3) to send the information to parents of children registered at schools in their area who are eligible to apply to those schools. The information informs parents that their child may apply to a school with an atypical age of admission, giving the name of the school or schools and the information specified in Part 2 of Schedule 2 (information about each individual school including contact details, pupil numbers and age range and admission arrangements).

Regulation 6 also inserts a new regulation 9B into the 2008 Regulations. Regulation 9B is a transitional provision concerning admission to a school with an atypical age of admission in the academic year 2017-18. Local Authorities must send information to parents of eligible pupils within four weeks of 14th February 2017 (the date that these regulations come into force) notifying them that their children may apply to be admitted to such schools in the academic year 2017-18 and providing the information required by regulation 9A.

An impact assessment has not been produced for this instrument it has no impact on business and civil society organisations. The instrument has a minimal impact on the public sector.

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