

2011 No. 2123

EDUCATION, ENGLAND

**The Education (Information About Individual Pupils) (England)
(Amendment) Regulations 2011**

<i>Made</i>	- - - -	<i>26th August 2011</i>
<i>Laid before Parliament</i>		<i>1st September 2011</i>
<i>Coming into force</i>	- -	<i>1st January 2012</i>

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

Citation and commencement

1. These Regulations may be cited as the Education (Information About Individual Pupils) (England) (Amendment) Regulations 2011 and come into force on 1st January 2012.

Amendment of the Education (Information About Individual Pupils) (England) Regulations 2006

2.—(1) The Education (Information About Individual Pupils) (England) Regulations 2006(b) are amended as follows.

(2) In Part 1 of Schedule 1 (provision of information about individual pupils: all pupils on the school register), for paragraph 19(1) substitute—

“(1) Whether the pupil normally resides with a person specified in sub-paragraph (2) who is—

- (a) a person subject to service law by virtue of section 367(1) of the Armed Forces Act 2006(c), or
- (b) a person subject to service law by virtue of section 4(3)(a) of the Visiting Forces (British Commonwealth) Act 1933(d),

and who has been assigned Personal Status Category 1 or 2 (within the meaning of the “Personal Status Category Definitions” document published by the Ministry of Defence on 18th October 2007) by the Secretary of State for Defence.”

(3) In Schedule 2 (provision of information about learning aims of individual pupils)—

- (a) in paragraph 1(a), omit “in the twelve months preceding that request”;

(a) 1996 c. 56. For the meaning of “prescribed” and “regulations” see section 579(1) of that Act. “Relevant person” is defined in section 537A(2) of the Education Act 1996. Section 537A was inserted by section 20 of the Education Act 1997 (c. 44) and was substituted by paragraphs 57 and 153 of Schedule 30 to the School Standards and Framework Act 1998 (c. 31). Section 537A was amended by S.I. 2010/1158.

(b) S.I. 2006/2601 was amended by S.I. 2008/3072, S.I. 2010/677, S.I. 2010/1172 and S.I. 2010/1939.

(c) 2006 c.52.

(d) 1933 c.6. Section 4(3) was amended by paragraph 14 of Schedule 16 to the Armed Forces Act 2006.

- (b) in paragraph 2, omit “and” at the end of sub-paragraph (h), and after sub-paragraph (i) insert—
“and
(j) postcode for the home where the pupil normally resides.”;
- (c) at the end of paragraph 4(d), insert “and the result obtained”.

26th August 2011

Nick Gibb
Minister of State
Department for Education

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Education (Information About Individual Pupils) (England) Regulations 2006 (“the 2006 Regulations”).

Regulation 2 amends paragraph 19 of Part 1 of Schedule 1 to the 2006 Regulations to refer to the Armed Services Act 2006 (which repealed and replaced the provisions in the Army Act 1955, the Air-Force Act 1955 and the Naval Discipline Act 1957) and the Visiting Forces (British Commonwealth) Act 1933. A copy of the document “Personal Status Category Definitions”, which defines Personal Status Categories 1 and 2, may be obtained from the Ministry of Defence website www.mod.uk or by writing to the Ministry of Defence at the following address:

SP Pol Service Conditions – Projects and Legislation 2, Level 7 Zone B, MOD Main Building, Whitehall, London SW1A 2HB.

Regulation 2 also amends Schedule 2 to the 2006 Regulations, which prescribes the information maintained schools with sixth forms must provide to the Secretary of State in respect of the learning aims of pupils. A learning aim is a course of study which, if successfully completed, will lead to a recognised qualification. Paragraph 1(a) of Schedule 2 is amended to enable the Secretary of State to request the information in relation to pupils who are or were on the school’s register during a period specified by the Secretary of State in the request. The amendment allows this period to be longer than a period of 12 months preceding the date of the request. Paragraph 2 of Schedule 2 is amended to include a new requirement that schools provide the postcode for those pupils. Paragraph 4 is amended to include a new requirement that schools provide information about the result of the completed learning aim. This would include whether the pupil passed or failed the qualification, and what grade the pupil obtained.

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

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