STATUTORY INSTRUMENTS

2015 No. 1566

EDUCATION, ENGLAND

The Education (School Performance Information) (England) (Amendment) Regulations 2015

Made - - - -	*22nd July 2015*
Laid before Parliament	*23rd July 2015*
Coming into force - -	*1st September 2015*

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 408, 537, 537A and 569(4) of the Education Act 1996(**1**).

Citation and commencement

1. These Regulations may be cited as the Education (School Performance Information) (England) (Amendment) Regulations 2015 and come into force on 1st September 2015.

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

2. The Education (School Performance Information) (England) Regulations 2007(**2**) are amended in accordance with regulation 3.

3. In Schedule 4—

(a) in Part 1, for paragraph 2(e)(vi) substitute—

(**1**) 1996 c. 56. Section 408 was amended by section 57(1) and (4) of, and paragraph 30(a) and (b) of Schedule 7, and Schedule 8 to, the Education Act 1997 (c. 44); and by section 140(1) and (3) of, and paragraph 106(a), (b), (c), (d)(i) and (ii) of Schedule 30, and Schedule 31 to, the School Standards and Framework Act 1998 (c. 31); and by section 149 of, and paragraphs 1 and 57(1), (2) and (3) of Schedule 9 to, the Learning and Skills Act 2000 (c. 21); and by section 215(1) of, and paragraph 46(1), (2), (3), (4), (5) and (6) of Schedule 21, and Part 3 of Schedule 22 to, the Education Act 2002 (c. 32); and by sections 174, 192, 223(1)(a) and 266 of, and paragraphs 9, 11(1), (2), (3)(a) and (b) of Schedule 12, and Part 7 of Schedule 16 to, the Apprenticeships, Skills, Children and Learning Act 2009 (c. 22); and by section 26 of, and paragraphs 5 and 7 of Schedule 8 to, the Education Act 2011 (c. 21). Section 537 was amended by section 57(1) of, and paragraph 37 of Schedule 7 to, the Education Act 1997 (c. 44); and by section 140(1) of, and paragraph 152(b) of Schedule 30, and Schedule 31 to, the School Standards and Framework Act 1998 (c. 31); and by section 149 of, and paragraphs 1 and 60 of Schedule 9 to, the Learning and Skills Act 2000 (c. 21); and by sections 65(3) and 215(2) of, and paragraph 6(1) and (5) of Part 2 of Schedule 7, and Part 3 of Schedule 22 to, the Education Act 2002 (c. 32); and by section 54(1) of, and paragraph 9(1) and (15) of Schedule 13 to, the Education Act 2011 (c. 21). Section 537A was inserted by section 20 of the Education Act 1997 (c. 44) and substituted by section 140(1) of, and paragraph 153 of Schedule 30 to, the School Standards and Framework Act 1998 (c. 31). For the definition of 'regulations' see section 579(1) of the Education Act 1996 (c. 56).

(**2**) S.I. 2007/2324, amended by S.I. 2008/1727; there are other amending instruments but none is relevant.

"(vi) whether the student has special educational needs and, where applicable—

(aa) the type of special educational needs that student has;

(bb) the primary and secondary need of those types if there is more than one type;

(cc) if the student has a statement of special educational needs(**3**) or an Education, Health and Care plan(**4**); and

(dd) if special educational provision is being made through SEN support(**5**)

(b) In Part 2, for paragraph 1 substitute—

"**1.**—(1) The number of registered pupils aged 16, 17 or 18 who, during the reporting school year or any of the school years preceding that year, were entered for a relevant entry level or level 1, 2, 3 qualification(**6**) approved under section 98 of the Learning and Skills Act 2000 for the purposes of section 96 of that Act.

(2) In the case of each registered pupil aged 16, 17 or 18, the following information —

(a) the pupil's gender, date of birth and surname followed by first name or, if more than one, each first name;

(b) the relevant entry level or level 1, 2, 3 qualification taken and the grade or, where applicable, the level achieved;

(c) the school year in which the pupil was entered for the relevant entry level or level 1, 2, 3 qualification and the awarding body for that qualification;

(d) each approved relevant qualification taken by the pupil in the fourth key stage(**7**) and the grade or, where applicable, the level achieved by the pupil; and

(e) each course study taken by the pupil leading to a qualification to which Part 7 of the Apprenticeships, Skills, Children and Learning Act 2009 applies which is awarded or authenticated by a body which is recognised by the Office of Qualifications and Examinations Regulation under section 132 of that Act in respect of the qualification, including—

(i) the qualification identification number;

(ii) the date on which each course of study started;

(iii) the planned and actual end date of each course of study;

(iv) information on which course of study is identified as the core course of study;

(**3**) See section 324(1) of the Education Act 1996 (c. 56) provides for the making and maintaining by a local authority of a statement of special educational needs in respect of a child. Section 324(1) was repealed in relation to England but remains in force by virtue of Article 11 Children and Families Act 2014 (Transitional and Saving Provisions) (No.2) Order 2014 (S.I. 2014/2270).

(**4**) See section 37(2) of the Children and Families Act 2014 (c. 6) for the meaning of "Education, Health and Care plan". Sub-section (2) was amended by: the Care Act 2014 (c. 23) and Children and Families Act 2014 (Consequential Amendments) Order 2015 (S.I. 2015/914).

(**5**) As described in the 'Special educational needs and disability code of practice: 0 to 25 years', issued by the Secretary of State under section 77 of the Children and Families Act 2014 (c. 6).

(**6**) "a relevant qualification" is defined in section 96(5) of the Learning and Skills Act 2000 (c. 21). Sub-section (5) was substituted, for sub-sections (5)–(7) as originally enacted, by: sections 174 and 192 of, and paragraphs 26 and 27(1) and (4) of Schedule 12 to, the Apprenticeships, Skills, Children and Learning Act 2009 (c. 22). "Entry level", "level 1, 2 and 3" qualifications are described in Annex E of the Regulatory Arrangements for the Qualifications and Credit Framework, published in August 2008, and available at the following link: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/371294/2008-08-15-regulatory-arrangements-qcf-august08.pdf

(**7**) "Key stage" is defined in section 76(1) of the Education Act 2002 (c. 32); "the fourth key stage" is defined in section 82(1)(d) of the Education Act 2002 (c. 32).