STATUTORY INSTRUMENTS

2015 No. 902

EDUCATION, ENGLAND

The Education (Information) (Miscellaneous Amendments) (England) Regulations 2015

Made - - - -	*25th March 2015*
Laid before Parliament	*27th March 2015*
Coming into force - -	*1st September 2015*

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 29(3) and (5), and 408, 537, 537A, 563 and 569(4) and (5) of the Education Act 1996(**1**).

The Secretary of State has consulted with those persons with whom consultation appeared to the Secretary of State to be desirable, in accordance with section 408(5) of the Education Act 1996.

Citation and commencement

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

(**1**) 1996 c. 56. Section 29(3) was amended by: section 140(1) and (3) of, and paragraph 67 of Schedule 30, and Schedule 31 to, the School Standards and Framework Act 1998 (c. 31). 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 31to, 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). Section 563 was amended by: section 140(1) and (3) of, and paragraph 172(a) and (b) of Schedule 30, and Schedule 31 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).

Amendments to the Education (Pupil Information) (England) Regulations 2005

2. The Education (Pupil Information) (England) Regulations 2005(**2**) are amended in accordance with regulations 3 to 5.

3. In regulation 2 (Interpretation)—

(a) in the definition "assessment" for "Levels" or (as the case may be) "Level" substitute "Scales" or (as the case may be) "Scale";

(b) for "the associated documents" substitute—

> ""the associated document" means any document (other than the P Scale Document) published by the Department for Education under a section 87(3)(a) and (b) order for the foundation subjects, setting out any attainment targets and programmes of study for each of those subjects;";

(c) in the definition "NC attainment targets" for "associated documents" substitute "associated document";

(d) for "NC levels of attainment" substitute—

> ""NC standards of attainment" means the National Curriculum standards of attainment described in the associated document;";

(e) in the definition "NC test tiers" for "associated documents" substitute "associated document";

(f) for "P Levels of attainment" substitute—

> ""P Scales of attainment" means, for those pupils with special educational needs who are working at a standard set out in the P Scale Document, the National Curriculum standards of attainment described in the P Scale Document;";

(g) for "P Level attainment targets" substitute—

> ""P Scale attainment targets" means, for those pupils with special educational needs who are working at a standard set out in the P Scale Document, the National Curriculum attainment targets specified in the P Scale Document;";

(h) for "P Level Document" substitute—

> ""P Scale Document" means the document published from time to time by the Department for Education which—
>
> (a) describes, in relation to pupils with special educational needs who are working at a standard set out in the P Scale Document, the standards of attainment specified in the P Scale Document for each of the core and other foundation subjects, and
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> (b) specifies, in relation to such pupils, the attainment targets which have effect by virtue of an order made under section 87(3)(a) of the 2002 Act;";

(i) in the definition "teacher assessment" for "level" substitute "standard".

4. In Schedule 1—

(a) in paragraph 1(g) for "level" substitute "score".

(b) in paragraph 2—

(i) in sub-paragraph (1)(a)—

(aa) in sub-paragraph (1)(a)(ii) for "levels" substitute "standards";

(**2**) S.I. 2005/1437, amended by S.I. 2007/3224, S.I. 2010/1836, S.I. 2008/1747, S.I. 2012/765 and S.I. 2013/3212; there are other amending instruments but none is relevant.

(bb) in sub-paragraphs (1)(a)(iv) and (1)(a)(v) for "levels of attainment" substitute "standards of attainment and scores".

(ii) in sub-paragraph (1)(b) for "levels" substitute "standards";

(iii) in sub-paragraph (1)(d)—

(aa) for "level" substitute "score";

(bb) for "levels" substitute "standards";

(iv) for sub-paragraph (2) substitute—

"(2) If a pupil with special educational needs is working at a standard set out in the P Scale Document in a core subject ("the relevant subject") at the first or second key stage the following information must be included in the report at the end of that key stage—

(a) if the relevant subject is English, the assessment of the pupil's P Scale of attainment in English or, if the pupil is working at P Scale 4 or above of the P Scales of attainment, the assessment of the pupil's performance against each of the P Scale attainment targets specified in the P Scale Document in relation to English under the headings "Speaking", "Listening", "Reading" and Writing";

(b) if the relevant subject is Mathematics, the assessment of the pupil's P Scale of attainment in Mathematics or, if the pupil is working at P Scale 4 or above of the P Scales of attainment, the assessment of the pupil's performance against each of the P Scale attainment targets specified in the P Scale Document in relation to Mathematics under the headings "Using and applying mathematics", "Number" and "Shape, space and measures";

(c) if the relevant subject is Science, the assessment of the pupil's P Scale of attainment in Science.";

(v) in paragraph (3), in the definition "comparative information" for "levels of attainment" substitute "standards of attainment and scores".

5. In Schedule 2, paragraph 6—

(a) in sub-paragraph (1)—

(i) in sub-paragraphs (1)(a) and (1)(c) for "levels" substitute "standards";

(ii) in sub-paragraph (1)(d) omit "level and".

(b) for sub-paragraph (3) substitute—

"(3) If an assessment of a pupil's P Scale of attainment has been carried out in relation to a core subject at the first or second key stage, the pupil's cumulative achievements in education in relation to that subject for the key stage are as follows—

(a) if the subject is English, the assessment of the pupil's P Scale of attainment in English or, if the pupil is working at P Scale 4 or above of the P Scales of attainment, the assessment of the pupil's performance against each of the P Scale attainment targets specified in the P Scale Document in relation to English under the headings "Speaking", "Listening", "Reading" and "Writing";

(b) if the subject is Mathematics, the assessment of the pupil's P Scale of attainment in Mathematics or, if the pupil is working at P Scale 4 or above of the P Scales of attainment, the assessment of the pupil's performance against each of the P Scale attainment targets specified in the P Scale