1995 No. 323

EDUCATION

Education (Individual Pupils' Achievements) (Information) Regulations (Northern Ireland) 1995

Made . . . . . 15th August 1995

Coming into operation in accordance with regulation 2

The Department of Education, in exercise of the powers conferred on it by Articles 17A(1), (2) and (2A) and 134(1) of the Education and Libraries (Northern Ireland) Order 1986(**a**) and Article 31(2) and (3) of the Education Reform (Northern Ireland) Order 1989(**b**) and of every other power enabling it in that behalf, and after consulting as required by Article 31(4) of that Order, hereby makes the following Regulations:

Citation

1. These Regulations may be cited as the Education (Individual Pupils' Achievements) (Information) Regulations (Northern Ireland) 1995.

Commencement

2.—(1) Subject to paragraphs (2) and (3), these Regulations shall come into operation on 12th September 1995.

(2) Regulation 5 shall come into operation:

(*a*) on 1st August 1996 for pupils in the second year of the second key stage; and

(*b*) on 1st August 1997 for pupils in the third year of the second key stage.

(3) Regulations 7(3) and (4), 11 and 12 shall come into operation on 1st August 1997 for pupils in the second key stage.

Revocation

3. The Education (Individual Pupils' Achievements) (Information) Regulations (Northern Ireland) 1991(**c**) are hereby revoked.

Interpretation

4.—(1) In these Regulations—

"the 1989 Order" means the Education Reform (Northern Ireland) Order 1989;

(**a**) S.I. 1986/594 (N.I. 3); Article 17A was inserted by Article 5 of S.I. 1987/167 (N.I. 2) and amended by S.I. 1989/2406 (N.I. 20) Articles 32 and 166 and Schedule 9

(**b**) S.I. 1989/2406 (N.I. 20)

(**c**) S.R. 1991 No. 351

"formative record of progress and achievement" means a formal record of a pupil's academic attainments, his other skills, talents and achievements and his educational progress;

"GCE A level" and "GCE AS" mean General Certificate of Education advanced level and advanced supplementary respectively;

"GCSE" means General Certificate of Secondary Education;

"GNVQ" means General National Vocational Qualification;

"levels of attainment" means the levels set out in any document of a kind referred to in Article 7(5) of the 1989 Order the provisions of which have effect, or (as the case may be) have effect as amended, by virtue of any order made under Article 7(1)(*a*) of that Order;

"school day" means a day on which the school is open for teaching purposes;

"school year" means a year ending on 31st July;

"sixth form" means the period of full-time secondary education coming immediately after the end of the fourth key stage;

"summative Record of Achievement" has the meaning given by regulation 7(4);

"the statutory arrangements" means assessment arrangements specified by orders made under Article 7(1)(*b*) of the 1989 Order.

Amendment of the Education (Pupil Records) Regulations (Northern Ireland) 1990

5.—(1) The Education (Pupil Records) Regulations (Northern Ireland) 1990(**a**) shall be amended as provided in paragraphs (2) to (4).

(2) For the expression "curricular record" wherever it occurs there shall be substituted the expression "formative record of progress and achievement".

(3) In regulation 3(1) for the definition of "curricular record" there shall be substituted in the appropriate place the following definition:

" "formative record of progress and achievement" means a formal record of a pupil's academic achievements, his other skills, talents and achievements and his educational progress;".

(4) For sub-paragraph (*d*) of regulation 5(1) there shall be substituted the following sub-paragraph:

"(*d*) in every case where a pupil ceases to be a pupil at that school and becomes a pupil at another school (including an independent school)—

(i) that pupil's formative record of progress and achievement is transferred to the responsible person; and

(ii) a formal record of the academic achievements, other skills and abilities and academic progress relating to the pupil and kept since 1st September 1990, together with any appropriate

(a) S.R. 1990 No. 287

educational records relating to the pupil and kept before that date, are transferred to the responsible person, if that person so requests in writing.".

Application

6.—(1) Subject to paragraph (2), these Regulations shall apply to all grant-aided schools.

(2) These Regulations shall not apply to nursery schools, or in respect of pupils in primary schools or special schools who have not attained the lower limit of compulsory school age.

General duties of the principal

7.—(1) The principal of each grant-aided school shall make available to the parents of each pupil at the school the information relating to that pupil's educational achievements specified in regulation 8.

(2) The information referred to in paragraph (1) shall be made available in every school year, at the times and in the manner specified in regulation 9.

(3) The principal of each grant-aided school shall make available, in respect of each pupil at the school, the information relating to his achievements specified in regulation 11.

(4) The information referred to in paragraph (3) shall be produced in a document to be known as the pupil's summative Record of Achievement and shall be made available at the times and in the manner specified in regulation 12.

8.—(1) The information required by regulation 7(1) to be made available is—

(*a*) where the pupil is in the final year of the first, second or third key stage: the information set out in Schedule 1;

(*b*) where the pupil is in the final year of the fourth key stage: the information set out in Schedule 2;

(*c*) where a pupil is in the sixth form: the information set out in Schedule 3;

(*d*) where the pupil is in any other year: brief particulars of his achievements in any subject or activity which forms part of his curriculum.

(2) The brief particulars referred to in paragraph (1)(*d*) shall include the results of any public examination taken by the pupil for which he was prepared by the school in the school year to which the information relates, and where they include references to the pupil's levels of attainment they shall contain a statement that those levels have not been assessed in accordance with the statutory arrangements.

Time and manner of provision of information to parents

9.—(1) Subject to paragraph (2) the principal shall send the information (whether by post or otherwise) to the pupil's parent not later than 30th June in the school year to which the information relates.

(2) Where the principal receives information after 30th June in any school year consisting of the results of public examinations taken by a pupil at the school during the school year, he shall send that information (whether by post or otherwise) as soon as reasonably practicable to the parent of that pupil.

Additional information to be made available to parents in certain cases

10.—(1) Subject to paragraph (2), it shall be the duty of the principal, in the case of a pupil mentioned in regulation 8(1)(*a*), to disclose to that pupil's parent, when requested to do so by that parent, the relevant data, and to make available to the parent a copy of those data.

(2) The principal shall comply with any request pursuant to paragraph (1) within 15 school days of its receipt by him or, if the request is received on a day which is not a school day, within 15 school days of the first school day following the day on which he received the request.

(3) In paragraph (1) the "relevant data" means the levels of attainment achieved by the pupil in each attainment target of any compulsory contributory subject in respect of which the pupil has been assessed in accordance with the statutory arrangements.

Information to be provided in a pupil's summative Record of Achievement

11.—(1) The information required by regulation 7(3) to be made available in a pupil's summative Record of Achievement is:

(*a*) where the pupil is in a year which is the final year of the second key stage and is the year at the end of which he ceases to be a pupil at the school, the information set out in Schedule 4;

(*b*) where the pupil is in the final year of the fourth key stage, the information set out in Schedule 5;

(*c*) where the pupil is in the sixth form, and is in a year which is the year in which he ceases to be a pupil at the school, the information set out in Schedule 6.

(2) In the case of a pupil to whom paragraph (1)(*b*) or (*c*) applies, the information shall be provided in the form specified in Schedule 7, or a form to the like effect.

(3) In Schedule 7 "student" means "pupil".

Time and manner of provision of information in summative Records of Achievement

12.—(1) In the case of a pupil who ceases to be a pupil at the school at the end of the final year of the second key stage, the principal shall send the information (whether by post or otherwise) to the pupil's parent not later than 30th June in that school year.

(2) Subject to paragraph (3), in the case of a pupil to whom regulation 11(1)(*b*) or (*c*) applies, the principal shall make the information available to the pupil not later than 30th June in that school year and shall give the information to the pupil, if the pupil so requests, but in any case the principal

shall give the information to the pupil not later than 30th September next following.

(3) In the case of a pupil to whom paragraph (2) applies, where the principal receives information after the summative Record of Achievement has been issued consisting of the results of public examinations taken by the pupil during that school year, he shall send that information (whether by post or otherwise) to the pupil as soon as reasonably practicable.

Sealed with the Official Seal of the Department of Education on 15th August 1995

(L.S.) *C. Jendoubi*

Assistant Secretary