1993 No. 370

EDUCATION

Education (School Information and Prospectuses) Regulations (Northern Ireland) 1993

Made . . . . . 26th August 1993

Coming into operation . . 20th September 1993

The Department of Education, in exercise of the powers conferred on it by Articles 31(2) and (3), 42(3), (4) and (6) and 137(5) of the Education Reform (Northern Ireland) Order 1989(**a**), 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, commencement and effect

1.—(1) These Regulations may be cited as the Education (School Information and Prospectuses) Regulations (Northern Ireland) 1993 and shall come into operation on 20th September 1993.

(2) Subject to regulation 2 these Regulations shall have effect in relation to the publication or otherwise making available of information, particulars or documents in the 1993/94 school year and in each subsequent school year.

Revocation and saving

2.—(1) Subject to paragraph (2) the Education (School Information and Prospectuses) Regulations (Northern Ireland) 1991(**b**) and the Education (School Information and Prospectuses) (Amendment) Regulations (Northern Ireland) 1992(**c**) are hereby revoked.

(2) Where information, particulars or documents which are required to be published in the school year 1993/94 have been published or otherwise made available before 20th September 1993 the Education (School Information and Prospectuses) Regulations (Northern Ireland) 1991 shall continue to have effect in relation thereto as if these Regulations had not been made.

Interpretation

3.—(1) In these Regulations—

"GCE A Level" means the General Certificate of Education Advanced Level;

"GCE AS Level" means the General Certificate of Education Advanced Supplementary examination;

(**a**) S.I. 1989/2406 (N.I. 20)
(**b**) S.R. 1991 No. 519
(**c**) S.R. 1992 No. 450

"GCSE" means the General Certificate of Secondary Education;

"GNVQ" means a General National Vocational Qualification;

"nursery unit" means a unit approved by the Department for the purpose of providing education for children who have attained the age of two years but who have not attained the lower limit of compulsory school age;

"other qualification" means a qualification other than GCSE or GNVQ at Intermediate or Advanced level, provided by an examining body listed in Schedule 4;

"relevant board" means—

(*a*) in the case of a controlled school, the board by which the school is managed;

(*b*) in the case of a maintained school, the board by which the school is maintained; and

(*c*) in the case of any other voluntary school or any grant-maintained integrated school, the board for the area in which the school is situated;

"relevant school", in relation to a board, means—

(*a*) any controlled school under its management;

(*b*) any maintained school maintained by it;

(*c*) any other voluntary school or any grant-maintained integrated school situated in its area;

"school prospectus" shall be construed in accordance with regulation 6(4)(*a*);

"school year" means a year beginning on 1st August and ending on 31st July, both dates inclusive;

"special education unit" means a unit approved by the Department for the purpose of making educational provision for pupils with special educational needs;

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

"year 11", in relation to any pupil, means the first school year of key stage 4;

"year 12", in relation to any pupil, means the final school year of key stage 4;

"year 13", in relation to any pupil, means the school year beginning on 1st August after year 12;

"year 14", in relation to any pupil, means the school year beginning on 1st August after year 13.

(2) In these Regulations any reference to the date up to which parents may express a preference for a school is a reference to the date by which, in accordance with arrangements made by the relevant board in pursuance of Article 36(1) of the 1989 Order, a parent wishing education to be provided for his child in the exercise of the board's functions should express such a preference.

(3) In these Regulations any reference to GNVQ at Intermediate level shall be construed so as to include a reference to the Business and Technology Education Council First Diploma or the City and Guilds of London Institute Diploma of Vocational Education and any reference to GNVQ at Advanced level shall be construed so as to include a reference to the Business and Technology Education Council National Diploma or the City and Guilds of London Institute National Diploma.

(4) In these Regulations the requirement to express information as a percentage shall be construed so that, where that number is not a whole number, it shall be rounded to the nearest whole number with those of half a percentage point or more being rounded upwards to the next whole number.

Application

4.—(1) These Regulations apply to all grant-aided schools.

(2) In their application to a technical secondary school conducted in association with an institution of further education, these Regulations shall have effect as if—

(*a*) references to the Board of Governors of a school included references to the governing body of the institution;

(*b*) references to the principal of a school included references to the principal of the institution.

General information to be published by education and library boards

5.—(1) The information required by Article 42(4) of the 1989 Order to be published by a board, in relation to its policy and arrangements concerning primary (including nursery) and secondary education and special educational provision in its area, shall be the information set out in Schedule 1.

(2) The information mentioned in paragraph (1) in relation to each school year shall be published in advance of that year and shall, except in so far as it relates exclusively to nursery education or special educational provision, be published not later than six weeks before the date up to which parents may express a preference for a school.

(3) Subject to paragraphs 4 and 5 the information mentioned in paragraph (1) shall be published—

(*a*) by copies being made available for distribution without charge to parents on request;

(*b*) by copies being distributed without charge to parents of pupils at each relevant primary school who, in the school year immediately before that to which the information and particulars relate, are in the final school year at such schools and who might transfer to relevant secondary schools; and

(*c*) by copies being made available for reference by any person—

(i) at the offices of the relevant board;

(ii) at every relevant school; and

(iii) at the public libraries in the area of the board.

(4) Paragraph (3)(*b*) does not apply to the particulars specified in Part II of Schedule 1 (special educational provision).

(5) It shall be a sufficient compliance with paragraph (3)(*b*) if there is so published so much of the information and particulars as relates to relevant secondary schools.

Information to be published by Boards of Governors

6.—(1) The information required by Article 42(3) of the 1989 Order to be published by a Board of Governors shall be—

(*a*) in the case of a school other than a nursery school, the information specified in Schedule 2;

(*b*) in the case of a nursery school, the information specified in Schedule 3.

(2) The information mentioned in paragraph (1) in relation to each school year shall be published in advance of that year.

(3) The information mentioned in paragraph (1), in the case of a primary or a secondary school, shall be published not later than six weeks before the date up to which parents may express a preference for a school.

(4) In the case of any school the information mentioned in paragraph (1) shall be published—

(*a*) in a document to be known as the school prospectus; and

(*b*) by copies being made available at the school for distribution on request, without charge, to parents, including parents of children who may be admitted to the school, and for reference by any person.

(5) In the case of a special school the information mentioned in paragraph (1) shall also be published by copies being made available at the offices of the relevant board for distribution without charge to parents on request and for reference by any person.

(6) Where any information is to be published by a board with the agreement of the Board of Governors pursuant to Article 42(5) of the 1989 Order, that information shall be supplied to it by the Board of Governors and may not be altered except with the agreement of the Board of Governors.

(7) The information mentioned in paragraph (6) may be published and made available by a board along with such other information as it sees fit.

Supplementary provisions

7.—(1) This regulation applies to any published document containing such information or particulars as are mentioned in regulation 5 or 6.

(2) Such a document shall state the school year to which the information or particulars it contains relates and, in relation to information or particulars relating to a school year subsequent to the school year in which the document is published, contain a warning that, though they were correct in relation to that year at a date specified in the document (not being earlier than 6 months before that of its publication) it should not be assumed that there will be no change affecting such information or particulars—

(*a*) before the start of, or during, the school year in question; or

(*b*) in relation to subsequent school years.

(3) Where by virtue of any provision of these Regulations any duty is placed on a Board of Governors to publish or make available any information, and that information is not within its knowledge but is within the knowledge of the principal of that school, he shall supply it to the Board of Governors.

Information on charging and remissions policies, fees, etc.

8.—(1) Every board shall make available information consisting of particulars of the charging and remissions policies determined by it under Article 131 of the 1989 Order.

(2) Copies of the information mentioned in paragraph (1) shall be made available for distribution without charge to parents on request, and for reference by any person—

(*a*) at the offices of the relevant board;

(*b*) at every relevant school; and

(*c*) at the public libraries in the area of the board.

9.—(1) A Board of Governors shall make available information consisting of—

(*a*) the times at which the school day begins and ends;

(*b*) details of the time set aside for teaching during each school day;

(*c*) the dates of the school terms and half-term holidays for the current school year;

(*d*) particulars of the charging and remission policies determined by the Board of Governors under Article 131 of the 1989 Order;

(*e*) in the case of a voluntary grammar school, particulars of any capital charge made by the Board of Governors in the current school year; and

(*f*) in the case of a voluntary grammar school constituted under Schedule 7 to the Education and Libraries (Northern Ireland) Order 1986(**a**), particulars of any tuition fee charged by the Board of Governors in the current school year.

(2) Copies of the information mentioned in paragraph (1) shall be provided at the school for reference by any person at all reasonable times on a school day and for distribution without charge to parents on request.

(3) Where any significant change is made to the information mentioned in paragraph (1), the Board of Governors shall, not less than three months before the change is to take effect, take such steps as are reasonably practicable to secure that the parents of all pupils at the school concerned are informed of the change and of when it is to take effect.

Information to be given in the annual report of the Board of Governors to parents and the supply of that report

10.—(1) The Board of Governors of every grant-aided school shall include in the annual report required to be prepared under Article 125 of the

(**a**) S.I. 1986/594 (N.I. 3)