1991 No. 519

EDUCATION

Education (School Information and Prospectuses) Regulations (Northern Ireland) 1991

Made . . . . . 3rd December 1991

Coming into operation in accordance with Regulation 2

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

1. These Regulations may be cited as the Education (School Information and Prospectuses) Regulations (Northern Ireland) 1991.

Commencement and effect

2.—(1) Subject to paragraph (2) these Regulations shall come into operation on 31st December 1991, but shall not have effect so as to require the publication or otherwise making available of any information or particulars in relation to a school year beginning before 1st August 1992.

(2) Regulation 6(3), in so far as it relates to a primary school, shall come into operation on 1st August 1992.

Interpretation

3.—(1) In these Regulations—

"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;

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

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

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

"school year" means a year beginning on 1st August and ending on 31st July;

"school prospectus" means a document of the kind referred to in regulation 6(4)(*a*);

"special educational needs" and "special educational provision" have the same meanings as in the 1986 Order(**a**);

"special education unit" means a unit established to make special educational provision for pupils with special educational needs and which is approved by the Department as such.

(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(**b**), a parent wishing education to be provided for his child in the exercise of the board's functions should express such a preference.

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 the following paragraphs, the information mentioned in paragraph (1) shall be published—

(**a**) The Education and Libraries (Northern Ireland) Order 1986 (S.I. 1986/594 (N.I. 3))
(**b**) The Education Reform (Northern Ireland) Order 1989 (S.I. 1989/2406 (N.I. 20))

(*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 year immediately before that to which the information and particulars relate, are in the final year at such schools and who might transfer to relevant secondary schools; and

(*c*) by copies being made available for reference by parents and other persons—

(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 parents and other persons.

(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 parents and other persons.

(6) Where any information is to be published by a board under arrangements made under Article 42(5) of the 1989 Order, it 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 along with such other information as a board may be publishing or making available.

Supplementary provisions

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

(2) Such a document shall state the school year to which the information or particulars it contains relate and 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 the relevant arrangements or some matter particularised—

(*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 made in 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.

Charging and remissions policies

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 parents and other persons—

(*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; and

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

(2) Copies of the information mentioned in paragraph (1) shall be provided at the school for inspection by parents and other persons 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 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 1989 Order information consisting of:

(*a*) particulars of the dates of the beginning and end of each term and of half-term holidays for the school year next following the year to which the annual report relates; and

(*b*) in respect of any school year following the first year in which the school prospectus was published, a summary of any changes to information contained in the school prospectus since it was last published.

(2) The Board of Governors shall furnish a copy of the annual report—

(*a*) in the case of a controlled school or a maintained school, to the relevant board; and

(*b*) in the case of a Catholic maintained school, to the Council for Catholic Maintained Schools; and

(*c*) in the case of any other voluntary school or a grant-maintained integrated school, to the Department.

Public access to documents and information

11.—(1) The Board of Governors of every grant-aided school shall, where they have made any written statement under Article 10(1) of the 1989 Order (policy in relation to the curriculum for the school), furnish a copy of it to the principal and to each member of the teaching staff at the school.

(2) The principal of every grant-aided school shall make available on request, at all reasonable times, the information referred to in paragraph (3).

(3) The information referred to in paragraph (2) is information relating to—

(*a*) any written statement furnished to the principal under paragraph (1);

(*b*) any statutory instruments or statutory documents or Departmental circulars or administrative memoranda sent by the Department to the principal or to the Board of Governors relating to the powers and duties imposed by or under Part III of the 1989 Order (The Curriculum);

(*c*) any published reports of inspectors of the Department referring expressly to the school;

(*d*) any syllabuses followed by pupils at the school, whether for qualifications approved by the Department under Article 9 of the 1989 Order or otherwise; and