1991 No. 351

EDUCATION

Education (Individual Pupils' Achievements) (Information) Regulations (Northern Ireland) 1991

Made . . . . . 2nd August 1991

Coming into operation in accordance with regulation 2

The Department of Education, in exercise of the powers conferred on it by Article 17A 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**) ("the 1989 Order") and of every other power enabling it in that behalf, and after consulting as required by Article 31(4) of the 1989 Order, hereby makes the following Regulations:

Citation

1. These Regulations may be cited as the Education (Individual Pupils' Achievements) (Information) Regulations (Northern Ireland) 1991.

Commencement

2.—(1) Except for regulations 4, 6(3) and (4), 10 and 11, these Regulations shall come into operation on 1st September 1991.

(2) Regulation 4 shall come into operation:

(*a*) on 1st September 1991 for pupils in the first year of the first and third key stages, and for pupils in the third year of the third key stage;

(*b*) on 1st August 1992 for pupils in the second year of the first and third key stages, and for pupils in the first year of the fourth key stage;

(*c*) on 1st August 1993 for pupils in the third year of the first key stage, and for pupils in the second year of the fourth key stage;

(*d*) on 1st August 1994 for pupils in the fourth year of the first key stage, and for pupils in the lower sixth form;

(*e*) on 1st August 1995 for pupils in the first year of the second key stage, and for pupils in the upper sixth form;

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

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

(3) Regulations 6(3) and (4), 10 and 11 shall come into operation:

(*a*) on 1st August 1993 for pupils in the fourth key stage;

(**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)

(*b*) on 1st August 1994 for pupils in the lower sixth form;

(*c*) on 1st August 1995 for pupils in the upper sixth form; and

(*d*) on 1st August 1997 for pupils in the second key stage.

Interpretation

3.—(1) In these Regulations—

"attainment target", "programme of study" and "assessment arrangements" have the meaning given by Article 7(3) of the 1989 Order;

"compulsory contributory subject" has the meaning given by Article 6(2) of the 1989 Order;

"key stage" in relation to a pupil has the meaning given by Article 5(6) of the 1989 Order;

"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 the 1989 Order;

"formative record of progress and achievement" has the definition given in the 1990 Regulations, as amended by regulation 4;

"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, and "lower sixth form" and "upper sixth form" mean the first and second years respectively of this period;

"summative Record of Achievement" has the meaning given by regulation 6(4);

"the 1990 Regulations" means the Education (Pupil Records) Regulations (Northern Ireland) 1990(**a**); and

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

(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 references to the principal of a school included references to the principal of the institution.

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

4.—(1) For the term "curricular record" in the 1990 Regulations wherever it occurs there shall be substituted the term "formative record of progress and achievement".

(2) For the definition of "curricular record" in regulation 3(1) of the 1990 Regulations, there shall be substituted the following definition:

(**a**) S.R. 1990 No. 287

" "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;".

(3) For regulation 5(1)(*d*) of the 1990 Regulations there shall be substituted the following:

"(*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) the curricular record relating to the pupil and kept since 1st September 1990, together with any appropriate educational records relating to the pupil and kept before that date, are transferred to the responsible person, if that person so requests in writing."

(4) Regulation 5(5) of the 1990 Regulations is hereby revoked.

Application

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

(2) The 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 principal

6.—(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 7.

(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 8.

(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 10.

(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 11.

Information to be provided to parents

7.—(1) The information required by regulation 6(1) to be made available is—

(*a*) where the pupil is in the final year of a key stage:

(i) subject to paragraph (2), the pupil's level of attainment in any compulsory contributory subject in which his achievements have been assessed in accordance with the statutory arrangements for that key stage;

(ii) a statement that the level has been so assessed;

(iii) where the pupil has been exempted from any part of a programme of study in that school year, a statement to that effect referring to the part;

(iv) the result 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

(v) brief particulars of his achievements in any other subject or activity which forms part of his curriculum; and

(*b*) 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) In the case of a pupil in respect of whom a statement of special educational needs is maintained by an education and library board under Article 31 of the Education and Libraries (Northern Ireland) Order 1986, the reference in paragraph (1)(*a*)(i) to the pupil's level of attainment in any compulsory contributory subject shall be deemed to include a reference to his level of attainment in each attainment target of each such subject.

(3) In paragraph (1)(*a*)(iii) a reference to a pupil who has been exempted from any part of a programme of study is a reference to a pupil to whom any part of a programme of study does not apply or applies with modifications (as the case may be) by virtue of—

(*a*) a direction given by the Department under Article 14 of the 1989 Order (development work and experiments); or

(*b*) regulations made under Article 15 of the 1989 Order (exceptions by regulations); or

(*c*) provision made pursuant to Article 16 of the 1989 Order in a statement of the pupil's special educational needs made under Article 31 of the Education and Libraries (Northern Ireland) Order 1986; or

(*d*) a direction given by a principal pursuant to regulations made under Article 17 of the 1989 Order (temporary exceptions for individual pupils).

(4) The brief particulars referred to in paragraph (1)(*b*) 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

8.—(1) Subject to paragraphs (2) and (3) 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 that school year, he shall send that information (whether by post or otherwise) as soon as reasonably practicable to the parent of that pupil.