

2005 No. 58

EDUCATION, ENGLAND

**The Education (School Attendance Targets)(England)
Regulations 2005**

<i>Made</i> - - - -	<i>17th January 2005</i>
<i>Laid before Parliament</i>	<i>24th January 2005</i>
<i>Coming into force</i> - -	<i>14th February 2005</i>

The Secretary of State for Education and Skills, in exercise of the powers conferred upon her by sections 63 and 138 of the School Standards and Framework Act 1998(a) hereby makes the following Regulations:

Citation, commencement and application

1.—(1) These Regulations may be cited as the Education (School Attendance Targets) (England) Regulations 2005, and shall come into force on 14th February 2005.

(2) These regulations apply only in relation to England.

Interpretation

2.—(1) In these Regulations —

“absence” means an occasion when a relevant day pupil is recorded as absent from a school in accordance with the Education (Pupil Registration) Regulations 1995(b);

“the total possible attendances” means the number produced by multiplying the number of relevant day pupils at the school by the number of school sessions in the applicable period in that year;

“relevant day pupil” means a registered pupil of compulsory school age apart from a boarder;

“the applicable period” means the period starting with the beginning of a school year and finishing with the end of the school day falling on the Friday before the last Monday in May in that school year.

Duty to set school attendance targets

3. The governing body of every maintained school other than a special school established in a hospital shall set annual targets for reducing the number of absences from school in accordance with regulation 4.

4.—(1) The governing body shall set a target and shall submit it to the local education authority—

(a) 1998 c.31; section 63 was amended by section 53 of the Education Act 2002 (2002 c.32)
(b) S.I. 1995/2089

- (a) by 1st April 2005 for the school year commencing later in that year;
- (b) by 31st December 2005 for the school year commencing in 2006; and
- (c) by 31st December 2006 for the school year commencing in 2007.

(2) The annual target shall be the total absences expected in the school year, expressed as a percentage of the total possible attendances by pupils at the school.

Agreement and notification of targets

5.—(1) Where the local education authority is not satisfied with a target submitted by a governing body it shall forthwith give notice to the governing body; and the governing body shall submit a revised target within 21 days of receipt of such a notice.

(2) Where the local education authority is not satisfied with a revised target submitted under paragraph (1) it shall set the target.

(3) The local education authority shall within one month of each of the dates in regulation 4(1) above or as soon as possible thereafter notify the Secretary of State of all the targets submitted to it or set by it under this regulation for the relevant school year.

Modification of targets

6. A governing body shall not modify a target which has been submitted to the Secretary of State without the agreement of the local education authority.

Revocation

7. The Education (School Attendance Targets) (England) Regulations 1999 (a) are hereby revoked.

17th January 2005

Derek Twigg
Parliamentary Under Secretary of State
Department for Education and Skills

(a) S.I. 1999/397

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke and replace the Education (School Attendance Targets) (England) Regulations 1999 (“the 1999 Regulations”). They require school governing bodies to set attendance targets for authorised and unauthorised absences from school, expressed as a percentage of the total possible attendances by pupils.

Regulations 3 and 4 require all governing bodies of maintained schools to set annual targets, and prescribe the dates for the setting and submission of those targets for the next three years.

Regulation 5 requires governing bodies to obtain the agreement of the local education authority, and requires the authority to notify the Secretary of State of targets set by or for schools in its area.

Regulation 6 permits modification of targets only with the agreement of the local education authority.

Regulation 7 revokes the 1999 Regulations.

A full regulatory impact assessment has not been produced for this instrument as it has no impact on the costs of business.

STATUTORY INSTRUMENTS

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£3.00

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under the authority and superintendence of Carol Tullo, Controller of Her Majesty's
Stationery Office and Queen's Printer of Acts of Parliament.

E0056 1/2005 150056T 19585

ISBN 0-11-051638-9



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