

2006 No. 1505

EDUCATION, ENGLAND

The Education (Individual Pupil Information) (Prescribed Persons) (Amendment) Regulations 2006

<i>Made</i> - - - -	<i>8th June 2006</i>
<i>Laid before Parliament</i>	<i>19th June 2006</i>
<i>Coming into force</i> - -	<i>10th July 2006</i>

In exercise of the powers conferred on the Secretary of State by sections 537A(4), (5) and (6) and 569(4) of the Education Act 1996(a), the Secretary of State for Education and Skills makes the following Regulations:

Citation, commencement and application

1.—(1) These Regulations may be cited as the Education (Individual Pupil Information) (Prescribed Persons) (Amendment) Regulations 2006 and shall come into force on 10th July 2006.

(2) These Regulations apply to individual pupil information relating to pupils at schools in England only.

Amendments

2. The Education (Individual Pupil Information) (Prescribed Persons) Regulations 1999(b) shall be amended in accordance with regulations 3 and 4.

3. In regulation 2 (Interpretation)—

- (a) delete the definitions of the following terms—
 - (i) “GCE ‘A’ level examinations” and “GCE ‘AS’ examinations”;
 - (ii) “GCSE”; and
 - (iii) “GNVQ”; and
- (b) after the definition of “key stage” delete the word “and”; and
- (c) after the definition of “the relevant pupil” substitute the full-stop with a semi-colon, and add—
 - “ “the relevant school” means the school at which the relevant pupil is or was registered; and

(a) 1996 c. 56. Section 537A was inserted by the Education Act 1997 (1997 c.44), section 20, and substituted by the School Standards and Framework Act 1998 (1998 c.31), section 140(1) and Schedule 30, paragraphs 57 and 153. By virtue of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) the powers conferred by these sections are exercisable by the Secretary of State only in relation to England.

(b) S.I. 1999/903. These Regulations were amended by S.I. 2004/1377.

“work-based learning provider” means any employer who provides learning in the workplace to pupils or students as part of a course on which they are enrolled at any school or further education institution.”

4. In regulation 3 (Prescribed persons)—

(a) in paragraphs (1)(b), (2)(b) and (2A)(b) for the words “the category” substitute the words “any of the categories”;

(b) for paragraph (3) substitute the following paragraph—

“(3) The individual pupil information which an information collator may so provide, at such times as the Secretary of State may determine, in accordance with section 537A(5)(b) of the Act, is any such information relating to—

- (a) individual pupils specified in the Schedule to the Education (Information about Individual Pupils) (England) Regulations 2001(a);
- (b) the educational achievements of pupils in any National Curriculum assessment of pupils at or near the end of the final year of the first, second or third key stage;
- (c) the educational achievements of pupils in any external qualification approved for use by pupils under section 98 of the Learning and Skills Act 2000(b), for the purposes of section 96 of that Act;”

(c) for paragraph (4) substitute the following paragraph—

“(4) The persons referred to in paragraphs (1)(a), (2)(a) and (2A)(a) are—

- (a) the Adult Learning Inspectorate;
- (b) the Joint Council for General Qualifications;
- (c) the Higher Education Funding Council for England;
- (d) the Learning and Skills Council for England;
- (e) the National Assessment Agency;
- (f) the Qualifications and Curriculum Authority;
- (g) the relevant local authority;
- (h) the relevant school;
- (i) the Training and Development Agency;
- (j) the States of Guernsey Education Department;
- (k) the States of Jersey Education Department;
- (l) the Isle of Man Department of Education;
- (m) the National Assembly for Wales;
- (n) the Welsh Joint Education Committee.”; and

(d) for paragraph (5) substitute the following paragraph—

“(5) The categories referred to in paragraphs (1)(b), (2)(b) and (2A)(b) are—

- (a) further education institutions;
- (b) persons providing services to young people as part of the Connexions Service;
- (b) Primary Care Trusts;
- (c) work-based learning providers;
- (d) persons conducting research into the educational achievements of pupils and who require individual pupil information for that purpose.”.

(a) S.I. 2001/4020. These Regulations were amended by S.I. 2002/3112, S.I. 2003/3277 and S.I. 2005/3101.
(b) 2000 c.21.

8th June 2006

Jim Knight
Minister of State
Department for Education and Skills

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Education (Individual Pupil Information) (Prescribed Persons) Regulations 1999.

The principal amendments are—

- (a) the substitution of paragraph (3) of regulation 3 with a new paragraph to enable information collators to additionally provide, at such times as the Secretary of State may determine, any prescribed person or any person falling within a prescribed category, with any of the information about individual pupils specified in the Schedule to the Education (Information about Individual Pupils) (England) Regulations 2001 and any information about the educational achievements of pupils in external qualifications approved under section 98 of the Learning and Skills Act 2000 for the purposes of section 96 of that Act (*regulation 4(b)*);
- (b) the substitution of paragraph (4) of regulation 3 with a new paragraph to incorporate a number of additional persons to the list of prescribed persons (*regulation 4(c)*); and
- (c) the substitution of paragraph (5) of regulation 3 with a new paragraph to incorporate a number of additional prescribed categories (*regulation 4(d)*).

£3.00

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E0779 6/2006 160779T 19585