
STATUTORY INSTRUMENTS

2002 No. 1680

EDUCATION, ENGLAND

**The Education (Pupil Information)
(England) (Amendment) Regulations 2002**

<i>Made</i>	- - - -	<i>28th June 2002</i>
<i>Laid before Parliament</i>		<i>28th June 2002</i>
<i>Coming into force</i>	- -	<i>19th July 2002</i>

In exercise of the powers conferred on the Secretary of State by sections 408, 563 and 569(4) of the Education Act 1996(1), and after consulting with those persons with whom consultation appeared to her to be desirable in accordance with section 408(5) of the Education Act 1996, the Secretary of State for Education and Skills hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Education (Pupil Information) (England) (Amendment) Regulations 2002 and shall come into force on 19th July 2002.

Amendment

2. The Education (Pupil Information) (England) Regulations 2000(2) shall be amended in accordance with the following provisions of these Regulations.

3. In regulation 2 (Interpretation)—

- (a) the definitions of “common transfer form” and “stage of SEN” shall be omitted;
- (b) after the definition of “curricular record” there shall be inserted the following—

““Departmental number” means a reference number unique to each establishment and allocated by use of a formula determined by the Department of Education and Skills;”;
- (c) in the definition of “NC tasks” the word “State” shall be replaced with “Stage”; and
- (d) after the definition of “teacher assessment” there shall be inserted the following—

(1) 1996 c. 56. 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. Section 408 was amended by the Education Act 1997 (c. 44), Schedule 7, paragraph 30(a), the School Standards and Framework Act 1998 (c. 31), Schedule 30, paragraphs 57 and 106 and the Learning and Skills Act 2000 (c. 21), Schedule 9, paragraph 57.

(2) S.I. 2000/297; amended by S.I. 2001/1212.

““unauthorised absence” means any absence from the school for which leave has not been granted by a person authorised in that behalf by the governing body of the school;”.

4. For Regulation 10 (Transfer of information when a pupil changes school) the following regulation shall be substituted—

“10.—(1) In this regulation “common transfer information” means—

- (a) as respects pupils in the first key stage, the information in Part 1 of Schedule 5;
- (b) as respects pupils in the second key stage, the information in Part 2 of Schedule 5;
- (c) as respects pupils in the third key stage, the information in Part 3 of Schedule 5; and
- (d) as respects pupils in the fourth key stage or over compulsory school age, the information in Part 4 of Schedule 5.

(2) Where this regulation requires information to be transferred in machine readable form, that requirement may be met by transferring the information—

- (a) by electronic mail;
- (b) by floppy disk;
- (c) through an intranet provided for that purpose by or on behalf of a local authority, and for the purposes of this regulation an intranet means a closed network that can only be accessed—
 - (i) by the local education authority,
 - (ii) by or on behalf of a governing body of a school within that authority,
 - (iii) by a teacher at a school within that authority; or
- (d) through an internet website or other facility provided for that purpose by or on behalf of the Department for Education and Skills.

(3) Subject to paragraph (8), when a pupil ceases to be registered at a maintained school (the “old school”) and becomes a registered pupil at another school (the “new school”), the pupil’s common transfer information and educational record shall be transferred to the head teacher of the new school no later than fifteen school days after the day on which the pupil ceases to be registered at the old school.

(4) The information and record referred to in paragraph (3) shall be transferred by the head teacher of the old school or, where this has been agreed between that head teacher and the local education authority, that authority.

(5) The common transfer information shall be transferred in machine readable form unless the old school does not have the technological capability to transfer, or the new school does not have the technological capability to receive, that information, in which case it may be sent in paper form.

(6) The educational record may be transferred in machine readable form or in paper form or in a combination of both forms.

(7) The requirements in paragraphs (3) and (4) of this regulation shall not apply where it is not reasonably practicable for the head teacher of the old school to ascertain the pupil’s new school.

(8) Where a pupil has been registered at a maintained school for less than four weeks, it shall be sufficient compliance for the purposes of paragraphs (3) and (4) if the head teacher of that school or, where applicable, the local education authority transfers such information

and record as he has received under this regulation from the school at which the pupil was previously registered in the form in which it was received by him.

(9) For the purposes of paragraph (8), the reference in paragraph (3) to “fifteen school days” shall be a reference to the number of days after the day on which the pupil ceases to be registered at the school in question or to the number of days after the information and record have been received by the head teacher of that school, whichever is the later.

(10) If the head teacher of a pupil’s old school receives a request from the head teacher of the school at which the pupil is currently a registered pupil, either for the common transfer information relating to the time when the pupil left the old school or for any educational record relating to that pupil in the old school’s possession, he shall provide it within fifteen school days of receiving the request.”.

5. In sub-paragraph (4) of paragraph 5 of Schedule 1 the words after “unauthorised absences” shall be omitted.

6. For Schedule 5, there shall be substituted the Schedule set out in the Schedule to these Regulations.

28th June 2002

David Miliband
Minister of State,
Department for Education and Skills

THE SCHEDULE

Regulation 6

“SCHEDULE 5

Regulation 10

COMMON TRANSFER INFORMATION

PART 1

PUPILS IN THE FIRST KEY STAGE

1.—(1) The information specified in Part 5 of this Schedule.

(2) The teacher assessment of the pupil’s level of attainment in “Speaking and listening”, “Reading”, “Writing”, “Using and applying mathematics”, “Number and algebra”, “Shape, space and measures”, “Scientific enquiry”, “Life processes and living things”, “Materials and their properties”, “Physical processes” (the “core assessments”) and overall level of attainment in “Mathematics” and “Science”.

(3) Whether the assessments set out in sub-paragraph (2) above are for the statutory end of the first key stage or are the latest assessments.

(4) Where the pupil is at the end of the first key stage, the end of the first key stage NC task/test information, comprising the pupil’s—

- (a) NC task score in “Reading”, “Writing” and “Mathematics”;
- (b) NC test score in “Reading”, “Spelling” and “Mathematics”;
- (c) level of attainment in “Reading”, “Writing”, “Spelling” and “Mathematics”;
- (d) age-standardised score (where the provision of this is optional) in “Reading”, “Spelling” and “Mathematics”.

PART 2

PUPILS IN THE SECOND KEY STAGE

2.—(1) The information specified in Part 5 of this Schedule.

(2) The end of the first key stage assessment information, comprising—

- (a) the teacher assessment of the pupil’s level of attainment in “Speaking and listening”, “Reading”, “Writing”, “Mathematics” and “Science”;
- (b) the pupil’s NC task score in “Reading”, “Writing” and “Mathematics”;
- (c) the pupil’s NC test score in “Reading”, “Spelling” and “Mathematics”;
- (d) the pupil’s NC task or NC test level (whichever is or are relevant) in “Reading”, “Writing”, “Spelling” and “Mathematics”;
- (e) the pupil’s age-standardised score (where provision of this is optional) in “Reading”, “Spelling” and “Mathematics”.

(3) The teacher assessments at the second key stage, of the pupil’s level of attainment in—

- (a) the core assessments referred to in paragraph 1(2) of this Schedule,
- (b) “Handling data”,

and overall level of attainment in “English”, “Mathematics” and “Science”.

(4) Whether the assessments set out in sub-paragraph (3) above are for the statutory end of the second key stage or are the latest assessments.

(5) Where the pupil is at the end of the second key stage, the end of the second key stage test information, comprising the pupil's—

- (a) NC test score in “Reading”, “Writing”, “Written tests”, “Mental arithmetic”, “Science” and overall test score in “English” and “Mathematics”;
- (b) level of attainment in “Reading”, “Writing”, “Mathematics”, “Science” and overall level of attainment in “English”;
- (c) age-standardised score (where the provision of this is optional) in “Reading”, “Written tests” and “Mental arithmetic”.

PART 3

PUPILS IN THE THIRD KEY STAGE

3.—(1) The information specified in Part 5 of this Schedule.

(2) The first and second key stage assessment information, comprising—

- (a) in respect of the first key stage, the information set out in paragraph 2(2)(a) of this Schedule;
- (b) in respect of the second key stage, the teacher assessment of the pupil's level of attainment in “Speaking and listening”, “Reading”, “Writing”, “Mathematics”, “Science” and overall level of attainment in “English”;
- (c) in respect of the first key stage, the NC task or NC test level (whichever is or are relevant) in “Reading”, “Writing”, “Spelling” and “Mathematics”;
- (d) in respect of the second key stage, the NC test level in “Reading”, “Writing”, “Mathematics”, “Science” and overall level in “English”.

(3) The teacher assessment of the pupil's level of attainment in—

- (a) the core assessments referred to in paragraph 1(2) of this Schedule,
- (b) “Handling data”,
- (c) “History”, “Geography”, “Design and technology”, “Information and communication technology”, “Modern Foreign language”, “Art and Design”, “Music”, “Physical Education”,

and overall level of attainment in “English”, “Mathematics” and “Science”.

(4) Whether the assessments set out in sub-paragraph (3) above are for the statutory end of the third key stage or are the latest assessments.

(5) Where the pupil is at the end of the third key stage, the end of the third key stage information, comprising the pupil's—

- (a) NC test score in “English”, “Mathematics” and “Science”;
- (b) level of attainment in “English”, “Mathematics” and “Science”;
- (c) test tier in “Mathematics” and “Science”.

PART 4

PUPILS IN THE FOURTH KEY STAGE OR OVER COMPULSORY SCHOOL AGE

- 4.—(1) The information set out in Part 5 of this Schedule.
- (2) The end of the first, second and third key stage assessment information, comprising—
- (a) the information set out in paragraph 2(2)(a) of this Schedule;
 - (b) the information set out in paragraph 3(2)(b) of this Schedule;
 - (c) in respect of the third key stage, the teacher’s assessment of those subjects specified in paragraph 3(2)(b) of this Schedule;
 - (d) in respect of the first key stage, the pupil’s NC task or NC test level (whichever is or are relevant) in “Reading”, “Writing”, “Spelling” and “Mathematics”;
 - (e) in respect of the second key stage, the pupil’s NC test level in “Reading”, “Writing”, “Mathematics”, “Science” and overall level of attainment in “English”;
 - (f) in respect of the third key stage, the pupil’s NC test level in “English”, “Mathematics” and “Science”.
- (3) The third key stage teacher assessments of the pupil’s level of attainment in the subjects referred to in paragraph 3(3)(c) of this Schedule.
- (4) The results of any public examination taken.

PART 5

ALL PUPILS

- 5.—(1) The pupil’s—
- (a) unique pupil number;
 - (b) surname and where known, former surname;
 - (c) forename(s);
 - (d) date of birth;
 - (e) gender;
 - (f) ethnic group;
 - (g) first language.
- (2) Where the pupil has special educational needs, the SEN provision (School Action, School Action Plus or Statement) that is being made for him.
- (3) The total number of—
- (a) sessions in the school year;
 - (b) sessions in the school year attended by the pupil; and
 - (c) the pupil’s unauthorised absences in the school year.
- (4) The Departmental number and name of the old school.
- (5) The Departmental number and name of the new school.”

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Education (Pupil Information) (England) Regulations 2000 by substituting a revised regulation 10 which requires the common transfer information set out in Schedule 5 to be sent in machine readable form, except where this is not technically feasible (regulation 4).

The revised Schedule 5 replaces the Common Transfer Form which is no longer required to be used (regulation 5).

The Regulations also contain minor and consequential provisions.