
STATUTORY INSTRUMENTS

1998 No. 1867

EDUCATION, ENGLAND AND WALES

WALES

**The Education (School Performance
Information) (Wales) Regulations 1998**

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| <i>Made</i> | - - - - | <i>28th July 1998</i> |
| <i>Laid before Parliament</i> | | <i>5th August 1998</i> |
| <i>Coming into force</i> | - - | <i>1st September 1998</i> |

In exercise of the powers conferred on the Secretary of State by sections 408, 414(6) and (7), 537, 539(1) and 569(4) and (5) of the Education Act 1996⁽¹⁾ and after consulting with those persons with whom consultation appeared to him to be desirable, the Secretary of State for Wales hereby makes the following Regulations:

PART I
GENERAL

Citation, commencement and application

1.—(1) These Regulations may be cited as the Education (School Performance Information) (Wales) Regulations 1998 and shall come into force on 1st September 1998.

(2) These Regulations apply in relation to schools and local education authorities in Wales.

Revocation

2. The Education (School Performance Information) (Wales) Regulations 1997⁽²⁾ are revoked.

(1) 1996 c. 56. The only relevant amending enactment is paragraph 37 of Schedule 7 to the Education Act 1997 (c. 44) which amends section 537(4). Sections 408, 537 and 539 apply to grant-maintained special schools and their governing bodies by virtue of S.I. 1994/653 and 1994/1048. For the meaning of “prescribed” and “regulations”, see section 579(1) of the Education Act 1996.

(2) S.I. 1997/1633.

Interpretation

3.—(1) In these Regulations, except where the context otherwise requires—

“the Act” means the Education Act 1996;

“authority”, in relation to a school maintained by a local education authority, means that authority and, in relation to a grant-maintained or grant-maintained special school, a non-maintained special school or an independent school, means the authority in whose area the school is situated;

“CoEA” means Certificate of Educational Achievement;

“the Document” means the most recent booklet published by, or under arrangements made by, the Secretary of State under section 537(6) of the Act containing information provided to him in accordance with these Regulations or the Regulations revoked by regulations 2, or compiled from such information, which covers both the area of the authority by which the school is maintained (in the case of a LEA maintained school) or in which the school is situated (in the case of any other maintained school), and Wales as a whole; and “the Summary Document” means the most recent booklet so published by the Secretary of State containing a summary of the information contained in the Document;

“examination” includes any method of assessment;

“GCE ‘A’ level examinations” and “GCE ‘AS’ examinations” mean General Certificate of Education advanced level and advanced supplementary examinations respectively;

“GCSE” means General Certificate of Secondary Education;

“GCSE short course” means a GCSE course designed to cover a proportion only (being not less than half) of the corresponding full GCSE course of study, and to which the same grading standards are applied; and “GCSE short course examination” means an examination the course leading to which is a GCSE short course;

“GNVQ” means General National Vocational Qualification;

“higher examinations” means GCE ‘A’ level and ‘AS’ examinations and examinations leading to the award of an Advanced GNVQ;

“independent school” means any school at which full-time education is provided for five or more pupils over the age of 11 (whether or not such education is also provided for pupils under that age) not being a school maintained by a local education authority, a grant-maintained school or a special school not maintained by a local education authority;

“LEA maintained school” means—

- (a) any county or voluntary school; and
 - (b) any special school maintained by an authority which is not established in a hospital;
- but excludes any nursery school;

“lower examinations” means GCSE and GCSE short course examinations, examinations leading to the award of a NVQ at level 1 or 2, and examinations leading to the award of a Part 1 or full GNVQ at Foundation or Intermediate level;

“maintained school” means—

- (a) any LEA maintained school; and
- (b) any grant-maintained school or grant-maintained special school which is not established in a hospital;

but excludes any nursery school;

“non-maintained special school” means a special school which is neither a LEA maintained school nor a grant-maintained special school (and is not established in a hospital);

“NVQ” means National Vocational Qualification;

“previous year” means—

- (a) in relation to any provision of these Regulations, other than paragraph (3) below, in its application in relation to information relating to GNVQs and NVQs, the period of 12 months ending on 31st July in the school year which immediately precedes the school year immediately preceding the publication school year, or
- (b) in relation to any such provision in its application to information other than information relating to GNVQs and NVQs, and in relation to paragraph (3) below, the school year which immediately precedes the school year immediately preceding the publication school year;

“public examination” means a public examination which is for the time being prescribed by regulations under section 453(1) of the Act⁽³⁾;

“publication school year” means the school year in which information provided to the Secretary of State under these Regulations, or under the regulations revoked by these regulations, is to be published by him;

“relevant three year period” means the period of three years ending at the expiration of the reporting year and the period of three years ending at the expiration of the previous year;

“reporting year” means—

- (a) in relation to any provision of these Regulations, other than paragraph (3) below, in its application in relation to information relating to GNVQs and NVQs, the period of 12 months ending on 31st July in the school year immediately preceding the publication school year; or
- (b) in relation to any such provision in its application to information other than information relating to GNVQs and NVQs, and in relation to paragraph (3) below, the school year immediately preceding the publication school year;

“school year” means a period of 12 months ending on 31st August;

“Schools’ Census enumeration date” means the date by reference to which the Secretary of State annually requires information to be provided relating to maintained schools pursuant to section 29(1) of the Act and by reference to which independent schools are requested to provide corresponding information;

“special class or unit” means a class or unit (as the case may be) so designated by the authority (in the case of a LEA maintained school), governing body (in the case of a grant-maintained or grant-maintained special school) or proprietor (in the case of a non-maintained special school or an independent school), in which all or the majority of pupils have special educational needs;

“special school” has the meaning assigned to it by section 337(1) of the Act;

“unauthorised absence” means an occasion on which a pupil is recorded as absent without authority pursuant to the Education (Pupil Registration) Regulations 1995⁽⁴⁾ and “authorised absence” shall be construed accordingly; and

“Welsh-speaking school” has the meaning assigned to it by section 354(8) of the Act.

(2) In these Regulations, unless the context otherwise requires, any reference to a numbered regulation is a reference to the regulation bearing that number in these Regulations, any reference to a numbered paragraph is to the paragraph of that regulation bearing that number, any reference in a paragraph to a sub-paragraph is a reference to a sub-paragraph of that paragraph and any reference to a Schedule is to a Schedule to these Regulations.

⁽³⁾ The current regulations are the Education (Prescribed Public Examinations) Regulations 1989 (S.I. 1989/377).

⁽⁴⁾ S.I. 1995/2089 as amended by S.I. 1997/2624.

- (3) In these Regulations, references to pupils of a particular age are—
- (a) in relation to information to be provided under Schedule 1 in respect of the reporting year, or in relation to information to be provided under Schedule 2, references to pupils who were of that age on the 31st August immediately preceding the commencement of the reporting year; or
 - (b) in relation to information to be provided under Schedule 1 in respect of a relevant three year period, references to pupils who were of that age on the 31st August immediately preceding the commencement of the first, second or third year of that period (as the case may be) in respect of which information is being ascertained for the purpose of determining an average number or percentage over that period.
- (4) Except where these Regulations so provide, references to a GCSE do not include a GCSE where the course leading to it is a GCSE short course.
- (5) In these Regulations references to examinations for which pupils at the school were entered include examinations for which they were entered otherwise than in pursuance of section 402 of the Act.
- (6) In these Regulations references to key stages are to the periods set out in section 355(1) of the Act.
- (7) For the purposes of these Regulations, references to examinations for which pupils aged 16, 17 or 18 were entered are—
- (a) in relation to the reporting year, references to examinations which are to take place and the results of which are to be given in that year; or
 - (b) in relation to a relevant three year period, references to examinations which are to take place and the results of which are to be given in the first, second or third year of that period (as the case may be) in respect of which information is being ascertained for the purpose of determining an average number or percentage over that period.
- (8) Where under Schedule 1 or 2 to these Regulations information is required to be provided in respect of pupils aged 15, the information to be provided is—
- (a) in the case of a requirement to provide information relating to pupils entering for examinations, information relating to pupils entering for examinations which are to take place and the results of which are to be given; or
 - (b) in the case of information relating to pupils' achievements, information relating to results given,
- in the reporting year or (as the case may be) in the first, second or third year of the relevant three year period in respect of which information is being ascertained for the purpose of determining the average number or percentage over that period, and (in either case) in any earlier year.
- (9) For the purposes of any provision of these Regulations relating to pupil entries for GNVQ or NVQ examinations for which there is no formal entry requirement, a pupil shall be deemed to have been entered for the examination if he completed the course leading to the award of the GNVQ or (as the case may be) the NVQ.
- (10) Particulars to which these Regulations apply may be made available in the form of data from which the particulars are capable of being extracted by computer.

Determination of examination entries and results

4.—(1) The provisions of this regulation have effect for the purpose of determining the examination entries and results referred to in Schedule 1.

(2) A pupil shall be treated as having been entered for a GCSE, GCSE short course, CoEA, GCE 'A' level or GCE 'AS' whether or not the pupil took the examination.

(3) If a pupil has been entered for two or more examinations, both of which fall within one of the descriptions of examinations referred to in paragraph (2) above, in the same subject to be taken in the same school year or, where information is in accordance with regulation 3(8) required to cover entries for examinations in earlier years, in any earlier year, only the entry and result in respect of the examination in which the higher or highest grade was achieved shall be taken into account.

(4) In the case of an examination, including a GCSE short course examination, leading to the award of a GCSE in two subjects, a pupil shall be included only once in calculating numbers or percentages of pupils entered, but each grade awarded shall be taken into account in determining his achievements.

(5) For the purpose of determining an equivalent achievement for the purposes of Schedule 1—

- (a) two GCSE short course results (falling within the grades specified) shall be treated as equivalent to one GCSE result (falling within those grades);
- (b) a Part 1 Foundation GNVQ (with or without a merit or distinction) shall be treated as equivalent to 2 GCSEs at grades D* to G;
- (c) a Part 1 Intermediate GNVQ (with or without a merit or distinction) shall be treated as equivalent to 2 GCSEs at grades A* to C;
- (d) a full Foundation GNVQ (with or without a merit or distinction) or an NVQ at level 1 shall be treated as equivalent to 4 GCSEs at grades D* to G;
- (e) a full Intermediate GNVQ (with or without a merit or distinction) or an NVQ at level 2 shall be treated as equivalent to 4 GCSEs at grades A* to C;
- (f) an Advanced GNVQ with a distinction shall be treated as equivalent to two GCE 'A' levels at grade A or B;
- (g) an Advanced GNVQ with a merit shall be treated as equivalent to two GCE 'A' levels at grade C; and
- (h) an Advanced GNVQ (without a distinction or merit) shall be treated as equivalent to two GCE 'A' levels at grade D or E.

(6) For the purposes of determining the number of higher examinations for which a pupil is entered for the purposes of Part II of Schedule 1—

- (a) a GCE 'AS' examination counts as half an examination;
- (b) a GCE 'A' level examination counts as one examination; and
- (c) an Advanced GNVQ counts as two examinations.

(7) For the purposes of Schedule 1 the following grades equate to the following points, namely:

GCE 'A' level: grade A=10 points; grade B=8 points; grade C=6 points; grade D=4 points; and grade E=2 points;

GCE 'AS': grade A=5 points; grade B=4 points; grade C=3 points; grade D=2 points; and grade E=1 point;

GNVQ, Advanced level: distinction=18 points; merit=12 points; other pass=6 points;

GCSE: grade A*=8 points; grade A=7 points; grade B=6 points; grade C=5 points; grade D=4 points; grade E=3 points; grade F=2 points; grade G=1 point;

GCSE short course: grade A*=4 points; grade A=3.5 points; grade B=3 points; grade C=2.5 points; grade D=2 points; grade E=1.5 points; grade F=1 point; grade G=0.5 points;

Full GNVQ, Intermediate level: distinction=30 points; merit=24 points; other pass=20 points;
Part 1 GNVQ, Intermediate level: distinction=15 points; merit=12 points; other pass=10 points;

Full GNVQ, Foundation level: distinction=16 points; merit=12 points; other pass=6 points;

Part 1 GNVQ, Foundation level: distinction=8 points; merit=6 points; other pass=3 points.

(8) In Schedule 1 references to a GCSE pass at grade A include grade A*.

(9) Where an average number or percentage over a relevant three year period is required to be provided, it shall be determined in accordance with Schedule 5.

Qualification of duties

5. The duties imposed on head teachers, governing bodies, authorities and proprietors by virtue of these Regulations in respect of the provision of information apply only to the extent that the information is available to the head teacher, governing body, authority or proprietor (as the case may be) in time for it to be reasonably practicable for the information to be provided before the latest occasion on which the information is required to be provided.

PART II

PROVISION OF INFORMATION BY HEAD TEACHER

Provision of information by head teacher to governing body

6. The head teacher of every maintained school which provides secondary education shall each year make available to the governing body information about the matters relating to the school mentioned in Schedules 1 to 4 to these Regulations for the purpose of enabling them to comply with their obligations under these Regulations.

PART III

PROVISION OF INFORMATION TO THE SECRETARY OF STATE

Provision of information relating to schools to the Secretary of State

7. The governing body of every maintained school which provides secondary education, the governing body of every non-maintained special school and the proprietor of every independent school with registered pupils aged 15, 16, 17 or 18 shall, within two weeks of receiving a written request from the Secretary of State, provide him with the information referred to—

- (a) in the case of information being provided in respect of pupils aged 15, in Parts I and III of Schedule 1 and paragraphs 3 to 6 of Schedule 2; and
- (b) in the case of information being provided in respect of pupils aged 16, 17 or 18, in Part II of Schedule 1 and in paragraphs 1 and 2 of Schedule 2.

8. The governing body of every maintained school which provides secondary education, the governing body of every non-maintained special school and the proprietor of every independent school shall, within two weeks of receiving a written request from the Secretary of State, provide him with such information relating to the school as is referred to in Schedules 3 and 4.

PART IV

PUBLICATION OF INFORMATION

Information to be provided by the governing body to parents

9.—(1) The governing body of every maintained school which provides secondary education shall provide the information referred to in Schedules 1 to 4 in the manner and to the persons specified in paragraph (2).

(2) The information shall be provided by copies being made available at the school for reference by parents and other persons on request.

Provision of local and all-Wales performance information by governing bodies and local education authorities

10.—(1) The governing body of every maintained school with pupils in the final year of the fourth key stage, the governing body of every maintained school with pupils in the final year of the second key stage and the authority shall provide the Document and the Summary Document in the manner and to the persons specified in paragraphs (2) to (4).

(2) In the case of a school with pupils in the final year of the fourth key stage, copies of both the Document and the Summary Document shall be made available by the governing body of the school at the school for reference by parents and other persons on request, and copies of the Summary Document shall be distributed (without charge) by the governing body to parents of pupils in the final year of the fourth key stage.

(3) In the case of a school with pupils in the final year of the second key stage, copies of both the Document and the Summary Document shall be made available by the governing body of the school at the school for reference by parents and other persons on request, and copies of the Summary Document shall be distributed (without charge) by the governing body to parents of pupils in the final year of the second key stage.

(4) Copies of both the Document and Summary Document shall be made available by the authority at libraries in their area for reference by members of the public.

Avoidance of duplication of information in certain circumstances

11. Nothing in these Regulations shall require a head teacher, governing body or proprietor to make the same published particulars available to any person on more than one occasion.

SCHEDULE 1

Regulations 7 and 9

INFORMATION ABOUT EXAMINATION RESULTS

PART I

GCSE, GCSE SHORT COURSE, CoEA AND
VOCATIONAL QUALIFICATIONS: SUMMARIES

1. For the reporting year, the number of male pupils aged 15, the number of female pupils aged 15 and the number of all pupils aged 15.

2. For that year and any earlier year, the percentage of male pupils aged 15, the percentage of female pupils aged 15 and the percentage of all pupils aged 15 who—

- (a) were entered for one or more GCSE or two or more GCSE short course examinations;
- (b) achieved any grade from A to C in one or more GCSE examinations or an equivalent achievement in GCSE short course examinations;
- (c) achieved any grade from A to G in one or more GCSE examinations or an equivalent achievement in GCSE short course examinations;
- (d) did not achieve any grade from A to G in a GCSE or GCSE short course examination;
- (e) did not achieve any grade from A to G in a GCSE or GCSE short course examination but who achieved any pass grade in one or more CoEA examinations;
- (f) did not achieve either any grade from A to G in a GCSE or GCSE short course examination or any pass grade in a CoEA examination;
- (g) were entered for five or more GCSE examinations or an equivalent number of GCSE short course examinations or GCSE and GCSE short course examinations in any combination (two GCSE short course examination entries being treated as equivalent to one GCSE examination entry);
- (h) achieved any grade from A to C in five or more GCSE examinations or an equivalent achievement in GCSE short course examinations or in any combination of GCSE and GCSE short course examinations;
- (i) achieved any grade from A to G in five or more GCSE examinations or an equivalent achievement in GCSE short course examinations or in any combination of GCSE and GCSE short course examinations;
- (j) were entered for one or more GCSE, GCSE short course or CoEA examinations;
- (k) achieved any grade from A to G in one or more GCSE short course examinations;
- (l) achieved any grade from A to C in five or more GCSE examinations, or an equivalent achievement in other lower examinations or in GCSE and other lower examinations (in any combination);
- (m) achieved any grade from A to G in five or more GCSE examinations, or an equivalent achievement in other lower examinations or in GCSE and other lower examinations (in any combination).

3. For that year, in relation to pupils entered for lower examinations other than NVQs, the average number of points achieved by male pupils aged 15, female pupils aged 15 and all pupils aged 15 as determined by ascertaining the total number of points achieved by the pupils concerned and dividing that figure by the total number of such pupils.

4. Each category of information referred to in paragraph 2(a) to (k) above, but for each relevant three year period expressed as an average percentage over that period.

PART II

‘A’ LEVEL ‘AS’ AND VOCATIONAL QUALIFICATIONS: SUMMARIES

5. For the reporting year, the number of male pupils aged 16, 17 or 18, the number of female pupils aged 16, 17 or 18 and the number of all pupils aged 16, 17 or 18.

6. For that year, the number of male pupils, the number of female pupils and the number of all pupils referred to in paragraph 5 above who were entered for less than two higher examinations other than Advanced GNVQ examinations.

7. For that year, the percentage of male pupils, the percentage of female pupils and the percentage of all pupils referred to in paragraph 6 above whose achievements fall into each of the following ranges of points, namely; 0 to 4 points, 5 to 9 points and 10 to 15 points.

8. For that year, in relation to pupils referred to in paragraph 6 above, the average number of points achieved by, respectively, male pupils, female pupils and all pupils referred to in that paragraph as determined by ascertaining the total number of points achieved by the pupils concerned and dividing that figure by the total number of such pupils.

9. For that year, the number of male pupils, the number of female pupils and the number of all pupils referred to in paragraph 5 above who were entered for two or more higher examinations.

10. For that year, the percentage of male pupils, the percentage of female pupils and the percentage of all pupils referred to in paragraph 9 above who achieved any grade from A to C in two or more GCE ‘A’ level examinations or an equivalent achievement in other higher examinations or in other higher examinations and GCE ‘A’ level examinations in any combination.

11. For that year, the percentage of male pupils, the percentage of female pupils and the percentage of all pupils referred to in paragraph 9 above who achieved any grade from A to E in two or more GCE ‘A’ level examinations or an equivalent achievement in other higher examinations or in other higher examinations and GCE ‘A’ level examinations in any combination.

12. For that year, the percentage of male pupils, the percentage of female pupils and the percentage of all pupils referred to in paragraph 9 above whose achievements fall into each of the following ranges of points, namely; 0 points, 1 to 4 points, 5 to 9 points, 10 to 14 points, 15 to 19 points, 20 to 24 points, 25 to 29 points and 30 points or over.

13. For that year, in relation to pupils referred to in paragraph 9 above, the average number of points achieved by, respectively, male pupils, female pupils and all pupils referred to in that paragraph as determined by ascertaining the total number of points achieved by the pupils concerned and dividing that figure by the total number of such pupils.

14. For that year, the number of male pupils, the number of female pupils and the number of all pupils referred to in paragraph 5 above who were entered for two or more higher examinations other than Advanced GNVQ examinations.

15. For that year, the percentage of male pupils, the percentage of female pupils and the percentage of all pupils referred to in paragraph 14 above whose achievements fall into each of the following ranges of points, namely; 0 points, 1–4 points, 5–9 points, 10–14 points, 15–19 points, 20–24 points, 25–29 points and 30 points or over.

16. For that year, in relation to pupils referred to in paragraph 14 above, the average number of points achieved by, respectively, male pupils, female pupils and all pupils referred to in that

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paragraph as determined by ascertaining the total number of points achieved by the pupils concerned and dividing that number by the total number of such pupils.

17. For that year, subject by subject, in relation to entries for higher examinations, other than Advanced GNVQ examinations, by pupils referred to in paragraph 5 above, the average number of points achieved by, respectively, male pupils, female pupils and all pupils as determined by ascertaining the total number of points achieved by the pupils concerned in the examination and dividing that figure by the total number of entries by such pupils for the examination.

18. Each category of information referred to in each of paragraphs 6 to 8 and 14 to 17 above, but in relation to each relevant three year period expressed as an average percentage or number (as the case may be) over that period.

PART III

SUMMARIES OF GCSE RESULTS IN SELECTED SUBJECT AREAS

19. For the reporting year, the percentage of male pupils aged 15, the percentage of female pupils aged 15 and the percentage of all pupils aged 15 who—

- (a) were entered for a GCSE English examination;
- (b) achieved any grade from A to C in a GCSE English examination;
- (c) achieved any grade from A to G in a GCSE English examination;
- (d) were entered for a GCSE Welsh examination;
- (e) achieved any grade from A to C in a GCSE Welsh examination;
- (f) achieved any grade from A to G in a GCSE Welsh examination;
- (g) were entered for a GCSE mathematics examination;
- (h) achieved any grade from A to C in a GCSE mathematics examination;
- (i) achieved any grade from A to G in a GCSE mathematics examination;
- (j) were entered for a GCSE science examination;
- (k) achieved any grade from A to C in a GCSE science examination;
- (l) achieved any grade from A to G in a GCSE science examination; and
- (m) achieved any grade from A to C in a GCSE English or Welsh examination (other than Welsh Second Language) and in both a GCSE science examination and a GCSE mathematics examination.

20. Each category of information referred to in paragraph 19 above, but for each relevant three year period expressed as an average percentage over that period.

PART IV

SUBJECT LISTINGS FOR GCSE, GCSE SHORT COURSE AND CoEA EXAMINATIONS

21. For the reporting year, in relation to each GCSE subject examination entered by all pupils aged 15 and separately in relation to each such subject examination entered by male pupils aged 15 and female pupils aged 15—

- (a) the percentage who were entered;
- (b) the percentage of those entered who achieved any grade from A to C;

- (c) the percentage of those entered who achieved any grade from D to G; and
- (d) the percentage of those entered who did not achieve any grade from A to G.

22. For that year, in relation to each GCSE short course subject examination entered by pupils aged 15 and separately in relation to each such subject examination entered by male pupils aged 15 and female pupils aged 15—

- (a) the percentage who were entered;
- (b) the percentage of those entered who achieved any grade from A to G; and
- (c) the percentage of those entered who did not achieve any grade from A to G.

23. For that year, in relation to each CoEA subject examination entered by all pupils aged 15, and separately in relation to each such subject examination entered by male pupils aged 15 and female pupils aged 15—

- (a) the percentage who were entered;
- (b) the percentage of those entered who achieved a pass with distinction;
- (c) the percentage of those entered who achieved a pass with merit;
- (d) the percentage of those entered who achieved a pass grade (without a merit or distinction); and
- (e) the percentage of those entered who did not achieve a pass grade.

PART V

SUBJECT LISTINGS FOR GCE 'A' LEVEL AND GCE 'AS' EXAMINATIONS

24. For the reporting year, the total number of male pupils aged 16, 17 or 18, the total number of female pupils aged 16, 17 or 18 and the total number of all pupils aged 16, 17 or 18 entered for one or more GCE 'A' level or GCE 'AS' examinations.

25. For that year, in relation to each GCE 'A' level and GCE 'AS' subject examination entered by pupils aged 16, 17 or 18 and separately in relation to each such examination entered by male pupils aged 16, 17 or 18 and female pupils aged 16, 17 or 18—

- (a) the percentage of those referred to in paragraph 24 above who entered for the examination;
- (b) the percentage of those entered for the examination who achieved any grade from A to C;
- (c) the percentage of those entered for the examination who achieved any grade from D to E;
- (d) the percentage of those entered for the examination who did not achieve any grade from A to E.

SCHEDULE 2

Regulations 7 and 9

INFORMATION ABOUT CERTAIN VOCATIONAL QUALIFICATIONS

1. The number of pupils aged 16, 17 or 18 who achieved either an Intermediate GNVQ or an NVQ at level 2 awarded by the EDEXCEL Foundation, the City and Guilds of London Institute or RSA Examinations Board in the reporting year.

2. The information about vocational qualifications referred to in paragraph 1 above but in relation to an Advanced GNVQ or an NVQ at level 3.

3. The percentage of pupils aged 15 who achieved either a Foundation GNVQ or an NVQ at level 1 awarded by the EDEXCEL Foundation, the City and Guilds of London Institute or RSA Examinations Board in the reporting year.

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4. The information about vocational qualifications referred to in paragraph 3 above but in relation to an Intermediate GNVQ or an NVQ at level 2.
5. The information about vocational qualifications referred to in paragraph 3 above but in relation to a Part 1 Foundation GNVQ.
6. The information about vocational qualifications referred to in paragraph 3 above but in relation to a Part 1 Intermediate GNVQ.

SCHEDULE 3

Regulations 8 and 9

BACKGROUND INFORMATION ABOUT THE SCHOOL

1. The name of the school.
2. The address of the school (including the postcode).
3. The telephone number of the school.
4. Whether the school is a LEA maintained school (other than a special school), a special school maintained by a local education authority, a grant-maintained school, a grant-maintained special school, an independent school or a non-maintained special school.
5. Whether the school is a Welsh-speaking school on the School's Census enumeration date.
6. The number of pupils at the school who on that date have statements of special educational needs maintained for them under section 324 of the Act, specifying separately the number aged 15 on that date.
7. The number of registered pupils at the school on that date, specifying separately the number of such pupils who are aged 15 on that date.
8. The number (if any) of special classes or units in the school on that date, and the number of registered pupils in each such class or unit on that date.
9. The age range of pupils at the school on that date.
10. The number of registered pupils at the school aged 16 and over on that date.

SCHEDULE 4

Regulations 8 and 9

INFORMATION ABOUT AUTHORISED AND UNAUTHORISED ABSENCE

1. The total number of pupils aged 11, 12, 13, 14 or 15 registered at the school on the Schools' Census enumeration date in the school year immediately preceding the publication school year.
- 2.—(1) For the reporting period—
 - (a) the number of sessions missed by such pupils due to authorised absence;
 - (b) the number of sessions missed by such pupils due to unauthorised absence;
 - (c) the number of sessions missed by such pupils due to absence (both authorised and unauthorised); and
 - (d) the maximum number of sessions that such a pupil could attend.(2) In paragraph (1) the reporting period is the period commencing at the beginning of the school year immediately

preceding the publication school year and ending on the date of the Late May Bank Holiday.

SCHEDULE 5

DETERMINATION OF AVERAGES OVER RELEVANT THREE YEAR PERIODS

1. The determination of averages over relevant three year periods shall be made in accordance with the provisions of this Schedule.

2. References in this Schedule to—

- (a) the cohort are to the pupil grouping to which the information relates the percentage of pupils in which who fall into a second pupil grouping is being determined; and
- (b) the relevant category of pupils are to the second of the pupil groupings referred to in subparagraph (a) above.

3. In the case of information which is to be given as a percentage, it shall be determined by applying the formula—

$$\frac{A + B - C}{D + E + F} \times 100,$$

where

A, B and C are the number of pupils falling into the relevant category of pupils in, respectively, the first, second and third years of the relevant three year period in respect of which the determination is being made; and

D, E and F are the total number of pupils falling into the cohort in relation to, respectively, the first, second and third years of that period.

4. Where information is required to be given in relation to each relevant three year period as an average number over that period, and that information relates to average points' scores achieved by pupils (of any description) it shall be determined by applying the formula—

$$\frac{G + H + I}{J + K + L}$$

where,

G, H and I are the total number of points achieved by pupils falling into the pupil grouping in respect of which the information is being determined in, respectively, the first, second and third years of the relevant three year period in respect of which the determination is being made; and

J, K and L are the total number of pupils falling into that grouping in relation to, respectively, the first, second and third years of that period.

5. Where information is required to be given in relation to each relevant three year period as an average number over that period, and that information relates to average points scores in subject examinations it shall be determined by applying the formula—

$$\frac{G + H + I}{M \cdot N \cdot O}$$

where,

G, H and I represent the matters denoted by those letters in the formula referred to in paragraph 4 above; and

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M, N and O are the total number of entries in the subject examination concerned by the pupils concerned in, respectively, the first, second and third years of the relevant three year period in respect of which the determination is being made.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which relate to the provision to the Secretary of State and to parents of information about the performance of schools and other specified information, apply in relation to schools and local education authorities in Wales. They replace, with some changes, the Education (School Performance Information) (Wales) Regulations 1997, which are revoked. The main changes are summarised below.

- (a) Information relating to vocational qualifications is to cover the period of 12 months ending on 31st July, and this is reflected in the new definitions of “reporting year” and “previous year” (see regulation 3(1)), which replace the definitions of “reporting school year” and “previous school year” in the 1997 Regulations. Information relating to GCSE, GCSE short course, CoEA, GCE ‘A’ level and GCE ‘AS’ examinations will continue to relate to the year ending on 31st August.
- (b) Information about percentages of pupils achieving grades A* to C and A* to G in five or more GCSE examinations must cover pupils obtaining “equivalent” achievements (as explained in regulation 4(5)) in any combination of “lower examinations” (as defined in regulation 3(1) as meaning GCSE, GCSE short course, NVQ at levels 1 and 2 and Part I and full GNVQ examinations (at Foundation and Intermediate levels))—see paragraphs 2(l) and (m) of Part I of Schedule 1.
- (c) The average points’ scores per pupil (determined as provided for in regulation 4(7)) must now be given in respect of lower examinations (other than NVQs)—see paragraph 3 of Part I of Schedule 1.
- (d) Information must be given about the percentages of pupils achieving grades A–C and A–E in two or more GCE ‘A’ level examinations or an “equivalent” achievement (as explained in regulation 4(5)) in “higher examinations” (as defined in regulation 3(1) as GCE ‘A’ level, GCE ‘AS’ and Advanced GNVQ examinations)—see paragraphs 9 to 11 of Part II of Schedule 1.
- (e) In the case of pupils entered for two or more higher examinations (to be determined as explained in regulation 4(6)), average points’ scores (within specified ranges) must now be given in respect of higher examinations (to be determined as provided for in regulation 4(7))—see paragraphs 9, 12 and 13 of Part II of Schedule 1.
- (f) There will now be 2 booklets published by the Secretary of State for each area, one of which will contain information provided to the Secretary of State (or derived from that information) and the other a summary of the first booklet. The requirement to provide copies to parents will apply only to the Summary, but both will be required to be made available for inspection—see the new definition of Summary Document in regulation 3(1) and the changes in regulation 10.
- (g) Some additional background information is specified in Schedule 3—see paragraphs 6 and 7.
- (h) Schedule 5 has been modified to take into account changes to Schedule 1.

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