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STATUTORY INSTRUMENTS

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**1994 No. 2330**

**EDUCATION, ENGLAND AND WALES**

**The Education (School Information) (Wales) Regulations 1994**

*Made* - - - - *7th September 1994*  
*Laid before Parliament* *9th September 1994*  
*Coming into force* - - *10th October 1994*

In exercise of the powers conferred on the Secretary of State by sections 55(5) and 111A of the Education Act 1944(1), sections 8(5), (5A), (5B), (6), (7) and 35(4) and (5) of the Education Act 1980(2), sections 22 and 232(5) and (6) of the Education Reform Act 1988(3), sections 16 and 19(3) of the Education (Schools) Act 1992(4), sections 153(1) and 301(6) of the Education Act 1993(5) and section 298(8) of, and paragraph 3 of Schedule 18 to, the Education Act 1993, 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 Information) (Wales) Regulations 1994 and shall come into force on 10th October 1994.

(2) These Regulations apply in relation to schools in Wales.

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- (1) 1944 c. 31; section 55 was amended by section 93 of, and paragraph 5 of Part I of Schedule 8 to, the Further and Higher Education Act 1992 (c. 13). Section 111A was inserted by section 229(1) of the Education Reform Act 1988 (c. 40).
- (2) 1980 c. 20; section 8(5) and (6) were substituted, and section 8(5A) and (5B) inserted, by paragraph 4(1) of Schedule 4 to the Education (Schools) Act 1992 (c. 38).
- (3) 1988 c. 40. Section 22 was amended by paragraph 6 of Schedule 4 to the Education (Schools) Act 1992 and (in ways not relevant to these Regulations) by section 307(1) of, and paragraph 123 of Schedule 19 to, the Education Act 1993 (c. 35). It applies to grant-maintained special schools and their governing bodies by virtue of S.I. 1994/653. For matters to be prescribed, see section 235(7) of the 1988 Act and section 114(1) of the Education Act 1944, and for the transfer of functions to the Secretary of State see S.I. 1964/490 and S.I. 1970/1536.
- (4) 1992 c. 38. Section 16 applies to grant-maintained special schools and their governing bodies by virtue of S.I. 1994/653.
- (5) 1993 c. 35. Section 153 applies to grant-maintained special schools by virtue of S.I. 1994/1048.

## Revocation

2. The Education (School Curriculum and Related Information) (Wales) Regulations 1991(6), the Education (School Curriculum and Related Information) (Wales) (Amendment) Regulations 1991(7) and the Education (School Curriculum and Related Information) (Amendment) (Wales) Regulations 1993(8) are hereby revoked.

## Interpretation

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

“the 1980 Act” means the Education Act 1980;

“the 1988 Act” means the Education Reform Act 1988;

“admission school year” means a school year at the beginning of which pupils are to be admitted to any school;

“assessment” means assessment pursuant to orders made under section 4(2)(c) of the 1988 Act(9), and “level” shall be construed in accordance with the provisions of such orders;

“attainment targets” has the meaning given by section 2 of the 1988 Act;

“authority” means a local education authority and, in relation to an authority, “the offices” means the education offices;

“class” has the meaning given to that term by section 3(6) of the 1988 Act;

“LEA maintained school” means:

- (a) any county or voluntary school;
- (b) any special school maintained by an authority which is not established in a hospital; and
- (c) except in Part III and Schedule 2, any pupil referral unit,

but excludes any nursery school.

“maintained school” means:

- (a) any county or voluntary school;
- (b) any special school maintained by an authority which is not established in a hospital;
- (c) any grant-maintained school or grant-maintained special school which is not established in a hospital; and
- (d) except in Part III and Schedule 2, any pupil referral unit,

but excludes any nursery school;

“NC tests” means National Curriculum tests and tasks administered to pupils for the purpose of assessing the level of attainment which they have attained in any relevant subject pursuant to Orders made under section 4(2)(c) of the 1988 Act;

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

“previous school year” means the school year immediately preceding the reporting school year;

“primary education” does not include such education provided at a middle school;

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(6) [S.I. 1991/1658](#).

(7) [S.I. 1991/1813](#).

(8) [S.I. 1993/998](#).

(9) The orders currently in force are the Education (National Curriculum) (Assessment Arrangements for English, Welsh, Mathematics and Science) (Key Stage 1) (Wales) Order 1993, [S.I. 1993/2190](#) and the Education (National Curriculum) (Assessment Arrangements for English, Welsh, Mathematics and Science) (Key Stage 3) (Wales) Order 1993, [S.I. 1993/2191](#). The Orders have been amended in ways not relevant to these Regulations.

“public examinations” means public examinations which are for the time being prescribed by regulations made under section 106(4) and (5) of the 1988 Act<sup>(10)</sup>;

“publication school year” means the school year immediately preceding the admission school year;

“relevant attainment targets” means—

- (a) the “Reading”, “Writing”, “Spelling” and “Handwriting” attainment targets in English;
- (b) the “Listening”, “Viewing and Speaking”, “Reading”, “Writing” and “Handwriting” attainment targets in Welsh; and
- (c) the “Number” attainment target in mathematics;

“relevant authority”, in relation to an LEA maintained school, means the authority by which the school is maintained;

“relevant subjects” means in relation to the first key stage—

- (a) mathematics and science;
- (b) in the case of schools and classes which are Welsh-speaking, Welsh; and
- (c) in the case of schools which are not Welsh-speaking, English;

and means, in relation to the third key stage, mathematics, science, Welsh and English;

“reporting school year” means the school year immediately preceding the publication school year;

“special educational needs” and “special educational provision” have the meanings given to those terms in section 156 of the Education Act 1993;

“special school” has the meaning given to it by section 182(1) of the Education Act 1993; and

“teacher assessment” means assessment by a teacher to determine the level of attainment attained by pupils in a relevant attainment target or in a relevant subject (as the case may be) pursuant to Orders made under section 4(2)(c) of the 1988 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) In these Regulations any reference to a date up to which parents may express a preference for a school is a reference to the date on or before which, in accordance with arrangements made by the relevant authority under section 6(1) of the 1980 Act, a parent wishing education to be provided for his child in the exercise of the authority’s functions should express such a preference.

(4) In these Regulations references to key stages are references to the periods set out in section 3(3) of the 1988 Act<sup>(11)</sup>.

(5) In these Regulations, unless the context otherwise requires, references to pupils of a particular age are to pupils who attained that age during the period of twelve months ending on the 31st August immediately preceding the commencement of the reporting school year and who were registered pupils at the school on the third Thursday in January in the reporting school year.

(6) In these Regulations, unless otherwise stated, where a percentage which is required to be calculated by virtue of these Regulations is not a whole number it shall be rounded to the nearest whole number, the fraction of one half being rounded upwards to the next whole number.

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<sup>(10)</sup> The current Regulations are the Education (Prescribed Public Examinations) Regulations 1989 (S.I. 1989/377).

<sup>(11)</sup> Section 3(3) was amended by paragraph 113(a) of Schedule 19 to the Education Act 1993.

(7) In these Regulations, a reference to a school or class which is Welsh-speaking is a reference to a school or class (as the case may be) in which, in relation to pupils in the first key stage, more than one half of the following subjects namely:

- (i) religious education; and
- (ii) the subjects other than English and Welsh which are foundation subjects in relation to pupils at the school or in the class (as the case may be);

are taught (wholly or partly) in Welsh.

### **Qualification of duties**

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

## **PART II**

### **INFORMATION TO BE PUBLISHED BY AUTHORITIES**

#### **General information to be published by authorities**

5.—(1) An authority shall publish with respect to its policy and arrangements in respect of primary and secondary education (including such education provided in a middle school) in its area information in respect of each of the matters specified in Schedule 1.

- (2) The information shall be published as provided in regulation 6.

#### **Time and manner of publication by authorities of general information and particulars of school admission arrangements and related matters**

6.—(1) This regulation shall apply in relation to the publication by an authority of:

- (a) information in respect of the matters specified in Schedule 1;
- (b) particulars of the arrangements mentioned in subsections (1), (3)(12) and (4) of section 8 of the 1980 Act; and
- (c) particulars of the arrangements relating to voluntary aided schools mentioned in subsections (2) and (3) of section 8 of the 1980 Act where those particulars are being published by the authority on behalf of the governing body of the school pursuant to subsection (6) of that section.

(2) Such information and particulars shall be published before the end of the publication school year and, except in so far as they relate exclusively to primary education or special educational provision or provision to which section 298 of the Education Act 1993 applies (education provided in a pupil referral unit or otherwise than at school), they shall be published no later than six weeks before the date up to which parents may express a preference for a school in respect of the admission school year.

- (3) Subject to paragraphs (4) to (9), such information and particulars shall be published—

- (a) by copies being distributed without charge to parents on request, and made available for reference by parents and other persons—

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(12) Section 8(3) of the 1980 Act was amended by section 31(2) of the 1988 Act.

- (i) at the offices of the relevant authority; and
- (ii) at every LEA maintained school, other than a special school or a pupil referral unit;
- (b) by copies being distributed without charge to parents of pupils at LEA maintained schools, other than special schools or pupil referral units, who, in the publication school year, are in the final year at such schools and who might transfer to other such schools so maintained; and
- (c) by copies being made available for reference by parents and other persons at the public libraries in the area of the relevant authority.

(4) So far as the information in respect of the matters specified in paragraphs 3, 4 and 5 of Schedule 1 is concerned (LEA maintained schools), the information in respect of schools in a particular part of the relevant authority's area need not—

- (a) be made available at offices, schools and libraries outside that part; or
- (b) be distributed to the parents of pupils who are at schools outside that part,

if information about how it may be obtained is available at those offices, schools and libraries or, as the case may be, is distributed to those parents.

(5) It shall be a sufficient compliance with paragraph (3)(a)(ii) if so much of the information and particulars as relates to schools classified as—

- (a) primary schools;
- (b) middle schools; or
- (c) secondary schools,

(irrespective of the terminology used) is available only in schools of the classification in question.

(6) It shall be sufficient compliance with paragraph (3)(b) if there is published so much of the information and particulars as is relevant having regard to the schools to which pupils in the final year at that school might transfer.

(7) So far as the particulars specified in Part II of Schedule 1 are concerned (special education provision), paragraphs (3), (4), (5) and (6) shall not apply but the particulars shall be published—

- (a) by copies being distributed without charge to parents on request, and made available for reference by parents and other persons at the offices of the relevant authority; and
- (b) by copies being made available for reference by parents and other persons—
  - (i) at every LEA maintained school; and
  - (ii) at the public libraries in the area of that authority.

(8) Without prejudice to the foregoing provisions of this regulation, such particulars of the arrangements made by the relevant authority under section 7(1) of the 1980 Act<sup>(13)</sup> (appeals against admission decisions) and mentioned in section 8(1)(c) of that Act shall also be published by being set out in any document containing a notification to parents of a decision referred to in section 7(1) of that Act refusing their child admission to a school for which the parents have expressed a preference in accordance with arrangements made under section 6(1) of that Act.

(9) Information about the matters mentioned in paragraphs 8(2) and 20 of Schedule 1 (transport arrangements and policies) shall also be published by copies being distributed without charge to institutions within the further education sector or at which a further education funding council has secured provision which (in either case) the authority consider students resident within its area may wish to attend.

(10) The particulars referred to in paragraph (1)(c) shall be supplied to the authority by the governing body and shall be published without material alteration.

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<sup>(13)</sup> Section 7(1) of the 1980 Act was amended by paragraph 73 of Schedule 19 to the Education Act 1993.

## PART III

### INFORMATION TO BE PUBLISHED BY GOVERNING BODIES

#### **General information to be published by governing bodies**

7.—(1) Subject to regulation 8, the governing body of a maintained school shall publish as respects that school the information specified in Schedule 2.

(2) Subject to regulation 8, the information shall be published as provided in regulation 9.

#### **Assessment and school attendance information not relating to the reporting school year**

8.—(1) This regulation applies where the information relating to the results of assessment and school attendance referred to in paragraphs 17, 18 and 21 of Schedule 2 is not available in time for it to be reasonably practicable to publish the information in accordance with regulation 9.

(2) Where this regulation applies the governing body shall, as soon as practicable after the information in question for the reporting school year is made available to them, and in any event not later than two weeks before the earlier of the two dates referred to in paragraph (3) of regulation 9, publish that information as a supplement to the school prospectus in the manner required by that regulation for the publication of the prospectus.

#### **Time and manner of publication of information by governing bodies about their schools**

9.—(1) This regulation applies in relation to the publication by the governing body of a maintained school of—

- (a) information in relation to the school specified in Schedule 2 (including such information which is being published by the authority on the governing body's behalf pursuant to section 8(6) of the 1980 Act); and
- (b) in relation to a voluntary aided school, particulars of the arrangements mentioned in section 8(2) and (3) of the 1980 Act (except where those particulars are being published by the authority on the governing body's behalf pursuant to section 8(6) of the 1980 Act).

(2) Subject to paragraphs (4) and (5), such information and particulars—

- (a) shall be published collectively in the form of a single document to be known as the school prospectus; and
- (b) copies of the school prospectus shall be distributed without charge to parents on request and made available at the school for reference by parents and other persons.

(3) Such information and particulars shall be published during the publication school year and, except in the case of a primary school (other than a middle school deemed to be a primary school) or of a special school, not later than six weeks before whichever is the earlier of the following dates—

- (a) the date by which an application for admission to that school in respect of the admission school year should be made in accordance with the arrangements for admission to that school; or
- (b) the date up to which parents may express a preference for a school in respect of the admission school year.

(4) In the case of the particulars referred to in paragraph (1)(b) above, those particulars shall also be published separately by—

- (a) their being distributed without charge to parents of pupils at LEA maintained schools, other than special schools, who, in the publication school year, are in the final year at such schools and who might transfer to the school publishing the particulars; and

- (b) the relevant authority being provided with such copies as they may request (in writing) for distribution to their offices and to public libraries and schools for reference by parents and other persons.

(5) In the case of that part of the particulars referred to in paragraph (1)(b) above as comprises particulars of the governing body's arrangements under Section 7(2) of the 1980 Act (appeals against admission decisions) and mentioned in section 8(2)(b) of that Act, that part of those particulars shall also be published by being set out in any document containing a notification to parents of a decision referred to in section 7(2) of that Act refusing their child admission to a school for which the parents have expressed a preference in accordance with arrangements made under section 6(1) of that Act;

(6) Where the information referred to in paragraph (1)(a) is being published by the relevant authority, the information shall be supplied to them by the governing body and shall be published without material alteration.

(7) In the case of a special school the information referred to in paragraph (1)(a) shall also be published by copies being made available at the offices of the relevant authority for distribution without charge to parents on request and for reference by parents and other persons.

## PART IV

### SUPPLEMENTARY

#### **Supplementary provisions relating to published documents**

**10.**—(1) This regulation shall apply in relation to any document which contains such information or particulars as are mentioned in the preceding provisions of these Regulations and which is published in accordance with those provisions.

(2) Such a document shall state the school year to which the information or particulars contained in it relate and contain a warning that, although they were correct in relation to that year at a date specified in the document (not being earlier than six months before that of its publication), it should not be assumed that there will be no change affecting the relevant arrangements or some matter particularised—

- (a) before the start of, or during, the school year in question; or
- (b) in relation to subsequent school years.

#### **Translation of Documents**

**11.**—(1) Where any document required to be published or to be made available for inspection under these Regulations is published in Welsh, then if it appears requisite to an authority or, as the case may be, a governing body that the document should be translated into English it shall be so translated and the translated document shall be published in such manner as appears to the authority or governing body to be appropriate.

(2) Where any document required to be published or to be made available for inspection under these Regulations is published in English, then if it appears requisite to an authority or, as the case may be, a governing body that the document should be translated into Welsh, it shall be so translated and the translated document shall be published in such manner as appears to the authority or governing body to be appropriate.

(3) If it appears to an authority, or as the case may be, a governing body that a translation of any document required to be published or to be made available for public inspection by or under these Regulations in a language other than English or Welsh is required, it shall be translated into that

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language and the translated document shall be published in such manner as appears to the authority or governing body to be appropriate.

(4) No charge shall be made for a copy of any document translated in accordance with paragraphs (1) to (3) to any person who is entitled without charge, to a copy of the original document.



## SCHEDULE 1

Regulation 5

### GENERAL INFORMATION TO BE PUBLISHED BY AUTHORITIES

#### PART I

##### —MISCELLANEOUS MATTERS

1. The addresses and telephone numbers of the offices of the authority to which inquiries, in respect of primary and secondary education in their area, should be addressed.

2. The arrangements for parents to obtain the information particularised in Schedule 2 in the case of individual LEA maintained schools maintained by the authority other than special schools.

3. As respects each such LEA maintained school other than a special school or a pupil referral unit—

- (a) the name, address and telephone number of the school; and
- (b) the expected number of pupils at the school and their age range.

4. The classification of each such LEA maintained school (other than a special school or pupil referral unit) as—

- (a) a county, voluntary controlled or voluntary aided school;
- (b) a primary, middle or secondary school;
- (c) a comprehensive, secondary modern, grammar or bilateral school;
- (d) a co-educational or single-sex school;
- (e) a day or boarding school or a school taking both day and boarding pupils;

except that for the purposes of sub-paragraphs (b) and (c) other terminology may be used.

5. The affiliations, if any, of each such school with a particular religious denomination.

6.—(1) The authority's general arrangements and policies as respects the use of the Welsh language in their LEA maintained schools other than aided schools—

- (a) in the whole or in different parts of the authority's area;
- (b) in all such schools or in different types of schools; and
- (c) by pupils of all ages or specific age groups.

(2) Particulars of any exemptions from the National Curriculum in Welsh under sections 17, 18 or 19 of the 1988 Act<sup>(14)</sup> affecting pupils at their LEA maintained schools, specifying the nature of the exemption and the schools affected (but not so as to identify individual pupils affected).

7. The authority's arrangements for transfer between LEA maintained schools, other than special schools and pupil referral units, otherwise than at normal admission age, including, in particular—

- (a) the respective functions of the authority and governing bodies of schools as respects admission on transfer; and
- (b) the policy followed in deciding transfers.

8.—(1) The authority's general arrangements and policies in respect of transport to and from schools (including non-maintained schools attended by pupils whose fees in respect of the education provided for them at the school are paid by the authority) including, in particular—

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<sup>(14)</sup> Sections 18 and 19 were amended by, respectively, paragraphs 120 and 121 of section 19 to the Education Act 1993.

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- (a) the provision of free transport;
  - (b) the carriage on school buses of pupils for whom free transport is not provided; and
  - (c) the payment in whole or in part of reasonable travelling expenses.
- (2) The authority's general arrangements and policies in respect of transport to and from institutions within the further education sector including, in particular—
- (a) the provision of free transport;
  - (b) the carriage on buses provided by the authority of students for whom free transport is not provided; and
  - (c) the payment in whole or in part of reasonable travelling expenses.
- 9.** The authority's general arrangements and policies in respect of the provision of milk, meals and other refreshment including, in particular, the remission in whole or in part of charges.
- 10.** The authority's general arrangements and policies in respect of the provision of school clothing (including uniform and physical training clothes) and the making of grants to defray expenses in respect of such clothing and, in particular, the address from which parents may obtain detailed information as to the assistance which is available and eligibility for it.
- 11.** The authority's general arrangements and policies, in the case of pupils attending LEA maintained schools, in respect of—
- (a) the making of grants to defray expenses (other than those mentioned in paragraphs 8 and 10); and
  - (b) the granting of allowances in the case of pupils over compulsory school age;
- and, in particular, the address from which parents may obtain detailed information as to the assistance which is available and eligibility for it.
- 12.** The authority's general policy in respect of the entering of pupils for public examinations.
- 13.** The authority's general arrangements and policies in respect of special educational provision for pupils with special educational needs including, in particular, the arrangements for parents to obtain information about the matters mentioned in Part II of this Schedule.
- 14.** The arrangements for parents and others to obtain copies of and to refer to particulars of the charging and remissions policies determined by the authority under section 110 of the 1988 Act.
- 15.** Changes in respect of any matter mentioned in this Part which it has been determined will be made after the start of the school year to which the information relates.

## PART II

### —SPECIAL EDUCATIONAL PROVISION

- 16.** The authority's detailed arrangements and policies in respect of—
- (a) the identification and assessment of children with special educational needs and the involvement of parents in that process;
  - (b) the provision made in their LEA maintained schools for pupils with special educational needs and the use made by them of special schools maintained by other authorities; and
  - (c) special educational provision provided otherwise than at school.
- 17.** The authority's arrangements and policies as respects the use of grant-maintained schools, grant-maintained special schools, non-maintained special schools and independent schools in providing for pupils with special educational needs.

**18.** The arrangements for parents who consider that their child may have special educational needs to obtain advice and further information.

**19.** The authority's arrangements and policies in respect of transport to and from maintained (including grant-maintained) and non-maintained special schools and independent schools providing for pupils with special educational needs.

**20.** The authority's arrangements and policies for persons who are over compulsory school age but have not attained the age of nineteen years and who attend any institution within the further education sector or any institution outside the further education sector and the higher education sector where a further education funding council has secured provision for such persons under section 4(3) or (5) of the Further and Higher Education Act 1992, in respect of transport to and from those institutions.

**21.** The arrangements for parents to obtain the information particularised in Schedule 2 in the case of the special schools used by the authority which are maintained by them or other authorities.

**22.** Changes in respect of any matter mentioned in this Part which it has been determined will be made after the start of the school year to which the information relates.

### PART III

#### —EXCEPTIONAL PROVISION OF EDUCATION IN SCHOOL OR ELSEWHERE

**23.** The authority's general arrangements and policies in respect of the provision of education to which section 298 of the Education Act 1993 applies (education provided in a pupil referral unit or otherwise than at school).

**24.** Particulars of any changes in those arrangements or policies which it has been determined will be made after the start of the school year to which the information relates.

### SCHEDULE 2

Regulation 7

#### INFORMATION TO BE PUBLISHED BY GOVERNING BODIES

**1.** The name, address and telephone number of the school and the names of the head teacher and of the chairman of the governing body.

**2.** The classification of the school as—

- (a) a county, voluntary controlled, voluntary aided, special (maintained by an authority), grant-maintained or grant-maintained special school;
- (b) a primary, middle or secondary school;
- (c) a comprehensive, secondary modern, grammar or bilateral school;
- (d) a co-educational or single-sex school;
- (e) a day or boarding school or a school taking both day and boarding pupils;

except that for the purposes of sub-paragraph (b) or (c) other terminology may be used.

**3.** In relation to maintained schools other than special schools, particulars of the admissions policy adopted for the school by, in the case of a county or a voluntary controlled school, the relevant authority or, in the case of a voluntary aided or grant-maintained school, the governing body in relation to each age at which pupils are admitted to the school (including ages above and below compulsory school age).

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4. Where there are specific arrangements for parents who are considering sending their child to the school to visit it, particulars of those arrangements.

5. In the case of a secondary school, where information is available—

- (a) the number of places for pupils of the normal age of entry to the school which were available at the start of the admission school year; and
- (b) the number of written applications for places from the start of that year or preferences expressed for such places at the school pursuant to arrangements made by the relevant authority under section 6(1) of the 1980 Act.

6.—(1) A statement on the curriculum and organisation of education and teaching methods at the school, including details of any special arrangements in the curriculum or otherwise for particular categories of pupils, including those with statements of special educational needs made pursuant to section 168 of the Education Act 1993.

(2) In the publication school year which begins in 1995 and thereafter, a summary of the policy adopted for the school by the governing body in relation to children with special educational needs as it appears from the information published by the governing body under regulations 2 to 4 of the Education (Special Educational Needs) (Information) Regulations 1994<sup>(15)</sup>.

7. A statement on the ethos and values of the school.

8.—(1) In the case of any LEA maintained school, particulars of the manner in which complaints are to be made under arrangements made pursuant to section 23 of the 1988 Act.

(2) In the case of any other maintained school, the arrangements made by the governing body for the consideration and disposal of complaints relating to any matter concerning the curriculum followed within the school, including in particular the discharge by the governing body of the duties imposed on them under Chapter 1 of Part 1 of the 1988 Act.

9. A summary of the content and organisation of that part of the curriculum relating to sex education (where such education forms part of the secular curriculum of the school).

10. Particulars of any careers education provided and any arrangements made for work experience for pupils.

11.—(1) The affiliations, if any, of the school with a particular religion or religious denomination.

(2) Without prejudice to paragraphs 6 and 7, particulars of the religious education provided at the school.

(3) Particulars of any arrangements as respects the exercise by the parents of a pupil of their rights under section 9 of the 1988 Act<sup>(16)</sup> in relation to the pupil's attendance at religious worship or education, and of any alternative provision made for the pupils concerned.

(4) Particulars of any determination made by a standing advisory council in respect of the school under section 12 of the 1988 Act<sup>(17)</sup>.

12. A summary of the charging and remissions policies determined by the governing body of the school under section 110 of the 1988 Act<sup>(18)</sup>.

13.—(1) For the admission school year, the times at which each school session begins and ends on a school day.

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<sup>(15)</sup> S.I. 1994/1048.

<sup>(16)</sup> Section 9(1A) of the 1988 Act was inserted by section 12(4) of the Further and Higher Education Act 1992 and section 9(7) was amended by section 307(1) of, and paragraph 115 of Schedule 19 to, the Education Act 1993.

<sup>(17)</sup> Section 12 was amended by section 148 of the Education Act 1993.

<sup>(18)</sup> Section 110 of the 1988 Act was amended by section 307(1) of, and paragraph 128 of Schedule 19 to, the Education Act 1993.

(2) The dates of school holidays (including half term holidays) during the admission school year.

14. Changes in respect of any matter mentioned in the preceding paragraphs which it has been determined will be made after the start of the school year to which the particulars relate.

15.—(1) Subject to paragraph (2), the information specified in Parts I, II and III of Schedule 1 and in Schedule 2 to, and regulation 9(2)(b) of, the Education (School Performance Information) (Wales) (No. 2) Regulations 1994(19).

(2) The information specified in Parts I, II and III of the said Schedule 1 need not be given separately for male pupils and female pupils.

16.—(1) Without prejudice to paragraph 6, particulars as to the use of the Welsh language in the school by pupils of all age groups or of different age groups including, in particular—

(a) the use of Welsh as the language in which instruction is given in all or any subjects forming part of the curriculum and, where instruction in any such subject is given in Welsh of the extent, if any, to which alternative instructions in English is available in that subject; and

(b) of the extent, if any, to which Welsh is the normal language of communication at the school.

(2) Particulars of any exemption from the National Curriculum in Welsh under section 17, 18 or 19 of the 1988 Act (but not so as to identify any individual pupils affected).

17.—(1) In the case of a maintained school providing for such pupils, the number of registered pupils who were, in the reporting school year, at or near the end of the final year of the first key stage.

(2) Where the number of such pupils is ten or more, in respect of each of the relevant subjects the percentage of that number who—

(a) were assessed by teacher assessment as having reached each level of the 10 level scale;

(b) were so assessed as working towards level 1; or

(c) were exempted from assessment under section 18 or 19 of the 1988 Act.

(3) Subject to sub-paragraph (7), where the number of such pupils is ten or more, the information referred to in sub-paragraph (2)(a), (b) and (c) above, but in relation to each of the relevant attainment targets, and specifying the percentage of pupils who were absent from the NC tests.

(4) Where the number of such pupils is less than ten but not less than five, in respect of each of the relevant subjects, the percentage of pupils who were assessed by teacher assessment as having reached level 2, or above, on the 10 level scale.

(5) Subject to sub-paragraph (7), where the number of such pupils is less than ten but not less than five, in relation to each of the relevant attainment targets, the percentage of pupils who were assessed as having reached level 2 or above on the 10 level scale.

(6) Where the number of such pupils is less than five, a statement recording that fact and explaining that the results of assessment are not to be published for reasons of confidentiality.

(7) Where a pupil has been assessed by both teacher assessment and NC tests the information referred to in sub-paragraphs (3) and (5) shall be given in respect of both types of assessment.

18.—(1) In the case of a maintained school providing for such pupils, the number of registered pupils who were, in the reporting school year, at or near the end of the final year of the third key stage.

(2) Subject to sub-paragraph (5), where the number of such pupils is ten or more, in respect of each of the relevant subjects, the percentage of pupils who,

(a) were assessed as having reached each level of the 10 level scale;

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(19) [S.I. 1994/2254](#).

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- (b) were so assessed as working towards level 1; or
- (c) were so assessed but failed to register any level;

and the percentages of such pupils who, respectively, were exempted from assessment under section 18 or 19 of the 1988 Act, or failed to register a level because they missed the assessment by reason of unauthorised absence.

(3) Subject to sub-paragraph (5), where the number of such pupils is less than ten but not less than five, in respect of each of the relevant subjects, the percentage of pupils who were assessed as having reached level 6 or above.

(4) Where the number of such pupils is less than five, a statement recording that fact and explaining that the results of assessment are not to be published for reasons of confidentiality.

(5) Where a pupil has been assessed by both teacher assessment and NC tests the information referred to in sub-paragraphs (2) and (3) shall be given in respect of both types of assessment.

**19.** In the case of a maintained school with registered pupils who were aged 15 or 16 on the 1st September at the commencement of the previous school year, the number of such pupils and the percentage of that number falling within the following categories—

- (a) persons pursuing a course at any school or any course of further education;
- (b) persons in employment;
- (c) persons on a Youth Training Scheme;
- (d) persons known to the governing body not to fall within the terms of (a), (b) or (c) above; and
- (e) persons whom it is not known by the governing body whether they fall within any of the above categories.

**20.** In the case of a maintained school with registered pupils who were aged 17 on the 1st September at the commencement of the previous school year, the number of such pupils, and the percentage of that number falling within the following categories—

- (a) persons pursuing a course of further education;
- (b) persons pursuing a course of higher education;
- (c) persons in employment;
- (d) persons known to the governing body not to fall within the terms of (a), (b) or (c) above; and
- (e) persons whom it is not known by the governing body whether they fall within any of the above categories.

**21.—(1)** In the case of maintained schools which are primary schools, in relation to each year group in which all or the majority of registered pupils are subject to the provisions as to the recording of authorised and unauthorised absence in the Pupils' Registration Regulations 1956<sup>(20)</sup> (“the unauthorised absence provisions”), the number of unauthorised absences in each term of the reporting school year expressed as a percentage of the total number of possible attendances in that term.

(2) For the purposes of this paragraph—

- (a) an “authorised absence” means an occasion on which a pupil is recorded as absent with authority pursuant to the Pupils' Registration Regulations 1956;

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<sup>(20)</sup> S.I. 1956/367. The relevant amending Regulations are the Education (Pupils' Attendance Records) Regulations 1991 (S.I. 1991/1582).

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- (b) an “unauthorised absence” means an occasion on which a pupil is recorded as absent without authority pursuant to those Regulations;
  - (c) “the total number of possible attendances” means the number produced by multiplying the number of registered pupils in the year group at the beginning of the term who are subject to the unauthorised absence provisions by the number of school sessions in that term.
- (3) Where a percentage required to be calculated by virtue of this paragraph is not a whole number, it shall be rounded to one decimal point.

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations, made under section 55(5) of the Education Act 1944, section 8 of the Education Act 1980, section 22 of the Education Reform Act 1988, section 16 of the Education (Schools) Act 1992 and section 153(1) of the Education Act 1993, apply to schools in Wales. They replace the Education (School Curriculum and Related Information) (Wales) Regulations 1991 as amended, which are revoked. The main changes are highlighted below.

Part I of the Regulations contains general provisions only.

Part II requires local education authorities to publish information with respect to their policy and arrangements in respect of primary and secondary education in their areas, including education provided in pupil referral units (regulations 5 and 6 and Schedule 1). The information required is largely unchanged apart from a new requirement to publish particulars of arrangements and policies for attending sixth form colleges within the further education sector (or other institutions where provision is made by a further education funding council).

Part III requires governing bodies to publish specified information which must now be contained in a single document to be known as the school prospectus (regulations 7 to 9 and Schedule 2). As in the previous Regulations that information includes general information about the school and statements on the curriculum and organisation of education and teaching methods at the school, on the ethos and values of the school and on attendance. However, the information required to be published is less detailed than hitherto. Under the present Regulations information about the school’s admissions policy and, in the case of a secondary school, the demand for places is now required to be published as is information about the results of assessment of pupils at or near the end of the first and third key stages.

Part IV contains supplementary provisions relating to published documents.