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STATUTORY INSTRUMENTS

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**1997 No. 2060**

**EDUCATION, ENGLAND AND WALES**

**The Education (School Performance Information)  
(England) (Amendment) Regulations 1997**

*Made* - - - - 26th August 1997  
*Laid before Parliament* 27th August 1997  
*Coming into force* - - 17th September 1997

In exercise of the powers conferred on the Secretary of State by sections 537, 537A(1) and 569(4) and (5) of the Education Act 1996(1), the Secretary of State for Education and Employment hereby makes the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Education (School Performance Information) (England) (Amendment) Regulations 1997 and shall come into force on 17th September 1997.

**Amendment**

2.—(1) The Education (School Performance Information) (England) Regulations 1996(2) shall be amended as follows.

(2) In regulation 2(1), there shall be inserted after the definition of “GCSE” the following definition—

““GNVQ” means a General National Vocational Qualification;”.

(3) After paragraph 2 in Schedule 3 there shall be inserted the following paragraph—

“2A.—(1) In the case of any pupil referred to in paragraph 1 who, during the reporting school year or any of the school years preceding that year, was registered for or studying towards any of the qualifications listed in sub-paragraph (2) below—

- (a) whether he achieved the qualification for which he was registered or studying towards;
- (b) the subjects taken; and

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(1) 1996 c. 56; section 537A was inserted by section 20 of the Education Act 1977 (c. 44); for the meaning of “prescribed” and “regulations” see section 579(1).  
(2) S.I.1996/2577.

(c) in the case of the qualifications listed in sub-paragraph (2)(a) and (d) below, whether the qualification was at Intermediate level or Foundation level.

(2) The qualifications for the purposes of sub-paragraph (1) above are as follows—

- (a) a Part One GNVQ;
- (b) an Intermediate GNVQ;
- (c) a Foundation GNVQ; or
- (d) a GNVQ Language Unit

awarded by the EDEXCEL Foundation, the City and Guilds of London Institute or the Royal Society of Arts Examination Board and approved by the Secretary of State under section 400 of the 1996 Act.”.

(4) In paragraph 3(a) of Schedule 3 there shall be substituted for “a General National Vocational Qualification, or units of such a qualification” the words “units of a GNVQ referred to in paragraph 2A(2)(a) to (c)”.

(5) After paragraph 4 in Schedule 3 there shall be inserted the following paragraphs—

**4A.** In the case of each registered pupil aged 15 who was entered for one or more GCSE during the reporting school year or any of the school years preceding that year, the pupil’s gender and any one of the following—

- (a) his surname and initial or initials;
- (b) his surname and first name or names; or
- (c) a number or letter (or numbers or letters) or any combination of these, enabling the identity of the pupil to be ascertained by use of the appropriate key<sup>(3)</sup>.

**4B.** In the case of each such pupil as is referred to in paragraph 4A, the following information—

- (a) the GCSE subjects taken and the grades achieved;
- (b) the school year in which he was entered for each subject and the name of the body awarding grades in the GCSE subjects in question.

**4C.** In the case of each registered pupil aged 15 who, during the reporting school year or any of the school years preceding that year, achieved—

- (a) a Part One GNVQ;
- (b) an Intermediate GNVQ;
- (c) a Foundation GNVQ; or
- (d) a GNVQ Language Unit,

the pupil’s gender and any one of the following—

- (i) his surname and initial or initials;
- (ii) his surname and first name or names; or
- (iii) a number or letter (or numbers or letters) or any combination of these, enabling the identity of the pupil to be ascertained by use of the appropriate key.

**4D.** In the case of each such pupil as is referred to in paragraph 4C, the following information—

- (a) the GNVQ subjects for which the pupil was registered for or studying towards and the name of the awarding body;

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(3) This is the manner of identification of individual pupils prescribed in the Education (Individual Performance Information) (Identification of Individual Pupils) Regulations 1997 (S.I. 1997/1489).

(b) in the case of a Part One GNVQ and a GNVQ Language Unit, whether the qualification was at Intermediate level or Foundation level.”.

(6) After paragraph 9 in Schedule 3 there shall be inserted the following paragraphs—

“**10.** In the case of each registered pupil aged 16, 17 or 18 who, during the reporting school year, was entered for one or more GCE ‘A’ level examination or GCE ‘AS’ examination, the pupil’s gender and any one of the following—

- (i) his surname and initial or initials;
- (ii) his surname and first name or names; or
- (iii) a number or letter (or numbers or letters) or any combination of these, enabling the identity of the pupil to be ascertained by use of the appropriate key.

**11.** In the case of each such pupil as is referred to in paragraph 10, the following information—

- (a) the subjects taken and whether as GCE ‘A’ level examinations or GCE ‘AS’ examinations and the grades achieved;
- (b) the name of the body awarding grades in the GCE ‘A’ level examinations or GCE ‘AS’ examinations in question.”.

26th August 1997

*Alan Howarth*  
Parliamentary Under-Secretary of State,  
Department for Education and Employment

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## EXPLANATORY NOTE

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

These Regulations amend the Education (School Performance Information) (England) Regulations 1996.

They add requirements as to the information to be provided to the Secretary of State by schools relating to pupils aged 15. The information about General National Vocational Qualifications (“GNVQ”) is now particularised and relates to information about a Part One GNVQ, an Intermediate GNVQ, a Foundation GNVQ and a GNVQ Language Unit (*regulation 2(3)*).

These Regulations also require the provision of “individual performance information” to the Secretary of State.

Section 20 of the Education Act 1997 creates a new section 537A of the Education Act 1996. Section 537A(2) defines “individual performance information” to mean:

“information about the performance of individual pupils (identified in the prescribed manner)

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- (a) in any assessment made for the purposes of the National Curriculum or in accordance with a baseline assessment scheme (within the meaning of Chapter 1 of Part IV of the Education Act 1997);
  - (b) in any prescribed public examination;
  - (c) in connection with the attainment of any vocational qualification; or
  - (d) in any such other assessment or examination, or in connection with the attainment of any such other qualification, as may be prescribed.”

These Regulations require the provision of individual performance information to the Secretary of State which relates to GCSE and GNVQ for pupils aged 15 (*regulation 2(5)*) and to GCE ‘A’ level examinations and GCE ‘AS’ examinations for pupils aged 16, 17 or 18 (*regulation 2(6)*).