

The School Information (England) (Amendment) Regulations 2012

Made

19th April 2012

Laid before Parliament

20th April 2012

Coming into force

1st September 2012

The Secretary of State for Education makes the following Regulations in exercise of the powers conferred by sections 537 and 569(4) of the Education Act 1996(1), and section 92 of the School Standards and Framework Act 1998(2):

Citation and commencement

1. These Regulations may be cited as The School Information (England) (Amendment) Regulations 2012 and come into force on the 1st September 2012.

Amendment of the School Information (England) Regulations 2008

2. (1) The School Information (England) Regulations 2008(3) are amended as follows.

(2) In regulation 2 (interpretation)—

(a) insert the following where they fall alphabetically—

““key stage 1”, “key stage 2” and “key stage 4” are the first, second and fourth key stages of the National Curriculum as set out in section 82(1) of the Education Act 2002;

“phonics schemes” are schemes for understanding the correspondence between graphemes and phonemes;” and

(b)in regulation 2, omit the definition of school prospectus.

(3) For regulation 10, substitute—

“Information to be published on a website by the governing body

10. (1) Subject to paragraph (5), where a website is maintained for a school by or on behalf of the governing body of a maintained school, the governing body must arrange for the information specified in Schedule 4 to be published on that website.

(2) Subject to paragraph (5), where there is no website maintained for the school, the governing body must arrange for the information specified in Schedule 4 to be published on a website, the address and details of which are made known to parents.

(3) The governing body must provide a paper copy of the information published on the website without charge to parents on request.

(4) Subject to paragraph (6), the governing body must arrange for the information published on the website to be updated as soon as is reasonably practicable following a change to that information and, in any event, at least annually.

(5) In respect of the information specified in paragraph 2 of Schedule 4, the requirements in paragraphs (1) and (2) to publish this information apply to the governing body of a community and voluntary controlled school, but not to the governing bodies of other maintained schools.

(6) In respect of the information specified in paragraph 2 of Schedule 4, the governing body of a community and voluntary controlled school must arrange for this information to be updated not later than six weeks before the date up to which parents may express a preference for the school in respect of the admission year. ”

(4) In regulation 11 (supplementary provisions relating to published documents)—

(a)in paragraph (1) after “document” insert “or website”;

(b)in paragraph (2)—

(i)after “document”, the first time it appears, insert “or website”, and

(ii)after “document”, the second time it appears, insert “or on the website”;

(c)in paragraph (3)—

(i)after “document”, save for the last time it appears, insert “or information on a website”, and

(ii)after “document”, the last time it appears, insert “or information”; and

(d)for paragraph (4) substitute—

“(4) Parents must not be charged for a copy of such a translation or Braille or audio tape version if they are entitled without charge to a paper copy of the original document or information published on the website.”.

(5) After Schedule 3 insert—

Regulation 10

“Schedule 4Specified information to be published on a school’s website

1. The name, postal address and telephone number of the school, and the name of a person to whom enquiries should be addressed.

2. Either—

(a)the determined admission arrangements for the school in relation to each relevant age group at the school, including any arrangements for selection, any oversubscription criteria and an explanation of the process of applying for a school place; or

(b)information as to where and by what means parents may access that information in the local authority’s composite prospectus published on their website.

3. Information as to where and by what means parents may access the most recent report about the school published by her Majesty’s Chief Inspector of Education, Children’s Services and Skills.

4. The school’s most recent key stage 2 results as published by the Secretary of State under the following column headings in the School Performance Tables published on the Department for Education’s website:

(a)“% achieving Level 4 or above in English and Maths”;

(b)“% making expected progress”;

(c)in relation to English, “% achieving Level 5 or above”; and

(d)in relation to Maths, “% achieving Level 5 or above”.

5. The school’s most recent key stage 4 results as published by the Secretary of State under the following column headings in the School Performance Tables published on the Department for Education’s website:

(a)“% achieving 5 + A* - C GCSEs (or equivalent) including English and Maths GCSEs”;

(b)“% achieving the English Baccalaureate”; and

(c)“% of pupils making expected progress”.

6. Information as to where and by what means parents may access the School Performance Tables published by the Secretary of State on the Department for Education's website.

7. The following information about the school curriculum—

(a) in relation to each academic year, the content of the curriculum followed by the school for each subject and details as to how additional information relating to the curriculum may be obtained;

(b) in relation to key stage 1, the names of any phonics or reading schemes in operation; and

(c) in relation to key stage 4—

(i) a list of the courses provided which lead to a GCSE qualification,

(ii) a list of other courses offered at key stage 4 and the qualifications that may be acquired.

8. The measures determined by the head teacher under section 89 of the Education and Inspections Act 2006 (determination by head teacher of behaviour policy)(4).

9. The amount of the school's allocation from the Pupil Premium grant(5) in respect of the current academic year; details of how it is intended that the allocation will be spent; details of how the previous academic year's allocation was spent, and the effect of this expenditure on the educational attainment of those pupils at the school in respect of whom grant funding was allocated.

10. The report prepared by the school under section 317(5)(a) of EA 1996 (duties of governing bodies in relation to special educational needs(6)).

11. The school's charging and remissions policy determined by them under section 457 of EA 1996(7).

12. A statement of the school's ethos and values."

Nick Gibb

Minister of State

Department for Education

19th April 2012

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make amendments to the School Information (England) Regulations 2008 (“the 2008 Regulations”) and come into force on 1st September 2012. The amendments apply to maintained schools.

Regulation 10 of the 2008 Regulations is substituted by regulation 2(3). The effect of this is to remove the requirement upon governing bodies of maintained schools to publish a school prospectus annually. The additional requirement for special schools to make copies of their prospectus available at the offices of the relevant local authority for distribution to parents and other persons is also removed.

Instead a new requirement is introduced to publish the information specified in the new Schedule 4 on a website.

The requirements to publish information about a school’s determined admission arrangements on a website, and to update this information annually at least six weeks before the date upon which parents may express a preference for the school, do not apply to the governing bodies of voluntary aided and foundation schools because there is already a requirement for them to publish their admissions arrangements online under the School Admissions Code.

The requirements upon governing bodies to publish specified information on a website will not preclude them from publishing other information which they consider appropriate.

No impact assessment has been produced for this instrument because no significant impact on business, civil society organisations or the public sector is foreseen.

(1)

1996 c. 56. Section 537 is amended by paragraph 37 of Schedule 7 to the Education Act 1997 (c.44), section 140(1) of, and paragraph 152(a) of Schedule 30 to, the School Standards and Framework Act 1998 (c31), and article 5(1) of paragraph 7 of Part 1 of Schedule 2 to S.I. 2010/1158. See section 579 of the Education Act 1996 for the definitions of “prescribed” and “regulations”.

(2)

1998 c. 31. Section 92 is substituted by paragraph 7 of Schedule 4 to the Education Act 2002 (c.32). See section 142(1) of the School Standards and Framework Act 1998 for the definitions of “prescribed” and “regulations”.

(3)

S.I. 2008/3093 as amended by S.I.s 2010/1006 and 2010/1874.

(4)

2006 c.40. Section 89 sets out the responsibilities of the head teacher for establishing and maintaining a behaviour policy which contains measures for promoting self-discipline and proper regard for authority among pupils; encouraging good behaviour and respect for others; preventing bullying; securing that pupils complete tasks reasonably assigned to them; and otherwise regulating the conduct of pupils.

(5)

The Pupil Premium Grant is the sum of money paid under that name annually to a local authority under section 14 of the Education Act 2002 on condition that it be allocated to schools.

(6)

Section 317(5) is amended by paragraph 2 of Schedule 18 to the Education Act 2005 (c.18). Section 317(5) requires the governing body of a community, foundation or voluntary school, a maintained nursery school, or a community or foundation special school to prepare a report about the implementation of the governing body's policy for pupils with special educational needs. The report must contain the information prescribed in the Education (Special Educational Needs) (Information) Regulations 1999 (S.I. 1999/2506), and information about arrangements for admission of disabled pupils; steps taken to prevent them from being treated less favourably than other pupils; access facilities; and the plan prepared by the governing body under paragraph 3 of Schedule 10 to the Equality Act 2010 (c 15).

(7)

Relevant amendments to section 457 have been made by section 140 of, and paragraph 122(a) of Schedule 31 to, the SSFA 1998. Section 457 requires governing bodies of maintained schools to determine a policy with respect to the classes or descriptions of case in which they propose to make charges for (“charging policy”), and a policy (“remissions policy”) setting out any circumstances in which they propose to remit any charge which would otherwise be payable to them under their charging policy. Governing bodies may not make charges unless they have a charging and remissions policy.