

**2005 No. 845**

**EDUCATION, ENGLAND**

**The Education (Amendments to Regulations Requiring the  
Publication of Pupil Performance Information) (England)  
Regulations 2005**

<i>Made</i> - - - -	<i>18th March 2005</i>
<i>Laid before Parliament</i>	<i>1st April 2005</i>
<i>Coming into force</i> - -	<i>1st May 2005</i>

In exercise of the powers conferred upon the Secretary of State by sections 408, 537 and 569(4) of the Education Act 1996(a) and sections 30(1) and 210 (7) of the Education Act 2002(b), the Secretary of State for Education and Skills hereby makes the following Regulations:

**Citation, commencement and application**

1.—(1) These Regulations may be cited as the Education (Amendments to Regulations Requiring the Publication of Pupil Performance Information) (England) Regulations 2005 and shall come into force on 1<sup>st</sup> May 2005.

(2) These Regulations apply to England.

**Amendments to the Education (Governors' Annual Reports) (England) Regulations 1999**

2.—(1) The Education (Governors' Annual Reports) (England) Regulations 1999(c) shall be amended in accordance with paragraphs (2) and (3).

(2) In the definition of the word “assessed” in regulation 2, replace the words “section 356(2)(c) of the 1996 Act” with the words “section 87(3)(c) of the Education Act 2002 (2002 c.32)”.

(3) In paragraph 8 of the Schedule (Information to be contained in governors' reports)—

- (a) delete the word “spelling” from sub-paragraph (2) and replace the words “, science and spelling” in sub-paragraph (6) with the words “and science”;
- (b) delete the words “by teacher assessment” from sub-paragraph (2)(b) and the word “teacher” from sub-paragraph (2)(d);
- (c) delete sub-paragraph (2)(c); and
- (d) delete sub-paragraph (3).

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(a) 1996 c. 56. By virtue of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672), the powers conferred by these provisions are exercisable by the Secretary of State only in relation to England. Section 408 was amended by the Education Act 1997 (c. 44), Schedule 7, paragraph 30, the School Standards and Framework Act 1998 (c. 31), Schedule 30, paragraphs 57 and 106, the Learning and Skills Act 2000 (c.21), Schedule 9, paragraphs 1 and 57 and the Education Act 2002 (c. 32), Schedule 21, paragraph 46.

(b) 2002 c.32.

(c) S.I. 1999/2157, as amended by S.I. 2002/1171 and S.I. 2002/2214.

### **Amendments to the Education (School Information) (England) Regulations 2002**

3.—(1) The Education (School Information) (England) Regulations 2002(a) shall be amended in accordance with paragraph (2).

(2) In paragraph 9 of Schedule 3 (Information to be published by governing bodies)—

- (a) delete the word “spelling” from sub-paragraph (2) and replace the words “, science and spelling” in sub-paragraph (4) with the words “and science”;
- (b) delete the words “the percentage who were exempted under section 92 or 93 of the 2002 Act from assessment by the administration of NC tasks and” from sub-paragraph (5); and
- (c) delete sub-paragraph (7).

### **Revocation**

4. The Education (Modifications to Requirements for Pupil Performance Information) (England) Regulations 2004(b) are revoked.

18th March 2005

*Filkin*  
Parliamentary Under Secretary of State  
Department for Education and Skills

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(a) S.I. 2002/2897.  
(b) S.I. 2004/1076.

## **EXPLANATORY NOTE**

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

These Regulations amend—

- (a) the Education (Governors' Annual Report) (England) Regulations 1999 (*regulation 2*);  
and
- (b) the Education (School Information) (England) Regulations 2002 (*regulation 3*),

so as to delete any requirement to publish the results of any spelling assessments and the results of any NC tasks and NC tests in the Governors' Annual Reports or in the School Prospectus, in respect of pupils at the end of key stage 1.

They also revoke the Education (Modifications to Requirements for Pupil Performance Information) (England) Regulations 2004.

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