

**2009 No. 1596**

**EDUCATION, ENGLAND**

**The Education (School and Local Education Authority  
Performance Targets) (England) (Amendment) Regulations 2009**

*Made* - - - - *30th June 2009*

*Laid before Parliament* *3rd July 2009*

*Coming into force* - - *1st September 2009*

The Secretary of State for Children, Schools and Families makes the following Regulations in exercise of the powers conferred by sections 19 and 54(3) of the Education Act 1997(a) and sections 102 and 120(2) of the Education Act 2005(b).

**Citation, commencement and application**

1.—(1) These regulations may be cited as the Education (School and Local Education Authority Performance Targets) (England) (Amendment) Regulations 2009 and come into force on 1st September 2009.

(2) These regulations apply in relation to England.

**Amendment of the Education (School Performance Targets) (England) Regulations 2004**

2.—(1) The Education (School Performance Targets) (England) Regulations 2004(c) are amended in accordance with the following provisions of this regulation.

(2) In regulation 5—

(a) in paragraph (2), for the word “target” substitute “targets”;

(b) for paragraph (3), substitute—

“(3) The targets referred to in paragraph (2) are—

(a) the percentage of the relevant group of pupils in the fourth key stage to achieve the level 2 threshold in approved qualifications including grades A\*-C in English and Mathematics GCSE qualifications;

(b) the percentage of those of the relevant group of pupils in the fourth key stage taking an approved GCSE qualification in English to achieve a grade in that qualification that is at least equivalent to the expected level of progression from the level achieved in the NC test in English at the end of the second key stage; and

(c) the percentage of those of the relevant group of pupils in the fourth key stage taking an approved GCSE qualification in Mathematics to achieve a grade in that

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(a) 1997 c. 44. Subsection (3) of section 19 was substituted by the School Standards and Framework Act 1998 (c. 31), section 140(1) and Schedule 30, paragraph 213.

(b) 2005 c. 18.

(c) S.I. 2004/2858 as amended by S.I. 2005/2449, S.I. 2007/2975 and S.I. 2008/3086.

qualification that is at least equivalent to the expected level of progression from the level achieved in the NC test in mathematics at the end of the second key stage.”; and

(c) for paragraph (8), substitute—

“(8) For the purposes of paragraphs (3)(b) and (c) of this regulation, the expected level of progression is that which is shown in the table at Schedule 1A.”.

(3) For Schedule 1A substitute—

**“SCHEDULE 1A**      Regulation 5(3) and (8)(b)

<i>National Curriculum level achieved at the end of Key Stage 2</i>	<i>Expected grade at GCSE</i>
5	B
4	C
3	D
2	E
1	F
Below level 1	G

”.

**Amendment of the Education (Local Education Authority Performance Targets) (England) Regulations 2005**

**3.—**(1) The Education (Local Education Authority Performance Targets) (England) Regulations 2005<sup>(a)</sup> are amended in accordance with the following provisions of this regulation.

(2) In paragraph 3 of the Schedule—

(a) For sub-paragraph(1), substitute—

“(1) In connection with the performance of the relevant group of fourth key stage pupils in approved qualifications—

- (a) a target for the percentage of the relevant group of fourth key stage pupils to achieve the level 2 threshold in approved qualifications including grades A\*-C in English and Mathematics GCSE qualifications;
- (b) a target for the percentage of those of the relevant group of fourth key stage pupils taking an approved GCSE qualification in English to achieve a grade in that qualification that is at least equivalent to the expected level of progression from the level achieved in the NC test in English at the end of the second key stage; and
- (c) a target for the percentage of those of the relevant group of fourth key stage pupils taking an approved GCSE qualification in Mathematics to achieve a grade in that qualification that is at least equivalent to the expected level of progression from the level achieved in the NC test in mathematics at the end of the second key stage.”.

(3) For sub-paragraph (2), substitute—

“(2) For the purposes of sub-paragraphs (1)(b) and (c) of this paragraph, the expected level of progression is that which is shown in the table below.

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<sup>(a)</sup> S.I. 2005/2450 as amended by S.I. 2006/3150, S.I. 2007/2972 and S.I. 2008/3086.

<i>National Curriculum level achieved at the end of Key Stage 2</i>	<i>Expected grade at GCSE</i>
5	B
4	C
3	D
2	E
1	F
Below level 1	G

”.

30th June 2009

*Vernon Coaker*  
Minister of State  
Department for Children, Schools and Families

### **EXPLANATORY NOTE**

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

These Regulations make amendments to require maintained schools and local authorities to set targets for pupils’ progress in achievement from the end of Key Stage 2 to GCSE qualifications.

Regulation 2 amends the targets which must be set by schools so that in each of English and mathematics, for those pupils who are taking GCSE examinations, a target is to be set for the percentage of those pupils to make an expected amount of progress. The expected amount of progress is defined as the GCSE grade to be achieved in relation to the level achieved in NC tests at the end of Key Stage 2.

Regulation 3 makes matching amendments to the regulations requiring local authorities to set targets for pupils at maintained schools in their area.

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STATUTORY INSTRUMENTS

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