
STATUTORY INSTRUMENTS

1992 No. 2274

EDUCATION, ENGLAND AND WALES

The Education (School Performance Information) (Wales) Regulations 1992

Made - - - - *17th September 1992*
Laid before Parliament *21st September 1992*
Coming into force - - *12th October 1992*

In exercise of the powers conferred on the Secretary of State by sections 22 and 232(5) and (6) of the Education Reform Act 1988(1), and sections 16 and 19(3) of the Education (Schools) Act 1992(2), and after consulting with such persons with whom consultation appeared to him to be desirable, the Secretary of State for Wales hereby makes the following Regulations:

Citation, commencement and application

1.—(1) These Regulations may be cited as the Education (School Performance Information) (Wales) Regulations 1992 and shall come into force on 12th October 1992.

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

Interpretation

2.—(1) In these Regulations—

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

“CTC” means city technology college and city college for the technology of the arts;

“corresponding local figures” means the figures for all maintained schools providing secondary education other than special schools established in hospitals in the area of the local education authority;

“corresponding national figures” means the figures for all maintained schools providing secondary education, other than special schools established in hospitals;

“education authority”, in relation to a school maintained by a local education authority, means that authority and, in relation to a grant-maintained school or a CTC, means the authority in whose area the school is situated;

(1) 1988 c. 40. For matters to be prescribed, see section 235(7) of this Act and section 114(1) of the Education Act 1944 (c. 31), and for the transfer of functions to the Secretary of State see S.I. 1964/490, S.I. 1970/1536 and S.I. 1978/274.
(2) 1992 c. 38.

“GCE ‘A’ level examinations” and “GCE ‘AS’ examinations” mean General Certificate of Education advanced level and advanced supplementary examinations respectively;

“GCSE” means General Certificate of Secondary Education;

“CoE” means Certificate of Education;

“maintained secondary school” means—

- (a) any county or voluntary secondary school;
- (b) any maintained special school which is not established in a hospital and which provides secondary education; and
- (c) any grant-maintained secondary school;
but excludes schools deemed to be secondary schools by virtue of the Education (Middle Schools) Regulations 1980(3);

“prescribed public examination” means a public examination which is for the time being prescribed by regulations made under section 106 of the 1988 Act(4);

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

“reporting school year” means the school year immediately preceding the school year in which information is required to be provided to the Secretary of State pursuant to regulation 5.

(2) In these Regulations, except where the context otherwise requires—

- (a) 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;
- (b) references to examinations for which pupils at the school were entered include examinations for the syllabuses of which pupils were prepared at the school (within the meaning of section 106(11) of the 1988 Act) but for which they were entered otherwise than in pursuance of section 117 of the 1988 Act; and
- (c) any reference to the date up to which parents may express a preference for a school is a reference to the date by which, in accordance with arrangements made by the local education authority in pursuance of section 6(1) of the Education Act 1980(5) a parent wishing education to be provided for his child in the exercise of the authority’s functions should express such a preference.

(3) 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.

(4) Particulars to which these Regulations apply may be made available in the form of data from which the particulars are capable of being extracted by computer.

(5) For the purposes of these Regulations any prescribed public examination for which a pupil aged 15 or 17 was entered during any previous year after 1990 shall be treated as such an examination for which the pupil was entered during the reporting school year.

(6) 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) S.I. 1980/918.

(4) The current regulations are the Education (Prescribed Public Examination) Regulations 1989 (S.I. 1989/377).

(5) 1980 c. 20.

Information to be provided by head teacher to governing body.

3.—(1) For the purpose of enabling the governing body to satisfy the statutory requirements, the head teacher of every maintained secondary school shall each year make available to the governing body such particulars relating to examinations for which registered pupils at the school were entered during the reporting school year and the previous school year as are referred to—

- (a) in the case of a school providing education for pupils aged 15, in Part I, paragraph 7 of Part III, Part IV and paragraphs 10 and 12 of Part V of Schedule 1; and
- (b) in the case of a school providing education for pupils aged 17, Part II, paragraph 8 of part III and paragraphs 11 and 13 of Part V of Schedule 1.

(2) In this regulation “the statutory requirements” means any requirements relating to the provision of information about schools imposed by or under the Education Act 1980, the Education (No. 2) Act 1986(6), the 1988 Act or the Education (Schools) Act 1992 (including in the case of the last-mentioned Act, these Regulations).

Information to be provided by Governing Body and Proprietor of City Technology College to Secretary of State.

4. The governing body of every maintained secondary school and the proprietor of every CTC shall during the first term of each school year make available to the Secretary of State such particulars relating to examinations for which registered pupils at the school were entered during the reporting school year and such other information as is referred to—

- (a) in the case of a school providing education to pupils aged 15, in Section 1 of Schedule 3; and
- (b) in the case of a school providing education for pupils aged 17, in Section 2 of Schedule 3.

Information to be provided by Governing Body to parents.

5.—(1) The governing body of every maintained secondary school shall provide the following information to parents on request—

- (a) in the case of a school providing education to pupils aged 15, in Section 1 of Part 1 of Schedule 2;
- (b) in the case of a school providing education for pupils aged 17, in Section 2 of Part I of Part 2.

(2) The governing body of every maintained secondary school shall provide the following information in the school prospectus—

- (a) in the case of a school providing education to pupils aged 15, in Section 1 of Part II of Schedule 2;
- (b) in the case of a school providing education for pupils aged 17, in Section 2 of Part II of Schedule 2.

Determination of examination results

6.—(1) The provisions of this regulation have effect for the purpose of determining the examination results referred to in Schedule 1.

(2) In the case of examinations for which pupils aged 15 and 17 were entered at the school, the particulars shall be placed in alphabetical order of subject, and for those subjects shall show separately the percentage of male pupils, of female pupils and of all pupils.

(6) 1986 c. 61.

(3) If a pupil has been entered for two or more examinations in the same subject in the same school year, or in different school years which are treated as the same school year by virtue of regulation 2(5), only the examination in which he achieved the higher or highest grade shall be taken into account.

(4) In the case of an examination leading to the award of the GCSE in two subjects, a pupil shall be included only once in the number of pupils entered for the examination and taken into account only once in calculating the relevant percentages but each grade awarded to him shall be treated as having been awarded in a separate subject.

(5) In the case of a pupil who has been entered either for GCE 'A' level or GCE 'AS' examinations the following grades of achievement equate to the following points, namely:

GCE 'A' level: grade A=10 points; grade B=8 points; grade C=6 points; grade D=4 points; and grade E=2 points. GCE 'AS': grade A=5 points; grade B=4 points; grade C=3 points; grade D=2 points; and grade E=1 point.

Governing body's annual report to parents: supplementary examination results information

7. If, when the governing body of a maintained secondary school publish in their annual report to parents in pursuance of section 30(2)(i) of the Education (No. 2) Act 1986 or section 58(5)(j) of the 1988 Act the results of examinations held during the period to which the report relates, there are available to them the corresponding local figures and corresponding national figures of such results for that period, they shall publish those figures with the report.

Maintained secondary schools prospectus: examination results information

8. Where the information relating to prescribed public examinations results which is published by the governing body of a maintained secondary school pursuant to section 58(5)(j) of the 1988 Act does not relate to examinations held in the reporting school year, the governing body shall as soon as practicable after the information in question for that school year is made available to them, but in any event not later than 2 weeks before the date by which an application for admission to the school in the school year following the school year in which the information is published should be made, publish that information as a supplement to the school prospectus in the manner required by the school's articles of government for publication of the prospectus.

Qualification of governing body's duty

9. The duties imposed on a governing body by virtue of these Regulations to publish particulars relating to schools in the area of the education authority or in Wales apply only to the extent that the relevant particulars have been made available to the governing body by the Secretary of State before the latest occasion on which the particulars are required to be published by the governing body.

Avoidance of duplication of information in certain circumstances

10. Nothing in these Regulations shall require a head teacher or governing body to make the same particulars available to the same person on more than one occasion, nor to make available to any person particulars which have been made available to him or them by that person.

SCHEDULE 1

INFORMATION TO BE PROVIDED BY HEAD TEACHER TO GOVERNING BODY

Part I:

GCSE and CoE Summaries

1. The number of male pupils and female pupils and the total number of pupils aged 15 in the reporting school year.

2.—(1) The percentage of male pupils, female pupils and of all pupils aged 15 who during the reporting school year and the previous school year—

- (a) were entered for an examination for the GCSE in one or more subjects;
- (b) achieved any grade from A—C in such an examination in one or more subjects;
- (c) achieved any grade from A—G in such an examination in one or more subjects;
- (d) achieved no grade in any such examination;
- (e) did not attain a GCSE grade A—G but who were entered for an examination for the CoE in one or more subjects;
- (f) where sub-paragraph (e) above applies attained a pass grade in such an examination;
- (g) did not achieve a GCSE grade A—G and did not attain a pass grade in the CoE examination;
- (h) were entered for an examination for the GCSE in five or more subjects;
- (i) achieved any grade from A—C in such an examination in five or more subjects;
- (j) achieved any grade from A—G in such an examination in five or more subjects;
- (k) were entered for an examination for the GCSE, or did not achieve a GCSE grade A—G and were entered for a CoE examination in one or more subjects;
- (l) achieved any GCSE grade A—G or a pass grade in the CoE examination.

2.—(2) The information given by the Secretary of State to headteachers relating to the corresponding national figures and corresponding local figures for examinations for which pupils have been entered in the reporting school year.

Part II:

A and AS level summaries

3. The number of male pupils, female pupils and the total number of pupils aged 17 in the reporting school year and the previous school year and the number of male pupils, female pupils and the total number of pupils aged 17 who were entered during the reporting school year and the previous school year for at least one GCE 'A' level or GCE 'AS' examination.

4. The respective percentages of male pupils, female pupils and all pupils aged 17 who were entered for GCE 'A' level or GCE 'AS' examinations whose achievements fall into each of the following ranges of points, namely: 0 points; 1 to 4 points; 5 to 9 points; 10 to 14 points; 15 to 19 points; 20 to 24 points; 25 to 29 points; and 30 or more points.

5. The average number of points of male pupils, female pupils and all pupils aged 17 who were entered during the reporting school year for GCE 'A' level or GCE 'AS' examinations.

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6. The information given by the Secretary of State to headteachers relating to the corresponding national figures and local figures for examinations for which pupils have been entered in the reporting school year.

Part III:

Other summaries

7. The respective percentage of male pupils, female pupils and all pupils aged 15 who during the reporting school year—

- (a) were entered for any prescribed public examination apart from the GCSE or CoE;
- (b) where sub-paragraph (a) above applies attained a pass grade in such an examination;
- (c) where sub-paragraph (a) above applies did not attain a pass grade in such an examination.

8. The respective percentage of male pupils, female pupils and all pupils aged 17 who during the reporting school year—

- (a) were entered for any prescribed public examination apart from the GCE 'A' level or GCE 'AS' examination;
- (b) where sub-paragraph (a) above applies attained a pass grade in such an examination;
- (c) where sub-paragraph (a) above applies did not attain a pass grade in such an examination.

Part IV:

National Curriculum summaries

9. The respective percentages of male pupils, female pupils and all pupils aged 15 who—

- (a) were entered for a GCSE English examination;
- (b) were entered for and attained GCSE group grades A—C and D—G in such an examination;
- (c) did not achieve a grade in such an examination;
- (d) were entered for a GCSE mathematics examination;
- (e) were entered for and attained GCSE group grades A—C and D—G in such an examination;
- (f) did not achieve a grade in such an examination;
- (g) were entered for a GCSE science examination;
- (h) were entered for and attained GCSE group grades A—C and D—G in such an examination;
- (i) did not achieve a grade in such an examination;
- (j) were entered for a GCSE Welsh (First language) examination;
- (k) were entered for and attained GCSE group grade A—C and D—G in such an examination;
- (l) did not achieve a grade in such an examination.

Part V:

Subject listings

10. The respective percentages of male pupils, female pupils and all pupils aged 15 who, subject by subject—

- (a) were entered for the GCSE examination;
- (b) attained GCSE group grades A—C and D—G in such an examination;
- (c) did not obtain a grade A—E in such an examination;
- (d) were entered for the CoE examination;
- (e) attained pass with merit and pass grades in such an examination;
- (f) did not obtain a pass grade in such an examination.

11. The respective percentages of male pupils, female pupils and all pupils aged 17 who were entered for GCE ‘A’ level and GCE ‘AS’ examinations and, subject by subject—

- (a) attained group grades A—C and D—E in such an examination;
- (b) did not obtain a grade A—E in such an examination.

12. The respective percentages of male pupils, female pupils and all pupils aged 15 who, subject by subject—

- (a) were entered for any prescribed public examination apart from GCSE, or CoE;
- (b) attained pass grades in such an examination;
- (c) did not attain a pass grade in such an examination.

13. The respective percentages of male pupils, female pupils and all pupils aged 17 who, subject by subject—

- (a) were entered for any prescribed public examination apart from GCE ‘A’ level or GCE ‘AS’ examinations;
- (b) attained pass grades in such an examination;
- (c) did not attain a pass grade in such an examination.

SCHEDULE 2

INFORMATION TO BE PROVIDED BY GOVERNING BODY TO PARENTS

Part I:

Information to be held at the school for parents on request

Section 1

Schedule 1 Part I

Schedule 1 Part III, paragraph 7

Schedule 1 Part IV

Schedule 1 Part V paragraphs 10 and 12

Section 2

Schedule 1 Part II

Schedule 1 Part III, paragraph 8

Schedule 1 Part V paragraphs 11 and 13.

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Part II:

Information to be published in the school prospectus for all pupils

Section 1

Schedule 1 Part I

Schedule 1 Part III, paragraph 7

Schedule 1 Part IV

Section 2

Schedule 1 Part II

Schedule 1 Part III, paragraph 8.

SCHEDULE 3

INFORMATION TO BE PROVIDED BY GOVERNING BODY TO THE SECRETARY OF STATE FOR ALL PUPILS

Section 1

Schedule 1 Part I

Schedule 1 Part III, paragraph 7

Section 2

Schedule 1 Part II

Schedule 1 Part III, paragraph 8.

17th September 1992

David Hunt
Secretary of State for Wales

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, made under Sections 22 and 232(5) and (6) of the Education Reform Act 1988 and Sections 16 and 19(3) of the Education (Schools) Act 1992, apply to maintained Secondary Schools in Wales.

Regulations 3 and 4 impose duties on head teachers to provide specified information to governing bodies, and on governing bodies and proprietors of City Technology Colleges to provide specified information to the Secretary of State, in each case about the examination results of pupils at the school (including, in particular, the results of GCSE and GCE examinations). General information about the school's examinations must also be provided (regulation 6 and Schedules 1 and 2).

The governing body of every maintained secondary school is required to provide certain information to parents on request (Part 1 of Schedule 2) and certain information in the school prospectus (Part 2

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of Schedule 2) (regulation 5). The governing body's duties in relation to this apply only to the extent that information has been made available to it by the Secretary of State (regulation 9).

If the information in the school prospectus does not include the results of the examinations most recently held, those results must be published as a supplement when they become available and in any event at least two weeks before the time by which parents must apply for admission to or express a preference for a secondary school (regulation 8).

The governing body must publish with their annual report to parents corresponding local and national examination results if they are available at the time of the publication of the report (regulation 7). The Regulations do not require a head teacher or a governing body to make the same particulars available to the same person on more than one occasion, (regulation 10).