1991 No. 351

EDUCATION

Education (Individual Pupils' Achievements) (Information) Regulations (Northern Ireland) 1991

Made . . . . . 2nd August 1991

Coming into operation in accordance with regulation 2

The Department of Education, in exercise of the powers conferred on it by Article 17A of the Education and Libraries (Northern Ireland) Order 1986(**a**) and Article 31(2) and (3) of the Education Reform (Northern Ireland) Order 1989(**b**) ("the 1989 Order") and of every other power enabling it in that behalf, and after consulting as required by Article 31(4) of the 1989 Order, hereby makes the following Regulations:

Citation

1. These Regulations may be cited as the Education (Individual Pupils' Achievements) (Information) Regulations (Northern Ireland) 1991.

Commencement

2.—(1) Except for regulations 4, 6(3) and (4), 10 and 11, these Regulations shall come into operation on 1st September 1991.

(2) Regulation 4 shall come into operation:

(*a*) on 1st September 1991 for pupils in the first year of the first and third key stages, and for pupils in the third year of the third key stage;

(*b*) on 1st August 1992 for pupils in the second year of the first and third key stages, and for pupils in the first year of the fourth key stage;

(*c*) on 1st August 1993 for pupils in the third year of the first key stage, and for pupils in the second year of the fourth key stage;

(*d*) on 1st August 1994 for pupils in the fourth year of the first key stage, and for pupils in the lower sixth form;

(*e*) on 1st August 1995 for pupils in the first year of the second key stage, and for pupils in the upper sixth form;

(*f*) on 1st August 1996 for pupils in the second year of the second key stage; and

(*g*) on 1st August 1997 for pupils in the third year of the second key stage.

(3) Regulations 6(3) and (4), 10 and 11 shall come into operation:

(*a*) on 1st August 1993 for pupils in the fourth key stage;

(**a**) S.I. 1986/594 (N.I. 3); Article 17A was inserted by Article 5 of S.I. 1987/167 (N.I. 2) and amended by S.I. 1989/2406 (N.I. 20) Articles 32 and 166 and Schedule 9

(**b**) S.I. 1989/2406 (N.I. 20)

(*b*) on 1st August 1994 for pupils in the lower sixth form;

(*c*) on 1st August 1995 for pupils in the upper sixth form; and

(*d*) on 1st August 1997 for pupils in the second key stage.

Interpretation

3.—(1) In these Regulations—

"attainment target", "programme of study" and "assessment arrangements" have the meaning given by Article 7(3) of the 1989 Order;

"compulsory contributory subject" has the meaning given by Article 6(2) of the 1989 Order;

"key stage" in relation to a pupil has the meaning given by Article 5(6) of the 1989 Order;

"levels of attainment" means the levels set out in any document of a kind referred to in Article 7(5) of the 1989 Order the provisions of which have effect, or (as the case may be) have effect as amended, by virtue of any order made under Article 7(1)(a) of the 1989 Order;

"formative record of progress and achievement" has the definition given in the 1990 Regulations, as amended by regulation 4;

"school day" means a day on which the school is open for teaching purposes;

"school year" means a year ending on 31st July;

"sixth form" means the period of full-time secondary education coming immediately after the end of the fourth key stage, and "lower sixth form" and "upper sixth form" mean the first and second years respectively of this period;

"summative Record of Achievement" has the meaning given by regulation 6(4);

"the 1990 Regulations" means the Education (Pupil Records) Regulations (Northern Ireland) 1990(**a**); and

"the statutory arrangements" means assessment arrangements specified by orders made under Article 7(1)(b) of the 1989 Order.

(2) In their application to a technical secondary school conducted in association with an institution of further education, these Regulations shall have effect as if references to the principal of a school included references to the principal of the institution.

Amendment of the Education (Pupil Records) Regulations (Northern Ireland) 1990

4.—(1) For the term "curricular record" in the 1990 Regulations wherever it occurs there shall be substituted the term "formative record of progress and achievement".

(2) For the definition of "curricular record" in regulation 3(1) of the 1990 Regulations, there shall be substituted the following definition:

(**a**) S.R. 1990 No. 287

" "formative record of progress and achievement" means a formal record of a pupil's academic attainments, his other skills, talents and achievements and his educational progress;".

(3) For regulation 5(1)(*d*) of the 1990 Regulations there shall be substituted the following:

"(*d*) in every case where a pupil ceases to be a pupil at that school and becomes a pupil at another school (including an independent school)—

(i) that pupil's formative record of progress and achievement is transferred to the responsible person; and

(ii) the curricular record relating to the pupil and kept since 1st September 1990, together with any appropriate educational records relating to the pupil and kept before that date, are transferred to the responsible person, if that person so requests in writing."

(4) Regulation 5(5) of the 1990 Regulations is hereby revoked.

Application

5.—(1) Subject to paragraph (2), these Regulations shall apply to all grant-aided schools.

(2) The Regulations shall not apply to nursery schools, or in respect of pupils in primary schools or special schools who have not attained the lower limit of compulsory school age.

General duties of principal

6.—(1) The principal of each grant-aided school shall make available to the parents of each pupil at the school the information relating to that pupil's educational achievements specified in regulation 7.

(2) The information referred to in paragraph (1) shall be made available in every school year, at the times and in the manner specified in regulation 8.

(3) The principal of each grant-aided school shall make available, in respect of each pupil at the school, the information relating to his achievements specified in regulation 10.

(4) The information referred to in paragraph (3) shall be produced in a document to be known as the pupil's summative Record of Achievement and shall be made available at the times and in the manner specified in regulation 11.

Information to be provided to parents

7.—(1) The information required by regulation 6(1) to be made available is—

(*a*) where the pupil is in the final year of a key stage:

(i) subject to paragraph (2), the pupil's level of attainment in any compulsory contributory subject in which his achievements have been assessed in accordance with the statutory arrangements for that key stage;

(ii) a statement that the level has been so assessed;

(iii) where the pupil has been exempted from any part of a programme of study in that school year, a statement to that effect referring to the part;

(iv) the result of any public examination taken by the pupil for which he was prepared by the school in the school year to which the information relates; and

(v) brief particulars of his achievements in any other subject or activity which forms part of his curriculum; and

(*b*) where the pupil is in any other year, brief particulars of his achievements in any subject or activity which forms part of his curriculum.

(2) In the case of a pupil in respect of whom a statement of special educational needs is maintained by an education and library board under Article 31 of the Education and Libraries (Northern Ireland) Order 1986, the reference in paragraph (1)(*a*)(i) to the pupil's level of attainment in any compulsory contributory subject shall be deemed to include a reference to his level of attainment in each attainment target of each such subject.

(3) In paragraph (1)(*a*)(iii) a reference to a pupil who has been exempted from any part of a programme of study is a reference to a pupil to whom any part of a programme of study does not apply or applies with modifications (as the case may be) by virtue of—

(*a*) a direction given by the Department under Article 14 of the 1989 Order (development work and experiments); or

(*b*) regulations made under Article 15 of the 1989 Order (exceptions by regulations); or

(*c*) provision made pursuant to Article 16 of the 1989 Order in a statement of the pupil's special educational needs made under Article 31 of the Education and Libraries (Northern Ireland) Order 1986; or

(*d*) a direction given by a principal pursuant to regulations made under Article 17 of the 1989 Order (temporary exceptions for individual pupils).

(4) The brief particulars referred to in paragraph (1)(*b*) shall include the results of any public examination taken by the pupil for which he was prepared by the school in the school year to which the information relates, and where they include references to the pupil's levels of attainment they shall contain a statement that those levels have not been assessed in accordance with the statutory arrangements.

Time and manner of provision of information to parents

8.—(1) Subject to paragraphs (2) and (3) the principal shall send the information (whether by post or otherwise) to the pupil's parent not later than 30th June in the school year to which the information relates.

(2) Where the principal receives information after 30th June in any school year consisting of the results of public examinations taken by a pupil at the school during that school year, he shall send that information (whether by post or otherwise) as soon as reasonably practicable to the parent of that pupil.

(3) In the case of a pupil who is at the end of the second key stage paragraph (l) shall have effect with the substitution of ''30th April'' for ''30th June''.

Additional information to be made available to parents in certain cases

9.—(1) Subject to paragraph (2), it shall be the duty of the principal, in the case of a pupil mentioned in regulation 7(1)(*a*), to disclose to that pupil's parent, when requested to do so by that parent, the relevant data, and to make available to the parent without charge a copy of those data.

(2) The principal shall comply with any request pursuant to paragraph (1) within 15 school days of its receipt by him or, if the request is received on a day which is not a school day, within 15 school days of the first school day following the day on which he received the request.

(3) In paragraph (1) the ''relevant data'' means the levels of attainment achieved by the pupil in each attainment target of any compulsory contributory subject in respect of which the pupil has been assessed in accordance with the statutory arrangements.

Information to be provided in a pupil's summative Record of Achievement

10.—(1) The information required by regulation 6(3) to be made available in a pupil's summative Record of Achievement is:

(*a*) where the pupil is in a year which is the final year of the second key stage and is the year at the end of which he ceases to be a pupil at the school, or where he is in the final year of the fourth key stage—

(i) subject to paragraph (2), the pupil's level of attainment in any compulsory contributory subject in which his achievements have been assessed in accordance with the statutory arrangements for that key stage;

(ii) in the case of a pupil who is in the final year of the fourth key stage, the pupil's level of attainment in any compulsory contributory subject which no longer forms part of his curriculum, but in which his achievements were assessed in accordance with the statutory arrangements for the third key stage;

(iii) a statement that the level referred to in head (i) or in head (ii) was so assessed, giving the school year in which the assessment took place;

(iv) brief particulars of his achievements in any other subject or activity which has formed part of his curriculum in the course of his attendance at the school or at any other primary or secondary school, as the case may be;

(v) the name of any qualification, award or certificate gained by the pupil for which he was prepared by the school, or by any other primary or secondary school, as the case may be, whether in connection with his studies or otherwise, together, where appropriate, with the highest grade obtained by him therein and the school year in which the qualification, award or certificate was gained;

(vi) brief particulars of any school societies, clubs or other activities in which the pupil has been involved in the course of his attendance at the school or at any other primary or secondary school, as the case may be, whether in connection with his studies or otherwise; and

(vii) particulars of any position of responsibility held by the pupil in the school or in any other primary or secondary school, as the case may be, attended by him or in any of the societies, clubs or other activities mentioned in head (vi).

(*b*) where the pupil is in the sixth form, and is in a year which is the year in which he ceases to be a pupil at the school—

(i) brief particulars of the pupil's achievements in any subject or activity which has formed part of his curriculum in any year following the end of the fourth key stage;

(ii) the name of any qualification, award or certificate gained by the pupil for which he was prepared by the school, or by any other secondary school, in any year following the end of the fourth key stage, whether in connection with his studies or otherwise, together, where appropriate, with the highest grade obtained by him therein and the school year in which the qualification, award or certificate was gained;

(iii) brief particulars of any school societies, clubs or other activities in which the pupil has been involved in any year following the end of the fourth key stage, whether in connection with his studies or otherwise; and

(iv) particulars of any position of responsibility held by the pupil in the school or in any other secondary school attended by him in any year following the end of the fourth key stage or in any of the societies, clubs or other activities mentioned in head (iii).

(2) In the case of a pupil in respect of whom a statement of special educational needs is maintained by an education and library board under Article 31 of the Education and Libraries (Northern Ireland) Order 1986, the reference in paragraph (l)(*a*)(i) and (ii) to the pupil's level of attainment in any compulsory contributory subject shall be deemed to include a reference to his level of attainment in each attainment target of each such subject.

Time and manner of provision of information in summative Records of Achievement

11.—(1) Subject to paragraph (3), in the case of a pupil who is in the final year of the fourth key stage, or to whom regulation 10(*b*) applies, the principal shall give the information to the pupil not later than 30th June in that school year.

(2) In the case of a pupil who ceases to be a pupil at the school at the end of the final year of the second key stage, the principal shall send the information (whether by post or otherwise) to the pupil's parent not later than 30th June in that school year.

(3) In the case of a pupil to whom paragraph (l) applies, where the principal receives information after the summative Record of Achievement has been issued consisting of the results of public examinations taken by the pupil during that school year, he shall send that information (whether by post or otherwise) to the pupil as soon as reasonably practicable.

Sealed with the Official Seal of the Department of Education on 2nd August 1991.

(L.S.) *S. Peover*

Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations, made under Article 17A of the Education and Libraries (Northern Ireland) Order 1986 and Article 31(2) and (3) of the Education Reform (Northern Ireland) Order 1989 (''the 1989 Order''), require principals of all grant-aided schools (other than nursery schools), from 1st September 1991, to provide information about the achievements of individual pupils, including those above compulsory school age, to parents of the pupils. Principals must also provide a summative record of his achievements during his school career (a ''summative Record of Achievement'')—

— to each pupil finishing the fourth key stage, from 1st August 1993;

— to each pupil leaving the school in the lower sixth form, from 1st August 1994;

— to each pupil leaving the school in the upper sixth form, from 1st August 1995; and

— to each pupil leaving the school at the end of the second key stage, from 1st August 1997.

(The Regulations do not apply in respect of pupils below compulsory school age in primary schools or special schools.)

By virtue of an amendment to the Education (Pupil Records) Regulations (Northern Ireland) 1990 (regulation 4) the Regulations further require schools to maintain a record of each pupil's academic attainments, his other skills, talents and achievements and his educational progress (a ''formative record of progress and achievement'', (regulation 4(1)) and, where the pupil leaves the school to attend another school, to transfer this formative record to the receiving school (regulation 4(3)). This requirement is introduced on a phased basis, starting with pupils in the first years of the first and third key stages and in the third year of the third key stage (regulation 2(2)).

Regulation 7 prescribes the information which is to be provided to parents. If the pupil is in the final year of a key stage, the information consists of the summary results of any assessment of the pupil in that year in each subject in which he has been assessed in accordance with assessment arrangements specified in an order made under Article 7(1)(*b*) of the 1989 Order, the results of any public examination taken by him for which he was prepared by the school, and brief particulars of his achievements in any other subject or activity which forms part of his curriculum (regulation 7(1)(*a*)). In the case of a pupil with a statement of special educational needs, his assessment results must be provided as levels of attainment in each subject and in each attainment target of each subject in which he was assessed in accordance with the statutory arrangements (regulation 7(1)(*a*)(i) and (2)).

If the pupil has been exempted from any part of a programme of study, the principal is required to provide that information (regulation 7(1)(*a*)(iii) and (3)).

If the pupil is in any other year, the information consists of brief particulars of his achievements in all the subjects and activities which form part of his curriculum, including the results of any public examinations he has taken (regulation 7(1)(*b*) and (4)).

Regulation 8 prescribes the time and manner of the provision of this information to parents. The information must be sent to parents (by post or otherwise) by 30th June (regulation 8(1)) except in the case of pupils at the end of the second key stage, where the relevant date is 30th April (regulation 8(3)). Where the principal receives public examination results of pupils after 30th June he must send these to parents as soon as reasonably practicable (regulation 8(2)).

Regulation 9 places a duty on principals to disclose to parents, on request, details of a pupil's level of attainment in each attainment target of any subject in which the pupil has been assessed in accordance with the statutory assessment arrangements.

Regulation 10 prescribes the information which is to be provided in a pupil's summative Record of Achievement. Where the pupil is in the final year of the second or fourth key stage, the information which must be provided is a summary of his latest assessment results in any subject in which the pupil has been assessed in accordance with the statutory assessment arrangements, and brief particulars of his achievements in any other subject or activity which forms part of his curriculum, together with details of any qualification, award or certificate gained for which he was prepared by the school, or by any other primary or secondary school he has attended, as the case may be, and brief particulars of any societies, clubs or other activities in which he has been involved, including particulars of any position of responsibility he has held in them, during his attendance at the school or at any other primary or secondary school, as the case may be (regulation 10(1)(*a*)).

If the pupil is leaving the school at the end of, or during, any school year after the end of the fourth key stage, the additional information which must be provided in his summative Record of Achievement is brief particulars of his achievements in any subject or activity which has formed part of his curriculum together with details of qualifications gained, extra-curricular activities in which he has been involved and any position of responsibility he has held, since the end of the fourth key stage.

Regulation 11 prescribes the time and manner of the provision of summative Records of Achievement. If the pupil is leaving the school at the end of the final year of the fourth key stage, or in any year thereafter, the principal must give the summative Record of Achievement (or the supplementary information relating to his period in the sixth form, as the case may be) to the pupil by 30th June (regulation 11(1)). If the pupil is leaving the school at the end of the final year of the second key stage, the principal must send the summative Record of Achievement to the pupil's parent by 30th June (regulation 11(2)). If the principal receives public examination results after the information in the summative Record of Achievement has been issued to a pupil at the end of the fourth key stage or in the sixth form he must send these to the pupil as soon as reasonably practicable (regulation 11(3)).