

2016 No. 808

EDUCATION, ENGLAND

**The Education (Pupil Information) (England) (Miscellaneous
Amendments) Regulations 2016**

<i>Made</i>	- - - -	<i>20th July 2016</i>
<i>Laid before Parliament</i>		<i>27th July 2016</i>
<i>Coming into force</i>	- -	<i>1st September 2016</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 408, 537A(1) and (2), 563 and 569(4) of the Education Act 1996(a).

In accordance with section 408(5) of that Act, the Secretary of State has consulted those with whom consultation appeared to be desirable.

Citation and commencement

1. These Regulations may be cited as the Education (Pupil Information) (England) (Miscellaneous Amendments) Regulations 2016 and come into force on 1st September 2016.

Amendments of the Education (Information about Individual Pupils) (England) Regulations 2013

2. After paragraph 2(k) of Schedule 1 to the Education (Information about Individual Pupils) (England) Regulations 2013(b) (provision of information about individual pupils) insert—

- “(l) nationality;
- (m) country of birth;
- (n) proficiency in speaking, reading and writing in English.”.

Amendment of the Education (Pupil Information) (England) Regulations 2005

3. In paragraph 1 of Schedule 2 to the Education (Pupil Information) (England) Regulations 2005(c) (information forming part of the common transfer file)—

- (a) in sub-paragraph (f), omit the “and” at the end;

(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 sections are exercisable by the Secretary of State only in relation to England. Section 408 was amended by: section 57 of, and Schedule 7 to, the Education Act 1997 (c. 44); section 140 of, and Schedule 30 to, the School Standards and Framework Act 1998 (c. 31); section 149 of, and Schedule 9 to, the Learning and Skills Act 2000 (c.21); and section 215 of, and Schedule 21 to, the Education Act 2002 (c. 32). See section 579(1) of the Education Act 1996 for the definition of “regulations”.

(b) S.I. 2013/2094, there are amending instruments but none is relevant.

(c) S.I. 2005/1437 was amended by S.I. 2008/1747; there are other amending instruments but none is relevant.

- (b) after sub-paragraph (g), insert—
- “(h) nationality;
 - (i) country of birth;
 - (j) proficiency in speaking, reading and writing in English.”.

20th July 2016

Nick Gibb
Minister of State
Department for Education

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Education (Information about Individual Pupils)(England) Regulations 2013 (S.I. 2013/2094) and the Education (Pupil Information) (England) Regulations 2005 (S.I. 2005/1437). These amendments require schools to provide three additional pieces of information to be included in the pupil register and common transfer file (the file of information that follows a pupil who moves from one school to another): pupil nationality, country of birth and proficiency to speak, read and write English. The Secretary of State publishes guidance online at www.gov.uk/government/publications/school-census-2016-to-2017-guide-for-schools-and-las regarding the collection of pupil information.

An impact assessment has not been produced for this instrument as it has no impact on businesses and civil society organisations. The instrument has a minimal impact on the public sector.

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