

Regulatory Appraisal – The Education (School Performance Information) (Wales) Regulations 2004

Purpose and intended effect

1. Provision for the collection, provision and publication of information about the performance of schools is contained within the Education (School Performance Information) (Wales) Regulations 1998 as amended.
2. The Individual Learner Data Programme is seeking to implement the Assembly's Information Management Strategy (IMS) and make more effective use of information and communications technology in schools. The IMS sets out to facilitate the design of management information systems so that data is entered once only and, using electronic transfer systems, used many times.
3. Development of secure electronic systems for the collection and exchange of pupil level information form part of the IMS implementation plan, aiming to ensure that pupil and attainment information is exchanged securely and efficiently between schools, LEAs, the Assembly and the National Data Collection Agency. These developments, in addition to changes to the assessment arrangements and publication of school performance information, necessitate the update of current Regulations.
4. The Education (School Performance Information) (Wales) Regulations 2004 consolidate, with amendments, provisions formerly contained in the Education (School Performance Information) (Wales) Regulations 1998 as amended, which are revoked.
5. The proposed Regulations clarify the provision of information on pupil attainments and attendance, by schools, to their Local Education Authority, the Assembly, the National Data Collection Agency or External Marking Agency. Further they clarify the provision of information on pupil attainments by Local Education Authorities to the Assembly.
6. Specifically, the Regulations will require information to be collected and exchanged electronically, thereby enabling the inclusion of Unique Pupil Numbers (UPNs) to assist accurate linking of data within the National Pupil Database, where so ever it is practicable to do so.

Risk Assessment

7. There are no risks to LEAs and schools associated with these Regulations.

Options

8. Subject to Assembly approval Education (School Performance Information) (Wales) Regulations 2004 will come into force on 30 April 2004.

There are two options:

- Do nothing – without the benefit of new regulations it may not be legitimate to exchange certain assessment and individual pupil level data, in electronic format.
- Adopt the regulations – this would bring benefits to schools, LEAs, the Assembly and stakeholders. The Regulations will ensure that administrative burdens associated with collection of attainment data are minimised, that data is available more quickly in electronic formats for multiple use by schools, LEAs and the Assembly. Further the provision of information in electronic format will ensure that UPNs are attached enabling accurate matching as part of work to develop a National Pupil Database as part of the Assembly's IMS implementation.

Costs

9. The new Regulations have no direct financial implications for schools or LEAs, the systems and software required to facilitate the move to electronic data collections and exchanges are already available in schools; their implementation was supported by Special Grant funding in 2002 and 2003 equating to approximately £1,250 per school.

Consultation

10. Development of the Assembly's IMS has been carried out under the direction and scrutiny of a Steering Group and an Advisory Group. Membership of these groups includes representation from schools, LEAs, teaching unions, ACCAC and Estyn amongst others.
11. A public consultation exercise was undertaken in summer 2003 involving all maintained schools in Wales, Directors of Education, Governors Associations, The Welsh Local Government Association, Diocesan Directors of Education, Teaching unions, Parent Teacher Associations and other parent representative groups, and other interested parties. The consultation document was also published on the Assembly's website with an online feedback option. The consultation took place over a 10 week period between 22nd July and 30th September 2003.
12. Section 4 of the Consultation document specifically sought views on the proposals to amend these Regulations. The responses in respect of this section of the consultation were positive and necessitated no change to the draft Regulations.
13. The instrument has been included in the list of forthcoming legislation provided to the Education and Lifelong Learning Committee and the consultation document was circulated to all members of the committee.

Summary

14. These Regulations will clarify requirements for the provision of information on pupil attainments and attendance, by schools, to their Local Education Authority, the Assembly, the National Data Collection Agency or External Marking Agency. Further they clarify the provision of information on pupil attainments by Local Education Authorities to the Assembly. The

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