

Subject:

**THE EDUCATION (PUPIL RECORDS AND REPORTING)
(TRANSITIONAL) REGULATIONS (NORTHERN
IRELAND) 2007.**

Circular Number:
2007/10

Date of Issue:
April 2007

Target Audience:

- Principals and Boards of Governors of all grant-aided schools;
- Education and Library Boards;
- Council for Catholic Maintained Schools;
- Council for the Curriculum, Examinations and Assessment.

Summary of Contents:

This Circular sets out the requirements for schools in relation to the recording, reporting and transfer of pupil assessment information, during the period 2006/07 – 2008/09 (the transitional period).

Enquiries:

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Governor Awareness:
Essential

Status of Contents:
Advice
Information for schools

Related Documents:
DE Circular
2006/26, and SR2007 No 43

Superseded Documents:
DE Circulars 1998/3, 1999/19
and 2001/17. SR1998 No.11,
SR1998 No.12, SR1999
No.245, SR2001 No.236

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THE EDUCATION (PUPIL RECORDS AND REPORTING) (TRANSITIONAL) REGULATIONS (NORTHERN IRELAND) 2007

1. INTRODUCTION

1.1 The Education (Northern Ireland) Order 2006 gave effect to the framework for the revised curriculum from August 2006, with the detail to be introduced on a phased basis from September 2007.

1.2 The 2006 Order also revoked the previous assessment arrangements, on which the school reports for parents were based. The Department has therefore made the Education (Pupil Records and Reporting) (Transitional) Regulations (Northern Ireland) 2007, which set out the requirements for schools in relation to the recording, reporting and transfer of pupil assessment information, during the period 2006/07 – 2008/09 (the transitional period). These Regulations are intended to simplify the reporting requirements on schools, whilst ensuring that parents and pupils continue to receive meaningful information. The Department's circular 2006/ 26 refers.

1.3 These Regulations revoke and replace the Education (Pupil Records) Regulations (NI) 1998 (SR 1998 No. 11) and the Education (Individual Pupil's Achievements) (Information) Regulations (NI) 1998 (SR 1998 No. 12), as amended.

1.4 This circular provides information for schools on the Regulations but it does not constitute an authoritative legal interpretation; that is exclusively a matter for the courts.

1.5 The Regulations are available at: www.opsi.gov.uk/sr/sr2007/20070043.htm.

2. REQUIREMENTS RELATING TO REPORTING DURING THE TRANSITIONAL PERIOD

2.1 The requirements came into operation on 1 March 2007 and therefore apply from the 2006/07 school year. The format of how the information is presented to parents during this period is a matter for individual schools to decide.

Providing Information to Parents

2.2 Schools are required to continue to report annually to parents by 30th June, providing information on each pupil's:

- assessment results in Language & Literacy (including Irish as appropriate in Irish -Medium schools) and Mathematics and Numeracy;
- achievement in the areas of learning or other curriculum activities, including the results of any public examinations the pupil is entered for, or any credit awarded towards a qualification. If the pupil is exempt from any part of a curricular area or assessment, a statement should be included to this effect; and
- formative record of progress and achievement.

2.3 If the information relates to the results of Key Stage 3 tests taken in Year 10 or to public examination results, schools should provide this information to parents as soon as reasonably practicable.

Providing Information to CCEA

2.4 Schools have to continue to send their assessment results for pupils in Years 4, 7 and 11 in Language & Literacy and Mathematics & Numeracy to the Council for the Curriculum, Examinations and Assessment (CCEA) by 10 May of each school year.

2.5 When the revised assessment arrangements are fully implemented, schools will be required to report on the cross-curricular skills of Communication, Using Mathematics and Using ICT with reference to levels of progression. However, until then the Department is content that teachers reference their assessment in Language and Literacy and Mathematics and Numeracy to the existing end of key-stage level descriptions. As set out in Circular 2006/12, CCEA is continuing to make assessment materials available for those schools who wish to use them.

3. REQUIREMENTS RELATING TO PUPIL RECORDS DURING THE TRANSITIONAL PERIOD

3.1 The Regulations retain the previous duties on Boards of Governors in relation to the keeping, transfer and disclosure of pupil records. Boards of Governors have to make arrangements to ensure that:

- when a pupil leaves and becomes a pupil at another school, a formal record of their academic achievements, other skills and abilities, and academic progress is transferred¹ within 15 school days;
- any other educational records, including a teacher's record (i.e. any record kept by a teacher other than those kept, and intended to be kept, solely for that teacher's own use), kept at the school are disclosed or transferred¹ within 15 school days from receipt of the request. A copy also has to be given to the pupil's parent; and
- if a pupil's parent makes a request in writing, a copy of that pupil's formative record of progress and achievement is disclosed to them, either free of charge or for a fee (not exceeding the cost of supply).

3.2 These arrangements also apply to any educational information kept by a school in relation to pupils in a nursery class or pupils who have not reached the lower limit of compulsory school age, although a formative record of progress and achievement is not held for those pupils.

3.3 Boards of Governors must continue to make and keep a written statement of arrangements to comply with the Regulations and this statement has to be available for a parent or others² to see at all reasonable times and at no charge. Boards of

¹ Information should be transferred to the Principal (or proprietor of an independent school) or the Board of Governors of a school.

² The Principal (or proprietor of an independent school) or the Board of Governors of a school

Governors can translate this statement into a language other than English and the Regulations apply equally to the translated version.

3.4 The arrangements made by Boards of Governors to comply with the Regulations must include provision for a pupil, parent or others to appeal against a decision to:

- withhold part or all of a copy of the information relating to a pupil; and
- refuse to amend information on a pupil, in cases where that decision lies with the teacher.

3.5 The Regulations do not allow the disclosure, transfer or supply of copies of:

- a pupil's statement of special educational needs;
- information subject to an order under Section 30(2) of the Data Protection Act 1998;
- a report prepared for proceedings to which the Magistrates' Courts (Criminal Justice) (Children) Rules (NI) 1999 apply;
- a reference given by a teacher to another school, college or education/training institution, UCAS or potential employer;
- information about the name, address and occupation of a pupil's parent or the pupil's religious identity, except to the pupil's parent; and
- the results of an individual pupil's assessment, which can only be disclosed to the pupil, their parents, CCEA and, in certain cases the Board of Governors of a school the pupil has been admitted to.

3.6 Boards of Governors will also be aware of their duty to comply with the requirements of the Data Protection and Freedom of Information Acts.

4. FUTURE LEGISLATION

4.1 These arrangements apply during the transitional period and remove certain requirements to report against previous assessment arrangements. As the revised curriculum and assessment arrangements are introduced on a phased basis during the transitional period, it is intended to phase in new reporting arrangements based on the Pupil Profile from 2007/08. The requirements set out in this circular apply for each year group until such time as the new reporting arrangements are introduced. This will be the subject of separate legislation and schools will be consulted before it is made.

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