

**2014 No. 1999 (W. 200)**

**EDUCATION, WALES**

The National Curriculum  
(Assessment Arrangements for the  
Foundation Phase and the Second  
and Third Key Stages) (Wales)  
Order 2014

**EXPLANATORY NOTE**

*(This note is not part of the Order)*

Section 108(2)(b)(iii) and (3)(c) of the Education Act 2002 provides a power for the Welsh Ministers to prescribe by way of an Order assessment arrangements in respect of the foundation phase and the key stages.

This Order requires head teachers of maintained schools to make arrangements for all pupils in the foundation phase to be assessed throughout the year by a teacher for the purpose of monitoring and supporting the pupil's educational progress in respect of the educational programmes given legal effect by Part 1 of the National Curriculum (Educational Programmes for the Foundation Phase and Programmes of Study for the Second and Third Key Stages) (Wales) Order 2013 ("the 2013 Order") (article 3).

This Order also requires head teachers of maintained schools to make arrangements for all pupils in the second and third key stages to be assessed throughout the year by a teacher for the purpose of monitoring and supporting the pupil's educational progress in respect of the programmes of study given legal effect by Part 2 of the 2013 Order (article 4).

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to this Order. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with this Order. A copy can be obtained from the Curriculum Division, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

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*Made* 23 July 2014

*Laid before the National Assembly for Wales*  
28 July 2014

*Coming into force* 1 September 2014

The Welsh Ministers in exercise of the powers conferred on the National Assembly for Wales by section 108(2)(b)(iii) and (3)(c) and section 210 of the Education Act 2002(1) and now vested in them(2) make the following Order:

**Title, commencement and application**

1.—(1) The title of this Order is the National Curriculum (Assessment Arrangements for the Foundation Phase and the Second and Third Key Stages) (Wales) Order 2014 and it comes into force on 1 September 2014.

(2) This Order applies in relation to Wales.

**Interpretation**

2.—(1) In this Order—

“the educational programmes” (“*y rhaglenni addysgol*”) means those educational programmes given legal effect by Part 1 of the National Curriculum (Educational Programmes for the Foundation Phase and Programmes of Study for

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(1) 2002 c. 32.

(2) The functions of the National Assembly for Wales in the sections in the Education Act 2002 were transferred to the Welsh Ministers under paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32).

the Second and Third Key Stages) (Wales) Order 2013(1);

“the programmes of study” (“*y rhaglenni astudio*”) means those programmes of study given legal effect by Part 2 of the National Curriculum (Educational Programmes for the Foundation Phase and Programmes of Study for the Second and Third Key Stages) (Wales) Order 2013;

“the relevant areas of learning” (“*y meysydd dysgu perthnasol*”) means—

(a) language, literacy and communication skills; and

(b) mathematical development; and

“the relevant subjects” (“*y pynciau perthnasol*”) means—

(a) English;

(b) Welsh; and

(c) Mathematics.

(2) Any reference in this Order to the foundation phase is to be interpreted in accordance with section 102 of the Education Act 2002.

(3) Any references in this Order to the second and third key stages are to be interpreted in accordance with section 103(1)(b) and (c) of the Education Act 2002.

### **Teacher Assessment: foundation phase**

**3.** The head teacher must make arrangements for each pupil in the foundation phase to be assessed throughout the year by a teacher for the purpose of monitoring and supporting the pupil’s educational progress in relation to the educational programmes for the relevant areas of learning.

### **Teacher Assessment: second and third key stages**

**4.** The head teacher must make arrangements for each pupil in the second and third key stages to be assessed throughout the year by a teacher for the purpose of monitoring and supporting the pupil’s educational progress in relation to the programmes of study for the relevant subjects.

*Huw Lewis*

Minister for Education and Skills, one of the Welsh Ministers

23 July 2014

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(1) S.I. 2013/434 (W. 52).