WELSH STATUTORY INSTRUMENTS

2013 No. 437 (W.53)

EDUCATION, WALES

The National Curriculum (Amendments relating to Educational Programmes for the Foundation Phase and Programmes of Study for the Second and Third Key Stages) (Wales) Regulations 2013

Made - - - - 27 February 2013
Laid before the National Assembly for Wales - - 28 February 2013

Coming into force in accordance with section 1(1)

The Welsh Ministers, in exercise of the powers in sections 29, 408, 537, 537A(1) and (2) and 569(4) and (5) of the Education Act 199(**1**)), and in sections 30(1) and (2) and 210 of the Education Act 2002(**2**) and now vested in them(**3**) and after consulting with those persons with whom consultation appeared to the Welsh Ministers to be desirable pursuant to section 408(5) of the Education Act 1996 make the following Regulations:

Title, commencement and application

1.—(1) The title of these Regulations is the National Curriculum (Amendments relating to Educational Programmes for the Foundation Phase and Programmes of Study for the Second and Third Key Stages) (Wales) Regulations 2013 and they come into force on 1 May 2013 except for regulation 3(5) which comes into force on 1 September 2013.

(**1**) 1996 c. 56. Section 29(3) was amended by Schedule 30 and paragraph 67 of Schedule 31 to the School Standards and Framework Act 1998 (c. 31). Section 29(3) and (5) were amended by S.I.2010/1158. Section 408 was amended by paragraph 30 of Schedule 7 and Schedule 8 to the Education Act 1997 (c. 44), paragraphs 57 and 106 of Schedule 30 and Schedule 31 to the School Standards and Framework Act 1998, paragraph 57 of Schedule 9 to the Learning and Skills Act 2000 (c. 21), Schedule 21 of the Education Act 2002, Schedule 12 and Part 7 of Schedule 16 to the Apprenticeships, Skills, Children and Learning Act 2009 (c. 22) and by S.I. 2010/1158. Section 537 was amended by paragraph 37 of Schedule 7 to the Education Act 1997, paragraphs 57 and 152 of Schedule 30 to the School Standards and Framework Act 1998, paragraph 60 of Schedule 9 to the Learning and Skills Act 2000 and by S.I. 2010/1158. Section 537A was substituted by paragraph 153 of Schedule 30 to the School Standards and Framework Act 1998 and further amended by S.I. 2010/1158.

(**2**) 2002 c. 32. Sub-sections (1) and (2) of section 30 were amended by the Education Act 2005, section 103(1)(a). Sub-sections (3) and (4) of section 30 were amended by the Education Act 2005, section 103(1)(b).

(**3**) The functions of the Secretary of State in the sections in the Education Act 1996 were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) and then to the Welsh Ministers under paragraph 30 of Schedule 11 to the Government of Wales Act 2006. 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.

(2) These Regulations apply in relation to Wales.

School Governors' Annual Reports (Wales) Regulations 2011

2.—(1) The School Governors' Annual Reports (Wales) Regulations 2011(**4**) are amended as follows.

(2) In regulation 2—

(a) after the definition of "language category" insert—

> ""literacy and numeracy comparative report" ("*adroddiad cymharol ar lythrennedd a rhifedd*") means a report provided to the school by the Welsh Ministers of a school's performance in the statutory assessments containing a comparison of that school's performance in respect of those tests in relation to other schools;";

(b) after the definition of "reporting school year" insert—

> ""statutory assessments" ("*asesiadau statudol*") means the assessment arrangements specified by the Welsh Ministers in the Education (National Curriculum) (Assessment Arrangements for Reading and Numeracy) (Wales) Order 2013;".

(3) In Schedule 2, after paragraph 5 insert—

"**5A.** The most recent literacy and numeracy comparative report.".

Head Teacher's Report to Parents and Adult Pupils (Wales) Regulations 2011

3.—(1) The Head Teacher's Report to Parents and Adult Pupils (Wales) Regulations 2011(**5**) is amended as follows.

(2) In regulation 3, omit paragraph (3)(a).

(3) In regulation 4, after paragraph (3) insert—

"(4) Where a pupil is in the final year of the foundation phase the report must contain the information in paragraph 1 of Part 1 of the Schedule.".

(4) In the Schedule, after paragraph 6 insert—

"Part 4A

Assessment of pupils in the foundation phase and the second and third key stages in reading and numeracy

6A.—(1) The results of any assessment carried out in accordance with the assessment arrangements specified by the Welsh Ministers in the Education (National Curriculum) (Assessment Arrangements for Reading and Numeracy) (Wales) Order 2013.".

(4) In the Schedule, after paragraph 6 insert—

(**4**) S.I. 2011/1939 (W.207).
(**5**) S.I. 2011/1943 (W.210).