WELSH STATUTORY INSTRUMENTS

2013 No. 433 (W.51)

EDUCATION, WALES

The Education (National Curriculum) (Assessment Arrangements for Reading and Numeracy) (Wales) Order 2013

Made - - - -	*27 February 2013*
Laid before the National Assembly for Wales - -	*28 February 2013*
Coming into force - -	*1 May 2013*

The Welsh Ministers, in exercise of the powers conferred on the National Assembly for Wales by section 108(2)(b)(iii), (3)(c), (5), (6), (7), (8), (10) and (11) and section 210 of the Education Act 2002 [F1] and now vested in them [F2] make the following Order:

F1 2002 c. 32.

F2 The functions of the National Assembly for Wales under these sections was transferred to the Welsh Ministers under paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32).

Modifications etc. (not altering text)

C1 Order: power to disapply conferred (temp.) by 2020 c. 7, **Sch. 17 para. 7(5)(j)** (with ss. 88-90) (as inserted (23.6.2020) by The Curriculum Requirements (Amendment of paragraph 7(5) of Schedule 17 to the Coronavirus Act 2020) (Wales) Regulations 2020 (S.I. 2020/624), regs. 1(2), **2(c)**)

Title, commencement and application

1.—(1) The title of this Order is the Education (National Curriculum) (Assessment Arrangements for Reading and Numeracy) (Wales) Order 2013 and it comes into force on 1 May 2013.

(2) This order applies to maintained schools (other than those established in hospitals) in Wales.

Interpretation

2.—(1) In this Order—

"monitoring authority" ("*awdurdod monitro*") means the maintaining local authority;

[F3]...

"the NNT" ("*y PRhC*") means the National Numeracy Test being a National Curriculum test administered to pupils for the purpose of assessing their numeracy skills;

"the NRTE" ("*y PDCCS*") means the English-medium National Reading Test being a National Curriculum test administered to pupils for the purpose of assessing their reading skills in English;

"the NRTW" ("*y PDCCC*") means the Welsh-medium National Reading Test being a National Curriculum test administered to pupils for the purpose of assessing their reading skills in Welsh;

"the NT" ("*y PC*")means the National Tests being the NRTE, the NRTW and the NNT";

"the NT administration handbook" ("*llawlyfr gweinyddu'r PC*") means a handbook that details the administrative arrangements of the NT made by the Welsh Ministers under article 9";

"the NT assessment timetable" ("*amserlen asesu'r PC*") means a timetable for the administration of the NT tests, being respectively tests and a timetable laid down in provisions made by the Welsh Ministers under article 9";

"the NT disapplication guidance" ("*canllawiau datgymhwyso'r PC*") means guidance that sets out which pupils need not be administered the NT;

"the NT mark scheme" ("*cynllun marcio'r PC*")means the mark scheme issued to head teachers with the NT;

"the Welsh document" ("*y ddogfen Gymraeg*") means the document published by the Welsh Ministers in January 2008 entitled "Welsh in the National Curriculum for Wales [F4]" and referred to in the Education (National Curriculum) (Attainment Targets and Programmes of Study) (Wales) Order 2008 [F5];

"Welsh programme of study" ("*rhaglen astudio Cymraeg*") means the programme of study referred to in that part of the Welsh document entitled "Welsh";

"Welsh second language programme of study" ("*rhaglen astudio Cymraeg ail iaith*") means the programme of study referred to in that part of the Welsh document entitled "Welsh second language";

"year 2" ("*blwyddyn 2*") means the final year of the foundation phase;

"year 3" ("*blwyddyn 3*") means the first year of the second key stage;

"year 4" ("*blwyddyn 4*") means the second year of the second key stage;

"year 5" ("*blwyddyn 5*") means the third year of the second key stage;

"year 6" ("*blwyddyn 6*") means the fourth year of the second key stage;

"year 7" ("*blwyddyn 7*") means the first year of the third key stage;

"year 8" ("*blwyddyn 8*") means the second year of the third key stage;

"year 9" ("*blwyddyn 9*")means the third year of the third key stage.

(2) Any references in this Order to the foundation phase are 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.

F3 Words in art. 2(1) omitted (1.9.2018) by virtue of The Education (National Curriculum) (Assessment Arrangements for Reading and Numeracy) (Wales) (Amendment) Order 2018 (S.I. 2018/811), arts. 1(2), **2(a)**

F4 At the time of printing of this Order, the Welsh document is published on www.wales.gov.uk.

F5 S.I. 2008/1409 (W.146).

National Reading Test — English

3.—(1) Subject to paragraph (4), this article applies to—

(a) a pupil in years 4 to 9;

(b) a pupil in year 3 who is following the Welsh second language programme of study; and

(c) a pupil in year 2 where, in the opinion of the head teacher, the majority of that pupil's lessons are taught through the medium of English.

(2) The head teacher must make arrangements for the NRTE to be administered to each pupil —

(a) in accordance with the provisions of the document in which the NRTE are published;

(b) in accordance with the NT administration handbook; and

(c) during the time period specified in the NT assessment timetable.

(3) As soon as reasonably practical thereafter, the head teacher must make arrangements—

(a) for the pupils responses to the NRTE to be marked in accordance with the relevant NT mark scheme provided to the head teacher;

(b) for the marks referred to in paragraph (a) to be provided to the Welsh Ministers in accordance with the NT assessment timetable and the NT administration handbook.

(4) This article does not apply to a pupil who, in the opinion of the head teacher, falls within one of the categories listed in the NT disapplication guidance.

[[F6](5) Paragraph (3) does not apply to pupils sitting the on-line version of the NRTE.**]**

F6 Art. 3(5) inserted (1.9.2018) by The Education (National Curriculum) (Assessment Arrangements for Reading and Numeracy) (Wales) (Amendment) Order 2018 (S.I. 2018/811), arts. 1(2), **2(b)**

National Reading Test — Welsh

4.—(1) Subject to paragraph (4), this article applies to—

(a) a pupil in years 3 to 9 who is following the Welsh programme of study; and

(b) a pupil in year 2 where, in the opinion of the head teacher, the majority of that pupil's lessons are taught through the medium of Welsh.

(2) The head teacher must make arrangements for the NRTW to be administered to each pupil —

(a) in accordance with the provisions of the document in which the NRTW are published;

(b) in accordance with the NT administration handbook; and

(c) during the time period specified in the NT assessment timetable.

(3) As soon as reasonably practical thereafter, the head teacher must make arrangements—

(a) for the pupils responses to the NRTW to be marked in accordance with the relevant NT mark scheme provided to the head teacher;

(b) for the marks referred to in paragraph (a) to be provided to the Welsh Ministers in accordance with the NT assessment timetable and the NT administration handbook.

(4) This article does not apply to a pupil who, in the opinion of the head teacher, falls within one of the categories listed in the NT disapplication guidance.

[[F7](5) Paragraph (3) does not apply to pupils sitting the on-line version of the NRTW.**]**

F7 Art. 4(5) inserted (1.9.2018) by The Education (National Curriculum) (Assessment Arrangements for Reading and Numeracy) (Wales) (Amendment) Order 2018 (S.I. 2018/811), arts. 1(2), **2(c)**

National Numeracy Test

5.—(1) Subject to paragraph (4), this article applies to a pupil in Years 2 to 9.

(2) The head teacher must make arrangements for the NNT to be administered to each pupil —

(a) in accordance with the provisions of the document in which the NNT are published;

(b) in accordance with the NT administration handbook; and

(c) during the time period specified in the NT assessment timetable.

(3) As soon as reasonably practical thereafter, the head teacher must make arrangements—

(a) for the pupils responses to the NNT to be marked in accordance with the relevant NT mark scheme provided to the head teacher;

(b) for the marks referred to in paragraph (a) to be provided to the Welsh Ministers [F8]... in accordance with the NT assessment timetable and the NT administration handbook.

(4) This article does not apply to a pupil who, in the opinion of the head teacher, falls within one of the categories listed in the NT disapplication guidance.

[[F9](5) Paragraph (3) does not apply to pupils sitting the on-line version of the NNT.**]**

F8 Words in art. 5(3)(b) omitted (1.9.2018) by virtue of The Education (National Curriculum) (Assessment Arrangements for Reading and Numeracy) (Wales) (Amendment) Order 2018 (S.I. 2018/811), arts. 1(2), **2(e)**

F9 Art. 5(5) inserted (1.9.2018) by The Education (National Curriculum) (Assessment Arrangements for Reading and Numeracy) (Wales) (Amendment) Order 2018 (S.I. 2018/811), arts. 1(2), **2(d)**

Head teacher's declaration

6. The head teacher must, within 7 school days of the date set out in the NT timetable for the provision to the Welsh Ministers [F10]... of the information referred to in articles 3 (3)(b), 4(3)(b) and 5(3)(b), provide to the monitoring officer a statement, signed by the head teacher, confirming that —

(a) the NT were administered in accordance with the provisions of the document in which they are published;

(b) the NT were administered during the time period specified in the NT assessment timetable;

(c) the NT were administered in accordance with the NT administration handbook; and

(d) that the pupils responses to the NT were marked in accordance with the NT mark scheme.

F10 Words in art. 6 omitted (1.9.2018) by virtue of The Education (National Curriculum) (Assessment Arrangements for Reading and Numeracy) (Wales) (Amendment) Order 2018 (S.I. 2018/811), arts. 1(2), **2(e)**

Monitoring of assessment arrangements

7.—(1) This article makes provision for the monitoring of the NT by the monitoring authority.

(2) In any school year the monitoring authority must exercise the functions conferred on them by this article in relation to 10% of all relevant schools.

(3) For the purposes of paragraphs (2) and (4), "relevant schools" are all the schools maintained by the monitoring authority at which in any school year NT are administered to pupils in accordance with this Order.