WELSH STATUTORY INSTRUMENTS

2004 No. 2914 (W.253)

EDUCATION, WALES

The National Curriculum (Key Stage 2 Assessment Arrangements) (Consequential Amendments) (Wales) Regulations 2004

Made - - - -	*9 November 2004*
Coming into force - -	*10 November 2004*

The National Assembly for Wales makes the following regulations in exercise of the powers conferred on it by section 214 of the Education Act 2002(**1**).

Name, commencement and application

1.—(1) These Regulations are called the National Curriculum (Key Stage 2 Assessment Arrangements) (Consequential Amendments) (Wales) Regulations 2004 and come into force on 10 November 2004.

(2) These Regulations apply to Wales.

Amendment of the Education (School Performance and Unauthorised Absence Targets) (Wales) Regulations 1999

2.—(1) The Education (School Performance and Unauthorised Absence Targets) (Wales) Regulations 1999(**2**) are amended as follows.

(2) In regulation 3 (1) —

(a) in paragraph (a) of the definition of "to achieve the core subject indicator" substitute for "NC tests" the words "teacher assessments";

(b) in the definition of "level 4" substitute for "NC tests" the words "teacher assessments"; and

(c) insert after the definition of "second key stage pupils" the following —

> ""teacher assessments" means the assessments of pupils carried out by teachers for the purpose of determining the level of attainment they have achieved in English, Welsh, science or mathematics, and for which assessments provision is made by or

(**1**) 2002 c. 32.
(**2**) S.I.1999/1811.

under orders made under section 108(3)(c) of the Education Act 2002(**3**) in force when the assessments are carried out;".

(3) In regulation 4 —

(a) in paragraph (2) for "NC tests" substitute the words "teacher assessments" and for "tests are administered" substitute the words "assessments are carried out"; and

(b) in paragraph (3), in each of sub-paragraphs (a), (b) and (c) substitute for "NC tests to be administered" the words "teacher assessments to be carried out".

(4) In regulation 9(3)(a)(i) for "NC tests" substitute "teacher assessments".

Amendment of the Education (School Information) (Wales) Regulations 1999

3.—(1) Schedule 3 to the Education (School Information) (Wales) Regulations 1999(**4**) is amended as follows —

(a) in paragraph 16, substitute for sub-paragraph (1) the following —

"(1) Subject to paragraph (3), the information specified in Parts 1 and 2 of Schedule 2 to the Education (School Performance Information) (Wales) Regulations 2004(**5**)

(b) omit paragraph 19(6).

(2) The amendment made by sub-paragraph (1)(b) is not to apply to information required to be published during the publication school year 2004-05 in relation to the reporting school year 2003-04.

Amendment of the Education (School Performance Information) (Wales) Regulations 2004

4.—(1) The Education (School Performance Information) (Wales) Regulations 2004(**6**) are amended as follows.

(2) In regulation 2(1) insert after the definition of "statutory assessments" the following —

""teacher assessments" ("*asesiad athrawon*") means assessments of pupils carried out by teachers in accordance with the statutory assessments;".

(3) In regulation 11 —

(a) in paragraph (1) omit the words "second or" and the words "the information referred to in Part 3 of Schedule 3 in respect of pupils in the second key stage, and"; and

(b) in paragraph (2) omit the words "second or".

(4) In Schedule 3 —

(a) omit paragraph 1(2)(a);

(b) omit paragraph 3 and its heading;

(c) in the heading to paragraph 5 omit the words "second and"; and

(d) in paragraph 5 omit the words "second key stage or".

Amendment of the Education (Pupil Information) (Wales) Regulations 2004

5.—(1) The Education (Pupil Information) (Wales) Regulations 2004(**7**) are amended as follows.

(**3**) 2002 c. 32. The relevant order for the second key stage at the time of making these Regulations was the National Curriculum (Key Stage 2 Assessment Arrangements) (Wales) Order 2004, S.I. 2004/2915 (W.254).
(**4**) S.I. 1999/1812 as amended by 2001/111, 2001/3710, 2002/1400.
(**5**) S.I. 2004/1025 (W.122).
(**6**) S.I. 2004/1025 (W.122).
(**7**) S.I. 2004/1026 (W.123).

(2) In regulation 7(10)(b) and (11) omit the words “second or”.

(3) In paragraph 2 of Schedule 3 —

(a) in sub-paragraph (2) omit the word “both” and the words “and (where applicable) by NC tests and NC tasks”; and

(b) omit sub-paragraphs (5) and (6).

(4) In paragraph 2(2) of Schedule 4, insert after the word “shown” the words “, in the case of pupils in the second key stage, as determined by teacher assessment, and in the case of pupils in the third key stage,”.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(**8**).

D. Elis-Thomas

9 November 2004 The Presiding Officer of the National Assembly

(**8**) 1998 c. 38.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make amendments to various regulations consequential on the National Curriculum (Key Stage 2 Assessment Arrangements) (Wales) Order 2004. That Order specifies the assessment arrangements for pupils studying English, Welsh (as a first language), mathematics and science in the final year of the second key stage. It removes the requirement for tests to be administered to those pupils, so that their levels of attainment are determined by teacher assessments. These Regulations substitute references to these tests with references to teacher assessments and make other consequential amendments in the following Regulations — the Education (School Performance and Unauthorised Absence Targets) (Wales) Regulations 1999, the Education (School Information) (Wales) Regulations 1999, the Education (School Performance Information) (Wales) Regulations 2004 and the Education (Pupil Information) (Wales) Regulations 2004.