



Apprenticeships, Skills, Children and Learning Act 2009

2009 CHAPTER 22

PART 7

THE OFFICE OF QUALIFICATIONS AND EXAMINATIONS REGULATION

CHAPTER 3

FUNCTIONS IN RELATION TO ASSESSMENT ARRANGEMENTS

Development etc. of regulated assessment arrangements

160 EYFS assessment arrangements: duty to consult Ofqual etc.

- (1) Section 42 of the [Childcare Act 2006 \(c. 21\)](#) (further provisions about assessment arrangements) is amended as follows.
- (2) Before subsection (1) insert—
 - “(A1) Before making a learning and development order specifying assessment arrangements the Secretary of State—
 - (a) must consult the Office of Qualifications and Examinations Regulation, and
 - (b) may consult such other persons as the Secretary of State considers appropriate.”
- (3) After subsection (3) insert—
 - “(3A) A learning and development order which includes provision made by virtue of subsection (3) must provide that before making or revising the assessment arrangements the person specified in the order—

Status: *This is the original version (as it was originally enacted).*

- (a) must consult the Office of Qualifications and Examinations Regulation, and
 - (b) may consult such other persons as that person considers appropriate.”
- (4) After subsection (6A) (as inserted by paragraph 40 of Schedule 12) insert—
 - “(6AA) A learning and development order which authorises a person to make delegated supplementary provisions must provide that before making, amending or revoking any such provisions the person so authorised—
 - (a) must consult the Office of Qualifications and Examinations Regulation, and
 - (b) may consult such other persons as that person considers appropriate.”