

---

STATUTORY INSTRUMENTS

---

**1994 No. 2099**

**EDUCATION, ENGLAND AND WALES**

**The Education (National Curriculum)  
(Assessment Arrangements for the Core Subjects)  
(Key Stage 1) (Amendment) Order 1994**

*Made* - - - - *4th August 1994*  
*Coming into force* - - *8th August 1994*

The Secretary of State for Education, in exercise of the powers conferred on her by sections 4(2)(c) and (5) to (8) and 232(5) and (6) of the Education Reform Act 1988(1), hereby makes the following Order:

**Citation and commencement**

1. This Order may be cited as the Education (National Curriculum) (Assessment Arrangements for the Core Subjects) (Key Stage 1) (Amendment) Order 1994 and shall come into force on 8th August 1994.

**Amendment**

2.—(1) The Education (National Curriculum) (Assessment Arrangements for the Core Subjects) (Key Stage 1) Order 1993(2) is amended as follows.

(2) In article 1(2), after “achievements” there are inserted the words “in the core subjects” and the words from “in relation to” to the end of the paragraph are omitted.

(3) In article 1(3) after “schools” there are inserted the words “and grant-maintained special schools (other than those established in hospitals)(3)”.

(4) In article 4(1) for the word “four” there is substituted the word “two”.

(5) In article 4(2) and (3), after “and”, there are inserted in each case the words “subject to article 8(3)”.

(6) In article 5(2) after “tasks” there are inserted the words “for which provision is”.

---

(1) 1988 c. 40; section 4 was amended by section 240 of the Education Act 1993 (c. 35).

(2) S.I.1993/1983.

(3) The provisions of the National Curriculum apply to grant-maintained special schools which are not established in hospitals by virtue of regulation 42(1) of, and Parts I and II of the Schedule to, the Education (Grant-maintained Special Schools) Regulations 1994, S.I. 1994/653, to which there are amendments not relevant to this Order.

(7) In article 5(4) for “and” there is substituted “or” and, at the end, there are added the words “or, if that document so requires, both such statements”.

(8) In article 6 there are omitted—

- (a) in paragraph (1), the words “teacher and”;
- (b) in paragraph (3), the words “teacher assessments and”;
- (c) in paragraph (4), the words “the records and other evidence of a pupil’s achievements relied on by a teacher in making a teacher assessment”;
- (d) in paragraph (5), after the words “determined by”, the words “teacher and”;
- (e) in paragraphs (7) and (8)(b), the words “teacher or”; and
- (f) in paragraph (9), the words from “and each such authority” to the end of the paragraph.

(9) After article 6 there is inserted the following article—

**“Further Assessment: English and mathematics**

**6A.**—(1) Where in the opinion of his head teacher a pupil’s level of attainment in English or mathematics would, if the pupil were assessed by the administration to him of the NC tests for that subject laid down for the purposes of the Education (National Curriculum) (Assessment Arrangements for the Core Subjects) (Key Stage 2) (England) Order 1994(4), be level 4 or higher, it shall be the duty of the head teacher to make arrangements for the pupil to be assessed in that subject by the administration to him of those tests at such time as is specified by the Secretary of State pursuant to article 9; and article 4(3) of that Order shall apply in relation to that pupil accordingly.

(2) In this article “NC tests” has the meaning assigned to that expression by article 2(1) of that Order.”.

(10) After article 8 there is inserted the following article—

**“Evaluation of Assessment Arrangements**

**8A.** The assessment authority shall make such arrangements as seem to them appropriate for determining the extent to which the provisions of articles 4 to 8 and their implementation achieve the purpose mentioned in article 1(2).”.

(11) In article 9 after “Order” there are inserted the words “(other than provisions conferring or imposing functions as mentioned in section 4(5)(a) of the Education Reform Act 1988)”.

4th August 1994

*Eric Forth*  
Minister of State,  
Department for Education

---

## EXPLANATORY NOTE

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

This Order amends the Education (National Curriculum) (Assessment Arrangements for the Core Subjects) (Key Stage 1) Order 1993 by—

1. providing for its application to grant-maintained special schools in England which are not established in hospitals;
2. extending the period for teacher assessment of pupils so that these are required to be made not later than two weeks before the end of the summer term;
3. authorising the document in which standard tasks are published to require the record of the results of standard task assessments to consist of a statement of the pupil's level of attainment in each attainment target or in the subject as a whole or both;
4. limiting the provision for verification of assessments of pupils to standard task assessments;
5. requiring that pupils whose level of attainment in English or mathematics is, in the opinion of their head teacher, level 4 or higher are also assessed by taking the National Curriculum tests laid down for pupils in the final year of key stage 2;
6. requiring the School Curriculum and Assessment Authority to make arrangements for evaluating the effectiveness of the arrangements made by the 1993 Order; and
7. making drafting amendments principally to make clear that the requirement for teacher assessment of a pupil's level of attainment in each core subject does not apply where more than one attainment target in the subject is not applicable to the pupil and that the powers conferred by article 9 of the 1993 Order on the Secretary of State to make supplementary provision do not extend to the provisions of the Order conferring or imposing functions on governing bodies, head teachers or local education authorities.