

**EXPLANATORY MEMORANDUM TO
THE EDUCATION (NATIONAL CURRICULUM) (SCIENCE AT KEY STAGE 4)
(ENGLAND) ORDER 2007**

2007 No. 2241

1. This explanatory memorandum has been prepared by the Department for Children, Schools and Families and is laid before Parliament by Command of Her Majesty.

This memorandum contains information for the Joint Committee on Statutory Instruments.

2. **Description**

2.1 The Order requires maintained schools to offer to all pupils from September 2007 the opportunity to study either science GCSE and additional science GCSE or all three of physics, chemistry and biology GCSEs. Schools can offer pupils the opportunity to study for other science qualifications in addition to these ones, if they wish.

3. **Matters of special interest to the Joint Committee on Statutory Instruments**

3.1 None. The combinations of science GCSEs in the Order are unchanged from the draft Order made available to Parliament during the passage of the Education and Inspections Bill.

4. **Legislative Background**

4.1 This new statutory pupil entitlement is being introduced to:

- Ensure that all pupils have the opportunity to receive a broad and relevant science curriculum.
- Safeguard the number of pupils who study for at least two science GCSEs following the replacement of Double Science GCSE with single science GCSEs.
- Increase the numbers of pupils who can go onto post-16 study in science.

5. **Territorial Extent and Application**

5.1 This instrument applies to England.

6. **European Convention on Human Rights**

The Minister of State for Schools and Learners has made the following statement regarding Human Rights:

As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy background

7.1 Section 74 (4) (b) of the Education and Inspections Act 2006 amended section 85 of the Education Act 2002 and made provision for a statutory entitlement for pupils in Key Stage 4 to follow, if they wish, a course of study chosen by the governing body from a set of approved qualifications prescribed by the Secretary of State. This Order prescribes those courses of study. The courses of study prescribed lead to at least two science GCSEs. The Order sets out the combinations of science GCSEs which pupils should have the opportunity to study. Schools may choose to offer other combinations of qualifications but these must be in addition to, rather than instead of, the combinations in the Order.

7.2 The majority of pupils already take at least two science GCSEs and the Order is intended to safeguard this situation. In 2006 69% of pupils at the end of Key Stage 4 took Double Science GCSE and 8% took GCSEs in each of the separate sciences of Physics, Chemistry and Biology. New science GCSEs are being introduced and the combination of Science GCSE and Additional Science GCSE is the closest equivalent to the former Double Science GCSE.

8. Impact

8.1 A Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies.

8.2. The impact on the public sector relates only to maintained schools.

9. Contact

Stephen Stanton at the Department for Children, Schools and Families, e-mail: stephen.stanton@dcsf.gsi.gov.uk, can answer any queries regarding the instrument.