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STATUTORY INSTRUMENTS

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**2024 No. 578**

**EDUCATION, ENGLAND**

**The Education (National Curriculum) (Key Stages 2 and 3 Assessment Arrangements) (England) (Amendment) Order 2024**

*Made* - - - - *29th April 2024*

*Coming into force* - - *1st June 2024*

The Secretary of State makes the following Order in exercise of the powers conferred by sections 87(3)(c), (5), (7), (10) and (11) and 210(7) of the Education Act 2002<sup>(1)</sup>.

In accordance with section 87(6A) of the Education Act 2002<sup>(2)</sup>, the Secretary of State has consulted with the Office of Qualifications and Examinations Regulation and other persons the Secretary of State considered appropriate.

**Citation, commencement and extent**

1.—(1) This Order may be cited as the Education (National Curriculum) (Key Stages 2 and 3 Assessment Arrangements) (England) (Amendment) Order 2024.

(2) This Order comes into force on 1st June 2024.

(3) This Order extends to England and Wales.

**Amendment of the Education (National Curriculum) (Key Stage 2 Assessment Arrangements) (England) Order 2003**

2.—(1) The Education (National Curriculum) (Key Stage 2 Assessment Arrangements) (England) Order 2003<sup>(3)</sup> is amended as follows.

(2) In paragraph (1) of article 3 (interpretation)—

(i) in the definition of “the engagement model”, for “23rd July 2020” substitute “15th April 2024”;

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(1) 2002 c. 32. Section 87(5) was amended by section 103(2), paragraphs 10(1) and (5) of Schedule 1 and Part 1 of Schedule 3 to the Childcare Act 2006 (c. 21) (“the 2006 Act”); and paragraphs 31 and 35(1) and (2) of Schedule 12 to the Apprenticeships, Skills, Children and Learning Act 2009 (c. 22) (“the 2009 Act”). Section 87(7) was amended by paragraphs 31 and 35(1) and (3) of Schedule 2, and Part 4 of Schedule 16 to the 2009 Act; and paragraphs 11 and 13 of Schedule 8 to the Education Act 2011 (c. 21). Section 87(10) was amended by paragraphs 31 and 35(1) and (5) of Schedule 12 to the 2009 Act; and section 103(2), paragraphs 10(1) and (8) of Schedule 1 and Part 1 of Schedule 3 to the 2006 Act. Section 87(11) was substituted by section 269(4) and paragraph 35(6) of Schedule 12 to the 2009 Act. There are other amendments to sections 87 and 210 that are not relevant to this Order.

(2) Section 87(6A) was inserted by section 159(1) and (2) of the 2009 Act.

(3) S.I. 2003/1038; relevant amending instruments are S.I. 2009/1585, 2010/290, 677 and 1172, 2011/2392, 2012/765 and 838, 2013/1513, 2015/900, 2017/64, 2018/452, 2019/854, 2020/436 and 2020/844.

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*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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(ii) in the definition of “the pre-key stage standards document for key stage 1”, for “23rd July 2020” substitute “15th April 2024”.

(3) In paragraph (2) of article 11 (supplementary powers of the Secretary of State), after “the Secretary of State” insert “on a website maintained by the Secretary of State”.

**Amendment of the Education (National Curriculum) (Key Stage 3 Assessment Arrangements) (England) Order 2003**

3.—(1) The Education (National Curriculum) (Key Stage 3 Assessment Arrangements) (England) Order 2003<sup>(4)</sup> is amended as follows.

(2) In paragraph (1) of article 3 (interpretation)—

(i) in the definition of “the engagement model”, for “23rd July 2020” substitute “15th April 2024”;

(ii) in the definition of “the pre-key stage standards document for key stage 1”, for “23rd July 2020” substitute “15th April 2024”.

Signed by authority of the Secretary of State for Education

29th April 2024

*Damian Hinds*  
Minister of State  
Department for Education

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(4) [S.I. 2003/1039](#); relevant amending instruments are [S.I. 2008/3081](#), [2010/677](#), [2011/2392](#), [2015/900](#) and [2020/844](#).

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## EXPLANATORY NOTE

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

This Order amends certain other instruments to update the references to two external documents referred to in those other instruments. Those documents relate to attainment targets and assessment arrangements for children working below the standards of the National Curriculum in Key Stage 1 and Key Stage 2. The amendments reflect the publication dates of updated versions of these documents.

Articles 2 and 3 amend the Education (National Curriculum) (Key Stage 2 Assessment Arrangements) (England) Order 2003 (S.I. 2003/1038) and the Education (National Curriculum) (Key Stage 3 Assessment Arrangements) (England) Order 2003 (S.I. 2003/1039) respectively to change the publication date of the “engagement model” and the “pre-key stage standards document for key stage 1” from “23rd July 2020” to “15th April 2024”.

Article 2(3) amends article 11 of the Education (National Curriculum) (Key Stage 2 Assessment Arrangements) (England) Order 2003 to specify that delegated supplementary provisions made under that article must be published by the Secretary of State on a website maintained by the Secretary of State.

The pre-key stage standards document for key stage 1 can be accessed at this weblink: <https://www.gov.uk/government/publications/pre-key-stage-1-standards>

A printed copy of the pre-key stage standards document for key stage 1 can also be inspected at the Department for Education, Sanctuary Buildings, Great Smith Street, London SW1P 3BT, on request.

The engagement model document can be accessed at this weblink: <https://www.gov.uk/government/publications/the-engagement-model>

A printed copy of the engagement model document can also be inspected at the Department for Education, Sanctuary Buildings, Great Smith Street, London SW1P 3BT, on request.

An impact assessment has not been produced for this instrument as no, or no significant, impact on the private or voluntary sectors is foreseen.