
WELSH STATUTORY INSTRUMENTS

2024 No. 607 (W. 86)

EDUCATION, WALES

The Education (Arrangements for Assessing Reading and Numeracy in the Curriculum for Wales) Regulations 2024

<i>Made</i>	- - - -	<i>9 May 2024</i>
<i>Laid before Senedd Cymru</i>		<i>13 May 2024</i>
<i>Coming into force</i>	- -	<i>1 September 2024</i>

The Welsh Ministers, in exercise of the powers conferred on them by sections 56(1), (3) and (6), 74(1)(a) and 75(1) of the Curriculum and Assessment (Wales) Act 2021⁽¹⁾, make the following Regulations.

Title and coming into force

1.—(1) The title of these Regulations is the Education (Arrangements for Assessing Reading and Numeracy in the Curriculum for Wales) Regulations 2024.

(2) These Regulations come into force on 1 September 2024.

Interpretation

2. In these Regulations—

“the 1996 Act” (“*Deddf 1996*”) means the Education Act 1996;

“the 2021 Act” (“*Deddf 2021*”) means the Curriculum and Assessment (Wales) Act 2021;

“head teacher” (“*pennaeth*”) means a head teacher, including an acting head teacher, of a maintained school;

“maintained school” (“*ysgol a gynhelir*”) has the meaning given in section 79(1)(a) of the 2021 Act;

“the NNPA” (“*yr APCRH*”) means the National Numeracy Personalised Assessment, being an online assessment administered to pupils for the purpose of assessing their numeracy skills;

“the NRPAE” (“*yr APCDCS*”) means the English-medium National Reading Personalised Assessment, being an online assessment administered to pupils for the purpose of assessing their reading skills in English;

(1) 2021 asc 4. For the definition of “regulations” see section 82(1) of the Curriculum and Assessment (Wales) Act 2021.

“the NRPAW” (“*yr APCDCC*”) means the Welsh-medium National Reading Personalised Assessment, being an online assessment administered to pupils for the purpose of assessing their reading skills in Welsh;

“the NPA” (“*yr APC*”) means the National Personalised Assessments which comprise the NNPA, the NRPAE and the NRPAW;

“the NPA administration handbook” (“*llawlyfr gweinyddu'r APC*”) means the document entitled the “National Reading and Numeracy Personalised Assessments: administration handbook” published by the Welsh Ministers from time to time and which details the administrative arrangements of the NPA;

“the NPA disapplication guidance” (“*canllawiau datgymhwysu'r APC*”) means the section of the NPA administration handbook entitled “Disapplication” and which sets out which pupils need not be administered the NPA;

“pupil” (“*disgybl*”) has the meaning given in section 3 of the 1996 Act⁽²⁾;

“school year” (“*blwyddyn ysgol*”) means the period beginning with the first school term to begin after July and ending with the beginning of the first such term to begin after the following July;

“year 2” (“*blwyddyn 2*”) means a school year group in which the majority of pupils will in the school year attain the age of 7;

“year 3” (“*blwyddyn 3*”) means a school year group in which the majority of pupils will in the school year attain the age of 8;

“year 4” (“*blwyddyn 4*”) means a school year group in which the majority of pupils will in the school year attain the age of 9;

“year 5” (“*blwyddyn 5*”) means a school year group in which the majority of pupils will in the school year attain the age of 10;

“year 6” (“*blwyddyn 6*”) means a school year group in which the majority of pupils will in the school year attain the age of 11;

“year 7” (“*blwyddyn 7*”) means a school year group in which the majority of pupils will in the school year attain the age of 12;

“year 8” (“*blwyddyn 8*”) means a school year group in which the majority of pupils will in the school year attain the age of 13;

“year 9” (“*blwyddyn 9*”) means a school year group in which the majority of pupils will in the school year attain the age of 14;

“year group” (“*grwp blwyddyn*”) means a group of children at a school the majority of whom will, in a particular school year, attain the same age.

National Reading Personalised Assessment: English

- 3.—(1) This regulation applies to—
- (a) a pupil in year 4 to year 9, and
 - (b) a pupil in year 2 and year 3 where, in the opinion of the head teacher, the majority of that pupil’s lessons are taught through the medium of English.
- (2) The head teacher must make arrangements for the NRPAE to be administered to each pupil—
- (a) at least once in every school year, and
 - (b) in accordance with the NPA administration handbook.

(2) 1996 c. 56. Section 3 was amended by the Education Act 1997 (c. 44), Schedule 7, paragraph 9 and by the Education Act 2002 (c. 32), Schedule 21, paragraph 34.

(3) But this regulation does not apply to a pupil who, in the opinion of the head teacher, falls within one of the categories listed in the NPA disapplication guidance.

National Reading Personalised Assessment: Welsh

4.—(1) This regulation applies to a pupil in year 2 to year 9 where, in the opinion of the head teacher, the majority of that pupil's lessons are taught through the medium of Welsh.

(2) The head teacher must make arrangements for the NRPAW to be administered to each pupil—

- (a) at least once in every school year, and
- (b) in accordance with the NPA administration handbook.

(3) But this regulation does not apply to a pupil who, in the opinion of the head teacher, falls within one of the categories listed in the NPA disapplication guidance.

National Numeracy Personalised Assessment

5.—(1) This regulation applies to a pupil in year 2 to year 9.

(2) The head teacher must make arrangements for the NNPA to be administered to each pupil—

- (a) at least once in every school year, and
- (b) in accordance with the NPA administration handbook.

(3) But this regulation does not apply to a pupil who, in the opinion of the head teacher, falls within one of the categories listed in the NPA disapplication guidance.

Amendment to the Provision of Information by Head Teachers to Parents and Adult Pupils (Wales) Regulations 2022

6. In paragraph 6 of Part 2 of Schedule 2 to the Provision of Information by Head Teachers to Parents and Adult Pupils (Wales) Regulations 2022⁽³⁾, for “Education (National Curriculum) (Assessment Arrangements for Reading and Numeracy) (Wales) Order 2013” substitute “Education (Arrangements for Assessing Reading and Numeracy in the Curriculum for Wales) Regulations 2024⁽⁴⁾”.

9 May 2024

Lynne Neagle
Cabinet Secretary for Education, one of the
Welsh Ministers

⁽³⁾ S.I. 2022/655 (W. 145).

⁽⁴⁾ S.I. 2024/607 (W. 86).

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

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Curriculum and Assessment (Wales) Act 2021 (“the Act”) establishes a new framework for a curriculum and makes provision about assessment for pupils and children in Wales. This is the Curriculum for Wales (“the CfW”). Section 56 of the Act provides that the Welsh Ministers must make provision by way of regulations for assessing in relation to the relevant curriculum. “Relevant curriculum” has the meaning given to it in section 56(5) of the Act.

The first phase of the roll out of the CfW was in the 2022 to 2023 school year. The CfW will then be rolled out annually for each school year until it is fully rolled out for all school years in the 2026 to 2027 school year.

These Regulations give legal effect to the assessment arrangements for reading and numeracy in the CfW for pupils who attend schools (other than a community special school established in a hospital) maintained by a local authority in Wales (“the national personalised assessments”).

The national personalised assessments replace the reading and numeracy tests (“the national tests”) which are given legal effect by the Education (National Curriculum) (Assessment Arrangements for Reading and Numeracy) (Wales) Order 2013 (“the 2013 Order”).

The Education (Revocation of Assessment Arrangements in the National Curriculum and Miscellaneous Amendments) (Wales) Regulations 2022 (“the Revocation Regulations”) made transitional provision so that the 2013 Order continues to work with the new CfW during the period it is being rolled out. The Revocation Regulations revoke the 2013 Order on 1 September 2024.

Regulation 3 makes provision in respect of the National Reading Personalised Assessment in English. Regulation 4 makes provision in respect of the National Reading Personalised Assessment in Welsh. Regulation 5 makes provision in respect of the National Numeracy Personalised Assessment.

The national personalised assessments are sat online and assess the same skills as the national tests. However, there are some differences to the way the national personalised assessments will be administered in comparison to the way the national tests have been administered—

- (a) these Regulations do not include a requirement for the head teacher to administer the personalised assessments in accordance with a timetable set by the Welsh Ministers. Instead the head teacher may decide when in the school year pupils will sit the national personalised assessments,
- (b) unlike in the 2013 Order these Regulations provide that the head teacher must require pupils sit the national personalised assessments at least once in a school year. Therefore, a pupil may be required to sit the national personalised assessments more than once in a school year,
- (c) these Regulations do not require the head teacher to sign a declaration to the effect that the national personalised assessments have been administered in accordance with the provisions of article 6 of the 2013 Order, but they do require the head teacher to administer them in accordance with the NPA administration handbook,
- (d) these Regulations do not require the local authority that maintains the school to monitor the administration of the national personalised assessments, and

- (e) these Regulations do not place a duty on the Welsh Ministers to investigate any matter referred to them as a result of any monitoring of the national personalised assessments or to correct results as appropriate.

Paragraph 6 of Part 2 of Schedule 2 to the Provision of Information by Head Teachers to Parents and Adult Pupils (Wales) Regulations 2022 (“the Provision of Information Regulations”) requires the head teacher of a maintained school to provide a brief commentary of the results of the assessments carried out under the 2013 Order. In consequence of the revocation of the 2013 Order, regulation 6 of these Regulations substitutes a reference to these Regulations for the reference to the 2013 Order in paragraph 6 of Part 2 of Schedule 2 to the Provision of Information Regulations.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.