



# Education Reform Act 1988

## 1988 CHAPTER 40

### PART I

#### SCHOOLS

#### CHAPTER I

#### THE CURRICULUM

#### *Principal provisions*

#### **4 Duty to establish the National Curriculum by order.**

- (1) It shall be the duty of the Secretary of State so to exercise the powers conferred by subsection (2) below as—
  - (a) to establish a complete National Curriculum as soon as is reasonably practicable (taking first the core subjects and then the other foundation subjects); and
  - (b) to revise that Curriculum whenever he considers it necessary or expedient to do so.
- (2) The Secretary of State may by order specify in relation to each of the foundation subjects—
  - (a) such attainment targets;
  - (b) such programmes of study; and
  - (c) such assessment arrangements;as he considers appropriate for that subject.
- (3) An order made under subsection (2) above may not require—
  - (a) that any particular period or periods of time should be allocated during any key stage to the teaching of any programme of study or any matter, skill or process forming part of it; or

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*Status: Point in time view as at 27/07/1993. This version of this provision has been superseded.*

*Changes to legislation: Education Reform Act 1988, Section 4 is up to date with all changes known to be in force on or before 21 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

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- (b) that provision of any particular kind should be made in school timetables for the periods to be allocated to such teaching during any such stage.
- (4) An order under subsection (2) above may, instead of containing the provisions to be made, refer to provisions in a document published by Her Majesty's Stationery Office and direct that those provisions shall have effect or, as the case may be, have effect as amended by the order.
- [<sup>F1</sup>(5) An order under subsection (2)(c) above—
- (a) may confer or impose such functions on the governing body and the head teacher and (in the case of maintained schools) on the local education authority as appear to the Secretary of State to be required, and
- (b) may specify any such assessment arrangements as may for the time being be made by a person specified in the order.
- (6) Provision shall be made for determining the extent to which any assessment arrangements, and the implementation of the arrangements, achieve the purpose for which the arrangements are made; and such provision may be made by or under the order specifying the arrangements or (where the order specifies the person making the arrangements) in the arrangements themselves.
- (7) The duties that may be imposed by virtue of subsection (5)(a) above include, in relation to persons exercising power in pursuance of provision made by virtue of subsection (6) above, the duty to permit them—
- (a) to enter the premises of the school,
- (b) to observe the implementation of the arrangements, and
- (c) to inspect, and take copies of, documents and other articles.
- (8) An order under subsection (2)(c) above may authorise the making of such provisions giving full effect to or otherwise supplementing the provisions made by the order (other than provisions conferring or imposing functions as mentioned in subsection (5) (a) above) as appear to the Secretary of State to be expedient; and any provision made under such an order shall, on being published by Her Majesty's Stationery Office, have effect for the purposes of this Chapter as if made by the order.]

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**Textual Amendments**

**F1** S. 4(5)-(8) substituted for s. 4(5) (27.7.1993) by 1993 c. 35, s. 240(4)

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**Modifications etc. (not altering text)**

**C1** S. 4 restricted (1.9.1994) by 1993 c. 35, s. 241(4); S.I. 1994/2038, art. 3(1), Sch.2.

**C2** Ss. 1-25 (Pt. I) except ss. 2(1)(a), 6, 9(3)-(10), 10(1) applied (9.5.1994) by S.I. 1994/1084, reg.9.

**Status:**

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