

**2001 No. 1286**

**EDUCATION, ENGLAND**

**The Education (National Curriculum) (Assessment Arrangements) (England) (Amendment) Order 2001**

*Made* - - - - - *27th March 2001*

*Coming into force* - - *1st May 2001*

In exercise of the powers conferred on the Secretary of State by sections 356(2)(c) and (5) and 568(5) of the Education Act 1996(a), the Secretary of State for Education and Employment hereby makes the following Order—

**Citation and commencement**

1. This Order may be cited as the Education (National Curriculum) (Assessment Arrangements) (England) (Amendment) Order 2001 and shall come into force on 1st May 2001.

**Amendment**

2.—(1) The Education (National Curriculum) (Key Stage 1 Assessment Arrangements) (England) Order 1999(b) shall be amended as follows.

(2) For paragraphs (3) and (4) of article 8 (determination of attainment by subject) there shall be substituted the following paragraphs—

“(3) In the case of mathematics, a pupil’s level of attainment in the subject shall be **a/b** where, **a** is the aggregate of his levels in each AT, with his level in AT2 (number and algebra) weighted by a factor of three, and **b** is the number of those ATs, with AT2 weighted by a factor of three.

(4) In the case of science, a pupil’s level of attainment in the subject shall be **a/b** where, **a** is the aggregate of his levels in each AT, with his level in AT1 (scientific enquiry) weighted by a factor of three, and **b** is the number of those ATs, with AT1 weighted by a factor of three.”.

(3) In article 9(2) (pupils not subject to national curriculum) there shall be added at the end the words “and the AT which does not apply, and any weighting in respect thereof, were ignored”.

3.—(1) The Education (National Curriculum) (Key Stage 2 Assessment Arrangements) (England) Order 1999(c) shall be amended as follows.

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(a) 1996 c. 56. By virtue of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) the powers conferred by these sections are exercisable by the Secretary of State only in relation to England.  
(b) S.I. 1999/1236, to which there are amendments not relevant to this Order.  
(c) S.I. 1999/2188.

(2) For paragraphs (3) and (4) of article 8 (determination of attainment by subject) there shall be substituted the following paragraphs—

“(3) In the case of mathematics, a pupil’s level of attainment in the subject shall be **a/b** where, **a** is the aggregate of his levels in each of the four ATs weighted by the following factors: 2:5:2:1 and **b** is the number of those ATs weighted by the same factors (2:5:2:1).

(4) In the case of science, a pupil’s level of attainment in the subject shall be **a/b** where, **a** is the aggregate of his levels in each AT, with his level in AT1 (scientific enquiry) weighted by a factor of two, and **b** is the number of those ATs, with AT1 weighted by a factor of two.”.

(3) In article 9(2) (pupils not subject to national curriculum) there shall be added at the end the words “and the AT which does not apply, and any weighting in respect thereof, were ignored”.

**4.—(1) The Education (National Curriculum) (Key Stage 3 Assessment Arrangements) (England) Order 1999(a) shall be amended as follows.**

(2) In the definition of “the other foundation subjects” in article 3 (interpretation) after “art” there shall be inserted “and design”.

(3) For paragraph (3) of article 5 (teacher assessment—English, mathematics, modern foreign languages and science) there shall be substituted the following paragraph—

“(3) Subject to article 6, a pupil’s level of attainment in each subject shall be **a/b** where, **a** is the aggregate of his levels in each of the ATs weighted by the following factors: 4:9:4:3 and **b** is the number of those ATs weighted by the same factors (4:9:4:3).”.

(4) In article 6(2) there shall be added at the end the words “and the AT which does not apply, and any weighting in respect thereof, were ignored”.

(5) For article 7 there shall be substituted—

**“Teacher assessment—technology**

**7.** In the case of technology, the purpose of the assessment shall be to determine the level of attainment achieved by the pupil in each of design and technology and information and communication technology, and the record of the results shall consist of a statement of each of those levels(**b**).”.

(6) For article 9 there shall be substituted—

**“Teacher assessment—art and design, music and physical education**

**9.** In the cases of art and design, music and physical education, the purpose of the assessment shall be to determine the level of attainment achieved by the pupil in the subject, and the record of the results shall consist of a statement of that level(**c**).”.

*Jacqui Smith*

Parliamentary Under-Secretary of State,  
Department of Education and Employment

27th March 2001

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(a) S.I. 1999/2189.

(b) As at the date that this Order is made levels of attainment are set out in “Attainment Targets and Programmes of Study in Design and Technology” (ISBN 011 3700741) given effect by S.I. 2000/1599 and “Programmes of Study and Attainment Targets in Information and Communication Technology” (ISBN 011 3700733) given effect by S.I. 2000/1601.

(c) As at the date that this Order is made levels of attainment are set out in “Attainment Targets and Programmes of Study in Art and Design” (ISBN 011 3700768) given effect by S.I. 2000/1602, “Attainment Targets and Programmes of Study in Music” (ISBN 011 3700776) given effect by S.I. 2000/1597 and “Attainment Targets and Programmes of Study in Physical Education” (ISBN 011 3700784) given effect by S.I. 2000/1607.

## EXPLANATORY NOTE

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

This Order amends the Education (National Curriculum) (Key Stage 1 Assessment Arrangements) (England) Order 1999 (“the KS1 Order”), the Education (National Curriculum) (Key Stage 2 Assessment Arrangements) (England) Order 1999 (“the KS2 Order”) and the Education (National Curriculum) (Key Stage 3 Assessment Arrangements) (England) Order 1999 (“the KS3 Order”).

Articles 8(3) and (4) and 9(2) of the KS1 Order and articles Articles 8(3) and (4) and 9(2) of the KS2 Order have been modified to clarify the procedure for arriving at a level of attainment in a particular subject.

Article 8(3) in both the KS1 and KS2 Order is also amended to change the weighting for the attainment targets used to produce a subject level of attainment in mathematics.

Article 8(4) in both the KS1 and KS2 Order is amended to change the name of the attainment target “experimental and investigative science” to its new name of “scientific enquiry” reflecting changes in the National Curriculum.

Article 5(3) of the KS3 Order has been amended to change the weightings in English, mathematics, modern foreign language and science for assessment purposes at Key Stage 3 to take account of revisions to the National Curriculum.

New articles 7 and 9 are substituted in the KS3 Order to reflect changes in the attainment targets relating to technology, art and design, music and physical education.

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