
STATUTORY INSTRUMENTS

2012 No. 937

CHILDREN AND YOUNG PERSONS, ENGLAND

The Early Years Foundation Stage (Learning and Development Requirements) (Amendment) Order 2012

<i>Made</i>	- - - -	<i>26th March 2012</i>
<i>Laid before Parliament</i>		<i>27th March 2012</i>
<i>Coming into force</i>	- -	<i>1st September 2012</i>

The Secretary of State for Education makes the following Order in exercise of the powers conferred by sections 39(1)(a), 42(1) and (2) and 44(1) to (4) of the Childcare Act 2006⁽¹⁾ (“the Act”).

In accordance with section 42(A1) of the Act the Secretary of State has consulted with the Office of Qualifications and Examinations Regulation.

The Secretary of State has given notice of the proposal to make this Order in accordance with section 45(2) of the Act.

In accordance with section 45(3) of the Act the Secretary of State has considered the evidence and representations submitted in pursuance of section 45(2), and has published a draft of this Order and any associated document and a summary of the views expressed during the consultation.

Citation and commencement

1. This Order may be cited as the Early Years Foundation Stage (Learning and Development Requirements) (Amendment) Order 2012 and comes into force on 1st September 2012.

Amendment of the Early Years Foundation Stage (Learning and Development Requirements) Order 2007

2. The Early Years Foundation Stage (Learning and Development Requirements) Order 2007⁽²⁾ is amended as follows.

3. In Article 2 (interpretation) for the definition of “the Document” substitute—

(1) 2006 c. 21. Section 42 was amended by section 160(1) and (2) of, and paragraph 40 of Schedule 12 and Part 4 of Schedule 16 to, the Apprenticeships, Skills, Children and Learning Act 2009 (c. 22) (“the ASCLA 2009”). Section 44 was amended by paragraph 41 of Schedule 12 to the ASCLA 2009.

(2) S.I. 2007/1772, amended by S.I. 2008/1952 and S.I. 2010/677.

Status: This is the original version (as it was originally made).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

““the Document” means the Document entitled “Statutory Framework for the Early Years Foundation Stage” published by the Secretary of State on 27th March 2012 on the website of the Department for Education.”

4. In Articles 3(1) (specification of the learning and development requirements), 6(a) (matters to be considered by the Chief Inspector) and 7(a) (proceedings under Part 3 of the Act) for “Section 2” substitute “Sections 1 and 2”.

5. In Articles 3(2), 5 (requirement on Chief Inspector), 6(b) and 7(b) for “guidance in Section 2” substitute “matters in Sections 1 and 2”.

6. In Article 4 (further provisions about assessment arrangements) for “Qualifications and Curriculum Development Agency(3)” substitute “Secretary of State”.

26th March 2012

Sarah Teather
Minister of State
Department for Education

(3) The reference to the Qualifications and Curriculum Development Agency (“QCDA”) was substituted for the Qualifications and Curriculum Authority by virtue of article 18 of S.I. 2010/677. Section 25 of the Education Act 2011 (c. 21) provided for the abolition of the QCDA. Prior to its abolition the QCDA was responsible, amongst other things, for guidance on the assessment arrangements relating to the early learning goals as specified by the learning and development requirements. The functions of the QCDA in relation to assessment arrangements will be performed by the Standards and Testing Agency, an executive agency of the Department for Education.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Early Years Foundation Stage (Learning and Development Requirements) Order 2007 (“the 2007 Order”) which specifies the learning and development requirements that early years providers must secure in providing early years provision. The 2007 Order also gives legal effect to the learning and development requirements in the Statutory Framework for the Early Years Foundation Stage (“the Document”).

Article 3 of this Order replaces the reference to the previous version of the Document with a reference to the new version of the Document. The new Document can be found on the website of the Department for Education at <https://www.education.gov.uk/publications/standard/AllPublications/Page1/DFE-00023-2012>

The new version of the Document deals with assessment arrangements in a separate section to that dealing with other learning and development requirements. Articles 4 and 5 of this Order ensure that the correct sections of the new Document are referred to.

Article 5 replaces the reference to the Qualifications and Curriculum Development Agency (“QCDA”) with a reference to the Secretary of State, following the abolition of the QCDA in the Education Act 2011. From the 1st April 2012 the functions of the QCDA in relation to assessment arrangements will be performed by the Standards and Testing Agency, an executive agency of the Department for Education.

An impact assessment has been prepared for this Order and can be found at <http://www.ialibrary.bis.gov.uk/>