

REGULATORY APPRAISAL

EDUCATION, WALES

THE NATIONAL CURRICULUM (KEY STAGE 3 ASSESSMENT ARRANGEMENTS) (WALES) ORDER 2005

Purpose and Intended Effect

1. Currently pupils at the end of Key Stage 3 are assessed in the National Curriculum core subjects by tests and also by teacher assessment. This is provided for in The Education (National Curriculum) (Key Stage 3 Assessment Arrangements) (Wales) Order 1997 as amended by the Education (National Curriculum) (Key Stage 3 Assessment Arrangements) (Wales) (Amendments) Order 1998 and the Education (National Curriculum) (Key Stage 3 Assessment Arrangements) (Wales) (Amendment) Order 2001.
2. This Order removes the statutory requirement for National Curriculum tests to be administered to pupils at the end of Key Stage 3. Pupils will continue to have their levels of attainment statutorily determined by teacher assessments.

Risk Assessment

3. There are no risks associated with this Order.

Options

4. There are only two possible options:

Do Nothing.

5. This would mean that the National Curriculum Key Stage 3 tests remain statutory.

Make the Legislation.

6. This would mean that 14-year-olds pupils would, with effect from the 2005/05 school year no longer be required to be assessed by tests at the end of Key Stage 3, Their levels of attainment would continue to be statutorily determined by teacher assessments.

Costs

7. There will be no additional financial implications for the Assembly, Local Education Authorities or schools arising from this Order, as the tests will continue to be produced, and available for use on an optional basis until 2006/07. In the longer term removal of the tests may well save the Assembly money.

Consultation

With Stakeholders

8. A consultation was undertaken from 1 September 2004 until 22 October 2004, setting out proposals for changes to the National Curriculum assessment arrangements for Key Stages 2 and 3. Consultees included:

Governing Bodies and Headteachers of all maintained schools in Wales; all Local Education Authorities in Wales; all the teacher unions in Wales; school representative bodies; church diocesan authorities; national bodies in Wales; and others with an interest in education. No Parent Associations or Groups were consulted, as there is no active all Wales body for school parent associations. However, parent members of governing bodies are elected to represent parents and consultation with governing bodies would therefore have enabled the views of parents to be taken into account. The formal consultation document was also available on the Internet, responses were received from individual parents, and schools will also have reflected the views of the parents of their pupils in their responses.

9. There was overwhelming support from respondents for the bulk of the proposals, in particular 67 percent opted for making the Key Stage 3 tests optional from 2006. Respondents felt that by 2005 teachers would be secure in their assessment and the decision to test should be left to individual schools.

With Subject Committee

10. On 13 July 2004, the Minister for Education and Life-Long Learning made a statement to Plenary, in response to the Daugherty Report and advice from ACCAC (Awdurdod Cymwysterau, Cwricwlwm ac Asesu Cymru/ The Qualifications, Curriculum and Assessment Authority for Wales), on the review of the statutory assessment arrangements for 11 and 14 year-olds, including the proposals to remove statutory testing at the end of Key Stages 2 and 3. There was cross party support for this legislation. Members reported that their own meetings with large numbers of teachers and teaching union representatives had revealed that there was a dislike and lack of confidence in the current testing arrangements. Members expressed the view that it would be unwise to ignore such a consistent message from so many different professionals.
11. This Order has not been scrutinised by the Education and Lifelong Learning Committee. However, the Order was notified to the Committee via the list of forthcoming legislation (paper 6, item no: ELL-17-05) on 22 September 2004, but was not identified for detailed scrutiny.

Review

12. There are no plans to review this Order. They will remove the statutory basis of the National Curriculum Key Stage 3 tests following a widespread consultation exercise.

Summary

13. This Order will remove the requirement for National Curriculum tests to be statutorily administered to pupils at the end of Key Stage 3. Statutory assessment of attainment will continue to be determined by teacher assessments.