

Status: Point in time view as at 01/10/2007. This version of this schedule contains provisions that are not valid for this point in time.

Changes to legislation: Childcare Act 2006, SCHEDULE 1 is up to date with all changes known to be in force on or before 29 June 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)

SCHEDULES

SCHEDULE 1

Section 48

AMENDMENTS RELATING TO THE CURRICULUM

VALID FROM 01/09/2008

Interpretation

1 In this Schedule “the 2002 Act” means the Education Act 2002 (c. 32).

Education Act 1997 (c. 44)

- 2 (1) Section 23 of the Education Act 1997 (functions of Qualifications and Curriculum Authority) is amended as follows.
- (2) In subsection (1), omit paragraph (c) and the word “and” immediately preceding it.
- (3) After subsection (2) insert—
- “(2ZA) If the Secretary of State so provides by order, the Qualifications and Curriculum Authority shall also have—
- (a) such additional functions as may be specified in the order with respect to pupils falling within subsection (1)(a) or (b) who are young children, and
- (b) such functions as may be specified in the order with respect to children not falling within subsection (1)(a) or (b) for whom early years provision is provided in England by early years providers to whom section 40 of the Childcare Act 2006 (duty to implement Early Years Foundation Stage) applies.
- (2ZB) Before making an order under subsection (2ZA), the Secretary of State shall consult the Qualifications and Curriculum Authority.”
- (4) Omit subsection (2A).
- (5) In subsection (5)—
- (a) for the definition of “funded nursery education” and the “and” immediately following it substitute—
- ““early years provider” and “early years provision” have the same meaning as in Part 3 of the Childcare Act 2006;”, and
- (b) at the end insert—
- ““young children” has the same meaning as in Part 3 of the Childcare Act 2006.”

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Commencement Information

- II** Sch. 1 para. 2(1)(3)(5) in force at 1.10.2007 for specified purposes by S.I. 2007/2717, art. 2(d) (with art. 3)

VALID FROM 01/09/2008

Education Act 2002 (c. 32)

- 3 (1) Section 76 of the 2002 Act (interpretation of Part 6) is amended as follows.
- (2) For the definition of “assessment arrangements” substitute—
- ““assessment arrangements”, in relation to a key stage, means the arrangements for assessing pupils in respect of that stage for the purpose of ascertaining what they have achieved in relation to the attainment targets for that stage;”.
- (3) Omit the definitions of “early learning goals”, “the foundation stage”, and “pupil”.
- (4) In the definition of “school year”, omit the words from “and has a corresponding” to the end.
- 4 Omit section 77 of the 2002 Act (meaning of “nursery education” and related expressions).
- 5 In section 78 of the 2002 Act (general requirements in relation to the curriculum), omit subsection (2).
- 6 (1) Section 79 of the 2002 Act (duty to implement general requirements) is amended as follows.
- (2) For subsections (1) and (2) substitute—
- “(1) The Secretary of State shall exercise his functions with a view to securing that the curriculum for every maintained school or maintained nursery school satisfies the requirements of section 78.
- (2) Every local education authority in England shall exercise their functions with a view to securing that the curriculum for every maintained school or maintained nursery school which they maintain satisfies the requirements of section 78.”
- (3) In subsection (4)(b), omit the words from “or the” to “nursery school”.
- (4) Omit subsection (5).
- 7 (1) Section 80 of the 2002 Act (basic curriculum for maintained school) is amended as follows.
- (2) In subsection (1)(b), for “who have attained the age of three” substitute “ who have ceased to be young children for the purposes of Part 1 of the Childcare Act 2006 ”.
- (3) In subsection (2)(a), for “a nursery class in a primary school” substitute “ pupils who are under compulsory school age ”.
- 8 Omit section 81 of the 2002 Act (the foundation stage).

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- 9 Omit section 83 of the 2002 Act (curriculum requirements for the foundation stage).
- 10 (1) Section 87 of the 2002 Act (establishment of National Curriculum by order) is amended as follows.
- (2) For subsection (1) substitute—
- “(1) The Secretary of State shall so exercise the powers conferred by subsection (3) as to revise the National Curriculum for England whenever he considers it necessary or expedient to do so.”
- (3) Omit subsection (2).
- (4) In subsection (4), omit—
- (a) “(2) or”,
- (b) in paragraph (a), the words “the foundation stage or” and “educational programme or”, and
- (c) in paragraph (b), the words from “(or the timetables” to “education”.
- (5) In subsection (5), omit “(2) or”.
- (6) Omit subsection (6).
- (7) In subsection (8), omit “(2)(c) or”.
- (8) In subsection (10), omit—
- (a) “(6) or”, and
- (b) in paragraph (a) the words from “or” to “provided”.
- (9) In subsection (11), omit “(2)(c) or” and “(6) or”.
- 11 Omit section 89 of the 2002 Act (implementation in respect of nursery schools etc.).
- 12 (1) Section 90 of the 2002 Act (development work and experiments) is amended as follows.
- (2) In subsection (1), omit “or maintained nursery school”.
- (3) In subsection (3), omit “or a maintained nursery school”.
- 13 In section 93 of the 2002 Act (temporary exceptions for individual pupils), in subsections (1) and (5), omit “or maintained nursery school”.
- 14 In section 94 of the 2002 Act (information concerning directions under section 93), in subsection (4)(a), omit “or maintained nursery school”.
- 15 In section 96 of the 2002 Act (procedure for making certain orders and regulations), in subsection (1)(a)—
- (a) omit “83(3)”, and
- (b) for “87(2)(a) or (b) or (3)(a) or (b)” substitute “ 87(3)(a) or (b) ”.
- 16 In section 210 of the 2002 Act (orders and regulations)—
- (a) omit subsection (3)(c), and
- (b) in subsection (5)(b), for “87(2)(c) or (3)(c)” substitute “ 87(3)(c) ”.

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