

Changes to legislation: Childcare Act 2006, Cross Heading: Education Act 2002 (c. 32) is up to date with all changes known to be in force on or before 27 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) View outstanding changes

SCHEDULES

SCHEDULE 1 **E+W**

AMENDMENTS RELATING TO THE CURRICULUM

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.

Commencement Information

I1 Sch. 1 para. 3 in force at 1.9.2008 by [S.I. 2008/2261](#), [art. 2](#) (with [Schs. 1, 2](#))

- 4 Omit section 77 of the 2002 Act (meaning of “nursery education” and related expressions).

Commencement Information

I2 Sch. 1 para. 4 in force at 1.9.2008 by [S.I. 2008/2261](#), [art. 2](#) (with [Schs. 1, 2](#))

- 5 In section 78 of the 2002 Act (general requirements in relation to the curriculum), omit subsection (2).

Commencement Information

I3 Sch. 1 para. 5 in force at 1.9.2008 by [S.I. 2008/2261](#), [art. 2](#) (with [Schs. 1, 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.

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(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).

Commencement Information

I4 Sch. 1 para. 6 in force at 1.9.2008 by [S.I. 2008/2261](#), **art. 2** (with [Schs. 1, 2](#))

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 ”.

Commencement Information

I5 Sch. 1 para. 7 in force at 1.9.2008 by [S.I. 2008/2261](#), **art. 2** (with [Schs. 1, 2](#))

8 Omit section 81 of the 2002 Act (the foundation stage).

Commencement Information

I6 Sch. 1 para. 8 in force at 1.9.2008 by [S.I. 2008/2261](#), **art. 2** (with [Schs. 1, 2](#))

9 Omit section 83 of the 2002 Act (curriculum requirements for the foundation stage).

Commencement Information

I7 Sch. 1 para. 9 in force at 1.9.2008 by [S.I. 2008/2261](#), **art. 2** (with [Schs. 1, 2](#))

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

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- (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”.

^{F1}(9)

Textual Amendments

F1 Sch. 1 para. 10(9) repealed (1.4.2010) by Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), s. 269(4), **Sch. 16 Pt. 4**; S.I. 2010/1151, art. 2, Sch. 1

Commencement Information

I8 Sch. 1 para. 10 in force at 1.9.2008 by S.I. 2008/2261, **art. 2** (with Schs. 1, 2)

11 Omit section 89 of the 2002 Act (implementation in respect of nursery schools etc.).

Commencement Information

I9 Sch. 1 para. 11 in force at 1.9.2008 by S.I. 2008/2261, **art. 2** (with Schs. 1, 2)

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”.

Commencement Information

I10 Sch. 1 para. 12 in force at 1.9.2008 by S.I. 2008/2261, **art. 2** (with Schs. 1, 2)

13 In section 93 of the 2002 Act (temporary exceptions for individual pupils), in subsections (1) and (5), omit “or maintained nursery school”.

Commencement Information

I11 Sch. 1 para. 13 in force at 1.9.2008 by S.I. 2008/2261, **art. 2** (with Schs. 1, 2)

14 In section 94 of the 2002 Act (information concerning directions under section 93), in subsection (4)(a), omit “or maintained nursery school”.

Commencement Information

I12 Sch. 1 para. 14 in force at 1.9.2008 by S.I. 2008/2261, **art. 2** (with Schs. 1, 2)

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- 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) ”.

Commencement Information

I13 Sch. 1 para. 15 in force at 1.9.2008 by [S.I. 2008/2261](#), [art. 2](#) (with [Schs. 1, 2](#))

- 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) ”.

Commencement Information

I14 Sch. 1 para. 16 in force at 1.9.2008 by [S.I. 2008/2261](#), [art. 2](#) (with [Schs. 1, 2](#))

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 32(6) inserted by [2023 c. 55 Sch. 23 para. 2](#)
- s. 36(1)(a)(b) substituted for words by [2023 c. 55 Sch. 23 para. 6\(2\)](#)
- s. 36(5)(ac)(ad) inserted by [2023 c. 55 Sch. 23 para. 6\(5\)](#)
- s. 37(2A) inserted by [2023 c. 55 Sch. 23 para. 7\(4\)](#)
- s. 37A(1A) inserted by [2023 c. 55 Sch. 23 para. 8\(3\)](#)
- s. 45A(4C) inserted by [2016 c. 5 s. 3\(2\)\(a\)](#)
- s. 47ZA(3)(a) substituted by [2016 c. 5 s. 3\(2\)\(b\)](#)
- s. 54(1)(a) words substituted by [2023 c. 55 Sch. 23 para. 11\(3\)\(a\)](#)
- s. 54(1)(b) words inserted by [2023 c. 55 Sch. 23 para. 11\(3\)\(b\)](#)
- s. 55(1)(a)(b) substituted for words by [2023 c. 55 Sch. 23 para. 12\(2\)](#)
- s. 55(5)(ac)(ad) inserted by [2023 c. 55 Sch. 23 para. 12\(5\)](#)
- s. 56(2A) inserted by [2023 c. 55 Sch. 23 para. 13\(4\)](#)
- s. 56A(1A) inserted by [2023 c. 55 Sch. 23 para. 14\(3\)](#)
- s. 57(1)(a)(i)(ii) substituted for words by [2023 c. 55 Sch. 23 para. 15\(b\)](#)
- s. 57A(2)(a)(i)(ii) substituted for words by [2023 c. 55 Sch. 23 para. 16\(3\)](#)
- s. 63(A1)(1) substituted for s. 63(1) by [2023 c. 55 Sch. 23 para. 18](#)
- s. 64(2A) inserted by [2023 c. 55 Sch. 23 para. 19\(4\)](#)
- s. 68(3)(a)(b) substituted for words by [2023 c. 55 Sch. 23 para. 22\(2\)](#)
- s. 68(4)(a)(b) substituted for words by [2023 c. 55 Sch. 23 para. 22\(3\)](#)
- s. 68(5)(a)(b) substituted for words by [2023 c. 55 Sch. 23 para. 22\(4\)](#)
- s. 98(1B) inserted by [2023 c. 55 Sch. 23 para. 24\(3\)](#)
- s. 113A(1) repealed by [2012 c. 5 Sch. 14 Pt. 1](#)
- s. 113A(3) words repealed by [2012 c. 5 Sch. 14 Pt. 1](#)