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STATUTORY INSTRUMENTS

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**1989 No. 2406**

**The Education Reform(Northern Ireland) Order 1989**

**PART III**

**THE CURRICULUM**

*Principal provisions*

**The curriculum**

- 5.—(1) The curriculum for every grant-aided school shall—
- (a) include provision for religious education for all registered pupils at the school; and
  - (b) in so far as it relates to registered pupils at the school of compulsory school age, meet the requirements of this Article and Article 6.
- (2) The curriculum for a grant-aided school shall include the following areas of study—
- (a) English;
  - (b) Mathematics;
  - (c) Science and Technology;
  - (d) the Environment and Society;
  - (e) Creative and Expressive Studies;
  - (f) Language Studies, in relation to—
    - (i) schools which are Irish speaking; and
    - (ii) the third and fourth key stages in other schools.
- (3) For the purposes of this Part the subjects which fall within each area of study listed in column 1 of Schedule 1 are—
- (a) the subjects listed against that area of study in column 2 of that Schedule; and
  - (b) any other cognate subjects which appropriately fall to be taught within that area of study,
- and the subjects falling within any area of study by virtue of sub-paragraph (a) or (b) are referred to in this Part as the contributory subjects within that area of study and the subjects falling within any area of study by virtue of sub-paragraph (a) are referred to in this Part as the listed contributory subjects within that area of study.
- (4) The curriculum for every grant-aided school shall, in relation to each listed contributory subject which is taught to pupils at the school,—
- (a) include such attainment targets and programmes of study as are specified in relation to that subject and those pupils under Article 7(1)(a); and
  - (b) require that the content of the teaching of that subject is consistent with those programmes of study and with the attainment by those pupils of those attainment targets.

(5) The curriculum for every grant-aided secondary school shall afford to all pupils in the third and fourth key stages the opportunity to be taught, within the area of study called Language Studies, one of the following listed contributory subjects, namely French, German, Italian or Spanish.

(6) For the purposes of this Part the key stages in relation to a pupil are as follows—

- (a) the period beginning with his becoming of compulsory school age and ending at the same time as the fourth school year thereafter;
- (b) the period beginning at the same time as the next school year after the end of the first key stage and ending at the same time as the third school year thereafter;
- (c) the period beginning at the same time as the next school year after the end of the second key stage and ending at the same time as the third school year thereafter;
- (d) the period beginning at the same time as the next school year after the end of the third key stage and ending at the same time as he ceases to be of compulsory school age.

(7) The Department may by order amend paragraphs (5) and (6) and Schedule 1.

(8) Nothing in paragraph (2)(f) shall be taken to preclude the inclusion of Language Studies as an area of study in the curriculum of a grant-aided school in relation to the first and second key stages.

(9) In paragraphs (2) to (6) and Article 6—

- (a) references to the curriculum for a grant-aided school are references to that curriculum so far as it relates to registered pupils at the school of compulsory school age; and
- (b) references to pupils at such a school are references to registered pupils at the school of compulsory school age.

### **Compulsory contributory subjects and compulsory assessment**

6.—(1) The curriculum for every grant-aided school shall require each pupil at the school to be taught within each area of study the contributory subjects which in accordance with paragraph (2) are compulsory contributory subjects in relation to that pupil.

(2) The compulsory contributory subjects within each area of study specified in column 1 of Schedule 2—

- (a) in relation to pupils in key stages 1 and 2, are those specified in column 2 of that Schedule;
- (b) in relation to pupils in key stage 3, are those specified in column 3 of that Schedule;
- (c) in relation to pupils in key stage 4, are those specified in column 4 of that Schedule.

(3) Subject to paragraph (4), the curriculum for every grant-aided school shall require each pupil at the school to be assessed in each of his compulsory contributory subjects in accordance with such assessment arrangements as are specified in relation to that subject and that pupil under Article 7(1)(b).

(4) Paragraph (3) does not apply to any compulsory contributory subjects which are within the area of study called Creative and Expressive Studies.

(5) For ease of reference, in Schedule 2 an “(A)” is placed after each entry relating to a compulsory contributory subject in which pupils are required under paragraph (3) to be assessed.

(6) The Department may by order amend Schedule 2.

### **Attainment targets, programmes of study and assessment arrangements**

7.—(1) The Department may by order specify—

- (a) in relation to a listed contributory subject—
  - (i) such attainment targets; and

- (ii) such programmes of study,  
as it considers appropriate for that subject; and
  - (b) in relation to a compulsory contributory subject in which pupils are required under Article 6(3) to be assessed, such assessment arrangements as it considers appropriate for that subject.
- (2) It shall be the duty of the Department so to exercise the powers conferred by paragraph (1) as—
  - (a) to set in place as soon as is practicable—
    - (i) attainment targets and programmes of study in relation to all the compulsory contributory subjects;
    - (ii) assessment arrangements in relation to all the compulsory contributory subjects in which pupils are required under Article 6(3) to be assessed;
  - (b) to revise any existing attainment targets, programmes of study or assessment arrangements whenever it considers it necessary or appropriate to do so.
- (3) In this Part—
  - (a) “attainment targets” means the knowledge, skills and understanding which pupils of different abilities and maturities are expected to have by the end of each key stage;
  - (b) “programmes of study” means the matters, skills and processes which are required to be taught to pupils of different abilities and maturities during each key stage;
  - (c) “assessment arrangements” means the arrangements for assessing pupils at or near the end of each key stage for the purpose of ascertaining what they have achieved in relation to the attainment targets for that stage.
- (4) An order made under paragraph (1) may not require—
  - (a) that any particular period or periods of time should be allocated during any key stage to the teaching of any programme of study or any matter, skill or process forming part of it; or
  - (b) that provision of any particular kind should be made in school timetables for the periods to be allocated to such teaching during any such stage.
- (5) An order under paragraph (1) may, instead of containing the provisions to be made, refer to provisions in a document published by Her Majesty’s Stationery Office and direct that those provisions shall have effect or, as the case may be, have effect as amended by the order.
- (6) An order under paragraph (1)(b) may authorise the making of such provisions giving full effect to or otherwise supplementing the provisions made by the order as appear to the Department to be expedient; and any provisions made under such an order shall, on being published by Her Majesty’s Stationery Office, have effect for the purposes of this Part as if made by the order.

### **Educational themes**

- 8.—(1)** The curriculum for a grant-aided school shall not, in so far as it relates to pupils of compulsory school age, be taken to satisfy the requirements of Article 4(2) unless it promotes, wholly or mainly through the teaching of the contributory subjects and religious education, the attainment of the objectives of the following educational themes, namely—
- (a) Information Technology;
  - (b) Education for Mutual Understanding;
  - (c) Cultural Heritage;
  - (d) Health Education;
  - (e) in relation to the third and fourth key stages, Economic Awareness;

- (f) in relation to the third and fourth key stages, Careers Education.
- (2) The Department may by order specify in relation to each educational theme mentioned in paragraph (1) such objectives as it considers appropriate for that educational theme.
- (3) It shall be the duty of the Department so to exercise the powers conferred by paragraph (2) as—
  - (a) to set objectives in place as soon as is practicable in relation to each of the educational themes mentioned in paragraph (1); and
  - (b) to revise any existing objectives whenever it considers it necessary or expedient to do so.
- (4) Paragraphs (4) and (5) of Article 7 shall apply to an order under paragraph (2) as they apply to an order under paragraph (1) of that Article.
- (5) The Department may by order amend the list of educational themes in paragraph (1).

### **Courses leading to external qualifications**

- 9.—**(1) No course of study leading to a qualification authenticated by an outside person shall be provided for pupils of compulsory school age by or on behalf of any grant-aided school unless the qualification is for the time being approved by the Department and either—
- (a) a syllabus provided by the outside person for the purposes of the course is for the time being approved by the Department; or
  - (b) criteria so provided for determining a syllabus for those purposes are for the time being so approved.
- (2) An approval under this Article may be given either generally or in relation to particular cases.
- (3) In this Article “outside person”, in relation to a school, means a person other than a member of staff of the school.

### **Determination of curriculum policy and of curriculum**

- 10.—**(1) The scheme of management for every grant-aided school shall provide for it to be the duty of the Board of Governors—
- (a) to determine, and keep under review, its policy in relation to the curriculum for the school; and
  - (b) to make, and keep up to date, a written statement of that policy.
- (2) The policy determined by a Board of Governors under paragraph (1)(a) in relation to the curriculum for a school shall be compatible with—
- (a) any programme of study specified under Article 7(1)(a) which forms part of that curriculum;
  - (b) any syllabus for a course which forms part of that curriculum and leads to an examination for a qualification approved under Article 9(1); and
  - (c) the statutory provisions relating to education (including, in particular, those relating to children with special educational needs).
- (3) In discharging its duty under paragraph (1), a Board of Governors shall consider, in particular—
- (a) the range of the curriculum; and
  - (b) the balance between, and coherence of, its different components.
- (4) The scheme of management for every grant-aided school shall provide for it to be the duty of the Board of Governors—

- (a) when determining or reviewing its policy in relation to the curriculum for the school—
    - (i) to take account of the findings of any inspection of the school under Article 102 of the principal Order;
    - (ii) to consider any representations made to it regarding the curriculum by the relevant board, the Council for Catholic Maintained Schools (where the school is a Catholic maintained school) and any other body or person connected with the community served by the school;
  - (b) to consult the principal of the school before making or varying any statement under paragraph (1)(b).
- (5) The scheme of management for every grant-aided school shall provide for the principal to be allocated such functions as will, subject to the resources available, enable him to determine and organise the curriculum and secure that it is followed within the school.
- (6) In discharging his duties in relation to the curriculum for a school the principal shall ensure that the curriculum is compatible with the policy of the Board of Governors as expressed in its statement under paragraph (1)(b).
- (7) In carrying out its functions under the Education Orders or any other statutory provision in relation to a school under its management, a Board of Governors shall have regard to its policy in relation to the curriculum for the school, as expressed in its statement under paragraph (1)(b).
- (8) The Board of Governors of a grant-aided school shall furnish the relevant board and, if the school is a Catholic maintained school, the Council for Catholic Maintained Schools with a copy of every statement made by it under paragraph (1)(b).
- (9) In paragraph (8) “relevant board” in relation to a school means—
  - (a) in the case of a controlled school, the board responsible for the management of the school;
  - (b) in the case of a maintained school, the board by which the school is maintained;
  - (c) in the case of any other grant-aided school, the board for the area in which the school is situated.

#### **Duties with respect to requirements of this Part**

**11.—(1)** In relation to any grant-aided school and any school year, it shall be the duty of the Board of Governors to exercise its functions with a view to securing and the duty of the principal to secure—

- (a) that religious education is given in accordance with the provision for such education included in the school’s curriculum by virtue of Article 5(1)(a);
  - (b) that the listed contributory subjects within each area of study are taught as required by the school’s curriculum as subsisting at the beginning of that year;
  - (c) that the compulsory contributory subjects within each area of study are assessed as required by Article 6(3);
  - (d) that Article 9 is not contravened; and
  - (e) where the school is a secondary school, that Article 5(5) is not contravened.
- (2) In relation to any grant-aided school and any time before the coming into operation as respects any pupils at the school of an order under Article 7(1)(a) specifying attainment targets and programmes of study in relation to a particular compulsory contributory subject and those pupils, it shall be the duty of the Board of Governors to exercise its functions with a view to securing and the duty of the principal to secure that that subject is taught to those pupils for a reasonable time.
- (3) It shall be the duty of—
  - (a) the Department and the boards in relation to all grant-aided schools;

(b) the Council for Catholic Maintained Schools in relation to Catholic maintained schools, to exercise their functions with a view to ensuring that the Boards of Governors and principals of grant-aided schools are in a position to fulfil their duties under this Part.