

---

STATUTORY INSTRUMENTS

---

**1998 No. 1759**

**Education (Northern Ireland) Order 1998**

**PART III**

**ASSESSMENT AND PUPILS' PERFORMANCE**

**CHAPTER I**

**BASELINE ASSESSMENTS**

**Assessment of pupils in accordance with baseline assessment arrangements**

**8.—**(1) Subject to the following provisions of this Article, all pupils at a primary school who are in their first year of compulsory education must be assessed in accordance with the baseline assessment arrangements.

(2) The assessment must be completed before the end of that first year.

(3) Paragraph (1) does not apply to a pupil if it appears to the principal from a record of a previous assessment under that paragraph that such an assessment has already been carried out in relation to that pupil at another school.

(4) Regulations may enable the principal of a primary school, in such cases or circumstances and subject to such conditions as may be prescribed, to direct—

- (a) that paragraph (1) is not to apply to a particular pupil at the school; or
- (b) that, for the purposes of the assessment under that paragraph of a particular pupil at the school, the baseline assessment arrangements are to have effect with such modifications as are specified in the direction.

(5) The special educational provision for any pupil specified in a statement under Article 16 of the Education (Northern Ireland) Order 1996 of his special educational needs may include provision directing—

- (a) that paragraph (1) is not to apply to the pupil; or
- (b) that, for the purposes of the assessment under that paragraph of that pupil, the baseline assessment arrangements are to have effect with such modifications as are specified in the direction.

(6) Where the principal gives a direction under regulations made under paragraph (4) he shall—

- (a) notify the Board of Governors of the matters set out in paragraph (7); and
- (b) take such steps as are prescribed to notify the parent of the pupil concerned of those matters.

(7) The matters referred to in paragraph (6) are—

- (a) the fact that the principal has given the direction in question and his reasons for doing so;
- (b) in the case of a direction under paragraph (4)(b), the effect of the modifications specified in the direction;

- (c) whether the direction is to have permanent effect (and, if not, the period for which it is to have effect).
- (8) In relation to any primary school, it shall be the duty of—
  - (a) the Board of Governors to exercise its functions with a view to securing; and
  - (b) the principal to secure, that paragraph (1) is complied with.
- (9) It shall be the duty of—
  - (a) the Department and the boards in relation to all primary schools; and
  - (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 primary schools are in a position to fulfil their duty under paragraph (8).
- (10) The Department may by regulations provide that the preceding provisions of this Article—
  - (a) shall apply with such modifications as may be prescribed; or
  - (b) shall not apply, in such circumstances as may be prescribed.