

1990 No. 423

**EDUCATION, ENGLAND AND WALES**

**The Education (National Curriculum) (Attainment  
Targets and  
Programmes of Study in English) (No. 2) Order 1990**

*Made* - - - - - *1st March 1990*  
*Laid before Parliament* *6th March 1990*  
*Coming into force in*  
*accordance with articles*  
*2 to 4*

Whereas the National Curriculum Council, after due consultation, submitted to the Secretary of State and published its report on a proposal to make this Order which he had referred to it, in accordance with section 20(2) to (4) of the Education Reform Act 1988(a);

And whereas the Secretary of State had given notice of the said proposal to the Curriculum Council for Wales and to all other persons with whom consultation appeared to him desirable, in accordance with section 21(2) of the said Act;

And whereas the Secretary of State, in accordance with subsection (5) of the said section 20, and subsection (3) of the said section 21, duly published a draft of this Order and the other documents mentioned in those subsections and sent copies of them to the said Councils and to each of the persons consulted by them, and allowed a period of not less than one month for the submission of evidence and representations;

And whereas that period has now expired:

Now therefore the Secretary of State for Education and Science, as respects England, and the Secretary of State for Wales, as respects Wales, in exercise of the powers conferred on the Secretary of State by sections 4(2)(a) and (b) and (4) and 232(5) and (6) of the Education Reform Act 1988 hereby make the following Order in the terms of the said draft without modification:

**Citation, commencement and interpretation**

1.—(1) This Order may be cited as the Education (National Curriculum) (Attainment Targets and Programmes of Study in English) (No. 2) Order 1990 and shall come into force in accordance with articles 2 to 4.

(2) In this Order—  
“the Document” means the document published in March 1990 by Her Majesty’s

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(a) 1988 c.40.

Stationery Office entitled "English in the National Curriculum (No. 2)"(a);  
references to the first, second, third and fourth key stages are references to the  
periods set out in paragraphs (a) to (d) respectively of section 3(3) of the Education  
Reform Act 1988; and

references to levels of attainment are references to the levels set out in the Document  
in relation to each attainment target.

(3) Article 8 of this Order applies to schools in Wales only.

2. The provisions of this Order relating to the second key stage shall come into force—  
(a) on 1st August 1990 in respect of pupils in the first year of that key stage;  
(b) on 1st August 1991 in respect of pupils in the second year of that key stage;  
(c) on 1st August 1992 in respect of pupils in the third year of that key stage; and  
(d) on 1st August 1993 in respect of all other pupils in that key stage.

3. The provisions of this Order relating to the third key stage shall come into force—  
(a) on 1st August 1990 in respect of pupils in the first year of that key stage;  
(b) on 1st August 1991 in respect of pupils in the second year of that key stage; and  
(c) on 1st August 1992 in respect of all other pupils in that key stage.

4. The provisions of this Order relating to the fourth key stage shall come into force—  
(a) on 1st August 1992 in respect of pupils in the first year of that key stage; and  
(b) on 1st August 1993 in respect of all other pupils in that key stage.

#### **Specification of attainment targets and programmes of study**

5. It is hereby directed that the provisions relating to attainment targets and  
programmes of study set out in the Document shall have effect as provided in articles 6, 7  
and 8 hereof for the purposes of specifying in relation to English—

- (a) attainment targets; and
- (b) programmes of study.

6. Attainment targets 1–5 described in the Document are specified in relation to the  
second, third and fourth key stages, the levels applicable (being those appropriate to the  
different abilities and maturities of the pupils being taught) being—

- (a) for the second key stage, levels 2–5;
- (b) for the third key stage, levels 3–8; and
- (c) for the fourth key stage, levels 3–10.

7. Subject to article 8 hereof, the programmes of study described in the Document  
(which relate to the attainment targets referred to in article 6 hereof) are specified in  
relation to the second, third and fourth key stages.

8.—(1) In respect of the pupils referred to in paragraph (2) of this article the  
programmes of study described in the Document are specified in relation to the second  
key stage with the modifications described in the Schedule to the Document.

(2) Those pupils are those who are excepted by the Education (National Curriculum)  
(Exceptions) (Wales) Regulations 1989(b) from the provisions of the Education  
(National Curriculum) (Attainment Targets and Programmes of Study in English) Order  
1989(c) insofar as those provisions relate to the specification in relation to English of the  
attainment targets and programmes of study for pupils in the first key stage.

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(a) ISBN 011 270708 4 (with ring-binder) and ISBN 011 270710 6. A document entitled "English in the  
National Curriculum" published in May 1989 (ISBN 011 270682 7) has effect in respect of pupils in  
the first key stage as an Order made under section 4(2)(a) and (b) of the Education Reform Act 1988 by  
virtue of the Education (National Curriculum) (Attainment Targets and Programmes of Study in  
English) Order 1989 (S.I. 1989/907).

(b) S.I. 1989/1308.

(c) S.I. 1989/907.

9. The examples printed in italics in the Document (which serve to illustrate the attainment targets and programmes of study therein described) and the explanatory material so printed do not form part of the provision made by this Order.

1st March 1990

*John MacGregor*  
Secretary of State for Education and Science

1st March 1990

*Peter Walker*  
Secretary of State for Wales

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### EXPLANATORY NOTE

*(This note is not part of the Order)*

Section 4(2) of the Education Reform Act 1988 places a duty on the Secretary of State to establish the National Curriculum by specifying appropriate attainment targets, programmes of study and assessment arrangements for each of the foundation subjects.

Section 4(4) allows for such an Order, instead of containing the provisions to be made, to refer to provisions in a Document published by Her Majesty's Stationery Office and to direct that those provisions shall have effect according to the Order.

This Order accordingly refers to "English in the National Curriculum (No. 2)" (published in March 1990) and provides for the attainment targets and programmes of study set out in it to have effect for the second, third and fourth key stages of a pupil's compulsory schooling. (Attainment targets and programmes of study in English were specified in respect of pupils in the first key stage by the Education (National Curriculum) (Attainment Targets and Programmes of Study in English) Order 1989 (S.I. 1989/907) and the Document entitled "English in the National Curriculum" (published in May 1989 and reproduced as part of the No. 2 Document).) Separate provision is made as regards the programmes of study in the second key stage for pupils who in certain groups in Welsh speaking schools were excepted from the requirements of the National Curriculum relating to the teaching of English in the first key stage (ages 5-7) of their schooling. The Document sets out up to ten levels in respect of attainment targets to cover the full range of abilities and maturities of pupils of compulsory school age; the Order accordingly specifies as part of each attainment target the appropriate range of attainment levels.

The Order further provides that any examples printed in italics in the Document for illustrative purposes only and any explanatory material so printed do not form part of the Order.