
EXPLANATORY NOTE

(This note does not form part of the Regulations)

These Regulations revoke the Education (National Curriculum) (Exceptions at Key Stage 4) Regulations 1998 and replace them with an expanded set of exceptions to the National Curriculum at Key Stage 4.

The Regulations retain the provision for the National Curriculum to be disapplied for pupils at Key Stage 4 in maintained schools in England to allow participation in an extended work related learning programme and the extent to which the National Curriculum may be disapplied in this situation has been retained.

Two further purposes for which the National Curriculum may be disapplied (in respect of Design and Technology and a Modern Foreign Language) at Key Stage 4 are included in these Regulations.

Regulation 7(1)(b) allows a school to disapply the requirement for a pupil to study design and technology and/or a modern foreign language where he has demonstrated strengths in a particular curriculum area and is emphasising this curriculum area. The course which the pupil undertakes in place of the National Curriculum subject must complement his other studies and must generally lead to accredited qualifications.

Regulation 7(1)(c) allows a school to disapply the requirement for a pupil to study design and technology and/or a modern foreign language where he is making significantly less progress than others of his age. The disapplication for this purpose is designed to allow a pupil to study fewer National Curriculum subjects with a view to consolidating and improving his learning and progress in the reduced number of subjects he is studying.

Regulation 12 introduces a new provision which gives schools greater flexibility in their teaching of science, design and technology and a modern foreign language. Schools may modify programmes of study in these subjects to provide pupils with courses leading to particular qualifications specified by the Secretary of State for this purpose in the Circular entitled “Approved qualifications under section 400 of the Education Act 1996”. Copies of the Circular can be obtained from the Department for Education and Employment Publications Centre (Telephone 0845 602 2260) and on the DfEE website at <http://www.dfes.gov.uk>.