
STATUTORY INSTRUMENTS

2008 No. 1744

**The Qualifications and Curriculum
Authority (Additional Functions) Order 2008**

Additional functions of the Qualifications and Curriculum Authority

2.—(1) The Qualifications and Curriculum Authority shall have the functions specified in paragraph (2) with respect to—

- (a) pupils falling within section 23(1)(a) or (b) of the Education Act 1997 who are young children⁽¹⁾, and
- (b) children not falling within section 23(1)(a) or (b) of that Act for whom early years provision is provided in England by early years providers to whom section 40 of the Childcare Act 2006⁽²⁾ (duty to implement Early Years Foundation Stage) applies.

(2) The functions are—

- (a) to keep under review all aspects of the EYFS learning and development requirements;
- (b) to advise the Secretary of State on such matters concerned with the EYFS learning and development requirements as the Secretary of State may refer to them or as they may see fit;
- (c) to advise the Secretary of State on, and if the Secretary of State so requests, to assist in carrying out, programmes of research and development for purposes connected with the EYFS learning and development requirements;
- (d) to publish and disseminate, and assist in the publication and dissemination of, information relating to the EYFS learning and development requirements;
- (e) to make arrangements with appropriate bodies for auditing the quality of assessments made in pursuance of the EYFS learning and development requirements.

(3) In this article “the EYFS learning and development requirements” means the requirements specified under section 39(1)(a) of the Childcare Act 2006⁽³⁾.

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- (1) By virtue of section 23(5) of the 1997 Act as amended, the definition of “young children” is as provided for in sections 19 and 98(1) of the Act.
 - (2) By virtue of section 23(5) of the 1997 Act as amended, the definitions of “early years provision” and “early years provider” are as provided for in section 96 of the Act.
 - (3) The learning and development requirements are specified in the Early Years Foundation Stage (Learning and Development Requirements) Order 2007 ([S.I. 2007/1772](#)). Article 3 of that Order directs that the provisions in Section 2 of the document entitled “Statutory Framework for the Early Years Foundation Stage” published by the Secretary of State have effect for the purposes of specifying the learning and development requirements under section 39(1)(a) of the Act. By virtue of section 41 of the Act, learning and development requirements are specified in relation to “early learning goals”, “educational programmes”, and “assessment arrangements”.