
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Education (School Performance Information) (England) Regulations 2007 (“the 2007 Regulations”) to require maintained schools to provide information in relation to pupils in Key Stage 1.

The Education (National Curriculum) (Key Stage 1 Assessment Arrangements) (England) Order 2004 (S.I. 2004/2783) (“the 2004 Order”) was amended by the Education (National Curriculum) (Key Stage 1 Assessment Arrangements) (England) (Amendment) Order 2011 (S.I. 2011/3057) to include provisions about an assessment of pupils aged six which assesses the extent to which such pupils understand the correspondence between graphemes and phonemes in the English language (see article 5A of the 2004 Order). Phonemes are the smallest units of sound in a language, and graphemes are the letter or letters that represent phonemes. The provisions require an assessment to be conducted on any pupil in the school year in which the pupil turns six. Provision is also made for pupils who do not reach the minimum score in the year in which they are first assessed to undergo the assessment again, in the following school year. These Regulations amend the 2007 Regulations so as to require schools to provide information about the results of such assessments and they refer to pupils required to be assessed as “pupils to whom article 5A of the 2004 Order applies”.

Regulation 2(2) amends the definition of “the Document” and inserts a new definition of “the Phonics Document”. Regulation 2(3) amends regulation 5 of the 2007 Regulations so as to require maintained schools that have registered pupils to whom article 5A of the 2004 Order applies to provide to local authorities the information in paragraph 2 of Schedule 1 to the Regulations. Regulation 2(5) amends Schedule 1 to the Regulations to add a new paragraph 2 which sets out the information that must be provided to local authorities in relation to the pupils to whom article 5A of the 2004 Order applies. The information that must be provided is set out in the Phonics Document.

Regulation 2(4) inserts new regulation 12A which requires maintained schools and Academies that have registered pupils to whom article 5A of the 2004 Order applies to provide to the National Data Collection Agency the information in Part A1 of Schedule 8 to the Regulations. This obligation arises only if a request for information is made by the National Data Collection Service. Regulation 2(6) amends Schedule 8 to insert a new Part A1 which sets out the information that must be provided to the National Data Collection Service (if so requested) in relation to the pupils to whom article 5A of the 2004 Order applies. The information relates to the words that are shown to pupils in the assessment and, in relation to each pupil, whether the pupil attempted to read the word and, if so, whether it was read correctly or incorrectly.

An impact assessment has not been produced for this instrument as it has no impact on businesses or civil society organisations. The instrument has a minimal impact on the public sector.