
STATUTORY INSTRUMENTS

2020 No. 844

The Education (National Curriculum Assessment Arrangements, Attainment Targets and Programmes of Study) and (Pupil Information and School Performance Information) (Amendment) (England) Regulations 2020

PART 2

Key Stages 1, 2 and 3 Assessment Arrangements Amendments

Amendment of the Education (National Curriculum) (Key Stage 2 Assessment Arrangements) (England) Order 2003

2.—(1) The Education (National Curriculum) (Key Stage 2 Assessment Arrangements) (England) Order 2003⁽¹⁾ is amended as follows.

(2) In article 3 (interpretation)—

(a) in paragraph (1)—

(i) after the definition of “the core subjects” insert—

““the engagement model” means the document published by the Department for Education on 23rd July 2020 entitled “The engagement model”;;”;

(ii) after the definition of “NC assessment timetable” insert—

““the pre-key stage standards document for key stage 1” means the document published by the Department for Education on 23rd July 2020 entitled “Pre-key stage 1: pupils working below the national curriculum assessment standard”;

“the pre-key stage standards document for key stage 2” means the document published by the Department for Education on 23rd July 2020 entitled “Pre-key stage 2: pupils working below the national curriculum assessment standard”;;”;

(b) in paragraph (3) for “(other than the P Scale Document)”, substitute “(other than the pre-key stage standards document for key stage 1, the pre-key stage standards document for key stage 2 and the engagement model)”.

Amendment of the Education (National Curriculum) (Key Stage 3 Assessment Arrangements) (England) Order 2003

3.—(1) The Education (National Curriculum) (Key Stage 3 Assessment Arrangements) (England) Order 2003⁽²⁾ is amended as follows.

(2) In article 3 (interpretation)—

(1) S.I. 2003/1038 amended by S.I. 2009/1585, 2010/290, 677 and 1172, 2011/2392, 2012/765 and 838, 2013/1513, 2015/900, 2017/64, 2018/452, 2019/854 and 2020/436.

(2) S.I. 2003/1039; relevant amending instruments are S.I. 2008/3081, 2010/677, 2011/2392 and 2015/900.

- (a) in paragraph (1)—
 - (i) after the definition of “the core subjects” insert—
 - ““the engagement model” means the document published by the Department for Education on 23rd July 2020 entitled “The engagement model””;
 - (ii) after the definition of “the other foundation subjects” insert—
 - ““the pre-key stage standards document for key stage 1” means the document published by the Department for Education on 23rd July 2020 entitled “Pre-key stage 1: pupils working below the national curriculum assessment standard”;
 - “the pre-key stage standards document for key stage 2” means the document published by the Department for Education on 23rd July 2020 entitled “Pre-key stage 2: pupils working below the national curriculum assessment standard””;
- (b) in paragraph (3) for “(other than the P Scale Document)”, substitute “(other than the pre-key stage standards document for key stage 1, the pre-key stage standards document for key stage 2 and the engagement model)”.

Amendment of the Education (National Curriculum) (Key Stage 1 Assessment Arrangements) (England) Order 2004

4.—(1) The Education (National Curriculum) (Key Stage 1 Assessment Arrangements) (England) Order 2004(3) is amended as follows.

- (2) In article 3 (interpretation)—
 - (a) in paragraph (1)—
 - (i) after the definition of “the Document” insert—
 - ““the engagement model” means the document published by the Department for Education on 23rd July 2020 entitled “The engagement model””;
 - (ii) after the definition of “NC tests” insert—
 - ““the pre-key stage standards document for key stage 1” means the document published by the Department for Education on 23rd July 2020 entitled “Pre-key stage 1: pupils working below the national curriculum assessment standard”;
 - “the pre-key stage standards document for key stage 2” means the document published by the Department for Education on 23rd July 2020 entitled “Pre-key stage 2: pupils working below the national curriculum assessment standard””;
 - (b) in paragraph (3) for “(other than the P Scale Document)”, substitute “(other than the pre-key stage standards document for key stage 1, the pre-key stage standards document for key stage 2 and the engagement model)”.
- (3) In article 4 (assessment), after paragraph (6) insert—
 - “(7) The head teacher must make a declaration to the Secretary of State that—
 - (a) the teacher assessment of pupils has been carried out in accordance with this article and with the provisions of the Document; and
 - (b) any issues concerning the maladministration of the teacher assessment of pupils in accordance with this article and the provisions of the Document have been reported to the Secretary of State.”.
- (4) In article 5 (standard task assessment: English and mathematics), after paragraph (3) insert—
 - “(4) The head teacher must make a declaration to the Secretary of State that—

- (a) the standard task assessment of pupils has been carried out in accordance with this article and with the provisions of the Document; and
 - (b) any issues concerning the maladministration of the standard task assessment of pupils in accordance with this article and the provisions of the Document have been reported to the Secretary of State.”.
- (5) In article 5A (assessment: understanding the correspondence between graphemes and phonemes)—
- (a) in paragraph (1)(a), for “article 1(2)(b)” substitute “article 1(2)(c)”;
 - (b) in paragraph (2)—
 - (i) in sub-paragraph (a), omit “and”;
 - (ii) in sub-paragraph (b)(ii), at the end insert “; and”;
 - (iii) after sub-paragraph (b), insert—
 - “(c) any pupil who in the 2020-21 school year attains the age of seven—
 - (i) who has already been assessed in the 2020-21 school year under sub-paragraph (b); and
 - (ii) whose results in that assessment were lower than the level notified to schools by the Secretary of State in relation to that assessment”.
- (6) In article 6A (monitoring of assessments under article 5A), before paragraph (1), insert—
- “(A1) In the 2020-21 school year, a reference in this article to an assessment under article 5A does not include such an assessment if it takes place other than in the summer term of that school year.”.