
EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Education (National Curriculum) (Key Stage 1 Assessment Arrangements) (England) Order 2004 (the “2004 Order”) to remove the provisions requiring schools to conduct teacher assessments and standard task assessments for pupils at the end of the first key stage with effect from the 2023-24 school year. It also makes amendments to remove spent provisions regarding the disapplication of assessment requirements during the 2019-20 and 2020-21 school years as a result of the coronavirus pandemic.

Articles 7, 8 and 10 revoke articles 4, 5 and 6 respectively of the 2004 Order, to remove the statutory requirements relating to teacher assessments and standard task assessments for pupils at the end of the first key stage, together with the duty of local authorities to moderate teacher assessments.

Articles 5, 9 and 11 amend articles 1, 5A and 6A respectively of the 2004 Order, to remove spent provisions relating to the application of the 2004 Order during the 2019-20 and 2020-21 school years.

Article 12 amends article 9 of the 2004 Order, to remove the power to make delegated supplementary provisions about standard task assessments because of the revocation of article 5. It also inserts new words in paragraph (3) to further specify how delegated supplementary provisions will be published. Delegated supplementary provisions must be published by the Secretary of State on a website maintained by the Secretary of State.

Article 13 makes certain savings provisions in connection with the amendments to the 2004 Order. The amendments made by this Order do not apply in relation to assessments carried out under articles 4 and 5 in any school year up to and including the 2022-23 school year. This is to enable the completion of any moderation in relation to those previous assessments.

An impact assessment has not been produced for this instrument as no, or no significant, impact on the private or voluntary sector is foreseen.