

## SCHEDULE

Articles 6, 7 and 8

### Duties in relation to assessments

#### Part 1

##### Duties of proprietors

1. In so far as duties in connection with assessments carried out in accordance with articles 3 and 4 are conferred or imposed on the responsible person, the proprietor must exercise that person's functions generally with a view to securing that any requirements imposed upon the responsible person by this Order are complied with.

#### Part 2

##### Duties of responsible persons

2. The responsible person must provide to the parent of every pupil in relation to whom a foundation phase assessment has been carried out at that foundation phase setting—

- (a) a copy of the record of attainment; and
- (b) where the parent requests it, a copy of the assessment document.

3. The responsible person must notify the relevant local authority in writing of—

- (a) in respect of each pupil in the foundation phase setting who is assessed in accordance with articles 3 and 4, that the foundation phase assessment has been carried out and the results of that assessment; and
- (b) in respect of each pupil in the foundation phase setting for whom a foundation phase assessment in accordance with articles 3 and 4 has not been carried out that, that the assessment has not been carried out and the reason for its not having been carried out.

4.—(1) This paragraph applies where a pupil who has been assessed in accordance with articles 3 and 4 ceases to attend one foundation phase setting (“the old foundation phase setting”) and starts to attend another foundation phase setting (“the new foundation phase setting”).

(2) The responsible person of the new foundation phase setting must notify the responsible person of the old foundation phase setting in writing that the pupil has ceased to attend the old foundation phase setting, and must give the address of the new foundation phase setting.

(3) On receipt of the notification, the responsible person of the old foundation phase setting must notify the responsible person of the new foundation phase setting of the following matters in writing—

- (a) the results of any foundation phase assessment carried out in relation to the pupil in the old foundation phase setting in accordance with articles 3 and 4; or
- (b) if no foundation phase assessment was carried out in relation to the pupil in the old foundation phase setting in accordance with those articles, the reason why no such assessment was carried out.

5.—(1) A notification required by paragraph 3 must be given no later than 10 working days after the date the assessment required by articles 3 and 4 is carried out.

(2) A notification required by paragraph 4(2) must be given no later than 15 working days after the pupil starts to attend the new foundation phase setting.

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(3) A notification required by paragraph 4(3) must be given no later than 15 working days after notification is received from the new foundation phase setting.

(4) Any notification that is not given in accordance with the relevant requirements in sub-paragraphs (1), (2) or (3) must be given as soon as reasonably practicable afterwards.

**6.** A notification required by paragraph 3(a) or by paragraph 4(3)(a) must contain the following information in respect of the assessment to which it relates—

- (a) the name and address of the foundation phase setting; and
- (b) the number of the school (where applicable).

**7.** A notification required by paragraph 3(a) or paragraph 4(3)(a) must contain the following information relating to the pupil to whom it relates—

- (a) first name;
- (b) further name or names (if applicable);
- (c) surname;
- (d) unique pupil number (if known);
- (e) sex;
- (f) date of birth;
- (g) the month and year of the assessment;
- (h) the results of the foundation phase assessment carried out in accordance with articles 3 and 4 in each of the developmental areas (but such information must not include a copy of the assessment document); and
- (i) the date the pupil first entered the foundation phase.

**8.—(1)** This paragraph applies where a responsible person is required to give a notification under paragraph 3(b) or paragraph 4(3)(b) that a foundation phase assessment has not been carried out in respect of a pupil.

(2) If the responsible person has been notified that a foundation phase assessment has been carried out in respect of a pupil at a previous foundation phase setting, the responsible person must include a copy of that earlier notification unless sub-paragraph (3) applies.

(3) This sub-paragraph applies only where—

- (a) the notification is required by paragraph 3(b), and
- (b) the foundation phase setting in relation to which the notification is required is, and at the time of the assessment of the pupil the previous foundation phase setting was, a foundation phase setting maintained or funded by the same local authority.

**9.—(1)** The responsible person must offer to the parent of a pupil in relation to whom an assessment has been carried out at the foundation phase setting a reasonable opportunity for the parent to discuss the results of the assessment with a practitioner at the foundation phase setting.

(2) The offer must be made before the end of the school term in which the foundation phase assessment was carried out and the responsible person must secure that any resulting discussion takes place during that term or as soon as is reasonably practicable after the end of that term.

## Part 3

### Duties of relevant local authorities

**10.** Every relevant local authority must receive and keep the notifications made to them under Parts 1 and 2 of this Schedule.

**11.** Within 14 working days of receiving a request in writing from the Welsh Ministers, a relevant local authority must provide to the Welsh Ministers, in machine readable format, through a secure internet website provided for that purpose by the Welsh Ministers, such of the notifications made to it under Parts 1 and 2 of this Schedule as the Welsh Ministers request.