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## EXPLANATORY NOTE

*(This note is not part of the Order)*

The foundation phase was introduced on 1 August 2008 by the Education (National Curriculum) (Foundation Stage) (Wales) Order 2008 (“the 2008 Order”). The 2008 Order also specified the period of the foundation phase and gave legal effect to areas of learning, which set out the desirable outcomes and educational programmes.

The “foundation phase” was originally called the “foundation stage” in Part 7 of the Education Act 2002. In practice practitioners referred to the “foundation stage” as the “foundation phase” in English. Consequently the Education (Wales) Measure 2009 (“the 2009 Measure”) amended Part 7 of the Education Act 2002 so as to refer to the “foundation phase” instead of the “foundation stage”. In light of that change made by the 2009 Measure it is considered appropriate to revoke the 2008 Order (article 2) and re-make that Order so as to reflect the change of name in English to the “foundation phase” (article 3). In Welsh the name “cyfnod sylfaen” is used for the “foundation stage” and the “foundation phase”.

The Welsh Minister’s Code of Practice on the carrying out of Regulatory Impact Assessments was carried out in relation to this Order. As a result, it was not necessary to carry out a Regulatory Impact Assessment as to the likely costs and benefits of complying with this Order.