

Statutory Instruments with Clear Reports

24 January 2022

SL(6)127 – The Education (Arrangements for Assessing in the Curriculum for Wales) Regulations 2022

Procedure: Made Negative

The Curriculum and Assessment (Wales) Act 2021 (“the Act”) establishes a new framework for a curriculum and makes provision about assessment for pupils and children in Wales. Section 56 of the Act requires the Welsh Ministers to make regulations about assessment arrangements.

These [Regulations](#) will apply to—

- (a) maintained schools,
- (b) maintained nursery schools,
- (c) funded non-maintained nursery education providers,
- (d) pupil referral units, and
- (e) a person who arranges or provides teaching and learning for a child otherwise than at a maintained school, maintained nursery school or pupil referral unit (by virtue of arrangements made under section 19A of the Education Act 1996).

Regulation 1 provides for the commencement of these Regulations by year groups. This will mirror the planned roll-out of the Curriculum for Wales (“CfW”) which will be also be phased in over a period of time by year groups.

The CfW and these Regulations will become mandatory for the year groups in schools and other settings as follows—

- (a) on 1 September 2022 for—
 - (i) children receiving nursery education,
 - (ii) pupils in their reception year,
 - (iii) pupils in years 1 to 6,
- (b) on 1 September 2022 for pupils in year 7 in schools and other settings where there is a curriculum adopted or otherwise provided in accordance with the Act,
- (c) on 1 September 2023 for pupils in year 7 who are not within paragraph (b),



- (d) on 1 September 2023 for pupils in year 8,
- (e) on 1 September 2024 for pupils in year 9,
- (f) on 1 September 2025 for pupils in year 10,
- (g) on 1 September 2026 for pupils in year 11.

On-going assessments

Regulation 3 requires specified persons (for example, head teachers) to make arrangements for the ongoing assessment of every pupil throughout the school year by a practitioner (i.e. by a person who provides teaching and learning in respect of the relevant curriculum). The purpose of the assessment arrangements is to assess, in relation to the relevant curriculum—

- (a) the progress made by pupils and children,
- (b) the next steps in their progression, and
- (c) the teaching and learning needed to make that progress.

The assessment arrangements must be suitable for pupils and children of differing ages, abilities and aptitudes.

Regulation 5 requires the assessment arrangements to be reviewed, and revised in specified circumstances.

On-entry assessments

Regulation 6 requires specified persons (for example, head teachers) to make arrangements for the assessment of pupils and children. The purpose of the assessment arrangements is to assess, in relation to the relevant curriculum the abilities and aptitudes of pupils and children in order to determine—

- (a) the next steps in their progression, and
- (b) the teaching and learning needed to make that progress.

The assessment arrangements must—

- (a) be suitable for pupils and children of differing ages, abilities and aptitudes, and
- (b) include arrangements for assessing—
 - (i) the numeracy and literacy skills of pupils and children, and
 - (ii) the physical, social and emotional development of pupils and children.

Further, the assessment arrangements must take place within a specified time. For example, with regard to nursery education, they must take place within 6 weeks of the child or pupil



first being provided with nursery education. And for pupils in year 1 in a maintained school, they must take place within 6 weeks of the pupil beginning year 1.

Regulation 8 requires the assessment arrangements to be reviewed, and revised in specified circumstances.

Duty of the Welsh Ministers to publish assessment arrangements

Regulation 9 requires the Welsh Ministers to publish assessment arrangements which may be adopted by a provider of funded non-maintained nursery education. And Regulation 10 provides for the review and revision of the published assessment arrangements.

Parent Act: Curriculum and Assessment (Wales) Act 2021

Date Made: 07 January 2022

Date Laid: 11 January 2022

Coming into force: in accordance with regulation 1(2) to (6)



Senedd Cymru

Pwyllgor Deddfwriaeth, Cyfiawnder a'r Cyfansoddiad

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Welsh Parliament

Legislation, Justice and Constitution Committee