

Statutory assessment arrangements for the Foundation Phase and end of Key Stages 2 and 3



Guidance

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Statutory assessment arrangements for the Foundation Phase and end of Key Stages 2 and 3

Audience

Primary and secondary headteachers of mainstream and special schools; other school managers; assessment coordinators and teachers; governing bodies of maintained schools; local authorities and national bodies with an interest in education.

Overview

This publication sets out the statutory requirements for teacher assessment for the Foundation Phase and end of Key Stages 2 and 3, and outlines the statutory requirements for annual National Reading and Numeracy Tests and personalised assessments in Years 2 to 9.

Action required

Headteachers and governing bodies of maintained schools must ensure that the requirements set out in this publication are understood by their staff and implemented fully, in line with the dates specified.

All leaders of funded non-maintained settings should be aware of the requirements.

Further information

Enquiries about this document should be directed to:

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Introduction

Meeting the statutory requirements for assessment

This publication replaces the 2017/18 version of the *Statutory assessment arrangements for the end of Foundation Phase and Key Stages 2 and 3* publication. It provides important information regarding the statutory assessment arrangements for the Foundation Phase and end of Key Stages 2 and 3, and sets out the statutory requirements for annual National Reading and Numeracy Tests and personalised assessments.

Headteachers, governors, coordinators, teachers and practitioners, who will be involved in the Foundation Phase and/or end of key stage statutory assessment arrangements, should familiarise themselves with the key requirements set out in this publication. This will enable school leaders and their staff to ensure that statutory assessment arrangements are incorporated effectively in their planning for the year.

A visual representation of the end-to-end process of teacher assessment in Wales can be found in Appendix A.

The process is designed to support and strengthen stakeholders' knowledge and understanding of both the procedure and principles of teacher assessment by making the overall requirements easily accessible to all.

New national curriculum and assessment arrangements for Wales

A new curriculum is being developed for settings and schools in Wales. The curriculum will be available by April 2019 for feedback. A final version will be available in January 2020, and will be used throughout Wales by 2022.

Further information on the new curriculum and assessment arrangements can be found via the following link:

www.beta.gov.wales/new-school-curriculum-overview

Linked support

As in previous years, information on National Data Collection and reporting arrangements will be issued separately in the spring.

A summary of the key dates by when teacher assessment and paper-based National Reading and Numeracy Tests should be finalised, in order to meet National Data Collection requirements, will be made available online via the following link:

www.beta.gov.wales/data-collection-and-information-management-for-schools

General requirements

Headteachers'¹ duties²

Headteachers of maintained primary and secondary schools (mainstream and special schools) have a duty to ensure effective delivery of the:

- Foundation Phase
- national curriculum
- statutory assessment arrangements of the National Reading and Numeracy Tests and personalised assessments.

The following guidance summarises how headteachers are required to comply fully with these statutory assessment requirements.

Foundation Phase Profile

The Foundation Phase Profile ('the profile') has been developed to support assessment of children's learning and development throughout their time in the Foundation Phase, from entry through to the end of the Foundation Phase. Through the use of observations and formative assessments, the profile supports practitioners to provide a developmentally appropriate holistic curriculum for all children. The profile contains detailed skill ladders in four of the Foundation Phase Areas of Learning that support consistent judgements against the associated Foundation Phase outcomes.

From September 2015 teachers are required to use the profile in order to carry out a statutory baseline assessment within the first six weeks of a child entering the Reception year. The profile will further support assessment through to the end of the Foundation Phase (end of Year 2).

Foundation Phase – baseline assessment

Headteachers must:

- remind practitioners of their duty to undertake the assessment arrangements
- identify which children should be assessed within the Reception year
- ensure that a statutory baseline assessment is undertaken during the first six weeks of a child entering the Reception year³ using the Foundation Phase Profile Compact Profile assessment
- ensure the Compact Profile scoring method within the Foundation Phase Profile is used to arrive at outcomes for the Areas of Learning assessed
- ensure that statutory teacher assessments against the Foundation Phase Areas of Learning are finalised and recorded for:

¹ Throughout this publication, where reference is made to the headteacher, the school governing body must ensure that the headteacher's duties are carried out by their nominated representative if the headteacher is temporarily or permanently absent.

² Headteachers' duties with regard to reporting to parents/carers and National Data Collection are covered in separate guidance, to be issued in the spring term.

³ The baseline assessment should be carried out in the language determined by the school's curriculum provision.

- Personal and Social Development, Well-being and Cultural Diversity
- Language, Literacy and Communication Skills
- Mathematical Development
- Physical Development.

End of Foundation Phase teacher assessment

Headteachers must:

- remind practitioners of their duty to undertake the assessment arrangements
- identify which children should be assessed at the end of the Foundation Phase
- ensure that statutory teacher assessments against the Foundation Phase Areas of Learning are finalised and recorded for:
 - Personal and Social Development, Well-being and Cultural Diversity
 - Language, Literacy and Communication Skills
 - Mathematical Development
- ensure that a statutory end of phase teacher assessment is undertaken not later than 20 working days before the end of summer term.

Revised Programmes of Study

In October 2014 the Programmes of Study (PoS) for Key Stages 2 to 4 for English, Welsh and mathematics were revised to align them with the LNF as well as made more demanding.

The revised PoS were introduced on a statutory basis from September 2015.

For Key Stages 2 and 3, teachers are required to assess learners' progress against the existing national curriculum levels.

However, schools are guided to ensure their expectations for learners are more in keeping with the increased expectations within the LNF and the revised programmes of study to better prepare learners for GCSEs and the world of work.

End of key stage teacher assessment

Headteachers must:

- remind teachers of their duty to administer the assessment arrangements
- identify which learners should be assessed at the end of each key stage
- ensure that teacher assessment levels are recorded for each attainment target in all subjects with more than one attainment target
- ensure that overall subject levels are recorded for each subject
- ensure that a statutory end of key stage teacher assessment is undertaken not later than 20 working days before the end of summer term.

Specifically:

for Key Stage 2

- ensure that end of key stage teacher assessment is finalised and recorded for English, Welsh (if the learner has followed the Welsh programme of study) or Welsh second language, mathematics and science

for Key Stage 3

- ensure that end of key stage teacher assessment is finalised and recorded for each core and non-core subject (see page 10).

School-based standardisation and moderation⁴

Headteachers must ensure that for **English, Welsh or Welsh second language, mathematics and science (Key Stages 2 and 3), and for all non-core subjects (Key Stage 3 only)**:

- robust systems and procedures are in place to support accurate and consistent teacher assessment. These systems and procedures need to be focused on internal standardisation and moderation
- all teachers understand and apply the concept of best-fit judgements to learners' work, in relation to the national curriculum outcome/level descriptions – see *Making the most of assessment 7–14* (2010).

This should allow teachers, within each subject, to confirm a shared understanding of national curriculum standards, based on an agreed selection of learners' work and supporting teacher commentary that shows the links to the level descriptions.

Guidance on implementing this duty

In order to comply with these requirements, headteachers should ensure that within their schools they:

- have in place arrangements by which teachers confirm and maintain a shared understanding of national curriculum standards, using samples of their learners' work to generate a reference set of exemplars (standardisation procedures)
- have in place arrangements, using selected learner profiles, so that teachers moderate end of key stage assessments and apply the outcomes from this internal moderation prior to finalising all learners' end of key stage attainment
- maintain concise documentary evidence of these systems and procedures, and their annual application, for both internal and external quality assurance purposes
- undertake annual reviews to ensure both ongoing added value to existing assessment arrangements and that procedures reflect best practice and direct ownership by all teachers.

⁴ Standardisation and moderation are defined within the publication *Ensuring consistency in teacher assessment: Guidance for Key Stages 2 and 3* (2008). **Note:** These requirements may be interpreted with regard to the context of each school's particular circumstances (e.g. some small schools may wish to network with teachers from neighbouring schools in order to bring together a viable group of teachers for school-based standardisation/moderation purposes).

Key Stages 2 and 3 cluster group moderation (core subjects)

Headteachers must ensure that for **English, Welsh or Welsh second language, mathematics and science** cluster group meetings for Key Stages 2 and 3 transition include robust arrangements for moderation of examples of Year 6 and Year 9 learner profiles selected from within the cluster group's own schools.

These arrangements should add value to school-based standardisation and moderation by strengthening teacher assessment. They should also ensure that good practice within the cluster is identified, shared and built upon, to set an agenda for improvement that reflects local circumstances and needs.

Guidance on implementing this duty

In order to comply with these requirements, headteachers must ensure that:

- their own school representatives attend all cluster group moderation meetings
- they allow appropriate time for cluster group moderation meetings, and network with other headteachers within the cluster group to coordinate teachers' availability
- their own teachers select learner profiles from their classes as evidence for the cluster group's moderation
- they support their teacher representatives to share the outcomes of cluster group meetings with other staff
- agreed decisions and outcomes from cluster group meetings are implemented by all relevant staff within their own school, prior to end of key stage teacher assessment.

Practical guidance (including case studies of good practice) on operating cluster group moderation is provided in the publication *Ensuring consistency in teacher assessment: Guidance for Key Stages 2 and 3*, sent to schools in spring 2008.

www.learning.gov.wales/docs/learningwales/publications/140626-ensuring-consistency-in-teacher-assessment-key-stages-2-3-en.pdf

Statutory assessment arrangements for literacy and numeracy

The LNF is a statutory curriculum requirement for learners aged 5 to 14. There is a statutory requirement for schools to formatively assess learners' literacy and numeracy skills across the curriculum using the LNF. At the end of each year, schools are required to produce a narrative report to parents⁵ on their child's progress and next steps based on this assessment in:

- Language, Literacy and Communication Skills and Mathematical Development in the Foundation Phase
- English, Welsh and mathematics at Key Stages 2 and 3.

⁵ Throughout this publication, where reference is made to the 'parent' this refers to: all natural parents, whether married or not; any person who, although not a natural parent, has parental responsibility for a child or young person; and any person who, although neither a natural parent nor a person with parental responsibility, has care of a child or young person, as defined in section 576 of the Education Act 1996.

Further guidance on the LNF is available on the Learning Wales website at:

www.learning.gov.wales/resources/collections/Inf?lang=en

National Reading and Numeracy Tests and personalised assessments

Headteachers must:

- make appropriate arrangements for administering the paper-based tests and online personalised assessments
- ensure that the paper-based tests are administered within the indicated test window as set out in the National Reading and Numeracy Tests assessment timetable and the personalised assessments are administered at least once during the academic year
- ensure that the paper-based tests and online personalised assessments are administered in accordance with the *National Reading and Numeracy Tests – Test administration handbook 2018/19*
- ensure that any decisions to disapply one or more of the paper-based tests or personalised assessments for learners, or to make access arrangements, are made in line with the access, modifications and disapplication sections of the *National Reading and Numeracy Tests – Test administration handbook 2018/19*
- sign and submit to the relevant consortium a declaration regarding the administration of the paper-based national tests.

Teacher assessment

Learners to be assessed

All learners in Reception year and final years of the Foundation Phase, Key Stage 2 and Key Stage 3, must be assessed through teacher assessment.

Headteachers are responsible for reporting results for all learners on their school roll as at the second Tuesday in May; this is known as the 'specified date on roll'.

Learners who are moving to the next key stage programmes of study in the following school year are regarded as being in the final year of the relevant key stage or phase. These learners will be recorded in school management information systems (MIS) as being taught in national curriculum year groups 2, 6 or 9. It is this, rather than learners' dates of birth, that indicates whether or not they are eligible for assessment at the end of the Foundation Phase or Key Stages 2 or 3. For baseline assessment it is the learner's date of birth that determines whether they are eligible for a baseline assessment, with the baseline assessment year being defined as the academic year in which they reach the age of 5. Care should be taken to ensure that this information is correctly recorded within the school MIS.

Most learners will be 7, 11 or 14 years old at the end of the Foundation Phase or respective key stage. It is possible that some may be older and some may be taught in a class where the majority of learners are of a different age. For each phase/stage, learners must be statutorily assessed (i.e. they must receive a teacher assessment result) once only.

Individual learners may move from one key stage to the next at a different age to the majority of their peers. However, if a school envisages that there may be exceptional grounds for moving a whole class of learners either earlier or later from one key stage to the next, this should be raised with the Curriculum Division (see contact details in Appendix F) in advance of any implementation.

Foundation Phase requirements

Teachers and/or practitioners are required to assess children twice during the Foundation Phase – a baseline assessment, carried out within the first six weeks of a child entering Reception year, and an end of Foundation Phase assessment.

Baseline assessment

Teachers and/or practitioners are required to use the Compact Profile scoring method when carrying out their statutory baseline assessments.

Teachers and/or practitioners are required to make their statutory baseline assessment against four of the Foundation Phase Areas of Learning.

- Personal and Social Development, Well-Being and Cultural Diversity.
- Language, Literacy and Communication Skills (revised August 2015).
- Mathematical Development (revised August 2015).
- Physical Development.

End of Foundation Phase assessment

Teachers and/or practitioners are required to make their statutory end of the Foundation Phase teacher assessments against three of the Foundation Phase Areas of Learning.

- Personal and Social Development, Well-Being and Cultural Diversity.
- Language, Literacy and Communication Skills (revised August 2015).
- Mathematical Development (revised August 2015).

There are currently no statutory requirements at the end of Nursery or Year 1; however leaders/headteachers, where appropriate, should ensure that all teachers and/or practitioners gather evidence to inform judgements on each child's progress in all Areas of Learning. The Foundation Phase Profile can be used to support these assessments.

The following table contains the valid outcome codes for statutory baseline and end of Foundation Phase teacher assessments 2018/19.

Foundation Phase Outcomes	Valid teacher assessment codes	Baseline assessment 2018/19	End of phase assessment 2018/19
Performance above Foundation Phase Outcome 6	A	✓	✓
Foundation Phase Outcome 6	6	✓	✓
Foundation Phase Outcome 5	5	✓	✓
Foundation Phase Outcome 4	4	✓	✓
Foundation Phase Outcome 3	3	✓	✓
Foundation Phase Outcome 2	2	✓	✓
Foundation Phase Outcome 1	1	✓	✓
Foundation Phase Outcome Gold	G	✓	✓
Foundation Phase Outcome Silver	S	✓	✓
Foundation Phase Outcome Bronze	Z	✓	✓
Working towards Foundation Phase Outcomes	W	✓	✓
Disapplied under sections 113–116 of the Education Act 2002	D	✓	✓
Not awarded a level for reasons other than disapplication	N	✓	✓

Key Stages 2 and 3 requirements

Teachers are required to make their statutory teacher assessments, at the end of the key stage, for each eligible learner in:

Key Stage 2

- English
- Welsh (if the learner has followed the Welsh programme of study)⁶ or Welsh second language
- mathematics
- science

Key Stage 3

- English
- Welsh (if the learner has followed the Welsh programme of study) or Welsh second language
- mathematics
- science
- modern foreign languages⁷
- design and technology
- information and communication technology
- history
- geography
- art and design
- music
- physical education.

In order to fulfil statutory requirements, end of key stage teacher assessment must include:

- a level **for each attainment target** (for subjects with more than one attainment target)
- an overall **subject level** for each subject (please also see table on page 11 and Appendices C, D and E).

⁶ Schools are required to assess learners at the end of Key Stages 2 and 3 in English and either Welsh or Welsh second language. Learners should be assessed against the relevant programme of study which has been followed, i.e. learners following the Welsh programme of study should be assessed in Welsh.

⁷ In cases where learners are studying more than one modern foreign language at Key Stage 3, schools must decide for each learner which **one** language should count for the purposes of statutory assessment.

Summary table for calculating end of key stage teacher assessment subject levels/outcomes

National curriculum levels/outcomes	Valid teacher assessment codes	Numerical value
Exceptional Performance	E	9
National Curriculum Level 8	8	8
National Curriculum Level 7	7	7
National Curriculum Level 6	6	6
National Curriculum Level 5	5	5
National Curriculum Level 4	4	4
National Curriculum Level 3	3	3
National Curriculum Level 2	2	2
National Curriculum Level 1	1	1
National Curriculum Outcome 3	A	0.75
National Curriculum Outcome 2	B	0.50
National Curriculum Outcome 1	C	0.25
Disapplied under sections 113–116 of the Education Act 2002	D	–
Not awarded a level for reasons other than disapplication	N	–

For subjects with more than one attainment target:

- subject levels/outcomes should be calculated using the **numerical values** assigned to each of the national curriculum level/outcome descriptions
- subject levels/outcomes should be calculated according to the **weightings** set out in Appendix C (Key Stage 2) or Appendix D (Key Stage 3).

For subject-level calculations of more than 1, halves should be rounded upwards to the next whole number (to award a national curriculum level). School MIS should perform the calculations once attainment target data have been entered.

For subject-level calculations of less than 1, the number should be rounded to the nearest 0.25 (to award a national curriculum outcome). School MIS should perform the calculations once attainment target data have been entered.

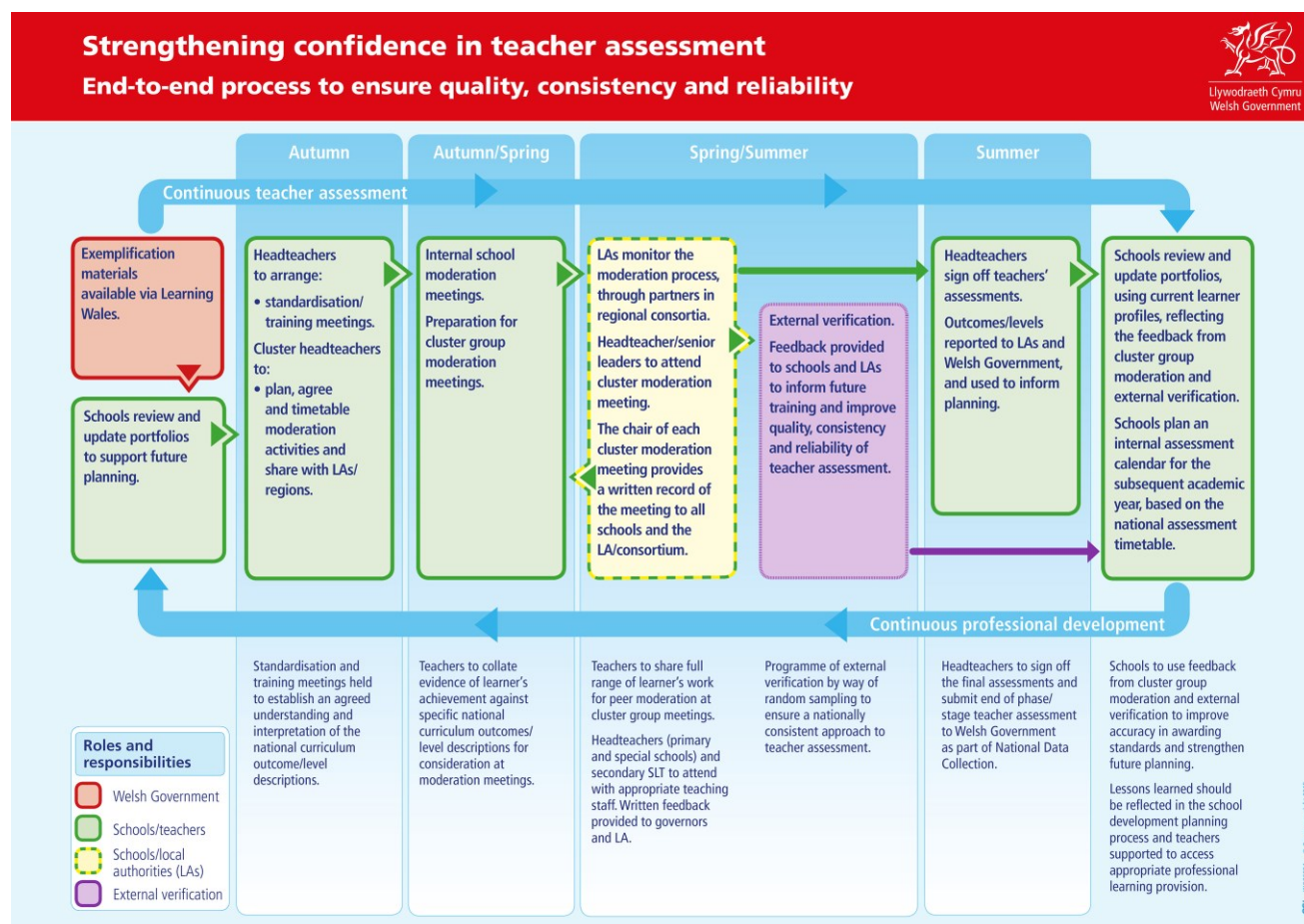
National Reading and Numeracy Test requirements

Schools are required to administer the paper-based National Reading and Numeracy Tests and online personalised assessments to all learners in National Curriculum Years 2 to 9, unless the tests/assessments are disapplied, and to record and upload learners' raw test scores for the paper-based tests.

Standardised scores and progress scores (where applicable) are then system-generated based on the raw scores, the age of the learner on the date of test and the learner's national curriculum year group, for distribution to parents and carers.

Appendix A

Strengthening confidence in teacher assessment



This poster can be accessed from the Learning Wales website at www.learning.gov.wales/resources/browse-all/process-for-teacher-assessment/?lang=en

End-to-end process – glossary

Exemplification materials

Welsh Government guidance materials developed to provide key messages for planning learning and teaching for each national curriculum subject. They include learners' work to exemplify the standards set out in the level descriptions and illustrate how to use level descriptions to make best-fit judgements at the end of Key Stages 2 and 3.

Standardisation

A process whereby samples of previously completed work by the same learner or by different learners are used to enable teachers to reach agreement on levels of attainment by confirming a shared understanding of the characteristics of a level.

Standardisation and training meetings

School standardisation and training meetings provide an opportunity for teaching staff to discuss and/or compare teacher assessments to ensure that their assessments are based on a shared understanding of national curriculum level description characteristics, so that standards are applied consistently when coming to a judgement on each learner's performance at the end of each phase/stage.

Schools are encouraged to review and refresh their school/department/cluster standardisation portfolios periodically to ensure relevant and up-to-date examples of learners' work are included.

Portfolios (standardisation)

A school, department or cluster standardisation portfolio containing evidence of achievements, from the same learner **or** from different learners, which demonstrates characteristics of a particular outcome or level.

This evidence includes samples of learners' work with brief commentaries and annotations, showing how they reflect national standards. It may also include evidence from activities that do not result in written outcomes, such as:

- tablet recordings (including those made by the learner)
- observation notes
- reading records
- videos
- annotated photographs
- evidence recorded on software packages
- assessment data.

School moderation meetings

School moderation meetings provide an opportunity for teachers to scrutinise learner profiles to reach an agreement on the best-fit outcome/level that the child is currently working at. This process needs to take place prior to cluster group moderation meetings.

School moderation meetings are a statutory requirement for all maintained schools at Key Stages 2 and 3.

Cluster group moderation meetings

Cluster group moderation meetings require secondary schools and their feeder primary schools to come together to moderate examples of Year 6 and Year 9 learner profiles provided by each school.

Best-fit teacher assessment judgements made in relation to a particular learner are evaluated and confirmed by those teachers and school leaders in attendance.

It is compulsory for all maintained schools to participate in cluster group moderation meetings for Key Stages 2 and 3.

Learner profile

A learner profile can be defined as: all available evidence from an individual learner that demonstrates their understanding and independent use of skills across a range of contexts. This should be as straightforward as the learner's workbook or books.

Evidence can also include:

- the learner's work
- tablet recordings (including those made by the learner)
- observation notes
- reading records
- videos
- annotated photographs
- evidence recorded on software packages
- assessment data.

Marking should provide contextual information, such as the amount of support given or resources used, to enable someone other than just the class teacher to make a secure judgement of the learner's outcome/level.

Appendix B

The Compact Profile Form

Foundation Phase Profile - Compact Profile Form

Name of Child Date of assessment

Personal and Social Development, Well-being and Cultural Diversity						
	Social interaction	Behavioural regulation	Response to others	Independence in personal care	Score	Outcome
Not awarded an outcome	N	N	N	N	N	Not awarded (N)
Disapplied	D	D	D	D	D	Disapplied on more than one skill ladder (D)
Working towards lowest outcome	¼	¼	¼	¼	1–3	Working towards Bronze (W)
Bronze	1	1	1	1	3¼–6	Bronze (Z)
Silver	2	2	2	2	6¼–10¼	Silver (S)
Gold	3	3	3	3	11–16¼	Gold (G)
Outcome 1	5	5	5	5	17–26¼	Outcome 1 (1)
Outcome 2	8	8	8	8	27–38	Outcome 2 (2)
Outcome 3	11	11	11	11	39–50	Outcome 3 (3)
Outcome 4	14	14	14	14	51–62	Outcome 4 (4)
Outcome 5	17	17	17	17	63–74	Outcome 5 (5)
Outcome 6	20	20	20	20	75–86	Outcome 6 (6)
Above Outcome 6	23	23	23	23	87–92	Above Outcome 6 (A)
	+	+	+	=		

Language, Literacy and Communication Skills						
	Oracy – Listening and understanding	Oracy – Phonological awareness	Oracy – Expressive language	Reading – Understanding reading materials	Score	Outcome
Not awarded an outcome	N	N	N	N	N	Not awarded (N)
Disapplied	D	D	D	D	D	Disapplied on more than one skill ladder (D)
Working towards lowest outcome	¼	¼	¼	¼	1–3	Working towards Bronze (W)
Bronze	1	1	1	1	3¼–6	Bronze (Z)
Silver	2	2	2	2	6¼–10¼	Silver (S)
Gold	3	3	3	3	11–16¼	Gold (G)
Outcome 1	5	5	5	5	17–26¼	Outcome 1 (1)
Outcome 2	8	8	8	8	27–38	Outcome 2 (2)
Outcome 3	11	11	11	11	39–50	Outcome 3 (3)
Outcome 4	14	14	14	14	51–62	Outcome 4 (4)
Outcome 5	17	17	17	17	63–74	Outcome 5 (5)
Outcome 6	20	20	20	20	75–86	Outcome 6 (6)
Above Outcome 6	23	23	23	23	87–92	Above Outcome 6 (A)
	+	+	+	=		

If any skill ladders are marked with the outcomes 'Not awarded' or 'Disapplied' additional scoring rules should be taken into account. These rules can be found on the Foundation Phase Profile pages on the Welsh Government website.

Mathematical Development

	Reciting and sequencing numbers	Counting	Shape	Pattern	Score	Outcome
Not awarded an outcome	N	N	N	N	N	Not awarded (N)
Disapplied	D	D	D	D	D	Disapplied on more than one skill ladder (D)
Working towards lowest outcome	¼	¼	¼	¼	1–3	Working towards Bronze (W)
Bronze		1	1	1	3¼–6	Bronze (Z)
Silver	2	2	2	2	6¼–10¼	Silver (S)
Gold	3	3	3	3	11–16¼	Gold (G)
Outcome 1	5	5	5	5	17–26¼	Outcome 1 (1)
Outcome 2	8	8	8	8	27–38	Outcome 2 (2)
Outcome 3	11	11	11	11	39–50	Outcome 3 (3)
Outcome 4	14	14	14	14	51–62	Outcome 4 (4)
Outcome 5	17	17	17	17	63–74	Outcome 5 (5)
Outcome 6	20	20	20	20	75–86	Outcome 6 (6)
Above Outcome 6	23	23	23	23	87–92	Above Outcome 6 (A)
	+	+	+	=		

Physical Development

	Holding a mark-making implement	Coordinated movement	Drawing	Fine manipulation	Score	Foundation Phase Outcome
Not awarded an outcome	N	N	N	N	N	Not awarded (N)
Disapplied	D	D	D	D	D	Disapplied on more than one skill ladder (D)
Working towards lowest outcome	¼	¼	¼	¼	1–3	Working towards Bronze (W)
Bronze	1	1		1	3¼–6	Bronze (Z)
Silver	2	2	2	2	6¼–10¼	Silver (S)
Gold	3	3	3	3	11–16¼	Gold (G)
Outcome 1	5	5	5	5	17–26¼	Outcome 1 (1)
Outcome 2	8	8	8	8	27–38	Outcome 2 (2)
Outcome 3	11	11	11	11	39–50	Outcome 3 (3)
Outcome 4	14	14	14	14	51–62	Outcome 4 (4)
Outcome 5	17	17	17	17	63–74	Outcome 5 (5)
Outcome 6	20	20	20	20	75–86	Outcome 6 (6)
Above Outcome 6	23	23	23	23	87–92	Above Outcome 6 (A)
	+	+	+	=		

Appendix C

Calculating teacher assessment subject levels: Key Stage 2 (Curriculum 2008)

When calculating the subject level:

- the **English** attainment targets should be weighted equally as follows:
 - Oracy (En1) 1
 - Reading (En2) 1
 - Writing (En3) 1
- the **Welsh** attainment targets should be weighted as follows:
 - Oracy (Cy1) 4
 - Reading (Cy2) 3
 - Writing (Cy3) 3
- the **Welsh second language** attainment targets should be weighted as follows:
 - Oracy (Ca1) 7
 - Reading (Ca2) 1.5
 - Writing (Ca3) 1.5

For subject-level calculations of less than 1, the number should be rounded to the nearest 0.25 (to award a national curriculum outcome). For subject-level calculations of more than 1, halves should be rounded upwards to the next whole number (to award a national curriculum level).

An example for Welsh second language

To calculate the subject level for this learner, total column (c) then divide by the total of column (b) ($44 \div 10 = 4.4$). Round to the nearest whole number. This learner has attained Level 4.

Attainment target	(a) Level	(b) Weighting	(c) Level x weighting
Oracy (Ca1)	5	7	35
Reading (Ca2)	3	1.5	4.5
Writing (Ca3)	3	1.5	4.5
Total		10	44

Appendix D

Calculating teacher assessment subject levels: Key Stage 3 (Curriculum 2008)

When calculating the subject level:

- the **English** attainment targets should be weighted equally as follows:
 - Oracy (En1) 1
 - Reading (En2) 1
 - Writing (En3) 1
- the **Welsh** attainment targets should be weighted as follows:
 - Oracy (Cy1) 4
 - Reading (Cy2) 3
 - Writing (Cy3) 3
- the **Welsh second language** attainment targets should be weighted as follows:
 - Oracy (Ca1) 3
 - Reading (Ca2) 1
 - Writing (Ca3) 1
- the **modern foreign language** attainment targets should be weighted as follows:
 - Oracy (MI1) 2
 - Reading (MI2) 1
 - Writing (MI3) 1

For subject-level calculations of less than 1, the number should be rounded to the nearest 0.25 (to award a national curriculum outcome). For subject-level calculations of more than 1, halves should be rounded upwards to the next whole number (to award a national curriculum level).

An example for Welsh

To calculate the subject level for this learner, total column (c) then divide by the total of column (b) ($47 \div 10 = 4.7$). Round to the nearest whole number. This learner has attained Level 5.

Attainment target	(a) Level	(b) Weighting	(c) Level x weighting
Oracy (Cy1)	5	4	20
Reading (Cy2)	5	3	15
Writing (Cy3)	4	3	12
Total		10	47

Appendix E

Disapplication and modification

Only in very rare circumstances will there be a need to disapply national curriculum **teacher assessment** for a pupil. For subjects with more than one attainment target, where a single attainment target has been disapplied, an overall subject level may still be calculated using the remaining attainment targets and their weighting as set out in Appendices C and D. A subject level should not be awarded where more than one attainment target has been disapplied. In this case, the overall subject level will be reported as disapplied.

Where it is necessary to disapply teacher assessment for a pupil, this may be done through:

- **section 113** of the Education Act 2002, which specifies that some or all of the national curriculum may be modified or disapplied **by a pupil's statement of special educational needs**
- **sections 114–116** of the Education Act 2002, which specifies that some or all of the national curriculum may be **temporarily disapplied** for a pupil if, for the time being, it is inappropriate to offer the national curriculum as it currently applies to them.

For guidance on disapplication of the **National Reading and Numeracy Tests** see the 'Disapplication' section of the *National Reading and Numeracy Tests – Test administration handbook 2018/19*.

Temporary disapplication

Temporary disapplications are made in accordance with the Education (National Curriculum) (Temporary Exceptions for Individual Pupils) (Wales) Regulations 1999. A temporary disapplication is a direction from a headteacher of a maintained school in respect of a registered pupil at the school that the requirements of the national curriculum should be disapplied for a specified period or modified in some way. They are not intended to provide long-term exemptions from the national curriculum provisions and are likely to be needed in rare circumstances only. A direction cannot be given if the circumstances that led to that direction are likely to change within six months, or if the circumstances indicate a need for the pupil to be assessed under section 323 of the Education Act 1996 with a view to making or amending a statement of special educational needs.

It is expected that headteachers will use their powers of direction sensitively and sparingly. All pupils should have the opportunity of benefiting from the national curriculum, the framework of which provides wide scope for teachers to deal with the full range of individual pupils' needs without the need for exceptional arrangements. A temporary disapplication should be considered only when it is clear that a pupil's present circumstances or conduct mean that they cannot participate fully in the national curriculum and its assessment arrangements.

There are two types of temporary disapplication that headteachers can make under sections 114–116 of the Education Act 2002. These are as follows.

1. A **general direction** can be used for pupils who are without or not needing a statement, but for whom temporary disapplication is nonetheless needed.

Examples follow where general directions could be needed to allow exemption from aspects of the national curriculum. This list is not intended to be exhaustive. Nor should it be assumed that all such cases as those listed below will need temporary exemptions. It is only in rare circumstances that a temporary exemption should be considered. Such circumstances include:

- pupils who arrive from such a different educational system that they require a period of adjustment to the national curriculum
- pupils who have had spells in hospital, been educated at home or been excluded from school and need time to adjust
- pupils who temporarily have severe emotional problems (perhaps because of a family crisis) and need access arrangements.

2. A **special direction** can be used for pupils who, in the opinion of the headteacher, have a long-term need for exemptions or modifications to the national curriculum, which can only be met through a statement of special educational needs, and for whom temporary exemption is necessary while the process of assessment or reassessment takes place.

If, in the opinion of a headteacher, a pupil has (or probably has) special educational needs which are such that the local authority would be required to determine the special educational provision that should be made for them, whether initially or on review of an existing statement, it might be appropriate to give a special direction.

These requirements apply also to directions that started as general directions but have been varied for the purposes of special educational needs assessment. Local authorities are responsible for the assessment of pupils in their area who need, or may need, special educational provision to be determined by the local authority to meet their needs.

Procedures for giving directions

Before giving a direction, the headteacher must:

- discuss the pupil's circumstances and needs with their parents and teachers
- consult with educational psychologists, medical officers or other specialist staff
- in the case of a special direction, consult the local authority, and the responsible authority (if different). The responsible authority is the body responsible for maintaining the statement of special educational needs.

Form and content of the direction

The direction must be in writing and give brief particulars of:

- the provisions of the national curriculum being modified or disapplied
- the operative date of the direction, and if that is less than one month after the date on which the direction is given, the reasons for this (see 'Duration of the direction' on page 23)
- the operative period of the direction.

It must also:

- explain the action that is being taken and the reasons for it
- state why exceptional arrangements are necessary insofar as these differ from what would otherwise be provided.

The following information should also be provided:

- (in the case of a general direction) the manner in which the headteacher will secure full implementation of the curriculum for the pupil at the end of the operative period
- (in the case of a special direction) a statement of the headteacher's opinion, along with the reasons for that opinion, that the pupil probably has special educational needs for which the responsible authority would be obliged to make special education provision.

In addition, it is recommended that a **general direction** should:

- include the reasons why the pupil's present circumstances make it inappropriate to continue offering the national curriculum provisions that currently apply to them
- indicate how these circumstances seem likely to change over the period of the direction
- indicate how the pupil will be enabled to adjust to those national curriculum requirements that have been modified or lifted during the direction
- advise of the right of the parent to appeal to the governing body.

In addition, a **special direction** must:

- have been the subject of consultation with the local authority
- include the reasons why, in the opinion of the headteacher, the pupil has, or probably has, special educational needs requiring an assessment of or amendments to an existing statement by the responsible authority.

It is recommended that a special direction should refer to any procedures the school has used to analyse and monitor the pupil's needs and difficulties and any action taken to address them, including any special support offered.

Headteachers need not describe at the outset plans for reapplying the national curriculum to the pupil in the event of a statement not being made or amended.

Variation and revocation of directions

A headteacher may vary any direction that they have given, except so as to extend its operative period, if they consider the provision no longer appropriate for that pupil.

Where a headteacher considers a variation to a direction appropriate, they should (by a notice in writing) set out:

- those provisions of the direction which are to be varied
- brief particulars of the variations to be made and the reasons for them.

A variation to a direction shall not come into force until at least one month after the date on which notice of variation is given, unless the headteacher is satisfied that it is essential in the interests of the pupil, or for other educational reasons, for it to be brought into force earlier.

Where a headteacher considers that a direction given by them is no longer appropriate for the pupil, they may revoke it, by a notice in writing, giving brief particulars of:

- the reasons for the revocation
- the date on which the revocation is to take effect
- a description of the manner in which they propose to secure the full implementation, in relation to the pupil, of the provisions of the national curriculum after the direction has ceased to have effect (unless those particulars are unchanged from those contained in the initial direction, if any, except in their timing).

Duration of the direction

Any direction must specify when the exceptional arrangements will start and end (i.e. how long the direction will last for), or the factors that will determine their ending.

The direction may not specify a date for its coming into force of less than one month from the date on which it is given unless the headteacher is satisfied that it is essential in the interests of the pupil, or for other educational reasons, that the direction should come into force earlier.

The maximum period that a direction may apply for is:

- in the case of a general direction:
 - a fixed period not exceeding six monthsor
 - a period determinable when the headteacher is satisfied that the circumstances that gave rise to it no longer apply.
- in the case of a special direction:
 - a period during which a statement of special educational needs is made or modifiedor
 - a period ending not later than one month after the responsible authority gave notice to the headteacher that they do not intend to make or modify a statement of special educational needs for the pupil.

Any direction will cease to have effect if a pupil is removed from the register of a school. It is for the headteacher of any school to which such a pupil transfers to judge the pupil's needs and make provisions accordingly.

Information to be provided about directions

The following information must be provided about directions.

- Headteachers must give the direction in writing, stating whether the direction is general or special. This should indicate the nature of the alternative provision being made for the pupil and how long the disapplication will last, up to a maximum of six months.
- A copy must be kept at the school with the pupil's educational records.
- Copies must be sent as soon as a direction is given, and in any event within three school days, to the chair of the governing body, the local authority (and the relevant authority if different from the authority which maintains the school) and at least one of the pupil's parents as registered by the school.
- Copies must be sent by first class post and the parents' copies must be sent to their registered address.
- Parents must be informed of their right of appeal.

Where headteachers have reason to believe that a parent may have difficulty in understanding the direction, they must offer appropriate assistance, e.g. by providing an interpretation or translation of the documents or arranging to discuss them with the parents.

Procedure for parental requests and appeals

Parents may ask the headteacher to give a direction temporarily exempting their child from the national curriculum. Such requests may be made orally or in writing and should include the reasons for it. The headteacher need not consider such a request more than once in each proposed operative period for that direction, and the operative period of any further direction. In considering potential requests for a direction, the following procedures need to be followed.

- Headteachers should discuss requests with parents and seek to resolve any difficulties without resorting to formal procedures. Should this fail, parents may make a formal request either in writing or orally to the headteacher. They must give reasons for it.
- Headteachers must respond to requests within a fortnight. If they accept the request, they must send copies of the direction to the parents, the governing body and, where appropriate, the local authority.
- If the headteacher decides not to meet the request, they must write to the parents giving reasons for rejecting it and giving details of their right of appeal. Copies must be sent to the governing body and, in the case of a maintained school, the local authority and the responsible authority if different.
- Where a parent may have difficulty in understanding the letter, because of difficulty with reading or with understanding the language, the headteacher should make appropriate arrangements to explain it or arrange for a translation to be made where necessary.
- If the headteacher does not respond within a fortnight, or refuses the request, the parents have the right of appeal to the governing body.
- Governing bodies are expected to hear appeals with all due speed, to allow representations from parents, accompanied by a friend if they wish, as well as the headteacher, and to allow specialist staff to attend if necessary.

- The governing body may either confirm the headteacher's action or direct them to take any other action it considers appropriate. The governing body must notify the parents and headteacher in writing of its decision.
- If parents remain dissatisfied, they may make a complaint. In the case of maintained schools, this should be made under arrangements agreed by the local authority.

Appendix F

Useful contacts

For queries on assessment	Assessment Branch	assessment@gov.wales
For queries on the National Reading and Numeracy Tests and personalised assessments	National Reading and Numeracy Tests Branch	NRNT@gov.wales
For queries on the school curriculum	Curriculum Division	curriculum@gov.wales
For queries on the Foundation Phase	The Foundation Phase Branch	FoundationPhaseInfo@gov.wales
For queries on the Education Improvement Grant	Education Business Planning and Governance Division	education-businessplanninggovernance@gov.wales
For queries on National Data Collection and reporting of teacher assessment	School Information and Improvement Branch	NDC@gov.wales
For queries about additional learning needs	Additional Learning Needs Branch	AdditionalLearningNeedsBranch@gov.wales
For queries on INSET days	Workforce Strategy Unit	Workforceteam@gov.wales
For queries about professional standards, performance management and continuous professional development	Practitioner Standards and Professional Development Division	ProfessionalStandardsReview@gov.wales PracticeReviewandDev@gov.wales
For data and validation queries	Education and Skills	NDC@gov.wales