



# Statutory assessment arrangements for the school year 2009/10

Primary

|                            |   |
|----------------------------|---|
| <b>Audience</b>            | Teachers, headteachers and governing bodies of maintained schools, local authorities, national bodies with an interest in education.  |
| <b>Overview</b>            | This document sets out the statutory requirements for teacher assessment for the school year 2009/10.   |
| <b>Action required</b>     | Teachers, headteachers and governing bodies of maintained schools must ensure that the requirements set out in this document are implemented in line with the dates specified.  |
| <b>Further information</b> | Enquiries about this document should be directed to:<br>Curriculum and Assessment Division<br>Department for Children, Education, Lifelong Learning and Skills<br>Welsh Assembly Government<br>Cathays Park<br>Cardiff<br>CF10 3NQ<br><br>Tel: 0800 083 6003<br>e-mail: C&A3-14.C&A3-14@wales.gsi.gov.uk          |
| <b>Additional copies</b>   | Can be obtained from:<br>Tel: 0845 603 1108 (English medium)<br>Tel: 0870 242 3206 (Welsh medium)<br>Fax: 01767 375920<br>e-mail: dcells1@prolog.uk.com<br>Or by visiting the Welsh Assembly Government's website<br><a href="http://www.wales.gov.uk/educationandskills">www.wales.gov.uk/educationandskills</a> |

The assessment arrangements are based on The Education (National Curriculum) Assessment Arrangements for English, Welsh, Mathematics and Science (Key Stage 1) (Wales) Order 2002, The National Curriculum (Key Stage 2 Assessment Arrangements) (Wales), The Education (Pupil Information) (Wales) Regulations 2004, as amended; and The Education (Pupil Information) (Wales) Regulations 2004.

# Contents

|  |           |
|--|-----------|
| <b>Introduction, including new developments</b>            | <b>2</b>  |
| <b>General requirements</b>                                | <b>4</b>  |
| <b>Teacher assessment</b>                                  | <b>7</b>  |
| <b>Transition from Key Stage 2 to Key Stage 3</b>          | <b>11</b> |
| <b>Appendix A</b>  |           |
| Calculating teacher assessment subject levels: Key Stage 1 | 13        |
| <b>Appendix B</b>  |           |
| Calculating teacher assessment subject levels: Key Stage 2 | 15        |
| <b>Appendix C</b>  |           |
| Disapplication and modification                            | 16        |
| <b>Appendix D</b>  |           |
| Useful contacts  | 21        |

## Introduction

This booklet replaces the 2008/09 version and all previous versions of the Primary *Statutory assessment arrangements* booklet. It provides important information regarding the statutory assessment arrangements at Key Stages 1 and 2 in the school year 2009/10.

**Information on national data collection and reporting arrangements will be sent to schools in a separate booklet in spring 2010. This booklet will advise schools of the key dates by when teacher assessment should be finalised.**

All Year 2 and Year 6 teachers, and headteachers of Key Stage 1 and Key Stage 2 schools who will be involved in the end of key stage assessment arrangements should have a copy of this booklet. Sufficient copies have been sent to schools for the headteacher, the assessment coordinator, the additional needs coordinator and the teachers of Year 2 and Year 6 pupils. Further copies of this booklet can be ordered free of charge on 0845 603 1108 or may be downloaded from the Welsh Assembly Government's website at [www.wales.gov.uk/educationandskills](http://www.wales.gov.uk/educationandskills)

Schools which have children at the end of the Foundation Phase pilot and which have therefore been exempted from the national curriculum will receive a separate booklet outlining the assessment and reporting requirements at a later date.

### **New developments**

#### **Key Stage 2 teacher assessment against Curriculum 2008**

Implementation of the revised school curriculum covers Year 6 in the school year 2009/10. Therefore, all teacher assessment must be based on the level descriptions for Curriculum 2008.

End of Key Stage 2 teacher assessment against Curriculum 2008 must follow the information given in Appendix B with regard to attainment target weightings for English, Welsh first language, and Welsh second language.

For Key Stage 2, the Department for Children, Education, Lifelong Learning and Skills (DCELLS), has provided schools with new exemplification guidance for each subject area to support learning, teaching and assessment against Curriculum 2008.

**Note:** Appendix A covers attainment target weightings for Key Stage 1.

### **Statutory assessment of Welsh second language**

From the school year 2009/10, **teacher assessment of Welsh second language at the end of Key Stage 2 (Year 6) becomes a statutory requirement.**

Key Stage 2/3 cluster group moderation of teacher assessment should include Welsh second language.

### **Additional support for Welsh second language in Year 6**

New optional assessment resources will be sent to schools in the autumn term 2009. These are designed to support learning, teaching and assessment against Curriculum 2008 and to support the change to statutory end of Key Stage 2 teacher assessment of Welsh second language.

### **Additional INSET days**

Two additional INSET days will be available in the school year 2009/10. These are provided in order to assist schools to implement the new statutory arrangements effectively. The intention is that the use of these days should be flexible so that schools may use them in the most appropriate manner for their individual and local needs.

### **School Effectiveness Framework**

The framework is based on collaborative working between schools, local authorities and the Welsh Assembly Government. The arrangements set out within this booklet should support effective learning communities as described within the framework document, *School Effectiveness Framework: Building effective learning communities together* (spring 2008).

## General requirements

### Headteachers'1 duties

Headteachers of maintained schools have a duty to secure the implementation of the national curriculum (Curriculum 2008) and its associated statutory assessment arrangements, in their schools<sup>2</sup>.

Headteachers should ensure that their schools comply fully with the statutory assessment arrangements as described in this booklet and in any subsequent guidance.

### End of key stage teacher assessment

Headteachers must:

- identify which learners<sup>3</sup> should be assessed at the end of Key Stages 1 and 2 (see below)
- ensure that at the end of Key Stages 1 and 2, teacher assessment levels are finalised and recorded for English, Welsh first language, mathematics and science
- for Key Stage 2, ensure that end of key stage teacher assessment also includes Welsh second language (new from school year 2009/10)
- remind teachers of their contractual duty to administer the assessment arrangements.

**Note:** Headteachers' duties with regard to reporting to parents<sup>4</sup> and national data collection are covered in a separate publication, to be issued in 2010 by the Schools Management and Effectiveness Division.

<sup>1</sup> Throughout this booklet, where reference is made to the headteacher, the school governing body must ensure that the headteacher's duties are carried out by his or her nominated representative if the headteacher is temporarily or permanently absent.

<sup>2</sup> Please refer to section 100(3) of the Education Act 2002, article 4 of the National Curriculum (Key Stage 2 Assessment Arrangements (Wales) Order 2004.

<sup>3</sup> Throughout this booklet, where reference is made to all learners, this refers to those pupils eligible for assessment except those for whom the arrangements have been disappplied.

<sup>4</sup> Throughout this booklet, where reference is made to the terms 'parent' and 'parents', this also includes others with parental responsibility.

## School-based standardisation and moderation<sup>5</sup>

Headteachers should ensure that for **English, Welsh first language, Welsh second language, mathematics and science within Key Stage 2:**

- robust systems and procedures are in place to support accurate and consistent teacher assessment. These systems and procedures will need to be focused on internal standardisation and moderation to 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 must ensure that teachers within their schools:

- have in place arrangements to 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 so that teachers moderate end of key stage assessments for selected individual learners, 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 ongoing added value to existing arrangements and that procedures reflect best practice and direct ownership by all teachers.

### Cluster group moderation

Headteachers should ensure that for **English, Welsh first language, Welsh second language, mathematics and science:**

- cluster group meetings for Key Stage 2 and 3 transition include robust arrangements for moderation of samples of learners' work selected by the cluster group.

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

<sup>5</sup> Standardisation and moderation are defined within the DCELLS publication *Ensuring consistency in teacher assessment: Guidance for Key Stages 2 and 3*, published 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).

### **Guidance on implementing this duty**

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

- their own schools are represented by requiring teacher involvement in cluster meetings and moderation of selected evidence from each school which reflects learning and teaching within the school.

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

## Teacher assessment

### **Learners to be assessed**

**All learners in their final year of Key Stages 1 and 2 in the school year 2009/10 must be assessed through teacher assessment in the core subjects.**

Each school is 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'. In 2010, the date for this will be **11 May**.

Learners who are moving on to the next key stage programmes of study in the following school year are regarded as being in their final year of their key stage. In terms of school management information systems (MIS) these learners will be recorded as being taught in national curriculum year group 2 or 6; it is this, rather than the learner's date of birth, that indicates whether they are eligible for assessment at the end of Key Stages 1 and 2. Care should be taken to ensure that this information is correctly recorded within the school MIS. Most learners will be 7- or 11-years-old, some may be older or younger and some may be taught in a class where the majority of learners are of a different age. Learners must be statutorily assessed, that is, they must receive end of key stage teacher assessment once only.

This guidance refers to individual learners who may move from one key stage to another at a different age to the majority of their peers. The guidance should not be read as relating to whole classes or cohorts of learners. If a school envisages that there may be exceptional grounds for moving a whole class of learners either early or later from one key stage to the next, this should be raised with the Curriculum and Assessment Division (see contact details in Appendix D) in advance of any implementation.

## Subjects<sup>6</sup> for which assessments are required

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

### Key Stage 1

English or Welsh  
Mathematics  
Science

### Key Stage 2

English  
Welsh first language (if the pupil is following the Welsh Programme of Study)  
Welsh second language  
Mathematics  
Science

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

- a level for **each attainment target (English, Welsh first and second languages)**
- an **overall subject level for each subject**, calculated as applicable according to the weightings set out in Appendix A (Key Stage 1) or Appendix B (Key Stage 2).

## Valid teacher assessment codes

The following codes are valid for learners at the end of Key Stages 1 and 2:

- National Curriculum Outcomes 1–3 (Key Stage 2)
- National Curriculum Levels 1–8
- E – Exceptional Performance
- D – Disapplied under Sections 364–367 of the 1996 Education Act
- W – working towards national curriculum Level 1 (Key Stage 1 only)
- N – not awarded a level for reasons other than disapplication.

## Guidance on assessment

The level descriptions in the national curriculum Orders (Curriculum 2008) describe the type and range of performance that learners working at a particular level should characteristically demonstrate. In deciding on a learner's level of attainment at the end of the key stage, teachers should judge which description best fits the learner's performance. Each description should be considered in conjunction with the description for adjacent levels.

<sup>6</sup> Statutory end of Key Stage 2 teacher assessment for Year 6 learners in summer 2010 must be against the revised school curriculum (Curriculum 2008).

The aim is for a rounded judgement that:

- is based on knowledge of how the learner performs across a range of contexts and over a period of time
- takes into account the different strengths and areas for development of that learner's performance
- is checked against adjacent level descriptions to ensure that the level awarded is the closest match to the learner's performance in each attainment target (where applicable).

In order to arrive at a rounded judgement of a learner's performance in each attainment target/subject, teachers' judgements should be based on a range of work drawn from:

- practical and oral work
- written work completed in class
- homework
- school-based assessments.

Teacher assessment should be based on existing evidence of attainment and not on the basis of any projections of learners' future performance.

Teacher assessment should be based securely on teachers' collective understanding of the standards set out in the level descriptions. This shared understanding should be achieved through internal standardisation and moderation of agreed reference sources drawn from learners' work, and which reflect the range of attainment within the school/cluster group.

## **Recording and retaining evidence**

The type and range of record keeping to assist with teacher assessment is a matter for schools to decide. Elaborate arrangements for recording assessments and retaining evidence are neither required for national curriculum assessment purposes nor necessary to satisfy Estyn inspections.

Guidance on effective record keeping and a range of examples of recording formats can be found in the booklet *Making Effective Use of Assessment Information: Recording Key Stages 1–3*, ACCAC, 2000. This was re-issued to schools in 2005.

When keeping records, schools should consider the implications of the Data Protection Act 1998. Personal and medical information should also be handled sensitively.

## **Support materials**

The following publications support teacher assessment against Curriculum 2008:

*English: Guidance for Key Stages 2 and 3*

*Welsh: Guidance for Key Stages 2 and 3 (Welsh only)*

*Welsh second language: Guidance for Key Stages 2 and 3*

*Science: Guidance for Key Stages 2 and 3*

*Mathematics: Guidance for Key Stages 2 and 3*

*Art and design: Guidance for Key Stages 2 and 3*

*Design and technology: Guidance for Key Stages 2 and 3*

*Geography: Guidance for Key Stages 2 and 3*

*Information and communication technology: Guidance for Key Stages 2 and 3*

*Modern foreign languages: Guidance for Key Stages 2 and 3*

*Physical education: Guidance for Key Stages 2 and 3*

*Music: Guidance for Key Stages 2 and 3* – will be sent to schools during the school year 2009/10.

Welsh second language optional assessment resources will be sent to schools in the autumn term 2009.

## Transition from Key Stage 2 to Key Stage 3

Teachers in both Key Stage 2 and Key Stage 3 schools need to agree the most appropriate time for transfer of assessment information. In general, for teacher assessment, this should be before the end of the term preceding transfer.

Liaison between Year 6 and Year 7 teachers, and target setting between learners and teachers at the start of Year 7, are likely to assist continuity between the two key stages.

### **Transition plans: Legal background**

As a result of Wales-only legislation in the Education Act 2002, maintained secondary schools and their feeder primary schools are required to jointly draw up plans to facilitate learners transition from primary to secondary school. Plans must set out how the secondary schools and their associated primary schools will work together to achieve consistency in assessment, monitoring and tracking of learners progress.

Guidance for schools was published in National Assembly for Wales Circular No. 30/2006 *Guidance on the preparation of Key Stage 2 to Key Stage 3 Transition Plans* and distributed to all maintained schools in Wales, local authorities and other interested organisations (see [www.wales.gov.uk/educationandskills](http://www.wales.gov.uk/educationandskills)).

As part of the Aiming for Excellence programme for raising standards in Key Stage 3, a range of publications was produced in 2004 (see page 12) providing advice and guidance for schools and local authorities to support effective transition from Key Stage 2 to Key Stage 3 and how to achieve better continuity in teaching and learning at the time of transition.

More recently the Welsh Assembly Government commissioned Estyn to undertake an evaluation of the use of transition plans by primary-secondary school partnerships to improve the quality of learning and standards. Their report *The impact of transition plans* was published on the Estyn website in June 2008 ([www.estyn.gov.uk](http://www.estyn.gov.uk)). Estyn has been commissioned to produce a follow-up report on the impact of Key Stages 2–3 Transition Plans. It is anticipated that the report will be published in March 2010 and will provide further advice on the progress made, good practice and areas for improvement.

### **Cluster group moderation**

Key Stage 2/3 transition arrangements need to include cluster group moderation meetings focused on samples of learners' work (English, Welsh first language, Welsh second language, mathematics and science) selected by the cluster group.

These arrangements are designed to add value to school-based standardisation and moderation by ensuring that good practice within the cluster is identified, shared and built upon, to maintain improvement that reflects local circumstances and needs.

DCELLS' publication *Ensuring consistency in teacher assessment: Guidance for Key Stages 2 and 3* (2008) provides case studies.

### **Support materials**

*The impact of transition plans: An evaluation of the use of transition plans by primary-secondary school partnerships to improve the quality of learning and standards*, Estyn, June 2008 (includes recommendations directed at schools, local authorities and the Welsh Assembly Government. Available from [www.estyn.gov.uk](http://www.estyn.gov.uk))

*Aiming for Excellence in Key Stage 3: Transition from Key Stage 2 to Key Stage 3*, BBC Wales/Estyn/Welsh Assembly Government/ACCAC, 2004 (a series of two videos and accompanying booklet available from BBC Wales)

*Aiming for Excellence in Key Stage 3: Moving On . . . Effective Transition from Key Stage 2 to Key Stage 3*, Estyn/Welsh Assembly Government/ACCAC, 2004 (available from Estyn)

*Aiming for Excellence in Key Stage 3: Moving On . . . Improving Learning, Effective Transition from Key Stage 2 to Key Stage 3*, Estyn/Welsh Assembly Government/ACCAC, 2004 (available from [www.estyn.gov.uk](http://www.estyn.gov.uk))

*A Survey of Welsh as a second language in Key Stage 2 and Key Stage 3 and Transition*, Estyn, 2004 (available from Estyn)

*Aiming for Excellence in Key Stage 3: Bridging the Gap . . . Developing and using bridging units to support effective transition from Key Stage 2 to Key Stage 3*, Estyn/Welsh Assembly Government/ACCAC, 2004 (available from Estyn.)

## Appendix A

### Calculating teacher assessment subject levels: Key Stage 1

When calculating the subject level:

- the **English** attainment targets (Oracy, Reading and Writing) should be equally weighted
- the **Welsh** attainment targets should be weighted as follows:
  - Oracy (Cy1) 2
  - Reading (Cy2) 1
  - Writing (Cy3) 1
- the **mathematics** attainment targets should be weighted as follows:
  - Using and Applying Mathematics (Ma1) 1
  - Number and Algebra (Ma2) 2
  - Shape, Space and Measures (Ma3) 1
- the **science** attainment targets should be weighted as follows:
  - Scientific Enquiry (Sc1) 3
  - Life Processes and Living Things (Sc2) 1
  - Materials and their Properties (Sc3) 1
  - Physical Processes (Sc4) 1

Halves should be rounded upwards to the next whole number. School management information systems should perform the calculations once attainment target data has been entered.

#### An example for Welsh

To calculate the subject level for this learner, total column (c) then divide by the total of column (b) ( $7 \div 4 = 1.75$ ). Round to the nearest whole number. This learner has attained Level 2.

| Attainment target | (a) Level | (b) Weighting | (c) Level x Weighting |
|-------------------|-----------|---------------|-----------------------|
| Oracy (Cy1)       | 2         | 2             | 4                     |
| Reading (Cy2)     | 1         | 1             | 1                     |
| Writing (Cy3)     | 2         | 1             | 2                     |
| <b>Total</b>      |           | <b>4</b>      | <b>7</b>              |

### An example for mathematics

To calculate the subject level for this learner, total column (c) then divide by the total of column (b) ( $10 \div 4 = 2.5$ ). Round to the nearest whole number. This learner has attained Level 3.

| Attainment target                    | (a) Level | (b) Weighting | (c) Level x Weighting |
|--------------------------------------|-----------|---------------|-----------------------|
| Using and applying Mathematics (Ma1) | 2         | 1             | 2                     |
| Number and Algebra (Ma2)             | 3         | 2             | 6                     |
| Shape, Space and Measures (Ma3)      | 2         | 1             | 2                     |
| <b>Total</b>                         |           | <b>4</b>      | <b>10</b>             |

### An example for science

To calculate the subject level for this learner, total column (c) then divide by the total of column (b) ( $4 \div 3 = 1.3$ ). Round to the nearest whole number. This learner has attained Level 1.

| Attainment target                                 | (a) Level | (b) Weighting | (c) Level x Weighting |
|---|-----------|---------------|-----------------------|
| Scientific Enquiry (Sc1)                          | D         | -             | 0                     |
| Number and Life processes and Living Things (Sc2) | W         | 1             | 0                     |
| Materials and their Properties (Sc3)              | 2         | 1             | 2                     |
| Physical Processes (Sc4)                          | 2         | 1             | 2                     |
| <b>Total</b>                                      |           | <b>3</b>      | <b>4</b>              |

## Appendix B

### Calculating teacher assessment subject levels: Key Stage 2

When calculating the subject level:

- the English attainment targets (Oracy, Reading and Writing) should be equally weighted
- 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

Halves should be rounded upwards to the next whole number. School management information systems should perform the calculations once attainment target data has been entered.

#### 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                   |
| <b>Total</b>      |           | <b>10</b>     | <b>44</b>             |

## Appendix C

### Disapplication and modification

Only in very rare circumstances will there be a need to disapply national curriculum teacher assessment for a pupil. Where a single attainment target has been disapplied, an overall subject level may still be calculated using the remaining attainment targets and their weightings as set out in Appendix A (Key Stage 1) and Appendix B (Key Stage 2). 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 a pupil from teacher assessment, this may be done through:

- **Section 364** of the 1996 Education Act, 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 364–367** of the 1996 Education Act, 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 him/her.

### Temporary disapplication

Temporary disapplications are made in accordance with the Education (National Curriculum) (Temporary Exceptions for Individual Pupils) (Wales) Regulations 1999. They are not intended to provide long-term exemptions from the national curriculum provisions and are likely to be needed in rare circumstances only. 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 he/she cannot participate fully in the national curriculum and its assessment arrangements.

There are two types of temporary disapplication that headteachers can make under Sections 364–367. These are:

1. A **general direction** for pupils 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 exemption. It is only in rare circumstances that a temporary exception 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** for learners who, in the opinion of the headteacher, have a long-term need for exemptions or modifications to the national curriculum, which can only be made 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 him/her, 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 his or her parents and teachers
- consult with educational psychologists, medical officers or other specialist staff
- in the case of a special direction, consult the local authority.

## Reasons for the direction

The direction must:

- explain the action that is being taken
- specify whether it is a general or special direction
- state why exceptional arrangements are necessary.

In addition, a **general direction**:

- must include the reasons why the pupil's present circumstances make it inappropriate to continue offering the national curriculum provisions that currently apply to him/her
- must indicate how these circumstances seem likely to be changed over the period of the direction
- must indicate how the pupil will be enabled to adjust to those national curriculum requirements that have been modified or lifted during the direction.

**A special direction**:

- must have been the subject of consultation with the local authority
- must 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
- 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.

## Duration of the direction

Any direction must specify when the exceptional arrangements will start and end, or the factors that will determine their ending. An initial direction may last no longer than six calendar months.

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.

## Duration of a general direction

A headteacher may set a shorter duration in terms of calendar months or some other event if that occurs before the six-month limit.

### **Duration of a special direction**

It will automatically end as soon as the statement, if appropriate, is made or amended, and should be superseded by the special educational provision specified in that statement.

### **Information to be provided about directions**

The following information must be provided about directions.

- Headteachers must give a 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 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, for example, 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. 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, he/she 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.
- 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, 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 him/her 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 D

### Useful contacts

| DCELLS  |                                       |   |
|---|---------------------------------------|---|
| Curriculum and Assessment Division helpline               | 0800 083 6003<br>Freephone            | For queries on curriculum, assessment and KS2/3 transition issues           |
| Curriculum and Assessment Division publications orderline | 0845 603 1108                         | To order copies of publications   |
| Schools Management and Effectiveness Division             | 029 2082 6006                         | For queries on Better Schools Fund grant payments for maintained schools    |
| Schools Management and Effectiveness Division             | 029 2082 6014<br>NDC@wales.gsi.gov.uk | For queries on national data collection and reporting of teacher assessment |
| Support for Learners Division                             | 029 2082 6078                         | For queries about additional learning needs                                 |
| Welsh Assembly Government                                 |                                       |   |
| Statistical Directorate                                   | 029 2082 5968                         | For data and validation queries   |