

Number: WG39862



## Welsh Government Consultation Document

# The School Performance Information (Wales) (Amendment) Regulations 2020

Date of issue: 17 January 2020

Action required: Responses by 13 February 2020

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.

This document is also available in Welsh.

**OGL** © Crown copyright

**Overview** We want your views on proposals that governing bodies will no longer be required to send the results of the online national assessments to their local authority.

**How to respond** Responses to this consultation should be emailed/posted to the addresses below to arrive by **13 February 2020** at the latest.

**Further information and related documents** Our National Mission: A Transformational Curriculum  
<https://gov.wales/our-national-mission-transformational-curriculum>

This consultation document can be accessed from the Welsh Government's website at [gov.wales/consultations](https://gov.wales/consultations). Large print, Braille and alternative language versions of this document are available on request.

**Contact details** For further information, please contact:

Tests Branch  
Curriculum and Assessment Division  
The Education Directorate  
Welsh Government  
Cathays Park  
Cardiff  
CF10 3NQ

e-mail: [NRNT@gov.wales](mailto:NRNT@gov.wales)

## General Data Protection Regulation (GDPR)

The Welsh Government will be data controller for any personal data you provide as part of your response to the consultation. Welsh Ministers have statutory powers they will rely on to process this personal data which will enable them to make informed decisions about how they exercise their public functions. Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about or planning future consultations. Where the Welsh Government undertakes further analysis of consultation responses then this work may be commissioned to be carried out by an accredited third party (e.g. a research organisation or a consultancy company). Any such work will only be undertaken under contract. Welsh Government's standard terms and conditions for such contracts set out strict requirements for the processing and safekeeping of personal data.

In order to show that the consultation was carried out properly, the Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. If you do not want your name or address published, please tell us this in writing when you send your response. We will then redact them before publishing.

You should also be aware of our responsibilities under Freedom of Information legislation.

If your details are published as part of the consultation response then these published reports will be retained indefinitely. Any of your data held otherwise by Welsh Government will be kept for no more than three years.

## Your rights

Under the data protection legislation, you have the right:

- to be informed of the personal data holds about you and to access it
- to require us to rectify inaccuracies in that data
- to (in certain circumstances) object to or restrict processing
- for (in certain circumstances) your data to be 'erased'
- to (in certain circumstances) data portability
- to lodge a complaint with the Information Commissioner's Office (ICO) who is our independent regulator for data protection.

For further details about the information the Welsh Government holds and its use, or if you want to exercise your rights under the GDPR, please see contact details below:

Data Protection Officer:  
Welsh Government  
Cathays Park  
CARDIFF  
CF10 3NQ

e-mail:  
[Data.ProtectionOfficer@gov.wales](mailto:Data.ProtectionOfficer@gov.wales)

The contact details for the Information Commissioner's Office are:  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Tel: 01625 545 745 or  
0303 123 1113

Website: <https://ico.org.uk/>

# **Contents**

**Background**

**Proposal**

**Next Steps**

Annex A: The School Performance Information (Wales) (Amendment) Regulations 2020 – not in document

Annex B: Regulatory Impact Assessment – not in document

## Background

1. The Welsh Government is committed to raising literacy and numeracy standards for all learners across Wales. To that end, the White Paper on the transformational curriculum (*Our National Mission: A Transformational Curriculum*) set out our proposal that literacy and numeracy should become cross-cutting statutory requirements across the whole curriculum. The White Paper also set out our policy intention for assessment to be refocused to ensure all learners understand how they are performing and what they need to do next in order to progress.
2. As part of the Welsh Government's commitment to raise standards in literacy and numeracy, in 2013 we introduced statutory National Reading and Numeracy Tests for all learners in years 2-9 in maintained schools in Wales. In 2017, we announced that the paper-based tests would be phased out and replaced by online adaptive tests, known as 'personalised assessments'. This process is well underway – the Numeracy (Procedural) and Reading assessments are already taken online, and only the Numeracy (Reasoning) test remains paper-based. After July 2020, all the assessments will be taken online.
3. The focus of the personalised assessments is to help learners progress, by understanding what they can do, the things they need to work on, and their next steps. By adapting the questions based on learners' responses, the personalised assessments are able to provide detailed information about an individual learner's strengths and areas for improvement. This information is supplied direct to the school so that it can be used to support planning for teaching and learning. In line with the move to re-establish the prime purpose of assessment and uncouple it from high stakes accountability, we have ceased the routine publication of teacher assessment and national test data at school and local authority level.

## Proposal

4. Currently, a school's governing body is required to send the national test results to its local authority. This is based on the administrative requirements for the paper-based tests where the local authority has a role in supporting the collection of the test scores. However, this is not the case for the personalised online assessments as the data transfer happens automatically i.e. there is no requirement for manual transfer of data. Therefore, this requirement is obsolete for the online assessments and we are proposing to remove it. However, it should be noted that this does not prevent schools sharing their personalised assessment data with their local authority on a voluntary basis if they consider this to be beneficial.
5. We have published the draft Regulations alongside this document on our website as well as a Regulatory Impact Assessment setting out the costs and benefits of this proposal.

## Next Steps

6. You are invited to submit your views on this proposal. Responses should be emailed/posted to arrive by **13 February 2020** at the latest.
7. Subject to the outcome of this consultation, we propose that this change will come into force before the end of the 2019/20 school year. Therefore schools would not be required to share the results from the online Numeracy (Procedural) and Reading assessments. However, as the Numeracy (Reasoning) test remains paper-based for the 2019/20 school year, the requirement to share the data for that test will remain in place.