The school curriculum and SATs in England: Reforms since 2010

By Nerys Roberts

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## Annex: development of the National Curriculum

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Summary

What do schools in England have to teach?
Maintained schools in England must teach the national curriculum to pupils aged approximately 5 to 16 years old. The national curriculum is divided into four key stages:

<table>
<thead>
<tr>
<th>Key Stage</th>
<th>Age approx.</th>
<th>School years</th>
</tr>
</thead>
<tbody>
<tr>
<td>Key stage 1</td>
<td>5 to 7</td>
<td>1 and 2</td>
</tr>
<tr>
<td>Key stage 2</td>
<td>7 to 11</td>
<td>3 to 6</td>
</tr>
<tr>
<td>Key stage 3</td>
<td>11 to 14</td>
<td>7 to 9</td>
</tr>
<tr>
<td>Key stage 4</td>
<td>14 to 16</td>
<td>10 to 11</td>
</tr>
</tbody>
</table>

Maintained schools are also required to offer other subjects, including religious education (RE) at all phases and sex and relationships education at secondary level.

Academies and free schools don’t have to follow the national curriculum but must offer a ‘broad and balanced curriculum' that covers English, maths, sciences, RE and SRE (for pupils aged 11-18), and comply with any curricular clauses in their funding agreements.

Changes to the national curriculum from September 2014
The national curriculum has been reviewed several times since its inception in 1988, and most recently during the 2010 Government’s term. The resulting reforms have been phased in from September 2014. Key changes include:

- Major revisions to the subject content of all national curriculum subjects.
- The addition of a modern language to the Key Stage 2 (ages 7 – 11) national curriculum.
- Changes to the way pupils are assessed.
1. Overview: the school curriculum in England

What do state-funded schools in England have to teach?

- Maintained schools in England must follow the national curriculum.
- Providing they cover the statutory programmes of study for each subject, maintained schools generally have freedom over how and when they deliver the national curriculum. There are no minimum hours required for any national curriculum subject.
- Religious education is a statutory requirement for maintained schools at all stages; sex and relationships education must be taught at secondary level.
- Academies and free schools follow different rules – many follow the national curriculum but they don’t have to.

1.1 Maintained schools

Statutory requirements for the curriculum at maintained English schools

All maintained schools in England must offer, as a minimum, the statutory curriculum as defined in Section 80 of the *Education Act 2002, as amended*. The statutory curriculum currently includes:

- The national curriculum for pupils aged around 5 to around 16
- At secondary level, a programme of sex and relationships education (SRE) for all registered pupils, providing the parents have not withdrawn their child from such provision.
- Religious education (RE) for all registered pupils – what is taught will depend on the type of school and (usually) the content of the locally agreed syllabus.\(^1\)

Section 78 of the 2002 Act requires the curriculum at maintained schools to be “balanced and broadly based” and to:

- promote the spiritual, moral, cultural, mental and physical development of pupils at the school and of society; and
- prepare pupils at the school for the opportunities, responsibilities and experiences of later life.

Additionally, under Section 42a of the *Education Act 1997*, as amended, and related regulations,\(^2\) schools are under a duty to offer impartial careers advice to pupils in school years eight to thirteen.

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\(^1\) In voluntary aided schools with a religious character, the governors determine RE policy. For VA and voluntary controlled schools, parents may request their child is taught RE according to the tenets of the school’s designated faith.

\(^2\) *The Careers Guidance in Schools Regulations 2013*, SI 2013/ 709
The school curriculum and SATs in England: Reforms since 2010

The four key stages of the national curriculum
The national curriculum is arranged into four key stages:

<table>
<thead>
<tr>
<th>Key Stage</th>
<th>Age approx.</th>
<th>School years</th>
</tr>
</thead>
<tbody>
<tr>
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<td>5 to 7</td>
<td>1 and 2</td>
</tr>
<tr>
<td>Key Stage 2</td>
<td>7 to 11</td>
<td>3 to 6</td>
</tr>
<tr>
<td>Key Stage 3</td>
<td>11 to 14</td>
<td>7 to 19</td>
</tr>
<tr>
<td>Key Stage 4</td>
<td>14 to 16</td>
<td>10 to 11</td>
</tr>
</tbody>
</table>

The subjects included in the national curriculum at each key stage are prescribed in sections 84 and 85 of the Education Act 2002, as amended.

Programmes of study
Further subject specification is contained in statutory programmes of study, which outline what must be covered in each subject at each key stage.

Although maintained schools must teach the national curriculum and deliver other elements of the statutory curriculum, generally speaking they can organise teaching as they see fit. There is no requirement to spend particular amounts of time on particular subjects.

Withdrawing children from particular subjects
There is no general right for parents to withdraw children from any parts of the national curriculum; in contrast, parents can withdraw their children from SRE and RE.

1.2 Curriculum at academies and free schools
Academies and free schools don’t have to teach the national curriculum although they can choose to. Mainstream academies are required to offer a broad and balanced curriculum that covers English, maths, sciences, RE and SRE (for pupils aged 11-18) and any other curriculum conditions specified in the academy trust’s funding agreement with the Secretary of State.

Independent fee-paying schools are also required to offer a broad and balanced curriculum, as laid out in the Education (Independent School Standards) (England) Regulations 2014, as amended.3

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3 SI 2014/3283
1.3 School curricula in Scotland, Wales and Northern Ireland

The setting of curriculum policy for schools in Scotland, Northern Ireland and Wales is a devolved issue, and different arrangements apply.

Further information about what must be covered in these schools can be found via the following links:

- Information about the school curriculum in Scotland from the Scottish Government website.
- Information about the school curriculum in Wales from the Welsh Government website.
- Information about the school curriculum in Northern Ireland from the Council for the Curriculum, Examinations and Assessment.
1.4 What subjects are currently included in the English national curriculum?

The table below gives an overview of the subjects that have been included in the national curriculum at primary and secondary level from September 2014.4

*Table 1: National curriculum subjects from September 2014*

<table>
<thead>
<tr>
<th>Age around</th>
<th>Primary – Key Stages 1 and 2</th>
<th>Secondary – Key Stage 3</th>
<th>Secondary – Key Stage 4</th>
</tr>
</thead>
<tbody>
<tr>
<td>5-7; 7-11</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>11-14</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>14-16</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
</tbody>
</table>

- Maths
- English
- Science
- History
- Geography
- Art and Design
- Physical Education (PE)
- Music
- Languages5 ✓(KS2 only)
- Computing
- Design and Technology
- Citizenship Education

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5 At KS2, the subject title is ‘foreign language’; at KS3 it is ‘modern foreign language’.
2. Background to the national curriculum review in 2011 onwards

The Coalition Government began extensive reform of the national curriculum in England in 2011. A summary of the key early milestones in curriculum reform in the early years of the Coalition Government is provided below.

- **November 2010**: Coalition Government publishes its wide-ranging schools’ White Paper, *The Importance of Teaching*. This confirmed plans to reform the whole national curriculum, slimming down content and reducing prescription.
- **January 2011**: DfE announces review of national curriculum, setting out its motivations in a press notice.
- **January 2011**: DfE establishes expert panel to inform the curriculum review. This was chaired by Tim Oates, then Director of Assessment Research and Development for *Cambridge Assessment*.
- **December 2011**: DfE publishes expert panel’s final report.
- **December 2011**: timetable for implementation of new curriculum is altered; first teaching of revised core subjects (English, maths, science, P.E.) pushed back from September 2013 to September 2014.
- **June 2012**: Government published draft programmes of study for the core subjects of English, maths and science at KS1 and KS2, for discussion. An accompanying press release said the new curricula were “more demanding” and reflected practice in other “high-performing jurisdictions”.

2.1 Reaction to the June 2012 proposals

The publication of draft programmes of study in June 2012 attracted a mixed response. An article in the Guardian reported that Prof Andrew Pollard (a member of the expert panel) had described the proposals as “fatally flawed” in showing insufficient consideration of the needs of learners, and described the programmes of study as “overly prescriptive”. In response, the DfE said that the proposals would not act as a ‘rigid straitjacket’ for teachers, and that flexibility would remain for schools in how they covered the content.
Professor Robin Alexander of Cambridge University and Director of the Cambridge Primary Review, published a critique of a letter written by Michael Gove to accompany the publication of the programmes of study. In the letter, Prof Alexander said the Government had cited "selectively and tendentiously" from the international evidence in support of its case for reform, and had ignoring important contextual and cultural factors.\footnote{Robin Alexander/ Cambridge Primary Review, \textit{Neither national nor a curriculum? Response to the Secretary of State’s National Curriculum proposals for England}, June 2012.}

A press release from the National Union of Teachers (NUT) said that much of what was proposed was already covered in primary schools but that there was a risk of creating "a task orientated curriculum" which would "simply stultify the learning process and, due to its inherent inflexibility, make it impossible for many children to achieve in the time and space they need".\footnote{NUT, \textit{Primary curriculum – press release}, 11 June 2012}

The Association of School and College Leaders (ASCL) and the National Association of Head Teachers (NAHT) gave more mixed responses. ASCL welcomed the emphasis on English, maths and languages at primary level but criticised the Government for not ‘seizing the opportunity’ to slim down the curriculum and for failing to make clear at this stage what the proposals in respect of the secondary curriculum were likely to be.\footnote{See ASCL press release, \textit{Primary curriculum only half the picture}, 11 June 2012} NAHT welcomed what it saw as a ‘leaner’ science curriculum, positive aspects of the English curriculum, assurances of no further statutory testing (SATs) and a concentration on \textit{what} should be taught, as opposed to \textit{how}. The union, however, thought that schools would need ‘time and support’ to deliver the curriculum’s ‘more demanding’ programmes and judged that much of the content was in fact not new.\footnote{NAHT website article, \textit{Curriculum proposals must now be tested by the professionals, says NAHT}, 11 June 2012.}

Other commentators welcomed the changes. An article in \textit{The Times} of 13 June 2012 argued that Gove had been ‘unfairly derided’ for the new primary school curriculum, which in fact should be praised for its level of ambition.\footnote{"Be ambitious: spell ‘conscience’, learn Keats”, \textit{The Times} (online – subscription required), 13 June 2012.} Similarly, an article for the \textit{Financial Times}, commentator Stephen Robinson hailed the reforms for putting “proper content ...back into the curriculum”.\footnote{“Gove’s back-to-basics drive is just what education needs”, \textit{Financial Times} (online – subscription required), 16 June 2012.}

\section*{2.2 Further consultation on programmes of study: February and July 2013}

Subsequently, the then Government ran a number of additional consultations on further revised programmes of study.

On 7 February 2013, the DfE published further draft programmes of study, this time for formal consultation, in a draft National Curriculum.
Framework Document. The documents can be viewed on the DfE [website](#). For the first time, draft programmes of study for foundation subjects such as history, geography and music were released, as were the long-awaited secondary programmes, with the exception of maths, science and English at KS4.

Again, the proposals proved highly controversial and generated strong feeling among commentators – particularly with respect to the proposed subject content. On 20 March 2013, *The Independent* published a highly critical letter signed by a large number of academics about the curriculum proposals. The letter’s authors criticised what they saw as the new curriculum’s “endless lists of spellings, facts and rules” and “mountain[s] of data” which would not develop young children’s understanding and expected “too much too young”.

Michael Gove responded to his critics in a strongly worded article for the Daily Mail on 23 March 2013. A subsequent DfE report on consultation responses gave a summary of feedback received.

### 2.3 July 2013 – second formal consultation
In July 2013, the Government made further changes to the programmes of study, and launched an additional consultation. Changes made from the earlier documents included:

- More emphasis in primary English on spoken language skills and further content on vocabulary development.
- Revisions to design and technology programmes in response to concerns that it lacked aspiration and was insufficiently flexible.
- Removal of previous limitation on the languages that could be offered at KS2 – schools would now have free choice.
- Revision of the history programmes in response to concerns that earlier drafts were too prescriptive, slimmed down the overall content and included additional content on world history while retaining a core focus on “teaching the history of Britain and its relationship with the world in a clear chronological framework.”

### 2.4 First final curriculum documents published in September 2013
On 11 September 2013, the Government published summary findings of the consultation on the revised programmes of study and attainment targets. Alongside this, it released the finalised national curriculum documents and programmes of study for introduction from September 2014.

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21 Article by Michael Gove, “I refuse to surrender to the Marxist teachers hell-bent on destroying our schools; Education Secretary berates ‘the new enemies of promise’ for opposing his plans.”, *Daily Mail* (Online), 23 March 2013.


2014. A Written Statement of 12 September 2013 gave further details.\textsuperscript{25} Programmes of study for English, maths and science at KS4 were published later, on 2 December 2014, and were subject to a separate consultation.

\section*{2.5 Reform to GCSEs, AS and A Levels}

Alongside reforms to the national curriculum, the Coalition Government embarked on a root-and-branch reform of GCSEs, AS and A level qualifications. Full background on these changes is available in a separate Library briefing paper:

- [House of Commons Library briefing paper, GCSE, AS and A Level reform, updated 6 January 2015](#).

\textsuperscript{25} Education Reform (Schools), Written Ministerial Statement, HC Deb 12 Sep 2013: c54WS
3. Reforms to the national curriculum tests (SATs) and the way pupils are assessed

3.1 Current testing arrangements in English primary schools

The table below summarises the current tests and assessments undertaken by children at primary school.

<table>
<thead>
<tr>
<th>Age</th>
<th>School year</th>
<th>Subjects assessed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rising 5</td>
<td>Reception</td>
<td>(from September 2016) Baseline screening across all main areas of development.</td>
</tr>
<tr>
<td>Rising 6</td>
<td>End of year one</td>
<td>Phonics screening (reading)</td>
</tr>
<tr>
<td>Rising 7</td>
<td>End of year two</td>
<td>Teacher assessments in English, maths and science.</td>
</tr>
<tr>
<td>Rising 11</td>
<td>End of year six</td>
<td>National tests and teacher assessments in English, maths and science.</td>
</tr>
</tbody>
</table>

Statutory guidance on the assessment and reporting arrangements for key stage 1 and key stage 2 in 2016 can be found on the Gov.uk website: Information on the current accountability and assessment arrangements linked to the national curriculum can be found on the relevant section of the Gov.uk website:

3.2 Reforms to assessment following curriculum review – summary of major changes

The measures used to assess children’s attainment and progress during primary schooling are currently undergoing significant change:

- The content of the tasks and tests has been amended to align with revised national curriculum content. The Government says the new tests are intended to be more stretching.

- The way that attainment is assessed and reported both during and at the end of key stages has changed. National curriculum levels have been scrapped; instead of levels, SATs results will be reported as a scaled or standardised score. Further details about scaled scores are available in a DfE website article:
  
  DfE website article, Scaled scores, updated 3 July 2015

- A baseline check is due to be introduced nationally in September 2016, to enable pupils’ progress to be tracked during their school career.

- The Government has said it intends to introduce SATs resits for children in year seven (usually, the first year of secondary) if they don’t reach the expected national standard at the end of KS2.  

3.3 SATs reform – timeline of key developments since 2010

A short summary of the key milestones in the reform of national curriculum assessments, or SATs, since 2010 is provided below.

- **June 2011.** Lord Bew’s Government-commissioned review of Key Stage 2 assessment arrangements and the role of SATs is published. Among other things, this backed the retention of external school level accountability (e.g., assessment). It also recommended that, in the medium term, the use of national curriculum ‘levels’ for reporting children’s attainment should be reviewed. The then-Government’s response was published on 18 July 2011, accepting all of Lord Bew’s recommendations.

- **June 2012:** phonics screening check becomes mandatory for pupils at the end of year one (age rising 6). This tests whether children are secure in ‘decoding’ words (as opposed to recognising them on sight)

- **July 2013:** the Government published final proposals for primary assessment and accountability arrangements under the new

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26 See speech by Nicky Morgan, ‘One nation education’, 3 November 2015
curriculum, for consultation. This confirmed the intention to scrap national curriculum levels as a way of reporting attainment. This move, the Government said, would allow schools greater freedom to decide for themselves how to track the progress pupils make. Pupil results would be reported as a ‘scaled score’.

- **Summer 2013**: a new focus in KS2 SATs on punctuation, grammar, spelling and vocabulary.
- **February 2015**: Schools’ Minister, Nick Gibb, announces that a ‘Commission on assessment without levels’ would be set up to support primary schools.
- **November 2015**: Education Secretary Nicky Morgan announces plans to require students to resit their SATs if they don’t meet the required level at the end of KS2.
- **Summer term 2016**: first KS1 and KS2 national assessments based on revised national curriculum, reported as scaled scores rather than levels.
- **September 2016**: Reception baseline assessment will be introduced nationally. It will be used to assess children on entry to school, and determine how well they progress. It is not mandatory but schools are strongly incentivised to use it otherwise they will be held to account solely on raw attainment measures.

### 3.4 Publication of further guidance on 2016 assessment – interim frameworks for teacher assessment and exemplification materials

On 17 September 2015, the Standards and Testing Agency (STA) published interim frameworks for teacher assessment. These are designed to guide assessment at KS1 and KS2 following the abolition of national curriculum ‘levels’:

- STA document collection, Teacher assessment: key stage 1 and key stage 2, updated 21 December 2015

In early 2016, the STA also published sample exemplification materials for use during teacher assessment. These included examples of pupils’ work and descriptions of the knowledge and skills pupils should be able to demonstrate if they are working below, at, or beyond the expected level. The exemplification materials are available on the STA website:


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29 DfE, *Primary assessment and accountability under the new national curriculum*, 17 July 2013.
Criticism by National Union of Teachers (NUT) and Association of Teachers and Lecturers (ATL): February 2016

The National Union of Teachers (NUT) published a highly critical statement on their website following the release of the exemplification materials in early February 2016.\textsuperscript{32} The NUT claimed that the new assessment requirements were “wholly unachievable by teachers” and called “for this year's SATs to be abandoned.” The statement continued:

The changes have been brought in without forethought, evidence or planning, and rushed through with desperately inadequate notice. The result is complete chaos.

“The Government has consistently said they wish to decrease teacher workload, but the new assessment system dramatically increases it.

“Despite the school year starting over five months ago, the required ‘exemplifications’ for the teacher assessment of writing have only just been released to schools. The workload implications of the evidence requirements are immense and will be frankly unachievable for many. The requirement for pupils to produce such a large amount of evidence with half the academic year already gone will almost certainly lead to time being used up in all other areas of the curriculum to achieve the required results.

“As if this weren’t bad enough, the criteria for assessment will change again in September for the new school year. The Government’s pattern of behaviour suggests that these will also be delivered late, and cause further turbulence and needless stress.

“The standard that pupils are expected to achieve has also been set far higher than last year’s levels. It is one thing for a government to aspire to raise standards, it is quite another to think that this can be achieved by moving the goalposts so substantially overnight. Many schools that have recently done well in Ofsted inspections may have 0% of children at this new expected standard. The negative effects on pupils' well-being and teachers’ morale should be plain.\textsuperscript{33}

Writing in the \textit{Times Educational Supplement} [online] on 16 Feb 2016, General Secretary of the ATL, Mary Bousted, also strongly criticised the Government’s approach and raised significant concerns about the demands the revised assessment regime would place on both children and teachers:

The latest stage in the assessment saga is the key stage 2 teacher assessment exemplifications for writing, which were released last week. Many teachers, who had been waiting anxiously for these

\textsuperscript{32} ‘Primary schools in chaos and despair with new KS1 and KS2 assessments’, NUT press notice, 17 Feb 2016

\textsuperscript{33} \textit{ibid.}
materials, must, when they opened them, have despaired. Not only has the standard for reaching the expected level been very significantly raised (more akin to an old level 5 rather than the promised 4b), but also the assessment burden placed on Year 6 teachers is huge and unworkable.

If schools follow the government’s guidance, a teacher of a Year 6 class has to make 34 separate assessments, for each pupil, for six different types of writing. So, a teacher with a class of 30 pupils will have to make 1,020 separate assessments for each type of writing, and that number needs to be multiplied by six (one for each type of writing) – making a grand total of 6,120 assessments. And that is just for writing.34

Government response to concerns – February 2016

On 18 February 2016, Schools Minister, Nick Gibb, wrote to Russell Hobby, General Secretary of the National Association of Head Teachers (NAHT).35 The letter confirmed that the deadline for submission of teacher assessments for KS1 and KS2 would be extended “for this year only” to 30 June 2016. It also challenged some of the assertions made about the practical burden on teachers, and gave assurances that Ofsted and Regional Schools Commissioners should take into account the 2016 assessment changes when judging schools’ performance:

I have […] asked STA to produce a ‘clarification’ document which will minimise any misunderstandings regarding assessment arrangements for the 2016 national curriculum tests and teacher assessments. Specifically, we will aim to eliminate misunderstanding leading to unnecessary, additional workload. We will ensure that NAHT have sight of a draft and are able to comment prior to publication which is planned for the beginning of March.

You also subsequently raised concerns from your members about the standard for Key Stage 2 writing that is demonstrated in the exemplification materials published on the 8 February 2016. I remain committed to the high standards that we have set for the primary phase and it is important to note that the exemplification materials were provided in draft by teacher panels from a selection of schools. The materials were produced by pupils currently in Year 2 or Year 6 as part of normal class work. These materials were reviewed by a drafting expert team and in discussion with the teacher panel prior to finalisation by STA. STA will of course, review and evaluate all materials at the end of the academic year.

We will, however, shortly be publishing the revised Schools Causing Concern guidance following our consultation, which will set expectations for Regional Schools Commissioners [RSCs] and local authorities when they take action to tackle underperformance. Where a warning notice is considered, the

34 ‘Like a horror show: It is difficult to comprehend the government’s stupidity over testing in schools’, in TES Online, 16 Feb 2016
35 Letter from Nick Gibb to Russell Hobby, 18 February 2015
guidance will set out a range of factors, for instance performance trends, that RSCs and local authorities will want to consider in determining whether to act.36

On 22 Feb 2016, Education Secretary Nicky Morgan posted a video message with further responses to issues raised by some commentators.37 In this, she said that “some of the claims being made by the media and some of the unions aren’t just disingenuous – they’re plain wrong”. She also appeared to challenge claims about potential administrative burdens:

The exemplification materials published earlier this year are to support you when you interpret the interim measures. If you’re confident that you can work to the ‘pupil can’ statements for your class, don’t feel that you need to use them as a template. We trust your judgment. Stories about how teachers need to make checklists of hundreds of different check boxes are also just plain wrong. The key thing is that each child should be encouraged to reach their full potential.38

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36 Letter from Nick Gibb to Russell Hobby, 18 February 2015
37 Message from @NickyMorgan01 on Primary Assessments, 22 Feb 2016
38 Ibid.
Annex: development of the National Curriculum

The national curriculum was introduced by the Thatcher Government following the passage of the Education Reform Act 1988. A comprehensive account of its early history can be found in the 2009 report of the Children, Schools and Families Select Committee, National Curriculum.39

1987 – the Department of Education and Science, led by Kenneth Baker MP, issued a consultation document setting out the rationale for a National Curriculum. This identified four broad underlying principles and intentions: establishing an entitlement to a broad and balanced curriculum; improving school accountability; improving curricular coherence; and aiding “public understanding” of schools.

1989 – national curriculum introduced to primary schools, with implementation continuing into the mid-1990s.

1993 – Review of the national curriculum by Sir Ron Dearing in response to teachers’ observations that the curriculum was ‘unwieldy’. A revised NC was introduced in 1995 with less prescribed content and changes to testing arrangements.

1996 – Introduction of two pilot support projects in numeracy and literacy. These were carried forward – as the National Literacy and National Numeracy Strategies by the incoming Labour Government.

1999 – major review of the curriculum overseen by the Qualifications and Curriculum Authority (QCA) resulting in the further slimming down of prescribed content, and the introduction of an overt statement of aims and purposes.

2005 – review of the secondary curriculum, again with the aim of slimming down prescribed content; resulted in more emphasis on cross-curricular themes, skills and personalised learning.


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