

CABINET STATEMENT

Written statement: Creating Flexibility for Schools & Settings – Disapplication of the Basic Curriculum

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Today, using powers under the Coronavirus Act 2020, I have issued a notice temporarily disapplying the basic curriculum requirements for Wales and associated assessment arrangements for schools and funded non-maintained nursery settings (those funded pursuant to arrangements with local authorities).

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As schools open to more learners, I have been clear that the priority should be focusing on the health and well-being of learners supporting them to prepare for and re-engage with school learning, particularly those learners who have been most affected by the current period of disruption. I will also expect schools and practitioners to be using this time to be preparing for a blended learning approach that will comprise a combination of face-to-face and remote learning. Disapplying these provisions will provide practitioners the necessary space and flexibility to focus on these priorities.

The provisions that have been disappplied include:

- Section 101 of the Education Act 2002 (“the 2002 Act”) which places requirements on maintained schools in Wales to provide a basic curriculum including; the national curriculum, religious education, personal and social education, work related education and for secondary schools, sex education.
- Section 109 of the 2002 Act which requires the National Curriculum for Wales to be implemented in maintained schools in Wales, as well as section 110 which requires it to be implemented in maintained nursery schools and some other nursery education settings in Wales.
- Sections 116A to 116K of the 2002 Act which make provision about the local curriculum including requirements that all young people are provided with a minimum offer of choices: 25 choices at KS4 with a minimum of 3 vocational choices and 30 choices at post-16 with a minimum of 5 vocational choices.
- Orders made under section 108 of the 2002 Act relating to the national curriculum which impose requirements on schools to deliver:
- Desirable outcomes, education programmes, and assessment arrangements for Foundation Phase provision.
- Attainment targets, assessment arrangements including moderation and programmes of study in respect of Key Stages 2, 3 and 4.
- The paper based reasoning tests and the online personalised numeracy and reading assessments for all learners in Years 2 to 9.

I am suspending these statutory requirements as they were designed to be delivered in a classroom based environment. That does not stop schools making use of the programmes of study or assessment arrangements such as the personalised assessments, where these are appropriate to their local context and the needs of their learners. We have also published guidance that provides advice on learning and teaching that schools and settings may wish to provide for the remainder of the summer term.

As mandated under the powers in the Coronavirus act 2020, the notice will initially apply for a period of one month from 22 June to 21 July. I will keep this under review, in light of the public health advice and the operating arrangements for schools and settings, during the remainder of the summer term.

A copy of the notice can be viewed here:

<https://gov.wales/coronavirus-legislation-and-guidance-law#CoronavirusAct2020>

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