



Department  
for Education

# **Reform of the national curriculum in England**

**Equalities impact assessment**

**July 2013**

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## Introduction

This paper sets out an assessment of the potential impact on equalities created by the review of the national curriculum in England. It considers whether and how the proposed changes to the national curriculum may impact – positively or negatively – on ‘protected characteristics’ groups. Within a school context, the most relevant protected characteristics (as defined in the Equality Act 2010) are pupil disability; race (including colour, nationality, ethnic or national origin); religion or belief (including lack of religion/belief); sex; and sexual orientation.<sup>1</sup>

Although the national curriculum is not specifically covered by the 2010 Equality Act, the government is required to give due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations when carrying out its activities. In addition, one of the objectives of the review has been to ensure that opportunities are more equal for every child, including pupils with special educational needs (SEN). For this reason, this assessment considers the possible impact of the new curriculum on pupils with SEN as well as disabled pupils. We have sought views through a public Call for Evidence at the start of the review; informal consultation and discussions that took place during the course of the review with stakeholders (including with representatives of equalities organisations, subject associations, teaching unions, headteachers, teachers and subject experts); and statutory consultation on the proposals for the new national curriculum between February and April 2013.

The scope of this assessment covers, therefore, the potential impacts of:

- the changes to the content and design of the programmes of study
- the national curriculum aims
- the changes to the national curriculum inclusion statement
- the removal of attainment target levels and level descriptions
- the introduction of foreign languages at key stage 2.

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<sup>1</sup> The other protected characteristics defined in the Equality Act 2010 relate to age; being or becoming a transsexual person; being married or in a civil partnership; and being pregnant or having a child. These are of less significance in the context of 5 -16 year olds in education, and were not addressed in the responses to the statutory consultation on the national curriculum.

## Policy context

In January 2011, the government launched a review of the national curriculum with the following aims:

- to ensure that the new national curriculum embodies rigour and high standards and creates coherence in what is taught in schools
- to ensure that all pupils are taught the essential knowledge in the key subject disciplines
- beyond that core, to allow teachers greater freedom to use their professionalism and expertise to help all pupils realise their potential.

The review has been informed by evidence on curricula in high-performing educational jurisdictions internationally. Surveys of pupils' performance show that a number of jurisdictions consistently out-perform England, even in subjects where we perform relatively well. This is despite the best efforts of our many excellent teachers.<sup>2</sup>

Research has shown clear deficiencies in the current national curriculum in England.<sup>3</sup> All high-performing systems strongly emphasise the fundamentals of core subjects and allocate them substantial time – yet in England we have been moving away from this approach. Our analysis of the curricula in high-performing jurisdictions has shown, in particular, that our primary curriculum in mathematics and science does not set the same high standards and, in the 2007 revision of the secondary national curriculum, does not focus sufficiently on essential subject knowledge.

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<sup>2</sup> TIMSS 2011 results in science show that our performance in mathematics has not improved since 2007 at age 10, our mean score having remained almost unchanged at 542 (541 in 2007), or at age 14, where our mean score is 507 (513 in 2007). TIMSS science results show a drop in performance. At age 10, our mean score dropped significantly from 542 in 2007 to 529 in 2011, and at age 14 from 542 to 533. PISA 2009 results also show that we are behind high-performing jurisdictions in reading, with an above-average spread in attainment between those pupils who do well and those who do not.

<sup>3</sup> Tim Oates (2010) *Could do better: Using international comparisons to refine the National Curriculum in England*.

## **The evidence base**

The responses to the public consultation that covered the possible impact of the new national curriculum on pupils with protected characteristics most frequently referred to disability, ethnicity and belief/religion, with sex and sexuality being flagged in a handful of cases (and no mention being made of age, gender reassignment, pregnancy and maternity or being married).

The following summary of evidence draws on responses to the public consultation on the new national curriculum, and also refers to views expressed by stakeholders in the initial Call for Evidence and through informal consultation. Where necessary, other evidence is referred to where some of the responses are contestable.

## **Content of the programmes of study**

The statutory consultation asked respondents what impact – positive or negative – the proposals would have on pupils from groups with protected characteristics. With over 1,500 responses to this specific question, a wide range of views were expressed. Some respondents stated that it was too early to determine whether there would be a negative or positive impact on protected characteristic groups. Many respondents highlighted that this issue was a matter of implementation, flagging the good work already being done in schools to ensure that all pupils succeed. Around a quarter of respondents felt that the proposals could impact negatively on protected groups (though without specifying which ones in particular). Respondents also raised the importance of curriculum flexibility to ensure that teachers had the space to tailor the curriculum to suit the individual needs of pupils. Some respondents felt that some of the content proposed was not accessible to pupils with special educational needs (SEN) and some disabled pupils, such as the programming in computing programmes of study and spoken language in the English programmes of study. These particular issues are addressed in the ‘subject content’ section below.

## **The focus on essential knowledge in each subject**

The revised programmes of study set out the matters, skills and processes to be taught by the end of each key stage, with a change in emphasis towards essential knowledge in each subject area. The programmes of study are also significantly shorter all subjects except for English, mathematics and science in key stages 1 and 2. In slimming the national curriculum this way, it is intended that the programmes of study are sufficiently flexible to give teachers the freedom to specify more detail in their school curriculum for each subject and to determine the best ways in which to teach.

Although some respondents to the consultation contested the importance of focusing the national curriculum on essential knowledge, there were very few responses that

suggested that there would be any disadvantage to particular protected groups. Others have been supportive of this change, and agree with one of the key objectives of the review which is to ensure that all pupils – irrespective of their background or circumstances – have the opportunity to acquire the essential knowledge and skills they need to succeed in life. It is our belief that the new national curriculum programmes of study democratise knowledge by ensuring that as many children as possible can access a rich intellectual and cultural inheritance.

Organisations representing pupils with special educational needs and disabilities (SEND) commented in particular that some deaf pupils will have less well-developed auditory memories so will find it challenging to absorb large amounts of information and subject vocabulary. It was felt that there is a risk that their taking longer to master such elements could be misinterpreted as inherent lack of ability. The national curriculum inclusion statement makes clear that teachers should plan their lessons to ensure that there are no barriers to every pupil achieving, including pupils with hearing impairment.

## The increased level of challenge

One of the key aims of the national curriculum review has been to raise expectations of what all pupils should know and be able to do by the time they leave school. Evidence is clear that setting higher expectations for all pupils, regardless of background or circumstances, is a key driver in improving standards.<sup>4</sup> International evidence is also clear that the best-performing education systems set the highest standards in core subjects<sup>5</sup> and embrace diversity in pupils' capacities, interests and social background.<sup>6</sup> Furthermore, evidence shows that raising the level of challenge and rigour in the curriculum does not automatically mean wider gaps in pupil attainment: there are examples of high-performing educational jurisdictions (including Finland, Canada and Japan) that set high expectations and reduce the spread of attainment amongst pupils,<sup>7</sup> with significant proportions of disadvantaged pupils exceeding internationally comparable benchmarks.<sup>8</sup>

The consultation asked whether the content set out in the draft programmes of study represented a sufficiently high level of ambition at each key stage. With over 3,300 responses, there was a range of views from those who felt the draft programmes of study were too ambitious, to those who thought they were not ambitious enough. Also, these

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<sup>4</sup> P. Sammons, J. Hillman & P. Mortimore (1995), *Key characteristics of effective schools* (London, Institute of Education/OFSTED); Ofsted. (2009), *Twelve outstanding secondary schools: Excelling against the odds*.

<sup>5</sup> Department for Education (2011), *Review of the national curriculum in England: what can we learn from the English, mathematics and science curricula of high-performing jurisdictions?*

<sup>6</sup> OECD (2010), *PISA 2009 Results: What makes a school successful? – resources, policies and practices* (Volume IV); <http://dx.doi.org/10.1787/9789264091559-en>

<sup>7</sup> Analysis of 2009 PISA data indicates that in a number of countries (including Finland, Canada, Japan, Korea and Norway), students perform higher and are less affected by their home background than the OECD average. Equitable education systems are fair and inclusive and support their students to reach their learning potential without either formally or informally pre-setting barriers or lowering expectations. OECD (2012), *Equity and Quality in Education: Supporting Disadvantaged Students and Schools*, OECD Publishing. <http://dx.doi.org/10.1787/9789264130852-en>

<sup>8</sup> OECD (2011), *Against the Odds: Disadvantaged Students Who Succeed in School*, OECD Publishing. <http://dx.doi.org/10.1787/9789264090873-en>

responses varied between subjects. A number of those who were unsure stated that the level of ambition was likely to be too great for some lower attaining pupils to access the new curriculum, although the respondents did not cite specific protected groups that could be particularly affected.

The national curriculum inclusion statement makes it clear that teachers should set high expectations for all pupils, including disabled pupils and pupils with EAL, and reaffirms the need for schools to take account of their duties under equal opportunities legislation that covers disability, sex, sexual orientation, gender identity, and religion or belief. We understand that some pupils will access the national curriculum in ways that are different to others, and will progress at different rates. This, however, is a matter of pedagogy and good teachers will always adapt their teaching approach to meet the needs of their pupils. In practice this means ensuring that the national curriculum is taught in ways that enable all pupils to have an equal opportunity to succeed.

## **Subject content**

### **Art & design**

In the consultation, some criticised the draft for being too focused on western styles, traditions and movements, and said that this could adversely impact on pupils who had been brought up with different cultural traditions. There was also a concern that the emphasis on techniques such as drawing, painting and sculpture rather than specific techniques in design might impact adversely on boys.

Our assessment is that the final programmes of study do not specify any specifically western traditions in art, craft or design and teachers will have the freedom to cover a wide repertoire in their teaching. With regard to possible negative impacts on boys, the programmes of study make clear reference to a wider repertoire of techniques across the disciplines of art, craft and design and teachers have the freedom to choose which techniques should be taught in a way that engages both boys and girls.

### **Citizenship**

The requirement for pupils to be taught about ‘the diverse national, regional, religious and ethnic identities in the United Kingdom and the need for mutual respect and understanding’ has been welcomed by citizenship educators. Some consultation respondents argued that this should be extended to include people of different sexual identity and different family structures. It was also argued that the reference to ‘precious liberties’ should be replaced with ‘human rights’ to strengthen the connection between the curriculum and the specific legal framework that protects all UK citizens (including women’s rights to live free of violence against women and girls).

The key stage 4 programme of study has been revised to cover human rights, and also international law (which we would expect will include those laws that protect the rights

and liberties referred to in the citizenship curriculum). It is our view that schools should continue to address different sexual identities and family structures as part of PSHE education, where it can more effectively be adapted to suit the needs of particular groups of pupils, rather than as part of the statutory citizenship curriculum.

## **Computing**

The inclusion of computer science in the new computing curriculum was widely welcomed by many respondents. Some expressed concern that the emphasis placed on this aspect of the subject will not change the low number of girls who choose to study technology-related subjects at A level and beyond. It was also suggested that some pupils with SEN would find the computer science and programming content particularly demanding.

It is our assessment that as the computing curriculum is more rigorous and interesting than the existing ICT curriculum, it should capture the imagination of girls as well as boys – and will do this earlier in their education, to have the most positive impact on their later career choices. The programmes of study are deliberately ambitious, and some SEN pupils may find the computer science and programming challenging – but this content can be taught in ways that are accessible and engaging (for example, in key stage 1 through the use of programmable robotic toys that many primary schools already possess). There will also be pupils with particular types of SEN – such as forms of autistic spectrum disorder – who may take well to computer programming and the logical thinking and precision it requires.

## **Design & technology**

Our assessment of the consultation evidence did not identify any particular impacts that the programmes of study would have on pupils with particular characteristics.

## **English**

A number of stakeholders representing the interests of children with communication difficulties (including deaf and hearing-impaired children) welcomed the emphasis on spoken language in the core subjects of English, mathematics and science and in the cross-curriculum statement on spoken language in the framework document. Some have argued that there should also be a separate, detailed domain for spoken language, covering key stage 1 and key stage 2 as a minimum. It was stated this would ensure the necessary progression in spoken language development for all children, and especially those whose language development may be delayed or at risk; and would also avoid teachers focusing exclusively on reading and writing.

Several SEND respondents queried the emphasis on phonics in the key stage 1 programme of study, contending that this is not a universal solution for addressing the teaching of word reading. In particular, it was argued that phonics is not an appropriate method for teaching some deaf children, and it was advised that teachers need to be

directed to specialist advice and support (e.g. from qualified teachers of the deaf). Organisations concerned with dyslexia suggested that the curriculum should advise teachers that where pupils are not making expected progress in phonics, they should investigate possible causes at an early stage. It was also stated that blind pupils who are learning word reading through phonics face particular difficulties, and that there is a danger that they will underperform in the year 1 phonics screening check unless this is modified to take account of the differences in learning literacy through print and braille.

A number of those responding to the consultation felt that pupils with English as an additional language could be disadvantaged by the emphasis on grammar and spelling.

We share the view of consultation respondents that spoken language development is of paramount importance for all pupils, particularly during primary schooling. Accordingly, the English programmes of study now include statutory requirements that underpin all aspects of speaking and listening across the six years of primary education. These are set out as a separate section within the key stage 1 and 2 programmes of study document, and are accompanied by non-statutory notes and guidance. Schools are required to teach the specified content, which covers years 1-6, at a level appropriate to the age of the pupils and building on the oral language skills they have been taught in preceding years. This content is in addition to the references to spoken language embedded throughout the English programmes of study; the sections on the importance of spoken English to the development of cognition in the primary English, mathematics and science programmes of study; and the cross-cutting statement in the framework document.

## **Geography**

Some stakeholders were concerned that the requirement for schools to focus their teaching on named countries and world regions at each key stage would restrict opportunities to study other locations that relate to the ethnic and national backgrounds of some of their pupils, potentially disadvantaging them.

The sequencing of countries in the new curriculum has been designed to provide a broad locational framework for teaching world geography that is currently lacking in the curriculum. In our assessment, the programmes of study are sufficiently flexible to enable schools and teachers to cover additional countries and regions in each key stage if they regard it as appropriate to do so – drawing on links that they and their pupils may have to particular parts of the world.

## **History**

While some eminent historians and academics supported the thrust and ambition of the draft programmes of study, others – particularly history educators – queried the level of prescription, the focus on British history, and the chronological framework adopted. Several organisations representing particular religious faiths and minority ethnic groups

saw the draft curriculum as too focused on British history, which they felt would disadvantage pupils of non-British heritage who would not have the formal opportunity to study their cultural history at school. They welcomed the naming of figures not from white British backgrounds, such as Mary Seacole, Olaudah Equiano and Gandhi, on the grounds that this would make the curriculum more inclusive for minority ethnic pupils. However, they called for a broader curriculum that included significantly more world history and made explicit reference to the contributions of minority ethnic groups to the development of Britain within the primary curriculum (rather than in key stage 3, as a strictly linear chronological sequencing of subject content would dictate). Equalities organisations suggested that the subject aims statement be amended to cover pupils' understanding of the history of gender, race and sexuality.

We have listened carefully to this feedback and the revised programmes of study directly address the comments received, while retaining a core focus on teaching the history of Britain and its relationship with the world within a clear chronological framework. The sections dealing with international history and the history of other societies have been strengthened – for example the programmes of study now include opportunities to study elements of West African, Middle Eastern and Indian history. They also include content on social reform in both the 19<sup>th</sup> and 20<sup>th</sup> centuries, and suggest that pupils be given the opportunity to embark on a depth study of the migration of peoples to the British Isles over time.

In response to broader feedback from the consultation, however, the programmes of study have also been revised to reduce the level of prescription and give schools greater freedom over the detailed content to be taught. In doing so, it has been necessary to reduce significantly the number of historical figures named. This has meant removing figures not from white British backgrounds such as Olaudah Equiano and Gandhi, alongside the majority of others named in the February draft. It has also meant removing specific references to certain pieces of equalities legislation (e.g. the legalisation of homosexuality) on which equalities organisations commented positively in the statutory consultation.

Whilst we recognise that some of the specific content which we have removed was welcomed by equalities organisations, we believe that strong concerns raised about the over-prescriptive nature of the draft programmes of study mean that this has been a necessary step in producing a curriculum that can and will be taught. It will remain open to schools to choose which particular individuals they teach pupils about, both as part of delivering the prescribed content of the national curriculum and as part of their wider school curriculum, and in doing so we expect them to consider the importance of identifying role models from a diverse range of ethnic and other backgrounds.

## **Languages**

Representatives of certain religious groups were critical of the exclusion of languages associated with religious observance (e.g. Hebrew) from the list of foreign languages that can be taught at key stage 2. A number of respondents to the consultation on the new national curriculum felt that the prescribed list of foreign languages was likely to exclude and undervalue those communities whose languages are not featured. Some SEND stakeholders also called for the criteria for what constitutes a foreign language to be changed to cover spoken, written and signed language, thereby permitting British Sign Language (which many deaf pupils use) to be taught in key stages 2 and 3.

Following consideration of responses to the consultation, it has been decided to withdraw the proposal that schools should teach one of a prescribed list of seven languages at key stage 2. This will give flexibility to primary schools over which foreign language(s) they choose to teach.

There are no plans to change the proposed statutory requirement that pupils are taught a foreign language at key stage 2 and a modern foreign language at key stage 3. Foreign languages require the teaching and study of the four skills of listening, speaking, reading and writing, and as such British Sign Language – being a visual language only – would not meet these criteria. However, schools will be free to offer sign language programmes to pupils to meet local needs and preferences in addition to a foreign language or modern foreign language.

## **Mathematics**

Our assessment of the consultation evidence did not identify any particular concerns regarding the potential negative impact of the programmes of study on protected characteristics groups. Several SEND stakeholders commented positively on the emphasis placed on linguistic mathematics as this can be a challenge for children with sensory impairments (e.g. deafness).

The statement of subject aims for mathematics sets out the expectation that schools will decide on the pace at which individual pupils progress through each programme of study based on the security of their understanding and readiness to proceed to the next stage. This should benefit some pupils with SEND who may not be sufficiently fluent with earlier material, ensuring that they consolidate their understanding before moving on.

## **Music**

As with art and design, some respondents were concerned that the draft programmes of study were too narrowly focused on western music styles and traditions and that this neglected traditions in other cultures – thereby disadvantaging some pupils of non-Western nationality, ethnicity or national origin.

As with art and design, our assessment is that the final programmes of study for music are not overly prescriptive and do not state western traditions explicitly. Teachers therefore have the freedom make choices that engage all pupils.

### **Physical education (PE)**

There was a positive response to the inclusion of dance and physical activity alongside competitive sport, which it was felt would help address the fact that a lower proportion of girls than boys currently engage in the recommended daily levels of physical activity. Certain respondents to the initial Call for Evidence argued that the programmes of study should be tailored so that pupils with disabilities have specific support and equipment, as well as activities that meet their needs.

The revised inclusion statement makes it clear that in all subjects – including PE – teachers must take account of individuals or groups of pupils and make provision to support them where necessary so that they can participate effectively in the curriculum.

### **Science**

Representatives of some religious groups expressed concerns over aspects of the prescribed content which run counter to the core beliefs of their communities – chiefly the inclusion of evolution and sexual reproduction in key stage 2. It was argued that sex education should be included in PSHE only, to preserve the right of parents to withdraw their children from those lessons. Other stakeholders were critical of the focus on sexual activity being only on the context of reproduction (thereby excluding gay pupils) and was suggested that same-sex relationships should be specified as part of the theme of human reproduction in key stage 3.

We share the view of the scientific community that evolution is one of the fundamental strands of knowledge in biology. Leading scientists regard it as highly appropriate to include the subject in the primary science curriculum, and there are examples of other high-performing educational jurisdictions (e.g. Massachusetts) that introduce the subject at the equivalent of key stage 2. On same-sex relationships, our view is that it is most appropriate for schools to cover this topic as part of PSHE education, where it can be adapted more effectively to suit the needs of particular groups of pupils.

## **Possible equalities impacts of the approach to the design of the new national curriculum programmes of study**

The core national curriculum subjects of English, mathematics and science provide the foundations on which success across all other subjects is built. The proposed key stage 1 and 2 programmes of study for English, mathematics and science set out the subject content to be covered in detail, which should help primary teachers improve pupils' attainment in these core subjects before they start secondary school. Having shorter programmes of study for these subjects at secondary level, and for all other national

curriculum subjects at the relevant key stages, will give schools and teachers greater flexibility to design and develop their own wider school curricula to meet their pupils' individual needs most effectively.

While a number of consultation respondents had concerns over the implications of having short programmes of study for foundation subjects and core subjects at secondary level, no clear evidence was presented that this would disadvantage pupils with protected characteristics.

## **Possible equalities impacts of the national curriculum aims**

The overarching aims for the national curriculum, articulated in the framework document, state the purpose of the national curriculum as being to set out the essential knowledge that all pupils should learn at each stage of their school career. The aims also reflect the fact that the national curriculum is one element of the wider school curriculum, and as such they do not intend to capture everything that schools teach and do. It is the role of schools and teachers to design and develop a balanced and broadly based wider school curriculum which develops pupils' understanding and skills in order to give them a sound foundation from which to progress.<sup>9</sup>

The review has not identified any evidence that revising the national curriculum aims and purposes will have an impact on equalities.

## **Possible equalities impacts of the national curriculum inclusion statement**

The national curriculum framework document includes an inclusion statement that reaffirms schools' duties under equalities legislation, revising the current inclusion statement which is now out of date in relation to the rights of the protected groups covered by the 2010 Equality Act (e.g. relating to disability, sex, sexual identity, gender identity, and religion or belief). The inclusion statement sets out that teachers must determine the support and teaching interventions their pupils need to participate fully in all parts of the school curriculum, including the national curriculum. The statement also gives teachers and teaching staff the freedom to teach the national curriculum in line with pupils' specific and individual needs and make reasonable adjustments.

SEND organisations welcomed the draft inclusion statement published for consultation in February and its emphasis on schools and teachers setting high expectations for every pupil, and planning lessons to ensure that there are no barriers to every pupil achieving. There were criticisms of the draft statement for its assertion that 'many disabled pupils have little need for additional resources beyond the aids which they use as part of their

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<sup>9</sup> Section 78 of the 2002 Education Act <http://www.legislation.gov.uk/ukpga/2002/32/section/78>

daily life': some stakeholders felt this implied that the access needs of hearing-impaired and autistic children can be met through the provision of auxiliary aids, which may be true for certain pupils but not others. It was suggested that the statement be amended to indicate that children with SEN and disabilities may continue to have access/support needs of which teachers must be aware.

In light of these consultation responses, we have revised the inclusion statement to emphasise that '*With the right teaching, that recognises their individual needs, many disabled pupils have little need for additional resources beyond the aids which they use as part of their daily life*'.

## **Possible equalities impacts of the removal of levels and level descriptions**

The removal of national curriculum levels creates genuine opportunities for greater school autonomy over assessment, and will focus teaching on the core content rather than on a set of opaque level descriptions. The curriculum review's Expert Panel set out clear evidence<sup>10</sup> that the current levels system can lead to teachers concentrating on giving pupils the right 'label', rather than on setting high expectations for all pupils and putting measures in place to ensure that they receive the support they need in order to achieve.

The new national curriculum provides a more direct relationship between what pupils are taught and what is assessed. The attainment target for each national curriculum subject states that by the end of the key stage, pupils are expected to know, apply and understand the matters, skills and processes specified in the relevant programme of study. Headteachers and teachers should, working in partnership with parents, be responsible for designing a school curriculum that guarantees pupils a rigorous and balanced education. This should ensure that pupils meet the end of key stage expectations set out in the programmes of study, but leaves schools free to determine the pace at which the core content should be taught. Schools are required to publish this curriculum on their website. In turn, schools should then be free to design their approaches to assessment to support pupil attainment and progression. The assessment framework must be built into the curriculum, so that schools can check what pupils have learned and whether they are on track to meet expectations at the end of the key stage, and so that they can report regularly to parents.

In the public consultation on the new national curriculum, a number of SEND stakeholders expressed concerns about the removal of levels and level descriptors. Several organisations argued that by defining expectations in terms of knowledge during each key stage, there is a risk that insufficient consideration is given to pupils whose

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<sup>10</sup> Department for Education (2011), *The Framework for the National Curriculum: A report by the Expert Panel for the national curriculum review*.

development is delayed (due to SEN, health issues etc.). It was also suggested that some schools might interpret the proposed attainment target as a simple 'pass/fail' measure, which could have a demotivating effect on pupils who are below the expected standard. It was also felt that schools might develop forms of assessment which describe children's achievements in non-neutral ways (e.g. a child is working at year 3 standards when they are 14), which would not be appropriate. Pupils with SEND-related developmental delays could be particularly affected by such developments.

Concerns were also raised over how removing levels and level descriptors might affect the existing performance scales (P scales) currently used to measure the progress of pupils with SEN who are working below the expected standard for key stage 1. Stakeholders were positive about the value of P scales in facilitating the assessment and recognition of achievement by these pupils and sought clarification on whether they would be maintained or developed in the future.

We will explore whether P-scales should be reviewed so that they align with the new national curriculum, and provide a clear route to progress to higher attainment levels. We will continue to liaise with stakeholders and to consider the specific problems facing pupils who are low attainers, including those with SEND, as we develop and refine the system. In its inspections, Ofsted will consider the lowest-attaining pupils when making judgements about a school. They will also consider the progress of pupils with very low prior attainment. We will ensure that data is published that will provide information about these pupils' progress wherever possible, subject to protecting individual privacy. We will consult separately on what data could be published to hold schools (including special schools) accountable for the attainment and progress of the lowest-attaining pupils.

## **Possible equalities impacts of introducing foreign languages at key stage 2**

Within the new national curriculum, it will become compulsory for pupils to study foreign languages at key stage 2. Modern foreign languages remain compulsory at key stage 3.

In the course of the consultation on whether foreign languages should be introduced at key stage 2, a significant proportion of respondents expressed the view that that pupils with English as an additional language – many of whom are from minority ethnic backgrounds – would benefit from in particular from this development as they are experienced language learners and therefore in a position to build on concepts of language learning they have already acquired. An equivalent proportion of respondents were of the view that pupils with SEN would benefit as the content and style of foreign language teaching would help them make progress in literacy and communication more generally. Respondents said that children with SEN often enjoyed language learning because it is a subject with less of a sense of failure (since all pupils start at the same point) and at primary level strongly emphasises oral work. A minority of respondents

thought that children with SEN may struggle as many have difficulties with reading, writing and speaking English and that to expect progress in another language should not be a priority.

In our assessment, the teaching of a foreign language is beneficial for all, including pupils with SEN. Research shows that foreign language teaching improves English language and literacy and has all-round cognitive benefits, resulting in pupils being more receptive to teaching in other subjects. In particular, research studies have shown that children who experienced difficulties in literacy in English appeared more assured in languages and gained confidence through studying a foreign language. Furthermore, any difficulties a pupil with SEN may have in accessing foreign languages in the curriculum would be covered by the inclusion statement and the need for schools to make reasonable adjustments to meet those needs, in the same way as in any other subjects.

## Conclusion

This Equalities Impact Assessment demonstrates how the new national curriculum has taken account of equalities issues raised throughout the review process and in the statutory consultation. We are confident that the new national curriculum sets appropriately high expectations for all pupils, and that the content of the programmes of study will give all pupils, regardless of background and circumstances, the essential knowledge and skills that they need to succeed in education and life.

In keeping with our commitment to system-led educational reform, we expect schools to work in partnership, locally and nationally, to implement the new national curriculum and develop effective ways of meeting the particular needs of all of their pupils – including those with protected characteristics. We also anticipate – and will work to encourage – those organisations that represent protected characteristics groups to help schools fulfil their equalities duties in delivering the new national curriculum and ensure that all pupils are able to achieve.



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