



Department  
for Education

# **Consultation on the regulations to disapply aspects of the existing national curriculum, from September 2013**

**Government response**

**June 2013**

## Introduction

1. This report summarises the responses received to our consultation on draft regulations, to be laid under Section 91 of the Education Act 2002, that will give force to the Government's decision to disapply aspects of the existing national curriculum, from September 2013.

## Background

2. On 7 February 2013 the Department for Education published proposals for the reform of the national curriculum for consultation. These proposals included one to disapply certain aspects of the existing national curriculum for a limited period from September 2013, to give schools greater flexibility to prepare to teach the new national curriculum. Following the close of the consultation on the proposal (which ran from 7 February to 16 April), Ministers confirmed their intention to proceed with the proposals, namely:
  - to disapply the existing programmes of study, attainment targets and statutory assessment arrangements from September 2013 for:
    - English, mathematics and science for pupils in years 3 and 4
    - all foundation subjects for all pupils at key stages 1 and 2
    - all subjects for pupils at key stages 3 and 4.
3. A report summarising the outcome of the consultation and the Government's reasons for going ahead was published on the Department's website [here](#) on 3 May. The same day, a consultation on the draft regulations required to bring about these changes was launched, which closed on 3 June.

## Findings

4. There were 24 responses to the consultation. Most respondents used the consultation exercise as an opportunity to set out, or reiterate, similar views to those expressed previously. Overall, 12% of respondents supported the proposal, 45% disagreed and 42% expressed no preference in their comments. Comments received all related to the policy, rather than the draft regulations themselves.
5. Respondents who agreed with the proposal believed that the disapplication of the elements of the national curriculum set out in the consultation from September 2013 would allow schools and teachers more time to prepare and plan for the introduction of the new curriculum.
6. Respondents who disagreed with the proposal expressed the view that this could lead to a disruption of the flow of pupils' education, and also raised concerns around how Ofsted would measure progress if parts of the curriculum were disappplied. There were also concerns raised that the timescale for disapplication and the introduction of the new curriculum was too short for schools to react.

7. Whilst the responses to this consultation showed higher numbers of respondents disagreeing with the proposals to disapply elements of the current national curriculum than agreeing, there was nothing to add from these to the responses received to the disapplication question in the main curriculum consultation, which closed in April. These responses to the earlier consultation indicated that there is uncertainty as to what disapplication will actually mean for schools. Also, respondents once again took the opportunity to express their views around the timescales involved in the introduction of the new curriculum, rather than the issue of disapplication itself.

## Next Steps

8. Having carefully considered the responses to this consultation the Government has decided to proceed to lay the regulations to disapply the programmes of study, attainment targets and statutory assessment arrangements from September 2013 for:
  - English, mathematics and science for pupils in year 3 and year 4
  - all foundation subjects for pupils at key stages 1 and 2
  - all subjects for pupils at key stages 3 and 4.
9. Disapplication will have effect for the school year 2013/14, except in relation to English, mathematics and science for pupils at key stage 4 where it will have effect for the two years 2013/14 and 2014/15, because the new key stage 4 programmes of study for these subjects will not be introduced until September 2015. The reason why disapplication will not apply to English, mathematics and science for pupils in years 1, 2, 5 and 6 is to retain the statutory underpinning for statutory assessment at the end of key stage 1 and key stage 2 for those cohorts of pupils in summer 2014.
10. We want to ensure that schools are able to prepare for a smooth transition to the new national curriculum which will be introduced from September 2014. Disapplication of the current national curriculum in this way means that schools will still be required to teach the statutory subjects but will not have to follow the centrally prescribed programmes of study (and associated attainment targets and assessment arrangements) from September 2013. They can choose to continue teaching the current programmes of study if they wish but will have the freedom to use the flexibility that disapplication offers to plan and prepare for the introduction of the new programmes of study from September 2014.
11. Under the legislation which underpins the national curriculum a final set of regulations to enable this disapplication to take place will be laid before Parliament with a commencement date of 2 September 2013.

## Overview of responses

12. The organisational breakdown of respondents was as follows:

Secondary School	2
Primary School	3
Other	8
Local Authority	2
Academy/Free school	1
Parent	0
Organisation Representing School Teachers	8
Special School	0
Subject Association	0



Department  
for Education

© Crown copyright 2013

You may re-use this information (excluding logos) free of charge in any format or medium, under the terms of the Open Government Licence. To view this licence, visit [www.nationalarchives.gov.uk/doc/open-government-licence](http://www.nationalarchives.gov.uk/doc/open-government-licence) or email: [psi@nationalarchives.gsi.gov.uk](mailto:psi@nationalarchives.gsi.gov.uk).

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

Any enquiries regarding this publication should be sent to us at: [www.education.gov.uk/contactus](http://www.education.gov.uk/contactus).

This document is available online at [www.education.gov.uk/nationalcurriculum](http://www.education.gov.uk/nationalcurriculum).