

Explanatory Memorandum: The Education (National Curriculum) (Assessment Arrangements for Reading and Numeracy) (Wales) (Amendment) Order 2018

This Explanatory Memorandum has been prepared by Education and Public Services department and is laid before the National Assembly for Wales in conjunction with the above subordinate legislation and in accordance with Standing Order 27.1.

Cabinet Secretary's Declaration

In my view, this Explanatory Memorandum gives a fair and reasonable view of the expected impact of The Education (National Curriculum) (Assessment Arrangements for Reading and Numeracy) (Wales) (Amendment) Order 2018.

Kirsty Williams AC/AM

Cabinet Secretary for Education

4 July 2018

1. DESCRIPTION

1.1 This Order removes the reference to the previous test developers, “NFER”.

1.2 With the removal of “NFER” from the order, Head Teachers will instead agree to send the National Reading and Numeracy Test data solely to Welsh Ministers as per the Test Administration Handbook ([guidance document](#)).

1.3 Head Teachers will no longer be required to ensure that the online versions of the National Reading and Numeracy tests (*known as Personalised Assessments*) are marked in accordance with the mark scheme. The online assessments will be marked automatically via computer software and sent to WMs as per the Test Administration Handbook (guidance document).

2. MATTERS OF SPECIAL INTEREST TO THE CONSTITUTIONAL AND LEGISLATIVE AFFAIRS COMMITTEE

2.1 None

3. LEGISLATIVE BACKGROUND

3.1 This Order is made under Section 108(2)(b)(iii) and (3)(c) and Section 210 of the Education Act 2002.

3.2 The Order is subject to the National Assembly for Wales’ negative procedure.

4. PURPOSE AND INTENDED EFFECT OF THE LEGISLATION

4.1 In a commitment to raise literacy and numeracy standards, and to tackle the link between poverty and educational attainment, Welsh Government introduced National Reading and Numeracy Tests in 2013. At present the paper-based National Reading and Numeracy Tests are taken annually by all learners in years 2-9 in maintained schools in Wales.

4.2 In 2015 the Welsh Government commissioned research into the feasibility of introducing computer based testing (in particular online adaptive tests). The research established that it was feasible to introduce such tests in Welsh schools. In his *Successful Futures* report, published in 2015, Professor Graham Donaldson also recommended that ‘innovative approaches to assessment, including interactive approaches, should be developed drawing on the increasing potential contribution of digital technology.’

4.3 Online adaptive tests will start to be phased in from academic year 2018/19, and by 2020/21 will replace the existing paper based tests. Online adaptive tests adjust the difficulty level of questions to suit the test taker and benefits include more targeted and detailed information on learners' performance, faster feedback times, flexibility for schools to schedule tests at a time that brings most benefits for teaching and learning, and automatic marking. The timetable for the transition is as follows:

Academic year	Numeracy (Procedural)	Reading	Numeracy (Reasoning)
2018/19	Online and adaptive		
2019/20	Online and adaptive	Online and adaptive	
2020/21	Online and adaptive	Online and adaptive	Online and adaptive

4.4 The Welsh Government's contract with the National Foundation for Educational Research (NFER) as an optional collator of national tests data ended in July 2017. A new supplier, AlphaPlus Consultancy, has been contracted to develop the new online assessments in addition to the remaining rounds of paper tests. As it currently stands, The Education (National Curriculum) (Assessment Arrangements for Reading and Numeracy) (Wales) Order 21013 ("the 2013 Order") provides that the head teacher must mark the tests in accordance with the national tests mark scheme and send the results of the reading and numeracy test assessments to either the National Foundation for Educational Research ("the NFER") or the Welsh Ministers.

4.5 As the NFER no longer collects the reading and numeracy assessment results the assessment results will in future be sent only to the Welsh Ministers. Accordingly this Order amends the 2013 Order so as to remove any reference to the NFER. This Order also removes the requirement for the head teacher to mark the tests in accordance with the national test mark scheme. The online versions of the tests will be marked automatically by computer software.

5. CONSULTATION

5.1 Substantial research and stakeholder engagement has been undertaken prior to and during their development, including:

- A feasibility study, commissioned by Welsh Government, was carried out during 2015. This research collected the views of multiple stakeholders, and included interviews with regional education consortia, school staff including teachers and head teachers from primary and secondary schools, and IT staff from local authorities. The study concluded, from the evidence collected, that converting the national tests to online format was feasible.

- Following this study there was further engagement with the sector during 2016 regarding the move to online assessments. This included a workshop and follow-up conversations with stakeholders, with representation from the four regional education consortia, teachers and head teachers from across Wales, to agree the requirements of the specification for the online assessments tender. Focus groups with parents were also held and feedback incorporated in the plans for the new assessments.
- During the development phase, (starting in January 2017 and ongoing), feedback on the content, functionality and administration of the assessments is being gathered through extensive trialling with learners and teachers (e.g. around 300 schools participated in trialling in autumn 2017) and is being incorporated into the development.
- Consultation with teachers and education professionals is ongoing on other aspects of the assessments, for example on the nature of the reports generated for schools and learners which have been presented to groups of teachers, head teachers, and consortia staff.
- Research has been conducted into the functionality of the assessments for learners requiring modifications, and the online assessments are being developed to be compatible with standard assistive technologies.

6. REGULATORY IMPACT ASSESSMENT

6.1 A regulatory impact assessment has not been prepared in respect of this Order as it simply makes amendments to current legislation to update and enable the transition to online tests and does not impose costs for those concerned.