

**Y Pwyllgor Materion
Cyfansoddiadol a
Deddfwriaethol**

**Constitutional and Legislative
Affairs Committee**

Leighton Andrews AM
Minister for Education and Skills
Welsh Government
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Tŷ Hywel
Cardiff Bay
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Cynulliad National
Cenedlaethol Assembly for
Cymru Wales

Bae Caerdydd / Cardiff Bay
Caerdydd / Cardiff
CF99 1NA

27 September 2011

Dear Minister

CLA31 - The National Curriculum (Assessment Arrangements on Entry to the Foundation Phase) (Wales) Order 2011

And;

CLA32 - The National Curriculum (End of Foundation Phase Assessment Arrangements and Revocation of the First Key Stage Assessment Arrangements) (Wales) Order 2011

The Constitutional and Legislative Affairs Committee considered the above Statutory Instruments at its meeting on 19 September 2011 and agreed that I should bring to your attention the Committee's reports made under Standing Order 21.3 on the merits of the Instruments.

The Committee agreed to invite the Assembly to pay special attention to these Instruments on the grounds that they are "of political or legal importance or give rise to issues of public policy likely to be of interest to the Assembly" (Standing Order 21.3(ii)).

The Committee's reports were laid in the Table Office on 23 September 2011 and is attached for information. I would be grateful if you could consider the report and let the Committee have your response in due course.

You will note that the Committee concluded that article 5 of the Order contains an unusual provision that allows the Welsh Ministers to make further provision about the Order without the need to make an amending Order that would be subject to Assembly scrutiny. The Committee would be grateful for clarification on whether Ministers have any current intention to use the powers under article 5 and, if the power is used in future, whether you would consider keeping Assembly Members informed by publishing a written statement on the matter.

I am copying this report to the First Minister for information and have also arranged for the report and this letter to be drawn to the attention of Assembly Members.

Yours sincerely

A handwritten signature in black ink that reads "David Melding". The signature is written in a cursive style with a long, sweeping tail that extends to the right.

David Melding AM
Chair, Constitutional and Legislative Affairs Committee