

These notes refer to the Curriculum and Assessment (Wales) Act 2021 (asc 4) (c.4) which received Royal Assent on 29 April 2021

CURRICULUM AND ASSESSMENT (WALES) ACT 2021 (ASC 4)

EXPLANATORY NOTES

GENERAL OVERVIEW OF THE ACT

5. The Act has seven Parts comprising 85 sections and two Schedules. Part 2 is separated into four chapters.
6. The Act makes provision about curriculum and assessment arrangements for:
 - pupils under 16 years old at maintained schools;
 - pupils at maintained nursery schools;
 - children receiving FNNE;
 - pupils and children for whom the local authority has made arrangements (under the 1996 Act) for education to be provided otherwise than at a school, for example, in a PRU; and
 - it also makes specific curriculum-related provision for post-compulsory education in maintained schools.
7. Act repeals Part 7 of the Education Act 2002 (“the 2002 Act”) which, prior to the coming into force of this Act, set out the curriculum requirements for maintained schools and maintained nursery schools in Wales.
8. It makes provision about the development, adoption and implementation of a curriculum for pupils at a maintained school or maintained nursery school, and for the development and implementation of a curriculum in the other contexts in which the Act applies. It also confers duties and powers on the Welsh Ministers to produce Codes and guidance to support education practitioners to use their professionalism and creativity to meet the needs of all learners.
9. The intention is to ensure that all pupils and children to whom the Act applies can obtain experiences, knowledge and skills that enable them to develop in the ways described in the four purposes. To this end the Act requires teaching and learning that enables those pupils and children to develop in those ways; that is broad and balanced; that is suitable for their ages, abilities and aptitudes; and that offers appropriate progression.
10. At its core, the Act seeks to secure teaching and learning that supports learners to develop higher standards of literacy and numeracy, to be digitally and bilingually competent, to evolve into enterprising, creative and critical thinkers and to be confident, capable and caring citizens.
11. Certain expressions are used in the Curriculum and Assessment (Wales) Act that are defined (or given meaning by) the Education Act 1996:

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<i>Expression</i>	<i>Provision</i>
additional learning needs (“ <i>anghenion dysgu ychwanegol</i> ”)	section 579(1) of the 1996 Act
additional learning provision (“ <i>darpariaeth ddysgu ychwanegol</i> ”)	section 579(1) of the 1996 Act
child (“ <i>plentyn</i> ”)	section 579(1) of the 1996 Act
compulsory school age (“ <i>oedran ysgol gorfodol</i> ”)	section 8 of the 1996 Act
EHC plan (“ <i>cynllun AIG</i> ”)	section 579(1) of the 1996 Act
functions (“ <i>swyddogaethau</i> ”)	section 579(1) of the 1996 Act
head teacher (“ <i>pennaeth</i> ”)	section 579(1) of the 1996 Act
individual development plan (“ <i>cynllun datblygu unigol</i> ”)	section 579(1) of the 1996 Act
local authority (“ <i>awdurdod lleol</i> ”)	section 579(1) of the 1996 Act
local authority in wales (“ <i>awdurdod lleol yng nghymru</i> ”)	section 579(1) of the 1996 Act
nursery school (“ <i>ysgol feithrin</i> ”)	section 6(1) of the 1996 Act
parent (“ <i>rhiant</i> ”)	section 576 of the 1996 Act
pupil (“ <i>disgybl</i> ”)	section 3 of the 1996 Act
registered pupil (“ <i>disgybl cofrestredig</i> ”)	section 434(5) of the 1996 Act
school year (“ <i>blwyddyn ysgol</i> ”)	section 579(1) of the 1996 Act
special school (“ <i>ysgol arbennig</i> ”)	section 337(2) of the 1996 Act
trust deed (“ <i>gweithred ymddiriedolaeth</i> ”)	section 579(1) of the 1996 Act
young person (“ <i>person ifanc</i> ”)	section 579(1) of the 1996 Act