
WELSH STATUTORY INSTRUMENTS

2022 No. 758

The Curriculum and Assessment (Wales)
Act 2021 (Consequential Amendments)
(Secondary Legislation) (No. 3) Regulations 2022

PART 2

Consequential Amendments

The Education (Information About Individual Pupils) (Wales) Regulations 2007

10.—(1) The Education (Information About Individual Pupils) (Wales) Regulations 2007(1) (“the 2007 Regulations”) are amended as follows.

(2) In regulation 3, insert in the appropriate places—

““the 2021 Act” (“*Deddf 2021*”) means the Curriculum and Assessment (Wales) Act 2021;”,

““nursery year” (“*blwyddyn meithrin*”) means a year group in which the majority of pupils attain the age of 4;”,

““relevant curriculum” (“*cwricwlwm perthnasol*”) has the meaning given to it in section 56(5) of the 2021 Act;”,

““year 9” (“*blwyddyn 9*”) means a year group in which the majority of pupils attain the age of 14;”,

““year 11” (“*blwyddyn 11*”) means a year group in which the majority of pupils attain the age of 16;”, and

““year group” (“*grŵp blwyddyn*”) means a group of children at a school the majority of whom will, in a particular school year, attain the same age;”.

(3) The amendment in paragraph (4) comes into force—

(a) from 1 September 2022 in respect of—

(i) pupils in the nursery year to year 6 at a maintained school;

(ii) pupils in year 7 at a maintained school where the head teacher and governing body have adopted a relevant curriculum for those year 7 pupils under Part 2 of the 2021 Act;

(b) from 1 September 2023 in respect of pupils in years 7 and 8 at a maintained school;

(c) from 1 September 2024 in respect of pupils in year 9 at a maintained school.

(4) In paragraph (5) of regulation 5—

(a) the text of sub-paragraph (a) becomes sub-paragraph (a)(i), and

(b) after that sub-paragraph insert—

- “(ii) any assessment of pupils in the nursery year to year 9 inclusive made under section 56 of the 2021 Act in relation to a relevant curriculum;”.
- (5) The amendment in paragraph (6) comes into force—
- (a) from 1 September 2022 in respect of—
 - (i) pupils in the nursery year to year 6 at a maintained school;
 - (ii) pupils in year 7 at a maintained school where the head teacher and governing body have adopted a relevant curriculum for those year 7 pupils under Part 2 of the 2021 Act;
 - (b) from 1 September 2023 in respect of pupils in years 7 and 8 at a maintained school;
 - (c) from 1 September 2024 in respect of pupils in year 9 at a maintained school;
 - (d) from 1 September 2025 in respect of pupils in year 10 at a maintained school.
- (6) In Schedule 2, for paragraph 1(j) substitute—
- “for pupils in nursery year to year 11, the year group in which the pupil is taught;”.
- (7) On 1 September 2024—
- (a) in regulation 3—
 - (i) omit the definition of “foundation phase”, and
 - (ii) for the definition of “key stage” substitute—

““key stage” (*“cyfnod allweddol”*) means any of the periods set out in paragraphs (c) to (d) of section 103(1) of the 2002 Act and a reference to the third key stage is a reference to the period set out in paragraph (c) of section 103(1) of the 2002 Act;”, and
 - (b) in regulation 5(5)(a)(i), omit the words “foundation phase, second or”.
- (8) On 1 September 2026—
- (a) in regulation 3, omit the definitions of “the 2002 Act” and “key stage”,
 - (b) for regulation 5(5)(a) substitute—

“any assessment of pupils in the nursery year to year 9 inclusive made under section 56 of the 2021 Act in relation to a relevant curriculum;”, and
 - (c) in Schedule 2, for paragraph 1(j) substitute the following—

“for pupils in nursery year to year 11, the year group in which the pupil is taught;”.
- (9) In this regulation “maintained school” means a “school” as defined in regulation 3 of the 2007 Regulations.