
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 Children in Alternative Provision) (Wales) Regulations 2009

11.—(1) The Education (Information About Children in Alternative Provision) (Wales) Regulations 2009(1) are amended as follows.

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

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

““academic year” (“*blwyddyn academaidd*”) means the period of 12 months beginning on 1 September;”,

““maintained school” (“*ysgol a gynhelir*”) has the meaning given to it in section 79(1)(a) of the 2021 Act;”,

““provider of funded non-maintained nursery education” (“*darparwr addysg feithrin a gyllidir ond nas cynhelir*”) has the meaning given to it in section 80(2)(a) of the 2021 Act;”,

““pupil referral unit” (“*uned cyfeirio disgyblion*”) has the meaning given to it in section 81(1) of the 2021 Act;”,

““setting” (“*lleoliad*”) means—

- (a) a maintained school;
- (b) a provider of funded non-maintained nursery education;
- (c) a pupil referral unit; and
- (d) the provision of teaching and learning for a child otherwise than at a pupil referral unit by virtue of arrangements made under section 19A of the 1996 Act;”,

““statutory assessments” (“*asesiadau statudol*”) means such assessment arrangements as are specified by the Welsh Ministers in regulations made under section 56 of the 2021 Act;”,

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

(3) In paragraph 1(i) of Schedule 1, omit “national curriculum”.

(1) [S.I. 2009/3355 \(W. 294\)](#) as amended by [S.I. 2010/1142 \(W. 101\)](#) and [S.I. 2010/2431 \(W. 209\)](#). There are other amendments which are not relevant to these Regulations.

- (4) The amendments in paragraphs (5) to (7) apply in relation to the settings listed in regulation 3 of the 2009 Regulations⁽²⁾, and come into force—
- (a) from 1 September 2022 in respect of—
 - (i) children and pupils in the reception year to year 6;
 - (ii) pupils in year 7 where a setting has a relevant curriculum in place for those year 7 pupils under Parts 2 or 3 of the 2021 Act;
 - (b) from 1 September 2023 in respect of children and pupils in years 7 and 8;
 - (c) from 1 September 2024 in respect of children and pupils in year 9;
 - (d) from 1 September 2025 in respect of children and pupils in year 10;
 - (e) from 1 September 2026 in respect of children and pupils in all other year groups.
- (5) In regulation 3(b), for “section 19” substitute “section 19A”.
- (6) In regulation 9—
- (a) in paragraph (1) for “The teacher in charge of a pupil referral unit and the” substitute “The”, and
 - (b) in paragraph (2) omit “the teacher in charge of a pupil referral unit or”.
- (7) In Schedule 2, for paragraphs 1 to 8 substitute—
1. Brief comments on the progress in learning across the relevant curriculum.
 2. Brief comments on the results of any statutory assessments carried out under regulations made under section 56 of the 2021 Act.
 3. A summary of the child or pupil’s future progression needs and the next steps to support that child or pupil’s progression.
 4. Brief advice on how parents can support their child’s progression.
 5. A summary of the child or pupil’s well-being.
 6. A summary of the qualifications for which the child or pupil was entered, and attainment or grade where relevant, including details of any unit or credit towards such qualification obtained by the child or pupil during the period to which the report relates.
 7. A summary of the child or pupil’s attendance record during the period to which information relates showing the number of authorised and unauthorised absences (within the meaning of the Education (Pupil Registration) (Wales) Regulations 2010⁽³⁾) and the number of possible attendances.
 8. Particulars of the arrangements under which parents may discuss the report with the child’s teacher.”.

(2) Namely (a) funded education provided under arrangements made by a relevant local authority; (b) education provided at an independent school arranged and funded by a local authority in Wales pursuant to section 19A of the 1996 Act; and (c) education provided in a pupil referral unit funded by a relevant local authority.

(3) [S.I. 2010/1954 \(W. 187\)](#).