

*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)

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 2 – Curriculum in Maintained Schools, Maintained Nursery Schools and Funded Non-Maintained Nursery Education**

##### *Chapter 2 – Curriculum Requirements*

##### *Sections 20 to 24 - Curriculum requirements*

38. These sections set out the requirements that must be met by a curriculum for a maintained school or a maintained nursery school, or for FNNE. A curriculum cannot be adopted unless it complies with these requirements, as discussed above.
39. A curriculum must:
  - enable pupils and children to develop in the ways described in the four purposes (section 20);
  - provide for appropriate progression for pupils and children (section 21);
  - be suitable for pupils and children of differing ages, abilities and aptitudes (section 22);
  - be broad and balanced (section 23);
  - provide for teaching and learning which encompasses each of the areas of learning and experience (including the mandatory elements within the areas of learning and experience) and develops mandatory cross-curricular skills (section 24).
40. [Section 24](#) also imposes a further requirement that applies in relation to a curriculum for pupils aged over 14 but under compulsory school age (years 10 and 11). It requires the curriculum for those pupils to offer them a choice of teaching and learning within each area of learning and experience. This requirement reflects the different needs of this age group. Schools will have the flexibility to develop their own package of choices for these pupils, which may include courses of study or other learning.
41. [Section 24\(2\)](#) requires the provision in the curriculum for teaching and learning encompassing RSE to be developmentally appropriate.
42. [Section 24\(3\)](#) requires the provision in the curriculum for teaching and learning encompassing RVE to accord with Part 1 of Schedule 1. But this requirement does not apply to a curriculum for:
  - pupils who are in a class in which the majority are below compulsory school age at the beginning of the school year; or
  - children receiving FNNE.