

*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**

### **COMMENTARY ON SECTIONS**

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

#### ***Chapter 3 – Curriculum Implementation***

#### **Maintained schools and maintained nursery schools**

#### ***Section 32 - Power to disapply duty to implement pupil choice: supplementary***

62. This section imposes a requirement to provide certain information to the pupil and the pupil's parent where a determination has been made under section 31 not to provide the pupil's choice of teaching and learning.
63. There is no duty to provide this information to the pupil if the head teacher considers that the pupil does not have the capacity to understand the information that would be given or what it would mean to exercise the appeal right in section 33.
64. In addition, this section gives the Welsh Ministers power to make further provision in regulations in connection with determinations made under section 31.