

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 4 – Curriculum Implementation: Exceptions

Section 42 – Temporary exceptions for individual pupils and children

86. This section enables the Welsh Ministers to make regulations allowing the head teacher of a maintained school or maintained nursery school to determine that some or all of the curriculum implementation duties in Chapter 3 are to be temporarily disapplied or modified in relation to an individual pupil.
87. It also enables the Welsh Ministers to make regulations allowing an FNNE provider to determine that some or all of the curriculum implementation duties in Chapter 3 are to be temporarily disapplied or modified in relation to an individual child.
88. The regulations must provide that a person may make a determination only if the person is satisfied that the curriculum that will be provided for the pupil or child will comply with the requirements in subsection (3). These requirements are intended to ensure that the curriculum that will be provided will be a suitable one.
89. Subsection (4) enables the Welsh Ministers to specify, by regulations, further conditions that must be met before a determination may be made.