

CURRICULUM AND ASSESSMENT (WALES) ACT 2021 (ASC 4)

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Schedule 1 - Religion, Values and Ethics

Parts 1 and 2 – Curriculum design and implementation

192. The requirements imposed by Parts 1 and 2 of the Schedule vary in their application to different categories of schools.

Community schools and foundation and voluntary schools without a religious character

193. In the case of community schools and foundation and voluntary schools without a religious character, paragraph 2 of the Schedule requires the provision in the curriculum for teaching and learning encompassing RVE to have been designed having regard to the agreed syllabus. (The “agreed syllabus” in the context of the Schedule is the RVE syllabus adopted by the local authority under section 375A of the 1996 Act for use in schools maintained by the authority.)
194. [Paragraph 6](#) of the Schedule requires this RVE provision to be implemented for all pupils.

Foundation and voluntary controlled schools that have a religious character

195. In the case of foundation and voluntary controlled schools with a religious character, paragraph 3 of the Schedule requires the provision in the curriculum for teaching and learning encompassing RVE to have been designed having regard to the agreed syllabus.
196. However, in the case of these schools, there is an additional requirement (see paragraph 3(3) and (4) of the Schedule). This additional requirement applies only if the provision that has been designed having regard to the agreed syllabus does not accord with the school’s trust deed, or the tenets of its religion or religious denomination.
197. (The first step in determining whether this additional requirement applies will be to consider whether the provision designed having regard to the agreed syllabus accords with any provision in the school’s trust deed that relates to teaching and learning in respect of RVE. If there is not any provision in the trust deed that relates to teaching and learning in respect of RVE, the next step will be to consider whether the provision accords with the tenets of the religion or denomination specified in relation to the school by an order under section 68A of the 1998 Act. Only if the provision does not accord with the trust deed or the relevant tenets will the additional requirement apply.)

198. If this additional requirement applies, the school's curriculum must also include provision for RVE that does accord with the school's trust deed, or the tenets of its religion or religious denomination.
199. [Paragraph 7\(2\)](#) of the Schedule requires the teaching and learning secured for pupils to be that for which provision has been made in the curriculum under paragraph 3(2) of the Schedule (i.e. the provision designed having regard to the agreed syllabus).
200. But there is an exception to this general requirement. Paragraph 7(4) of the Schedule enables a pupil's parents to request that their child be provided, instead, with the teaching and learning for which the curriculum makes provision under paragraph 3(4) of the Schedule (i.e. the additional provision that accords with the school's trust deed, or the tenets of its religion or denomination. If a request of this type is made, it must be complied with.

Voluntary aided schools that have a religious character

201. In the case of voluntary aided schools with a religious character, paragraph 4(2) of the Schedule requires the curriculum to make provision for teaching and learning in respect of RVE that accords with the school's trust deed or the tenets of its religion or denomination.
202. Again, there is an additional requirement (see paragraph 4(3) and 4(4) of the Schedule). For schools of this type, the additional requirement applies only if the provision that has been designed under paragraph 4(2) (i.e. which accords with the trust deed or tenets of the school's religion or denomination) does not accord with the agreed syllabus. In this case, the school's curriculum must also include provision for RVE that has been designed having regard to the agreed syllabus.
203. [Paragraph 8\(2\)](#) of the Schedule requires the teaching and learning secured for pupils to be that for which provision has been made in the curriculum under paragraph 4(2) of the Schedule (i.e. the provision that accords with the school's trust deed or its religion or denomination).
204. But again there is an exception to this general requirement. Paragraph 8(3) and (4) of the Schedule enable a pupil's parents to request that their child be provided, instead, with the teaching and learning for which the curriculum makes provision under paragraph 4(4) (i.e. with the additional provision designed having regard to the agreed syllabus). If a request of this type is made, it must be complied with.