



# Curriculum and Assessment (Wales) Act 2021

2021 asc 4

## PART 2 **E+W**

CURRICULUM IN MAINTAINED SCHOOLS, MAINTAINED NURSERY  
SCHOOLS AND FUNDED NON-MAINTAINED NURSERY EDUCATION

## CHAPTER 1 **E+W**

CURRICULUM DESIGN AND ADOPTION

*General*

### 9 Introduction and interpretation **E+W**

- (1) This Chapter makes provision about the design and adoption of a curriculum for any of the following—
  - (a) registered pupils at a maintained school, except those over compulsory school age;
  - (b) registered pupils at a maintained nursery school;
  - (c) children for whom funded non-maintained nursery education is provided.
- (2) References in this Chapter to a school are to—
  - (a) a maintained school, or
  - (b) a maintained nursery school.
- (3) In this Chapter—
  - (a) references to pupils, in relation to a school, are to registered pupils at the school, except those over compulsory school age;
  - (b) references to children, in relation to funded non-maintained nursery education, are to children for whom that education is provided;

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- (c) references to the adopted curriculum, in relation to a school, are to the curriculum adopted under section 11 by the head teacher and governing body of the school (and if that curriculum is revised under section 12, to the curriculum as revised);
- (d) references to the adopted curriculum, in relation to funded non-maintained nursery education, are to the curriculum adopted under section 15 by the provider of the education (and if that curriculum is revised under section 16, to the curriculum as revised).

**Commencement Information**

- I1** S. 9 in force at 1.9.2022 for specified purposes by S.I. 2022/652, art. 5(1)(2)(a), Sch.
- I2** S. 9 in force at 1.9.2023 for specified purposes by S.I. 2022/652, art. 6(1)(2)(a)

*Maintained schools and maintained nursery schools*

**10 Curriculum design** E+W

- (1) The head teacher of a school must design a curriculum for the school's pupils.
- (2) That curriculum must comply with the requirements in sections 20 to 24, and any requirement imposed under section 25.

**Commencement Information**

- I3** S. 10 in force at 1.9.2022 for specified purposes by S.I. 2022/652, art. 5(1)(2)(a), Sch.
- I4** S. 10 in force at 1.9.2023 for specified purposes by S.I. 2022/652, art. 6(1)(2)(a)

**11 Curriculum adoption** E+W

- (1) The head teacher and governing body of a school must—
  - (a) adopt the curriculum designed under section 10 as the curriculum for the school's pupils, and
  - (b) publish a summary of the adopted curriculum.
- (2) But a curriculum may not be adopted under this section unless it complies with the requirements in sections 20 to 24, and any requirement imposed under section 25.

**Commencement Information**

- I5** S. 11 in force at 1.9.2022 for specified purposes by S.I. 2022/652, art. 5(1)(2)(a), Sch.
- I6** S. 11 in force at 1.9.2023 for specified purposes by S.I. 2022/652, art. 6(1)(2)(a)

**12 Curriculum review and revision** E+W

- (1) The head teacher and governing body of a school must—
  - (a) keep the adopted curriculum under review, and
  - (b) ensure that it continues to comply with the requirements in sections 20 to 24, and any requirement imposed under section 25.

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- (2) In considering whether the adopted curriculum continues to comply with the requirements referred to in subsection (1)(b), the head teacher and governing body must have regard to information derived from any assessment arrangements implemented by them under regulations made under section 56.
- (3) The head teacher and governing body of a school must revise the adopted curriculum if they consider it necessary to do so to ensure that it continues to comply with the requirements referred to in subsection (1)(b).
- (4) The head teacher and governing body of a school may also revise the adopted curriculum if they consider it appropriate to do so at any time.
- (5) If the head teacher and governing body of a school revise the adopted curriculum, they must publish a summary of the revised curriculum.

#### Commencement Information

- I7** S. 12 in force at 1.9.2022 for specified purposes by S.I. 2022/652, art. 5(1)(2)(a), Sch.  
**I8** S. 12 in force at 1.9.2023 for specified purposes by S.I. 2022/652, art. 6(1)(2)(a)

### *Funded non-maintained nursery education*

#### **13 Welsh Ministers' duty to publish a curriculum** **E+W**

- (1) The Welsh Ministers must publish a curriculum (the “section 13 curriculum”) that they consider suitable for children for whom funded non-maintained nursery education is provided.
- (2) The section 13 curriculum must comply with the requirements in sections 20 to 24 <sup>F1</sup>....

#### Textual Amendments

- F1** Words in s. 13(2) omitted (1.9.2022) by virtue of The Curriculum and Assessment (Wales) Act 2021 (Consequential Amendments) (Primary Legislation) Regulations 2022 (S.I. 2022/744), reg. 1(2), Sch. 1 para. 1(2)

#### Commencement Information

- I9** S. 13 in force at 1.9.2022 for specified purposes by S.I. 2022/652, art. 5(1)(2)(a), Sch.  
**I10** S. 13 in force at 1.9.2023 for specified purposes by S.I. 2022/652, art. 6(1)(2)(a)

#### **14 Review and revision of curriculum published by Welsh Ministers** **E+W**

- (1) The Welsh Ministers must—
  - (a) keep the section 13 curriculum under review, and
  - (b) ensure that it continues to comply with sections 20 to 24 <sup>F2</sup>....
- (2) The Welsh Ministers must revise the section 13 curriculum if they consider it necessary to do so to ensure that it continues to comply with the requirements referred to in subsection (1)(b).

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- (3) The Welsh Ministers may also revise the section 13 curriculum if they consider it appropriate to do so at any time.
- (4) If the Welsh Ministers revise the section 13 curriculum, they must publish the revised curriculum.

#### Textual Amendments

**F2** Words in s. 14(1)(b) omitted (1.9.2022) by virtue of [The Curriculum and Assessment \(Wales\) Act 2021 \(Consequential Amendments\) \(Primary Legislation\) Regulations 2022 \(S.I. 2022/744\)](#), reg. 1(2), [Sch. 1 para. 1\(3\)](#)

#### Commencement Information

**I11** S. 14 in force at 1.9.2022 for specified purposes by [S.I. 2022/652](#), art. 5(1)(2)(a), [Sch. 1](#)

**I12** S. 14 in force at 1.9.2023 for specified purposes by [S.I. 2022/652](#), [art. 6\(1\)\(2\)\(a\)](#)

## 15 Curriculum adoption E+W

- (1) A provider of funded non-maintained nursery education must—
  - (a) adopt a curriculum for children for whom that education is provided (whether the section 13 curriculum or another curriculum the provider considers suitable), and
  - (b) publish a summary of the adopted curriculum.
- (2) But a curriculum may not be adopted under this section unless it complies with the requirements in sections 20 to 24 <sup>F3</sup>....

#### Textual Amendments

**F3** Words in s. 15(2) omitted (1.9.2022) by virtue of [The Curriculum and Assessment \(Wales\) Act 2021 \(Consequential Amendments\) \(Primary Legislation\) Regulations 2022 \(S.I. 2022/744\)](#), reg. 1(2), [Sch. 1 para. 1\(4\)](#)

#### Commencement Information

**I13** S. 15 in force at 1.9.2022 for specified purposes by [S.I. 2022/652](#), art. 5(1)(2)(a), [Sch. 1](#)

**I14** S. 15 in force at 1.9.2023 for specified purposes by [S.I. 2022/652](#), [art. 6\(1\)\(2\)\(a\)](#)

## 16 Curriculum review and revision E+W

- (1) A provider of funded non-maintained nursery education must—
  - (a) keep the adopted curriculum under review, and
  - (b) ensure that it continues to comply with sections 20 to 24 <sup>F4</sup>....
- (2) In considering whether the adopted curriculum continues to comply with the requirements referred to in subsection (1)(b), the provider must have regard to information derived from any assessment arrangements implemented by the provider under regulations made under section 56.
- (3) The provider must revise the adopted curriculum if the provider considers it necessary to do so to ensure that it continues to comply with the requirements referred to in subsection (1)(b).

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*Changes to legislation: There are currently no known outstanding effects for the Curriculum and Assessment (Wales) Act 2021, CHAPTER 1. (See end of Document for details)*

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- (4) The provider may also revise the adopted curriculum if the provider considers it appropriate to do so at any time.
- (5) If the provider has adopted the section 13 curriculum, and the Welsh Ministers revise that curriculum under section 14, the provider must consider whether it is appropriate to revise the adopted curriculum under subsection (4) so as to reflect the revisions made under section 14.
- (6) If the provider revises the adopted curriculum, the provider must publish a summary of the revised curriculum.

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#### Textual Amendments

- F4** Words in s. 16(1)(b) omitted (1.9.2022) by virtue of [The Curriculum and Assessment \(Wales\) Act 2021 \(Consequential Amendments\) \(Primary Legislation\) Regulations 2022 \(S.I. 2022/744\)](#), reg. 1(2), [Sch. 1 para. 1\(5\)](#)

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#### Commencement Information

- I15** S. 16 in force at 1.9.2022 for specified purposes by [S.I. 2022/652](#), art. 5(1)(2)(a), [Sch.](#)
- I16** S. 16 in force at 1.9.2023 for specified purposes by [S.I. 2022/652](#), art. 6(1)(2)(a)

### *Supplementary provision*

## 17 Power to make supplementary provision about curriculum adoption and revision **E+W**

Regulations may make provision about—

- steps to be taken before a curriculum is adopted under this Part (including provision about steps to be taken in order to determine whether a proposed curriculum is suitable for adoption);
- the date by which a curriculum must be adopted under this Part;
- additional circumstances in which an adopted curriculum must be revised.

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#### Commencement Information

- I17** S. 17 in force at 1.9.2022 for specified purposes by [S.I. 2022/652](#), art. 5(1)(2)(a), [Sch.](#)
- I18** S. 17 in force at 1.9.2023 for specified purposes by [S.I. 2022/652](#), art. 6(1)(2)(a)

## 18 Power to make supplementary provision about curriculum summaries **E+W**

Regulations may make provision—

- about information that is to be included in a summary of an adopted curriculum published under this Part;
- about the publication of a summary of an adopted curriculum (including provision about how publication must take place, and the date by which it must take place).

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**Changes to legislation:** *There are currently no known outstanding effects for the Curriculum and Assessment (Wales) Act 2021, CHAPTER 1. (See end of Document for details)*

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**Commencement Information**

- I19** S. 18 in force at 1.9.2022 for specified purposes by S.I. 2022/652, art. 5(1)(2)(a), Sch.  
**I20** S. 18 in force at 1.9.2023 for specified purposes by S.I. 2022/652, art. 6(1)(2)(a)

**Changes to legislation:**

There are currently no known outstanding effects for the Curriculum and Assessment (Wales) Act 2021, CHAPTER 1.