



# Curriculum and Assessment (Wales) Act 2021

2021 asc 4

## PART 4

### ASSESSMENT AND PROGRESSION

#### **56 Duty to make provision about assessment arrangements**

- (1) Regulations must make provision about assessment arrangements.
- (2) Assessment arrangements are arrangements for assessing, in relation to the relevant curriculum—
  - (a) the progress made by pupils and children,
  - (b) the next steps in their progression, and
  - (c) the teaching and learning needed to make that progress.
- (3) Regulations under this section may (among other things)—
  - (a) require a relevant person to make and implement assessment arrangements;
  - (b) specify when and how those arrangements are to be made and implemented;
  - (c) specify the assessment arrangements, or criteria that the arrangements must meet;
  - (d) require the effectiveness of assessment arrangements to be evaluated;
  - (e) make provision about how that evaluation is to be carried out;
  - (f) require assessment arrangements to be kept under review, and to be revised;
  - (g) require a relevant person to provide information, as specified in the regulations, about assessment arrangements made or implemented by that person, and about the matters described in subsection (2).
- (4) In this section, “relevant person” means—
  - (a) the head teacher of a maintained school or a maintained nursery school;
  - (b) the governing body of a maintained school or a maintained nursery school;
  - (c) a provider of funded non-maintained nursery education;

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*Changes to legislation: There are currently no known outstanding effects for the Curriculum and Assessment (Wales) Act 2021, PART 4. (See end of Document for details)*

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- (d) the teacher in charge of a pupil referral unit;
  - (e) the management committee of a pupil referral unit;
  - (f) a person who provides teaching and learning for a child otherwise than at a maintained school, maintained nursery school or pupil referral unit by virtue of arrangements made under section 19A of the Education Act 1996 (c. 56).
- (5) In this section, “relevant curriculum”—
- (a) in relation to a maintained school or maintained nursery school, means 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, means that curriculum as revised);
  - (b) in relation to funded non-maintained nursery education, means the curriculum adopted under section 15 by the person by whom the education is provided (and if that curriculum is revised under section 16, means that curriculum as revised);
  - (c) in relation to a pupil referral unit, means the curriculum for the unit referred to in section 50 (and if that curriculum is revised under section 51, means that curriculum as revised);
  - (d) in relation to education provided for a child otherwise than at a maintained school, maintained nursery school or pupil referral unit by virtue of arrangements made under section 19A of the Education Act 1996, means the curriculum for the child referred to in section 53.
- (6) Regulations under this section may—
- (a) specify assessment arrangements to be made and implemented by reference to a document published from time to time by any person;
  - (b) make provision for assessment arrangements to be implemented in accordance with a document published from time to time by any person.

#### **Commencement Information**

- I1** S. 56 in force at 1.9.2022 in so far as not already in force by S.I. 2022/652, art. 4(c)
- I2** S. 56(1) in force at 11.1.2022 for specified purposes by S.I. 2022/12, art. 2(a)
- I3** S. 56(1) in force at 1.9.2022 in so far as not already in force by S.I. 2022/12, art. 3(a)
- I4** S. 56(2)-(6) in force at 1.9.2022 by S.I. 2022/12, art. 3(a)

## **57 Promoting and maintaining understanding of progression**

- (1) The Welsh Ministers may direct a relevant person (or relevant persons of a specified description) to take specified steps with a view to promoting and maintaining understanding of progression in the context of a relevant curriculum.
- (2) A relevant person to whom a direction is given under this section must comply with the direction.
- (3) In this section—
  - (a) “relevant curriculum” and “relevant person” have the meaning given in section 56, and
  - (b) “specified” means specified in a direction under this section.

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**Changes to legislation:** There are currently no known outstanding effects for the Curriculum and Assessment (Wales) Act 2021, PART 4. (See end of Document for details)

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#### **Commencement Information**

- I5** S. 57 in force at 1.9.2022 in so far as not already in force by S.I. 2022/652, **art. 4(c)**
- I6** S. 57(1) in force at 11.1.2022 for specified purposes by S.I. 2022/12, **art. 2(b)**
- I7** S. 57(1) in force at 1.9.2022 in so far as not already in force by S.I. 2022/12, **art. 3(b)**
- I8** S. 57(2)(3) in force at 1.9.2022 by S.I. 2022/12, **art. 3(b)**

**Changes to legislation:**

There are currently no known outstanding effects for the Curriculum and Assessment (Wales) Act 2021, PART 4.