



# Curriculum and Assessment (Wales) Act 2021

2021 asc 4

## PART 6

### SUPPLEMENTARY

#### *Mental health and emotional well-being*

#### **63 Duty to have regard to mental health and emotional well-being of children and young persons**

- (1) A person within subsection (2) must, in exercising any function conferred by or under this Act, have regard to the mental health and emotional well-being of children and young persons likely to be affected by the exercise of the function.
- (2) The persons are—
  - (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;
  - (d) the teacher in charge of a pupil referral unit;
  - (e) the management committee for 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 \(c. 56\)](#);
  - (g) a local authority in Wales.