



Curriculum and Assessment (Wales) Act 2021

2021 asc 4

PART 6

SUPPLEMENTARY

Specific provision for further settings etc

- 69 Power to make provision for children receiving education in more than one setting etc**
- (1) Regulations may make provision for and in connection with teaching and learning to be secured for children of compulsory school age to whom this section applies.
- (2) This section applies to a child who is a registered pupil at a maintained school if—
- (a) education is provided for the child, either by virtue of arrangements made under section 19A of the Education Act 1996 (c. 56) or otherwise—
 - (i) at another maintained school, or
 - (ii) at a maintained nursery school;
 - (b) education is provided for the child under section 19A of the Education Act 1996 at a pupil referral unit;
 - (c) education is provided for the child under section 19A of the Education Act 1996, otherwise than at a pupil referral unit, maintained school or maintained nursery school.
- (3) This section applies to a child who is a registered pupil at a maintained nursery school if—
- (a) education is provided for the child, either by virtue of arrangements made under section 19A of the Education Act 1996 or otherwise—
 - (i) at another maintained nursery school, or
 - (ii) at a maintained school;

Changes to legislation: There are currently no known outstanding effects for the Curriculum and Assessment (Wales) Act 2021, Cross Heading: Specific provision for further settings etc. (See end of Document for details)

- (b) education is provided for the child at a pupil referral unit;
 - (c) education is provided for the child under section 19A of the Education Act 1996, otherwise than at a pupil referral unit, maintained school or maintained nursery school.
- (4) This section applies to a child who is a registered pupil at a pupil referral unit if education is provided for the child, by virtue of arrangements made under section 19A of the Education Act 1996—
- (a) at another pupil referral unit, or
 - (b) otherwise than at a pupil referral unit or a maintained school or maintained nursery school.
- (5) This section applies to a child if the child—
- (a) is not above compulsory school age, and
 - (b) is of a description specified in the regulations.
- (6) Regulations under this section may also make provision for and in connection with the making, and implementation, of arrangements for assessing the following matters—
- (a) the progress made by children to whom this section applies;
 - (b) the next steps in their progression;
 - (c) the teaching and learning needed to make that progress.
- (7) The regulations may—
- (a) confer functions on a person within subsection (8);
 - (b) apply a provision made by or under this Act in respect of children to whom this section applies, with or without modifications;
 - (c) provide for a provision made by or under this Act, that would otherwise apply in respect of those children, not to do so.
- (8) 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) the teacher in charge of a pupil referral unit;
 - (d) the management committee for a pupil referral unit;
 - (e) 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;
 - (f) a provider of funded non-maintained nursery education;
 - (g) a local authority in Wales.

Commencement Information

- 11** S. 69 in force at 14.6.2022 for specified purposes by S.I. 2022/652, art. 3(b)
12 S. 69 in force at 1.9.2022 in so far as not already in force by S.I. 2022/652, art. 4(e)

70 Power to apply Act to detained children and detained young persons

- (1) Regulations may apply provisions of this Act, with or without modifications, to—
- (a) detained children in Wales of a description specified in the regulations, and
 - (b) detained young persons in Wales of a description specified in the regulations.

Changes to legislation: There are currently no known outstanding effects for the Curriculum and Assessment (Wales) Act 2021, Cross Heading: Specific provision for further settings etc. (See end of Document for details)

- (2) In this section, a detained child or detained young person means a child or young person who is detained in pursuance of—
- (a) an order made by a court, or
 - (b) an order of recall made by the Secretary of State.

Commencement Information

I3 S. 70 in force at 1.9.2022 by S.I. 2022/652, art. 4(f)

Changes to legislation:

There are currently no known outstanding effects for the Curriculum and Assessment (Wales) Act 2021, Cross Heading: Specific provision for further settings etc.