

Status: This version of this provision is prospective.

Changes to legislation: Curriculum and Assessment (Wales) Act 2021, Section 32 is up to date with all changes known to be in force on or before 03 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes



Curriculum and Assessment (Wales) Act 2021

2021 asc 4

PART 2

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

CHAPTER 3

CURRICULUM IMPLEMENTATION

Maintained schools and maintained nursery schools

PROSPECTIVE

32 Power to disapply duty to implement pupil choice: supplementary

- (1) A head teacher who makes a determination under section 31 must give the information described in subsection (2) to—
- (a) the pupil to whom the determination relates, and
 - (b) the pupil's parent.
- (2) The information is—
- (a) the fact that the determination has been made,
 - (b) the effect of the determination,
 - (c) the head teacher's reasons for making the determination,
 - (d) information about the teaching and learning that will be secured for the pupil in place of the teaching and learning in respect of which the determination has been made, and

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- (e) information about the right to request a review, or make an appeal, under section 33.
- (3) The information must be given in writing.
- (4) The duty in subsection (1)(a) does not apply if the head teacher considers that the pupil in question does not have the capacity to understand—
- (a) the information that would be given, or
 - (b) what it means to exercise the rights conferred by section 33.
- (5) Regulations may make further provision in connection with determinations under section 31.

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Changes and effects yet to be applied to :

- s. 32 coming into force by [S.I. 2022/652 art. 8\(a\)](#)
- s. 32 coming into force by [S.I. 2022/652 art. 9\(a\)](#)