



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 4

CURRICULUM IMPLEMENTATION: EXCEPTIONS

38 Development work and experiments

- (1) The Welsh Ministers may give a direction under this section in order to enable development work or experiments to be carried out.
- (2) A direction may be given in relation to—
 - (a) a school specified in the direction;
 - (b) schools of a description specified in the direction;
 - (c) funded non-maintained nursery education of a description specified in the direction.
- (3) A direction given in relation to a school must be given—
 - (a) to the head teacher and the governing body of the school, and
 - (b) to the local authority that maintains the school (unless the school is a foundation or voluntary aided school).
- (4) A direction given in relation to a school may, for a period specified in the direction—
 - (a) disapply sections 27, 28, 29 and 30, or any of those sections, in relation to the school;
 - (b) provide that sections 27, 28, 29 and 30, or any of those sections, apply in relation to the school with the modifications specified in the direction.

- (5) A direction given in relation to a school may also require—
- (a) the head teacher and the governing body of the school, and
 - (b) the local authority that maintains the school (unless the school is a foundation or voluntary aided school),
- to report to the Welsh Ministers on any matters specified in the direction at times or intervals specified in the direction.
- (6) A direction given in relation to funded non-maintained nursery education must be given to—
- (a) the provider of the education, and
 - (b) the local authority that secures the education.
- (7) A direction given in relation to funded non-maintained nursery education may, for a period specified in the direction—
- (a) disapply sections 34, 35 and 36, or any of those sections, in relation to that education;
 - (b) provide that sections 34, 35 and 36, or any of those sections, apply in relation to that education with the modifications specified in the direction.
- (8) A direction given in relation to funded non-maintained nursery education may also require—
- (a) the provider of the education, and
 - (b) the local authority that secures the education,
- to report to the Welsh Ministers on any matters specified in the direction at times or intervals specified in the direction.
- (9) A person to whom a direction is given under this section must comply with the direction.