



Curriculum and Assessment (Wales) Act 2021

2021 asc 4

An Act of Senedd Cymru to establish a new framework for a curriculum for pupils of compulsory school age at maintained schools and pupil referral units, for children of compulsory school age for whom education is otherwise arranged by local authorities, for pupils at maintained nursery schools and for certain other children for whom nursery education is provided; to make provision about progression and assessment in connection with a curriculum for those pupils and children; to make provision about a curriculum for pupils above compulsory school age at maintained schools; and for connected purposes. [29 April 2021]

Having been passed by Senedd Cymru and having received the assent of Her Majesty, it is enacted as follows:

PART 1

BASIC CONCEPTS AND KEY DOCUMENTS

1 Introduction

- (1) This Part sets out basic concepts that have effect in relation to a curriculum for any of the following—
 - (a) registered pupils at maintained schools (except those over compulsory school age) and at maintained nursery schools;
 - (b) children for whom funded non-maintained nursery education is provided;
 - (c) children for whom education is provided under arrangements made by a local authority in Wales under section 19A of the Education Act 1996 (c. 56).
- (2) This Part also includes provision about key documents that support a curriculum of that kind.

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Curriculum and Assessment (Wales) Act 2021 is up to date with all changes known to be in force on or before 15 March 2022. 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

- (3) In this Part references to a curriculum are to a curriculum of that kind; and references to pupils and children are to the pupils and children referred to in subsection (1).

Commencement Information

I1 S. 1 in force at 29.9.2021 by S.I. 2021/1069, art. 2

2 The four purposes

- (1) The four purposes of a curriculum are—
- To enable pupils and children to develop as ambitious, capable learners, ready to learn throughout their lives;
 - To enable pupils and children to develop as enterprising, creative contributors, ready to play a full part in life and work;
 - To enable pupils and children to develop as ethical, informed citizens of Wales and the world;
 - To enable pupils and children to develop as healthy, confident individuals, ready to live fulfilling lives as valued members of society.
- (2) References in this Act to the four purposes are to those purposes.

Commencement Information

I2 S. 2 in force at 29.9.2021 by S.I. 2021/1069, art. 2

3 The areas of learning and experience

- (1) The areas of learning and experience for a curriculum are—
- Expressive Arts
 - Health and Well-being
 - Humanities
 - Languages, Literacy and Communication
 - Mathematics and Numeracy
 - Science and Technology.
- (2) Within the areas of learning and experience, the following are mandatory elements—
- English
 - Relationships and Sexuality Education
 - Religion, Values and Ethics
 - Welsh.
- (3) But English is not to be treated as a mandatory element, for the purposes of this Act, for a curriculum within subsection (4).
- (4) A curriculum is within this subsection if it is—
- (a) a curriculum for registered pupils at a school who have not completed the school year in which the majority of the pupils in their class attain the age of 7;
 - (b) a curriculum for funded non-maintained nursery education;

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Curriculum and Assessment (Wales) Act 2021 is up to date with all changes known to be in force on or before 15 March 2022. 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

- (c) a curriculum for education provided under section 19A of the Education Act 1996 (c. 56) (exceptional provision of education at pupil referral units or elsewhere: Wales) for pupils or children who have not attained the age of 7.
- (5) References in this Act to the areas of learning and experience are to the areas listed in subsection (1).
- (6) References in this Act to the mandatory elements are to be interpreted in accordance with this section.

Commencement Information

I3 [S. 3](#) in force at 29.9.2021 by [S.I. 2021/1069](#), [art. 2](#)

4 The mandatory cross-curricular skills

- (1) The mandatory cross-curricular skills for a curriculum are—
 - Digital Competence
 - Literacy
 - Numeracy.
- (2) References in this Act to the mandatory cross-curricular skills are to the skills listed in subsection (1).

Commencement Information

I4 [S. 4](#) in force at 29.9.2021 by [S.I. 2021/1069](#), [art. 2](#)

5 Power to amend sections 3 and 4

Regulations may amend sections 3 and 4.

Commencement Information

I5 [S. 5](#) in force at 29.9.2021 by [S.I. 2021/1069](#), [art. 2](#)

6 The What Matters Code

- (1) The Welsh Ministers must issue a code (the “What Matters Code”) that sets out key concepts for each area of learning and experience.
- (2) A curriculum does not encompass an area of learning and experience unless it encompasses those concepts as set out in the What Matters Code.
- (3) Teaching and learning does not encompass an area of learning and experience unless it encompasses those concepts as set out in the What Matters Code.
- (4) The Welsh Ministers—
 - (a) must keep the What Matters Code under review, and
 - (b) may revise it.

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: *Curriculum and Assessment (Wales) Act 2021 is up to date with all changes known to be in force on or before 15 March 2022. 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*

(5) For further provision about the What Matters Code, see section 76.

Commencement Information

I6 S. 6 in force at 29.9.2021 for specified purposes by [S.I. 2021/1069](#), [art. 3](#)

7 The Progression Code

- (1) The Welsh Ministers must issue a code (the “Progression Code”) that sets out the way in which a curriculum is to make provision for progression by pupils and children.
- (2) A curriculum does not make provision for appropriate progression unless it accords with the Progression Code.
- (3) Teaching and learning does not make provision for appropriate progression unless it accords with the Progression Code.
- (4) The Welsh Ministers—
 - (a) must keep the Progression Code under review, and
 - (b) may revise it.
- (5) For further provision about the Progression Code, see section 76.

Commencement Information

I7 S. 7 in force at 29.9.2021 for specified purposes by [S.I. 2021/1069](#), [art. 3](#)

8 The RSE Code

- (1) The Welsh Ministers must issue a code (the “RSE Code”) setting out themes and matters to be encompassed by the mandatory element of Relationships and Sexuality Education.
- (2) A curriculum does not encompass the mandatory element of Relationships and Sexuality Education unless it accords with the provision in the RSE Code.
- (3) Teaching and learning does not encompass the mandatory element of Relationships and Sexuality Education unless it accords with the provision in the RSE Code.
- (4) For further provision about the RSE Code, see section 77.

Commencement Information

I8 S. 8 in force at 23.11.2021 for specified purposes by [S.I. 2021/1069](#), [art. 4](#)

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Curriculum and Assessment (Wales) Act 2021 is up to date with all changes known to be in force on or before 15 March 2022. 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

PROSPECTIVE

PART 2

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

CHAPTER 1

CURRICULUM DESIGN AND ADOPTION

General

9 Introduction and interpretation

- (1) This Chapter makes provision about the design and adoption of a curriculum for any of the following—
 - (a) registered pupils at a maintained school, except those over compulsory school age;
 - (b) registered pupils at a maintained nursery school;
 - (c) children for whom funded non-maintained nursery education is provided.
- (2) References in this Chapter to a school are to—
 - (a) a maintained school, or
 - (b) a maintained nursery school.
- (3) In this Chapter—
 - (a) references to pupils, in relation to a school, are to registered pupils at the school, except those over compulsory school age;
 - (b) references to children, in relation to funded non-maintained nursery education, are to children for whom that education is provided;
 - (c) references to the adopted curriculum, in relation to a school, are to 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, to the curriculum as revised);
 - (d) references to the adopted curriculum, in relation to funded non-maintained nursery education, are to the curriculum adopted under section 15 by the provider of the education (and if that curriculum is revised under section 16, to the curriculum as revised).

Maintained schools and maintained nursery schools

10 Curriculum design

- (1) The head teacher of a school must design a curriculum for the school's pupils.
- (2) That curriculum must comply with the requirements in sections 20 to 24, and any requirement imposed under section 25.