

## CURRICULUM AND ASSESSMENT (WALES) BILL – STAGE 2 GOVERNMENT AMENDMENTS

This table provides information about the amendments tabled in the name of **Kirsty Williams MS** on 20 January 2021.

NO.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
18	Section 62, page 28, line 23, leave out ‘Great Britain’ and insert ‘Wales’.	Adran 62, tudalen 28, llinell 23, hepgorer ‘ym Mhrydain Fawr’ a mewnosoder ‘yng Nghymru’.	<p>Purpose: To amend the wording of section 62 in order to replace “Great Britain” with “Wales”.</p> <p>Effect: To ensure that teaching and learning of RVE for post-16 pupils will reflect the fact that the religious traditions in Wales are mainly Christian.</p>
19	Section 62, page 28, line 25, leave out ‘Great Britain’ and insert ‘Wales’.	Adran 62, tudalen 28, llinell 25, hepgorer ‘ym Mhrydain Fawr’ a mewnosoder ‘yng Nghymru’.	<p>Purpose: To amend the wording of section 62 in order to replace “Great Britain” with “Wales”.</p> <p>Effect: To ensure that teaching and learning of RVE for post-16 pupils will take account of the teaching and practices of the other principal religions represented in Wales.</p>
20	Section 62, page 28, line 27, leave out ‘Great Britain’ and insert	Adran 62, tudalen 28, llinell 27, hepgorer ‘ym Mhrydain Fawr’ a	Purpose: To amend the wording of section 62 in

	‘Wales’.	mewnosoder ‘yng Nghymru’.	order to replace “Great Britain” with “Wales”.  Effect: To ensure that teaching and learning of RVE for post-16 pupils will reflect the fact that a range of non-religious philosophical convictions held in Wales.
21	<p>Page 29, after line 9, insert a new section—</p> <p><b>[ ] Duty to co-operate</b></p> <p>(1) A person within subsection (2) must seek to enter into co-operation arrangements with—</p> <p>(a) another person within that subsection, or</p> <p>(b) the governing body of an institution in Wales within the further education sector,</p> <p>if the person considers that entering into such arrangements would facilitate the exercise of a</p>	<p>Tudalen 29, ar ôl llinell 9, mewnosoder adran newydd—</p> <p><b>[ ] Dyletswydd i gydweithredu</b></p> <p>(1) Rhaid i berson o fewn is-adran (2) geisio ymrwymo i drefniadau cydweithredu—</p> <p>(a) â pherson arall o fewn yr is-adran honno, neu</p> <p>(b) â chorff llywodraethu sefydliad yng Nghymru o fewn y sector addysg bellach,</p> <p>os yw’r person yn ystyried y byddai ymrwymo i drefniadau o’r fath yn hwyluso arfer swyddogaeth a roddir i’r person gan neu o</p>	<p>Purpose: To add a new section to Part 6 of the Bill in relation to ensuring co-operation between listed persons where they consider that doing so would facilitate the exercise of their functions under the Bill</p> <p>Effect: Those persons listed in the provision will be required to co-operate with other listed persons, or with the governing body of a FE institution, if they consider that doing so would facilitate the exercise of their functions under the Bill. If a listed body seeks a</p>

	<p>function conferred on the person by or under this Act.</p> <p>(2) The persons are—</p> <ul style="list-style-type: none"> <li>(a) the head teacher of a maintained school or a maintained nursery school;</li> <li>(b) the governing body of a maintained school or a maintained nursery school;</li> <li>(c) a provider of funded non-maintained nursery education;</li> <li>(d) the teacher in charge of a pupil referral unit;</li> <li>(e) the management committee of a pupil referral unit;</li> <li>(f) a local authority in Wales.</li> </ul> <p>(3) If a person seeks to enter into co-operation arrangements with another person in accordance with subsection (1), the other</p>	<p>dan y Ddeddf hon.</p> <p>(2) Y personau yw—</p> <ul style="list-style-type: none"> <li>(a) pennaeth ysgol a gynhelir neu ysgol feithrin a gynhelir;</li> <li>(b) corff llywodraethu ysgol a gynhelir neu ysgol feithrin a gynhelir;</li> <li>(c) darparwr addysg feithrin a gyllidir ond nas cynhelir;</li> <li>(d) yr athro neu'r athrawes sydd â chyfrifoldeb am uned cyfeirio disgyblion;</li> <li>(e) pwyllgor rheoli uned cyfeirio disgyblion;</li> <li>(f) awdurdod lleol yng Nghymru.</li> </ul> <p>(3) Os yw person yn ceisio ymrwymo i drefniadau cydweithredu â pherson arall yn unol ag is-adran (1), rhaid i'r person arall ystyried y cais.</p>	<p>co-operation agreement in this way, the other person must consider the request.</p>
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	<p>person must consider the request.</p> <p>(4) In this section, “co-operation arrangements” means—</p> <p>(a) arrangements made in exercise of the powers of collaboration described in section 5 of the Education (Wales) Measure 2011 (nawm 7), or</p> <p>(b) arrangements of a similar kind made by or with—</p> <p>(i) the head teacher of a maintained school or a maintained nursery school,</p> <p>(ii) a provider of funded non-maintained nursery education,</p> <p>(iii) the teacher in charge of a pupil</p>	<p>(4) Yn yr adran hon, ystyr “trefniadau cydweithredu” yw—</p> <p>(a) trefniadau a wneir wrth arfer y pwerau cydlafurio a ddisgrifir yn adran 5 o Fesur Addysg (Cymru) 2011 (mccc 7), neu</p> <p>(b) trefniadau o fath tebyg a wneir gan neu gyda—</p> <p>(i) pennaeth ysgol a gynhelir neu ysgol feithrin a gynhelir,</p> <p>(ii) darparwr addysg feithrin a gyllidir ond nas cynhelir,</p> <p>(iii) yr athro neu’r athrawes sydd â chyfrifoldeb am uned cyfeirio disgyblion, neu</p> <p>(iv) pwyllgor rheoli uned cyfeirio disgyblion.’.</p>	
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	referral unit, or (iv) the management committee of a pupil referral unit.’.		
22	Section 64, page 29, line 13, leave out ‘1’ and insert ‘2’.	Adran 64, tudalen 29, llinell 13, hepgorer ‘1’ a mewnosoder ‘2’.	Makes a minor correction to section 64 to reflect the fact that Part 1 of the Bill does not confer any functions on the persons listed in section 64(2).
23	Section 65, page 29, line 27, leave out ‘1’ and insert ‘2’.	Adran 65, tudalen 29, llinell 27, hepgorer ‘1’ a mewnosoder ‘2’.	Makes a minor correction to section 65 to reflect the fact that Part 1 of the Bill does not confer any functions on the persons listed in section 64(2).
24	Page 30, line 24, move section 66 and insert after section 67.	Tudalen 30, llinell 23, symuder adran 66 a’i mewnosod ar ôl adran 67.	Moves the ‘Duty to have regard to guidance’ section to the end of Part 6.
25	Page 32, after line 18, insert a new section— <b>‘[ ] Power to apply Act to detained children and detained young persons</b> (1) Regulations may apply provisions of this Act to— (a) detained children in	Tudalen 32, ar ôl llinell 18, mewnosoder adran newydd— <b>‘[ ] Pŵer i gymhwyso’r Ddeddf i blant sy’n cael eu cadw’n gaeth a phobl ifanc sy’n cael eu cadw’n gaeth</b> (1) Caiff rheoliadau gymhwyso darpariaethau yn y Ddeddf	Purpose: To add a new section in relation to detained children and detained young people.  Effect: This new section will enable the Welsh Ministers to make regulations applying provisions in the

	<p>Wales of a description specified in the regulations, and</p> <p>(b) detained young persons in Wales of a description specified in the regulations.</p> <p>(2) In this section, a detained child or detained young person means a child or young person who is detained in pursuance of—</p> <p>(a) an order made by a court, or</p> <p>(b) an order of recall made by the Secretary of State.’.</p>	<p>hon—</p> <p>(a) i blant sy’n cael eu cadw’n gaeth yng Nghymru o ddisgrifiad a bennir yn y rheoliadau, a</p> <p>(b) i bobl ifanc sy’n cael eu cadw’n gaeth yng Nghymru o ddisgrifiad a bennir yn y rheoliadau.</p> <p>(2) Yn yr adran hon, ystyr plentyn sy’n cael ei gadw’n gaeth neu berson ifanc sy’n cael ei gadw’n gaeth yw plentyn neu berson ifanc sy’n cael ei gadw’n gaeth yn unol—</p> <p>(a) â gorchymyn a wneir gan lys, neu</p> <p>(b) â gorchymyn adalw a wneir gan yr Ysgrifennydd Gwladol.’.</p>	<p>Bill to detained children and detained young people.</p>
26	Schedule 2, page 45, line 1, leave out ‘Great Britain’ and insert ‘Wales’.	Atodlen 2, tudalen 45, llinell 1, hepgorer ‘Great Britain’ a mewnosoder ‘Wales’.	Purpose: To amend wording in Schedule 2 in order to replace “Great Britain” with

			<p>“Wales”.</p> <p>Effect: This will modify section 375A of the Education Act 1996 to ensure that the agreed syllabus for RVE will reflect that the religious traditions in Wales are mainly Christian.</p>
27	Schedule 2, page 45, line 4, leave out ‘Great Britain’ and insert ‘Wales’.	Atodlen 2, tudalen 45, llinell 4, hepgorer ‘Great Britain’ a mewnosoder ‘Wales’.	<p>Purpose: To amend wording in Schedule 2 in order to replace “Great Britain” with “Wales”.</p> <p>Effect: This will modify section 375A of the Education Act 1996 to ensure that the agreed syllabus for RVE will take account of the teaching and practices of the other principal religions represented in Wales.</p>
28	Schedule 2, page 45, line 6, leave out ‘Great Britain’ and insert ‘Wales’.	Atodlen 2, tudalen 45, llinell 6, hepgorer ‘Great Britain’ a mewnosoder ‘Wales’.	<p>Purpose: To amend wording in Schedule 2 in order to replace “Great Britain” with “Wales”.</p>

			Effect: This will modify section 375A of the Education Act 1996 to ensure that the agreed syllabus for RVE will reflect the fact that a range of non-religious philosophical convictions are held in Wales.
29	Schedule 2, page 45, line 41, after ‘(4)’, insert— ‘— (a) in paragraph (a), before “a group” insert “in the case of an area in England,”;’.	Atodlen 2, tudalen 45, llinell 41, ar ôl ‘(4)’, mewnosoder— ‘— (a) ym mharagraff (a), o flaen “a group” mewnosoder “in the case of an area in England,”;’.	Purpose: Inserts additional wording into section 390(4) of the Education Act 1996, which lists the representative groups that must be included on each standing advisory councils on religion, values and ethics (in Wales) or religious education (in England).  Effect: The effect of this amendment is to remove the requirement to include the representative group described in section 390(4)(a) on standing advisory councils for areas in Wales.

30	<p>Schedule 2, page 46, line 2, leave out ‘such non-religious philosophical convictions (within the meaning of section 375A(3)) as, in the opinion of the authority, ought to be represented’ and insert—</p> <p>‘—</p> <p>(i) Christian denominations and other religions and denominations of such religions, and</p> <p>(ii) non-religious philosophical convictions’.</p>	<p>Atodlen 2, tudalen 46, llinell 2, hepgorer ‘such non-religious philosophical convictions (within the meaning of section 375A(3)) as, in the opinion of the authority, ought to be represented’ a mewnosoder—</p> <p>‘—</p> <p>(i) Christian denominations and other religions and denominations of such religions, and</p> <p>(ii) non-religious philosophical convictions’.</p>	<p>Purpose: To amend the wording in Schedule 2 which inserts paragraph (aa) into section 390(4) of the Education Act 1996.</p> <p>Effect: The effect of this amendment (together with the preceding amendment) is to require Welsh local authorities to appoint a single group of persons (rather than two separate groups) to represent Christian denominations, other religions and denominations, and non-religious philosophical convictions.</p>
31	<p>Schedule 2, page 46, after line 4, insert—</p> <p>‘( ) In subsection (6), after “appointed” insert “by a local authority in England”.</p> <p>( ) After subsection (6) insert—</p> <p>“(6A) A local authority in Wales, in</p>	<p>Atodlen 2, tudalen 46, ar ôl llinell 4, mewnosoder—</p> <p>‘( ) Yn is-adran (6), ar ôl appointed” mewnosoder “by a local authority in England”.</p> <p>( ) Ar ôl is-adran (6) mewnosoder—</p> <p>“(6A) A local authority in</p>	<p>Purpose: To insert additional wording into section 390 of the Education Act 1996 in relation to representation on standing advisory councils for religion, values and ethics.</p> <p>Effect: (1) To make the requirement in section</p>

	<p>appointing persons to a representative group under subsection (4)(aa), must take all reasonable steps to secure the outcome referred to in subsection (6B).</p> <p>(6B) The outcome is that the number of members appointed to the group to represent a religion, denomination or non-religious philosophical conviction shall, so far as consistent with the efficient discharge of the group's functions, reflect broadly the proportionate strength of that religion, denomination or non-religious philosophical</p>	<p>Wales, in appointing persons to a representative group under subsection (4)(aa), must take all reasonable steps to secure the outcome referred to in subsection (6B).</p> <p>(6B) The outcome is that the number of members appointed to the group to represent a religion, denomination or non-religious philosophical conviction shall, so far as consistent with the efficient discharge of the group's functions, reflect broadly the proportionate strength of that religion, denomination or non-religious philosophical conviction in the area.”</p> <p>( ) Ar ôl is-adran (7)</p>	<p>390(6) of the Education Act 1996 apply in relation to England only.</p> <p>(2) To set out a new requirement with which local authorities in Wales will have to comply when appointing persons to a representative group under section 390(4)(aa) of the 1996 Act. The requirement is to take all reasonable steps to secure the outcome set out in new section 390(6B).</p> <p>(3) To require local authorities in Wales to have regard to any guidance given by the Welsh Ministers when appointing persons to a representative group under section 390(4)(aa) of the Education Act 1996.</p> <p>(4) To make a minor technical change to alter the</p>
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	<p>conviction in the area.”</p> <p>( ) After subsection (7), insert—</p> <p>“(8) In exercising functions under this section, a local authority in Wales must have regard to any guidance given by the Welsh Ministers.</p> <p>(9) In this section, “non-religious philosophical conviction” has the same meaning as in section 375A(3).”.</p>	<p>mewnosoder—</p> <p>“(8) In exercising functions under this section, a local authority in Wales must have regard to any guidance given by the Welsh Ministers.</p> <p>(9) In this section, “non-religious philosophical conviction” has the same meaning as in section 375A(3).”.</p>	<p>position of the definition of “non-religious philosophical conviction” within section 390 of the 1996 Act.</p>
32	<p>Schedule 2, page 51, line 13, after ‘(2)’, insert—</p> <p>‘—</p> <p>(a) in paragraph (a), before “a committee” insert “in the case of an area in England,”;’.</p>	<p>Atodlen 2, tudalen 51, llinell 14, ar ôl ‘(2)’, mewnosoder—</p> <p>‘—</p> <p>(a) ym mharagraff (a), o flaen “a committee” mewnosoder “in the case of an area in England,”;’.</p>	<p>Purpose: To insert wording into paragraph 4(2) of Schedule 31 to the Education Act 1996, which lists the representative groups that must be included in each agreed syllabus conference on religion, values and ethics (in Wales) or religious education (in England).</p>

			Effect: The effect of this amendment is to remove the requirement to include the representative group described in paragraph 4(2)(a) in agreed syllabus conferences for areas in Wales.
33	Schedule 2, page 51, line 15, leave out ‘such non-religious philosophical convictions (within the meaning of section 375A(3)) as, in the opinion of the authority, ought to be represented’ and insert—  ‘—  (i) Christian denominations and other religions and denominations of such religions, and  (ii) non-religious philosophical convictions’.	Atodlen 2, tudalen 51, llinell 16, hepgorer ‘such non-religious philosophical convictions (within the meaning of section 375A(3)) as, in the opinion of the authority, ought to be represented’ a mewnosoder—  ‘—  (i) Christian denominations and other religions and denominations of such religions, and  (ii) non-religious philosophical convictions’.	Purpose: To amend wording inserted into paragraph 4(2) of Schedule 31 to the Education Act 1996.  Effect: The effect of this amendment (together with the preceding amendment) is to require Welsh local authorities to appoint a single committee of persons (rather than two separate committees) to represent Christian denominations, other religions and denominations, and non-religious philosophical convictions.
34	Schedule 2, page 51, after line 17,	Atodlen 2, tudalen 51, ar ôl llinell 18,	Purpose: To insert wording

	<p>insert—</p> <p>( ) In paragraph 4, in sub-paragraph (4), after “appointed” insert “by a local authority in England”.</p> <p>( ) In paragraph 4, after sub-paragraph (4), insert—</p> <p>“(5) A local authority in Wales, in appointing persons to a representative group under sub-paragraph (2)(aa), must take all reasonable steps to secure the outcome referred to in sub-paragraph (6).</p> <p>(6) The outcome is that the number of members appointed to the committee to represent a religion, denomination or non-religious philosophical conviction shall, so far as consistent with the efficient discharge of the committee's</p>	<p>mewnosoder—</p> <p>( ) Ym mharagraff 4, yn is-baragraff (4), ar ôl “appointed” mewnosoder “by a local authority in England”.</p> <p>( ) Ym mharagraff 4, ar ôl is-baragraff (4), mewnosoder—</p> <p>“(5) A local authority in Wales, in appointing persons to a representative group under sub-paragraph (2)(aa), must take all reasonable steps to secure the outcome referred to in sub-paragraph (6).</p> <p>(6) The outcome is that the number of members appointed to the committee to represent a religion, denomination or non-religious philosophical conviction shall, so far as consistent with the efficient discharge of</p>	<p>into paragraph 4 of Schedule 31 to the Education Act 1996 in relation to representation on standing advisory councils.</p> <p>Effect: Effect: (1) To make the requirement in paragraph 4(4) of Schedule 31 to the Education Act 1996 apply in relation to England only.</p> <p>(2) To set out a new requirement with which local authorities in Wales will have to comply when appointing persons to a representative committee under paragraph 4(2)(aa) of Schedule 31 to the 1996 Act. The requirement is to take all reasonable steps to secure the outcome set out in the new sub-paragraph (6).</p> <p>(4) To make a minor technical change to alter the position of the definition of</p>
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	<p>functions, reflect broadly the proportionate strength of that religion, denomination or non-religious philosophical conviction in the area.</p> <p>(7) In this paragraph, “non-religious philosophical conviction” has the same meaning as in section 375A(3).”.</p>	<p>the committee's functions, reflect broadly the proportionate strength of that religion, denomination or non-religious philosophical conviction in the area.</p> <p>(7) In this paragraph, “non-religious philosophical conviction” has the same meaning as in section 375A(3).”.</p>	<p>“non-religious philosophical conviction” within paragraph 4 of Schedule 31 to the 1996 Act.</p>
35	<p>Schedule 2, page 52, line 2, leave out ‘Great Britain’ and insert ‘Wales’.</p>	<p>Atodlen 2, tudalen 52, llinell 2, hepgorer ‘Great Britain’ a mewnosoder ‘Wales’.</p>	<p>Purpose: To amend wording in Schedule 2 in order to replace “Great Britain” with “Wales”.</p> <p>Effect: This will modify existing legislation to ensure that an initial agreed syllabus for RVE adopted by Agreed Syllabus Conference must reflect that the religious traditions in Wales are mainly Christian.</p>
36	<p>Schedule 2, page 52, line 4, leave out ‘Great Britain’ and insert ‘Wales’.</p>	<p>Atodlen 2, tudalen 52, llinell 4, hepgorer ‘Great Britain’ a mewnosoder ‘Wales’.</p>	<p>Purpose: To amend wording in Schedule 2 in order to replace “Great Britain” with</p>

			<p>“Wales”.</p> <p>Effect: This will modify existing legislation to ensure that an initial agreed syllabus for RVE adopted by Agreed Syllabus Conference must take account of the teaching and practices of the other principal religions represented in Wales.</p>
37	Schedule 2, page 52, line 8, leave out ‘Great Britain’ and insert ‘Wales’.	Atodlen 2, tudalen 52, llinell 8, hepgorer ‘Great Britain’ a mewnosoder ‘Wales’.	<p>Purpose: To amend wording in Schedule 2 in order to replace “Great Britain” with “Wales”.</p> <p>Effect: This will modify existing legislation to ensure that an initial agreed syllabus for RVE adopted by Agreed Syllabus Conference must reflect the fact that a range of non-religious philosophical convictions are held in Wales.</p>
38	Schedule 2, page 52, line 38, leave out ‘Great Britain’ and insert	Atodlen 2, tudalen 52, llinell 38, hepgorer ‘Great Britain’ a	Purpose: To amend wording in Schedule 2 in order to

	'Wales'.	mewnosoder 'Wales'.	<p>replace "Great Britain" with "Wales".</p> <p>Effect: This will modify existing legislation to ensure that a local authority cannot adopt a subsequent agreed syllabus for RVE recommended by an Agreed Syllabus Conference unless the syllabus reflects the fact that the religious traditions in Wales are mainly Christian.</p>
39	Schedule 2, page 52, line 40, leave out 'Great Britain' and insert 'Wales'.	Atodlen 2, tudalen 52, llinell 40, hepgorer 'Great Britain' a mewnosoder 'Wales'.	<p>Purpose: To amend wording in Schedule 2 in order to replace "Great Britain" with "Wales".</p> <p>Effect: This will modify existing legislation to ensure that a local authority cannot adopt a subsequent agreed syllabus for RVE recommended by an Agreed Syllabus Conference unless the syllabus takes account of the teaching and practices of the other principal religions</p>

			represented in Wales.
40	Schedule 2, page 53, line 3, leave out 'Great Britain' and insert 'Wales'.	Atodlen 2, tudalen 53, llinell 3, hepgorer 'Great Britain' a mewnosoder 'Wales'.	<p>Purpose: To amend wording in Schedule 2 in order to replace "Great Britain" with "Wales".</p> <p>Effect: This will modify existing legislation to ensure that a local authority cannot adopt a subsequent agreed syllabus for RVE adopted by Agreed Syllabus Conference unless the syllabus reflects the fact that a range of non-religious philosophical convictions are held in Wales.</p>