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Response to Welsh Assembly Government Consultation from NASUWT (Saesneg yn Unig)

Welsh Assembly Government

Proposals for a Learning and Skills (Wales) Measure 2008

28 April 2008

1 - The NASUWT welcomes the opportunity to comment on the Welsh Assembly Government's consultation on the 'Learning and Skills (Wales) Measure 2008.

2 - The NASUWT is the largest union representing teachers and headteachers in Wales and throughout the UK.

3 - The NASUWT has consistently raised concerns with the Welsh Assembly Government about the direction in which educational provision is moving in Wales. In terms of 14-19 provision, these concerns were rehearsed in detail in the Union's response to the consultation document 'Learning Pathways 14-19'. A copy of the NASUWT response is resubmitted at Annex A to this response.

4 - Regrettably, scant regard appears to have been paid to the views submitted and it is with disappointment that the NASUWT must assert that it is becoming increasingly clear that business, employers and the ambitions of the principals of the further education institutions are driving the 14-19 education agenda in Wales.

5 - This is no better illustrated than in the recommendations of the 'Webb Review' and the direction of travel inherent in the consultation document 'Skills that Work for Wales'.

6 - In responding to these documents, the NASUWT has strongly advised the Welsh Assembly Government that the Union will not accept the steps taken to deliver the aspirations for skills and employment in Wales if they not only impact adversely on the working lives and livelihoods of teachers and headteachers but also if they compromise the ethos, values and provision of state education. A copy of the NASUWT's response to the consultation document 'Skills that Work for Wales' is resubmitted at Annex B to this response which makes a number of points relevant to this debate.

7 - The NASUWT is gravely concerned that the measures proposed in this consultation document will provide the vehicle for the Further Education Colleges to take control of 14-19 educational provision in Wales with the role of schools and local authorities reduced to that of interested bystanders. As the colleges are incorporated into independent institutions this effectively takes 14-19 provision out of the appropriate democratic control of local authorities. Democratic accountability is a key element in the provision of state education.

8 - Indeed, there is growing evidence, from areas such as Blaenau Gwent and Denbighshire, to demonstrate that the 'takeover' by the colleges has already started. Unfortunately, local authorities appear both willing, and in the case of the Denbighshire authority, eager to abnegate responsibility for post-16 education and sacrifice provision within schools, in favour of the further education sector, clearly without giving due consideration for the long-term role of local authorities in relation to education provision.

9 - While the NASUWT accepts that dismantling state education may not be the intention of the Welsh Assembly Government, the Union fears that it will become a reality by default. It is deeply regrettable and reckless that the Welsh Assembly Government has identified no adequate safeguards to prevent this from occurring.

10 - Schools and teachers across Wales may well be facing a doomsday scenario in both the primary and secondary sectors when a number of the decisions of the Welsh Assembly Government are considered collectively. These latest proposals, when taken together with the now discredited introduction of the Foundation Phase may well herald the introduction of an education system in Wales that will comprise: a primary phase that will facilitate the delivery of the Foundation Phase for 3-7 year olds; a school-based secondary phase that will provide a general education for 7-14 year olds, perhaps employing primary school teaching methodologies; and a college based tertiary phase for 14-19 year olds that will concentrate solely on skills rather than a broad and balanced curriculum to ensure that youngsters leave the education system in Wales with a transferable education and skills to maximise their competitiveness and employment opportunities.

11 - The NASUWT calls upon the Welsh Assembly Government to take a step back from these proposals to reflect on what the recent changes as a whole say about the direction of travel on state education in Wales, and to engage in meaningful discussions with the NASUWT and other trade unions before embarking upon a strategy that could result in the responsibility for post-14 education in Wales being placed in the control of a small group of unelected, unaccountable autonomous bodies.

12 - To date, one of the strengths of the Welsh Assembly Government's policy on education has been to eschew a number of the developments in England which have compromised the provision of state education, in particular, the academies and the increased autonomy of schools in relation to local authorities. These recent proposals for post-14 education appear to be embarking upon the journey to fragment state education at a time when the Westminster Government's proposals for post-14 education are seeking to turn the tide on the fragmentation of state education and revert to a more democratic control. The NASUWT believes that the Assembly's post-14 proposals will:

- be unlikely to improve standards of education;
- adversely affect equality of opportunity and will undermine wider social cohesion;
- result in major problems with pay and conditions of service for all those who work in the sectors;
- prohibit democratic participation, and undermine and remove democratic accountability;
- lead to increased burdens on, and risks for, the public purse.

Consultation Question

Local Curriculum

Do you agree with the principle of increasing learner choice via co-operation between organisations and through the production of a local area curriculum?

The NASUWT recognises the need for co-operation between organisations if learner choice is to be increased but does not accept that the production of local area curricula will provide greater choice. Additionally, the NASUWT is concerned that the introduction of local area curricula would have the potential to compromise equality of opportunity. The NASUWT believes that there should be a national curriculum which provides a basic entitlement for every pupil regardless of where they live in Wales. The national curriculum should be capable of incorporating local flexibility to meet defined and agreed local need. Pupils must have a national entitlement.

Any system of co-operation and collaboration must be premised on the identification of clear lines of responsibility and accountability and ensure that schools are able to exert appropriate professional input into the decision-making process.

For 14-16 learners registered at maintained schools the responsibility for planning the local curriculum rests with the local education authority and for governing bodies and headteachers to be required to assist the local authority in this regard. Do you agree that the responsibility should lie with local education authorities?

The NASUWT acknowledges the need for local education authorities to have an overview of the courses available and a role in strategic planning and appreciates that they also need to have overall responsibility. However, decision making at all levels must be informed by significant input from schools.

The responsibility for planning the local curriculum for learners aged 16-19 rests with Welsh Ministers. Do you consider this appropriate, and if not why?

The NASUWT believes that the Welsh Ministers must have strategic responsibility and the power of intervention to ensure that the locally determined curricula do not compromise the national entitlement for all pupils.

Would the setting of a minimum number of courses to be contained within the local curriculum in Key Stage 4 and a minimum number of courses for learners 16-19 years old, assist in ensuring equality of opportunity for learners across Wales?

The NASUWT maintains that equality of opportunity for learners across Wales can only be ensured if there is equality of access to courses across Wales through both the medium of Welsh and English.

Is it appropriate that the decision as to an individual learner's entitlement should rest with the headteacher or principal?

The NASUWT acknowledges that decisions about an individual learner's entitlement will ultimately rest with headteachers and principals but this must be in the context of a clear national framework of entitlement supported by effective mentoring and support programmes and a confidence that appropriate funding and resources will be available to ensure that the varying needs of the learners in their charge, and the principle of equality of opportunity, can be met.

Do you consider the use of minimum option numbers, allied with the use of learning domains succeed in supporting a workable framework for wider choice for learners in the 14-19 phase?

The NASUWT acknowledges that an alliance between the use of minimum option numbers and the learning domains could provide a wider choice for learners. However, for the framework to be workable there would have to be a recognition of the staffing requirements; the geography of the area; access to a variety of learning providers; the resources available; the support networks needed and, ultimately, the funding required to deliver quality experiences for learners.

Is it desirable to set a minimum number of vocational courses that must be included within a local curriculum?

There should be an appropriate balance between academic and vocational courses to ensure that the needs of learners are met. There also needs to be consideration given to how to secure parity of esteem between academic and vocational courses.

Should the minimum requirement for vocational courses be specified as having to fall across a range of learning domains?

The NASUWT maintains that the needs of learners, within the context of local area priorities and national entitlements, should determine the type and range of courses on offer.

Joint Working

Would the placing of a duty on local education authorities, governing bodies of schools and further education institutions, to consider co-operation be sufficient to achieve the provision of a local curriculum?

A local curriculum would need to be benchmarked against national criteria. A duty to co-operate that is an equal duty on all participants would be unworkable. A duty for certain bodies to co-operate with the local authority would be workable providing that there is a clear framework of expectations from those on whom the duty is placed to prevent unnecessary and unreasonable demands being made by the overarching body. The NASUWT is of the firm view that the exercise of this duty will be of more importance than the placing of the duty. In this regard, the NASUWT welcomes the proposal that the measure will enable the Welsh Ministers to issue guidance and directions in relation to such joint working and co-operation. The NASUWT trust that this guidance will strengthen the role of the 14-19 Learning Networks and ensure that all stakeholders, including the teacher trade unions, are afforded proper representation. The NASUWT looks forward to consultation on the guidance.

Please identify any barriers to co-operation that may need to be overcome. What possible solutions are there?

The NASUWT cites the following barriers to co-operation and collaboration:

- a lack of adequate funding for the 14-19 sector;
- a lack of an appropriate funding mechanism for the 14-19 sector;
- the sector focused ambitions of the further education sector institutions and their predatory tendencies;
- a lack of understanding of the contractual and employment tensions which will inevitably arise;
- a lack of clarity over governance and ownership of learning facilities;
- the geography and demography of Wales;
- the potential threat to school sixth forms.

As for solutions, the NASUWT submits that these issues can only be addressed effectively, through meaningful dialogue with trade unions that represent the workers affected.

Learning Coach and Personal Support

The proposed measure makes provision for youth support services. Will the provision proposed facilitate young people's access to support services as envisaged within 14-19 Learning Pathways?

The NASUWT believes that the success of the provision proposed will depend on its independence. The role of the Learning Coach, for instance, was intended to be independent of schools in order to provide an unbiased approach and to fulfil the functions of guidance, support, advocacy and impartial mentoring and advice; however, the current arrangements allow schools to appoint learning coaches from their existing staffing complements and this has had a detrimental impact on the role. The NASUWT does not accept that in a remodelled school workforce the role of learning coaches should be the responsibility of teachers.

The NASUWT suggests that Careers Wales would be the most appropriate body to develop and provide youth support services.



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