



**Cynulliad Cenedlaethol Cymru  
The National Assembly for Wales**

**Pwyllgor y Mesur Arfaethedig ynghylch Dysgu a  
Sgiliau (Cymru)  
The Proposed Learning and Skills (Wales) Measure  
Committee**

**Cyfnod 1  
Stage 1**

**Dydd Mawrth, 14 Hydref 2008  
Tuesday, 14 October 2008**

**Cynnwys**  
**Contents**

- 3 Cyflwyniad, Ymddiheuriadau, Dirprwyon a Datgan Buddiannau  
Introduction, Apologies, Substitutions and Declarations of Interest
- 4 Mesur Arfaethedig ynghylch Dysgu a Sgiliau (Cymru) 2008—Cyfnod 1, Sesiwn  
Dystiolaeth 6  
Proposed Learning and Skills (Wales) Measure 2008—Stage 1, Evidence Session 6

Cofnodir y trafodion hyn yn yr iaith y llefarwyd hwy ynddi yn y pwyllgor. Yn ogystal,  
cynhwysir cyfieithiad Saesneg o gyfraniadau yn y Gymraeg.

These proceedings are reported in the language in which they were spoken in the committee.  
In addition, an English translation of Welsh speeches is included.

**Aelodau'r pwyllgor yn bresennol**  
**Committee members in attendance**

Christine Chapman	Llafur Labour
Jeff Cuthbert	Llafur (Cadeirydd y Pwyllgor) Labour (Committee Chair)
Andrew R.T. Davies	Ceidwadwyr Cymreig Welsh Conservatives
Janet Ryder	Plaid Cymru The Party of Wales
Kirsty Williams	Democratiaid Rhyddfrydol Cymru Welsh Liberal Democrats

**Eraill yn bresennol**  
**Others in attendance**

John Griffiths	Aelod Cynulliad, Llafur (Dirprwy Weinidog dros Sgiliau) Assembly Member, Labour (Deputy Minister for Skills)
Mark Leighfield	Yr Adran Plant, Addysg, Dysgu Gydol Oes a Sgiliau, Llywodraeth Cynulliad Cymru Department for Children, Education, Lifelong Learning and Skills, Welsh Assembly Government
Grace Martins	Yr Adran Gwasanaethau Cyfreithiol, Llywodraeth Cynulliad Cymru Legal Services Department, Welsh Assembly Government

**Swyddogion Gwasanaeth Seneddol y Cynulliad yn bresennol**  
**Assembly Parliamentary Service officials in attendance**

Claire Griffiths	Dirprwy Glerc Deputy Clerk
Gwyn Griffiths	Cynghorydd Cyfreithiol Legal Adviser
Anne Thomas	Gwasanaeth Ymchwil yr Aelodau Members' Research Service
Siân Wilkins	Clerc Clerk

*Dechreuodd y cyfarfod am 9.33 a.m.*  
*The meeting began at 9.33 a.m.*

**Cyflwyniad, Ymddiheuriadau a Dirprwyon**  
**Introduction, Apologies and Substitutions**

[1] **Jeff Cuthbert:** I welcome everyone to the meeting of the Proposed Learning and Skills (Wales) Measure Committee. I remind everyone that we operate bilingually; headsets are available for those who wish to receive simultaneous translation. The Welsh translation can be obtained on channel 1, and channel 0 provides an enhancement of the sound.

[2] If the fire alarm sounds, I am assured that it will be the real thing, in which case ushers will take us to a place of safety. I ask everyone in the room to ensure that they have switched

off mobile telephones, pagers and any other electronic devices, as these interfere with the broadcast and translation systems. I also remind everyone not to touch the microphones because they will operate automatically. No apologies for absence, notifications of substitutions or declarations of interest have been received. However, as I was remiss yesterday, I need to thank Alun Davies who substituted for me last week and chaired the meeting when I was away on programme monitoring committee duties in Brussels. Therefore, I would like to have my thanks to Alun Davies recorded.

9.34 a.m.

**Mesur Arfaethedig ynghylch Dysgu a Sgiliau (Cymru) 2008—Cyfnod 1, Sesiwn  
Dystiolaeth 6  
Proposed Learning and Skills (Wales) Measure 2008—Stage 1, Evidence Session  
6**

[3] **Jeff Cuthbert:** We will now move on to today's evidence-gathering and scrutiny session. I am delighted that we have John Griffiths, the Deputy Minister for Skills, with us. He is supported by Grace Martins from the Legal Services Department, and Mark Leighfield from the Department for Children, Education, Lifelong Learning and Skills. I thank you very much for attending. If it is all right with you, we will move straight into the questioning sessions.

[4] The first group of questions is from me. Deputy Minister, the 14 to 19 learning pathways policy has been in existence for several years. Can you explain your reasons for introducing legislation now and the impact that you expect the proposed Measure to have on transforming the provision of education and learning for 14 to 19 year olds over and above the progress that has already been made? Can you also explain why this Measure in particular will contribute towards the achievement of 95 per cent of young people by the age of 25 being ready for high-skilled employment or higher education by 2015?

[5] **John Griffiths:** Thank you for the invitation to come here this morning to give evidence on this important proposed Measure. As you rightly say, Chair, the 14 to 19 learning pathways policy has been in existence for some time, and we think that it has made a good deal of progress along the lines that we wanted to see, and along lines that have benefited many learners in Wales. Notwithstanding that impressive progress, we feel that there is a need for a statutory underpinning for the 14 to 19 learning pathways policy to ensure that it is of a consistently high standard across Wales. Up to now, it has been uneven in its development, so we want to ensure that learners across Wales have the choice and support that 14 to 19 learning pathways policy will deliver under the statutory requirements.

[6] We attach so much importance to this area of Welsh Assembly Government responsibility, so our commitment to this agenda is rightly signalled by our taking forward this proposed Measure. We think that it is only right that it should be on a statutory footing, given that importance. We are confident that the proposed Measure, when fully enacted and implemented, will provide the choice and support that will greatly increase the participation rates and attainment of 14 to 19 year olds in Wales, because it is about engagement with young people. The most effective way of engaging with them is to provide them with as wide a range of choices as possible so that they can do what they want in terms of their education and future career ambitions.

[7] It is also right that there is strong support for those learners so that they have all of the advice, guidance and mentoring necessary to help them to develop their own learning styles and emotional intelligence. All of those things are extremely important if learners are to participate and achieve as we would wish. We believe that the proposed Measure provides

the statutory underpinning for all of that to become a reality in Wales.

[8] **Jeff Cuthbert:** Thank you very much, Minister. It is probably appropriate that I now move to issues to do with implementation. As has been said, it is your intention that the roll-out will begin with year 10 pupils in September of next year. It is fair to say that many of the presenters who have given evidence, including Estyn, have said that the start date of September 2009 is unrealistic. Indeed, we were told in yesterday's meeting that September 2010 would be far more realistic. How confident are you that the timescale of September 2009 is achievable? Would it not be better to wait until 2010?

[9] **John Griffiths:** Given the importance that we attach to the proposed Measure, for the reasons that I have just outlined, we want it to be implemented as quickly as possible. The quicker it is implemented, the sooner learners in Wales will get the benefits that I outlined earlier.

9.40 a.m.

[10] However, we must of course ensure that the timetable is achievable, as you rightly point out. That is why we have worked closely with the area networks right across Wales in the development of this policy and in the development of the proposed Measure; we want to be absolutely confident that those that have to deliver this on the ground understand what is required of them and can give us confidence that they will be able to implement the initiative in September 2009 as required. Different organisations will hold different views for all sorts of reasons, and that is the case whenever you take any legislation or policy forward. However, our communication with the networks has been very positive with regard to our timetable being achievable. If we look at the banding and the phasing, we can see that they ease implementation and take account of the different stages of development in the different networks.

[11] It is quite instructive for us to look at bands A, B and C. More than half of the 22 local authority areas have opted for bands A and B—so they obviously think that they can achieve what is required of them—and, indeed, the eight in band C are confident that they can achieve implementation as required. We know this because our area officials are in constant close contact with these area networks; we have taken policy forward in true partnership hitherto, and that is how we intend to continue in future.

[12] **Jeff Cuthbert:** Thank you, Deputy Minister. Three Members have indicated a desire to ask supplementary questions. I will call them in the order that I saw them in a moment. Before that, with regard to the banding, I have seen your table 1, but how close are those LEAs to offering the number of courses that they have committed themselves to? Are they there now, are they hopeful of being there in September 2009, or is there still a bit of leeway?

[13] **John Griffiths:** I will ask Mark to answer this, Chair. Before I do, I will refer to Estyn, because I did not answer your point about Estyn. We have sought clarification of its position, and we understand that Estyn believes that our timetable is achievable given the banding and phasing arrangements. So, I am not sure whether the committee would want further clarification from Estyn, but that is our understanding of the position.

[14] **Jeff Cuthbert:** What we would like to know is exactly which LEAs are in which bands. That would be helpful. Perhaps we could have a note on that.

[15] **John Griffiths:** We will provide you with a note on that.

[16] **Mr Leighfield:** Basically, the 22 authorities have been in discussions with us about which band they wish to be placed in. We initially came up with the figures based on a survey

of the provision of schools and colleges in the areas, and we then confirmed that information by talking to the network representatives. We have now also met the representatives of each of the 22 local authority areas. What you find in some areas is that some schools are very close to achieving it, some schools may be in a position, through collaboration, to achieve that total, and that some schools have a way to go. There has been general recognition of the fact that, in terms of the funding available for learning pathways, the area will focus on ensuring that all the schools in a particular area are able to get up to the level that is required by co-operation to be able to deliver the minimum entitlement.

[17] That is not to say that there are not challenges there, because there are, because the policy is aimed to stretch and to demand much for young people. Having said that, we are confident that, given the banding arrangements put in place to recognise the various stages of development, the local authorities are in a position to reach them.

[18] **Andrew R.T. Davies:** I just want to clarify that start date of September 2009, because various witnesses have highlighted their opinions on that. The word that was used to describe it last Thursday by the Welsh Language Board was 'unattainable', and, the week before, Estyn was categorical in its evidence. Do not get me wrong, however. That was not said in dismissing the proposed Measure; they were all supportive of it, as I believe most people around this table would be. However, you highlighted, John, that you want people to get the benefit as soon as possible.

[19] If you send a meal out from a kitchen that is not cooked properly, it will be a dog's dinner. If you go too soon, will you have a dog's dinner rather than what we all want to see, namely a successful Measure passed in 2010? Estyn, the Welsh Language Board, and also the NUT said in their evidence that this would be the foundation phase mark 2 if we rush into it. Do you identify with any of those comments, or is the information that you have had from the networks that you have been talking to so far removed from the evidence that we have received as a Measure committee that they just do not meet in the middle?

[20] **John Griffiths:** As I said earlier, it is inevitable that all sorts of organisations will have all sorts of viewpoints on any policy or Measure. That is in the nature of the political world in which we live, and the reality of the world in which we live. I think that we all accept that.

[21] **Andrew R.T. Davies:** The Welsh Language Board was not being political, nor Estyn.

[22] **John Griffiths:** I am not suggesting that any particular organisation is politically driven; I am just saying that, in the nature of politics and taking policies forward, there will inevitably be a variety of views. We expect that, and it would be surprising if that were not the case. What I am saying is that the 22 networks have worked up this policy with our officials over time, and have made considerable progress. They are the key stakeholders on implementation, because they represent those who will have to do the implementation. As Mark has outlined, we have worked with them closely on taking the proposed Measure forward, on the timetable, and on the phasing and the banding, and the placement within the bands. So, with all that background work, we are confident that this proposed Measure is achievable.

[23] At one stage, what I suppose you might term a 'big-bang approach' was proposed, and the 30 choices all had to be offered by September 2010. However, we felt that it was much better to build in a much greater degree of flexibility with the banding and the phasing, because we recognise that different areas of Wales are at different stages of development. So, with the sort of flexibility that the phasing and the banding provides, and the confidence that the area networks give us that it is doable, we are confident that we can have it fully and properly implemented in September 2009.

[24] **Kirsty Williams:** Given that statement, how do you account for the fact that your confidence is not shared by the vast majority of consultation respondents? This committee has received evidence from a plethora of organisations, and while some of them may have some in-built conservatism about taking things forward quickly, their views are also shared by statutory bodies that have no axe to grind politically with you. They are not there trying to defend the interests of members, or the people who would be directly affected. How do you account for the fact that you and the networks are on one side of the divide, but the vast majority of other people are saying that the date is not suitable and could jeopardise the success of your whole plan?

[25] Table 4.6 notes the number of courses that will be available. Does that number of courses apply to those taught through the medium of English and Welsh? Would you expect 28 courses to be available in English and in Welsh for authorities that were being placed in band A? On the information that you will supply to the committee on where individual authorities are placed, we have also heard evidence that it may be difficult for rural authorities to achieve these numbers of courses as quickly as urban authorities. Can you give us an indication of whether the banding reflects those concerns, namely that rural areas and areas where there are issues of bilingualism may find themselves in band C?

9.50 a.m.

[26] **John Griffiths:** The first thing to say is that I am not in a position to speak on behalf of other organisations. They have their reasons for saying what they say and they are fully entitled to their views, and it would be pointless for me to speculate about why they reached those views. When it comes to schools and trade unions representing members who largely work in schools, we all know that they have been concerned for a long time about the development of the 14-19 learning pathways. Any change is potentially challenging and unsettling, and we understand that. There has been a degree of caution in some of those organisations about this agenda, and so we would expect some concern, and it is right that trade unions represent the interests of their members and express any views and concerns that they have in that regard.

[27] On statutory bodies, I do not think that the weight of the evidence received is overwhelmingly that our timetable is too challenging, and Estyn is a case in point. Given the phasing and banding that will take place, Estyn now accepts that the target of September 2009 is achievable. Perhaps there is further clarity to be sought on that, but that is how we understand Estyn's position.

[28] **Kirsty Williams:** May I come back on that?

[29] **Jeff Cuthbert:** Wait a moment. You may have a supplementary question, but the other two Members also want to ask supplementary questions. I suggest that we move on and we can return to this later perhaps.

[30] **Janet Ryder:** On your response to Kirsty, Deputy Minister, you said that it was not your position to speculate on what others are saying, but these are respondents to your consultation, and they are expressing their views forcefully. They all believe forcefully that this is the right way to do it, they all support it, and there is a great deal of enthusiasm for it. However, they are also forcefully saying that it is not ready to be implemented by September 2009.

[31] I appreciate what you said about the greatest change in culture needing to come from schools, but, yesterday, both headteachers' unions said that this was definitely ready to be implemented by 2010 and they could see no problem with that, but it could not be done by 2009. So, would you respond to some of the issues that they raised? They raised those concerns

because all schools have seen a reduction in their senior management teams and it is they who now have to do the planning for this. Given all the other recent changes in education, those senior management teams are under extreme pressure. They need extra time to plan this as that needs to be done well. So, the issue is actually about the planning and technical capacity of those senior management teams. Any staff who need to be recruited to implement any changes need to be recruited now. Perhaps that extra year would give them the time to recruit and to ensure that they have the staff to put that timetable into operation.

[32] There is still a great deal of work to do to co-ordinate timetables between colleges and schools, both of which work according to completely different timescales. That is a major issue and I want you and your officials to tell us how that will be overcome.

[33] Those are three of the main areas. The other areas, as you said, state that this legislation will provide equality of opportunity for everyone in Wales, and many concerns have been raised that that will not be possible given the geography of Wales.

[34] The other cause for concern raised yesterday was that perhaps LEAs need to look at and talk to their schools more carefully. You said yourself that the provider networks are the co-ordinator groups, and so how closely have they talked to their stakeholders who are providing this, because they are telling us that they are not ready to go?

[35] **Jeff Cuthbert:** I want Chris to come in on this point and then you can deal with the questions together, Deputy Minister.

[36] **Christine Chapman:** Janet has said a lot of what I wanted to say. However, I would like to mention the groundswell of enthusiasm that there has been for this initiative. I am concerned that, if it is pushed through too soon, you will lose the good work that has already happened. I think that most of the people who have sat around the table, from all quarters, have been enthusiastic. I was open-minded when I looked at this, but I am now of the view that it could be quite damaging in some ways if it was forced through before it is ready. People are enthusiastic about this; they want it to work. As you said, John, it is about the learners and about challenging vested interests, in many ways. However, I would like you to look at this carefully for this initiative to be successful, on behalf of those learners who need it.

[37] **John Griffiths:** I very much agree with Chris's last point. Obviously, we need to ensure that, when we introduce this Measure, it is fully fit for purpose to produce those very real and important benefits for learners. That is why I said earlier that we would not be going ahead with the timetable of September next year if we were not fully confident in terms of our relationship and communication with all of the networks that it is achievable across Wales.

[38] I take the point that some schools may not be fully supportive of the local education authority's view, but, again, in the nature of things, it is inevitable that that will sometimes be the case. We have to work with all of the key stakeholders in our area teams. Officials are in very close contact not only with the area networks and the LEAs, but with individual schools. Overwhelmingly, that tells us that this timetable is achievable. It is right to say that, when I first became an Assembly Member—which is quite a few years ago—along with others here today, the education and training action plan and education training action group agendas were in place, with Peter Hain in the Wales Office taking this forward. It was very much about getting the co-operation and joint working that we want to see, and tackling duplication. We have been debating and working towards this for a long time. Since the inception of the Assembly, the pace has quickened with our learning pathways policy, which has been around for several years. So, we have made a great deal of progress; it is not as if we are in any way going from a standing start. A lot of progress has been achieved. We want to spread it, deepen it, and broaden it across Wales. However, the amount of work that has gone on thus far stands



us in very good stead for implementation in September next year.

[39] On the staffing issues, schools have to have appropriate staff in place for the generality of their activities and the functions required of them. That very much includes timetabling. So, we would not accept that there are any particular issues there. Schools have to be adequately staffed; that is a responsibility for the Welsh Assembly Government, local education authorities, schools and their governing bodies. That must be the case across the piece of school activity, not just with regard to this Measure.

[40] Janet said that timetables are completely different; that is not the case at all. There is a good deal of common timetabling across Wales as part of the progress that I mentioned earlier. Much work has taken place. Yesterday, I was at Coleg Glan Hafren in Cardiff; its teachers go into the schools and schoolchildren come into the college. There is a great deal of interplay, and this has been the case for some time. I know that that is the case across Wales. So, as I said, we are not going from a standing start; we are building and widening the progress made to date.

10.00 a.m.

[41] **Jeff Cuthbert:** Thank you, John. There will be opportunities for us to return to those key practicalities during later questions.

[42] I welcome the people who have come into the public gallery and who were not here when I made the initial introductory comments. I ask you to ensure that all electronic devices are turned off. Headsets are available for translation, which is on channel 1, and sound amplification is on channel 0. If there is a fire alarm, it will be the real thing and the ushers will lead you to a place of safety.

[43] Before we move onto the formally allocated questions, I have a point to make. You mentioned children going into colleges, which arose particularly yesterday in relation to Criminal Records Bureau checks. It has been suggested by a number of presenters that there may be a problem under the law in terms of minors mixing with adult learners, particularly in an FE setting. There have been suggestions that that might have implications in terms of CRB checks. You may not be able to answer this at the moment—you may wish to consider it—but has any consideration, as far as you know, been given to this point to date?

[44] **John Griffiths:** There has been consideration, and the current position, as we understand it, is that, by law and, outside law, by common practice, CRB checks are undertaken for adults whose work involves working with children in an educational setting, which includes an FE setting, if they are teaching, supervising or caring for minors. For fellow students, who are not doing any of those things, our understanding is that there would be no requirement for CRB checks.

[45] **Jeff Cuthbert:** Thank you. We will now move on with the allocated questions; the next group of questions is from Chris Chapman.

[46] **Christine Chapman:** This question is in relation to planning local area curricula. We have received evidence that suggests that it might be more effective for one organisation in each area to have responsibility for planning local curricula from 14 through to 19 years of age, rather than the proposed arrangement, which means that the planning for 14 to 16-year-olds rests with LEAs, and that planning for 16 to 19-year-olds rests with Welsh Ministers. Have you considered delegating your responsibility for curricular planning?

[47] **John Griffiths:** At the moment, the law is such that responsibility rests with the LEAs for those of compulsory school age, while the responsibility for 16 to 18-year-olds who are in

colleges and school sixth forms rests with Welsh Ministers. We could consider having a more unified approach. I am not aware of our having given serious thought to that sort of delegation. We are confident that, in the partnership that has developed thus far between the key stakeholders and us as a Welsh Assembly Government, we are able to knit everything together adequately and properly and to take this agenda forward with the sort of consistent approach right across Wales that will produce the required benefits. We are open to ideas, as we have been through the process of developing 14 to 19 learning pathways, and there have been changes along the way when views have been expressed that we have found compelling. We will consider all of the evidence that is given throughout this process.

[48] **Christine Chapman:** You mentioned key stakeholders; can you say something about the role of existing 14 to 19 learning networks in planning curricula and that of the business sector? Where would it sit in planning, and what is the role of governing bodies, headteachers and principals in assisting with planning a local curriculum? How will these things work in practice and what should their roles be?

[49] **John Griffiths:** They all have roles to play, because the implementation of this Measure will require all of these sectors and individuals to be committed to it, but also to understand what is involved and what is required of them. That is why we have built these 22 local area networks, with all of the key stakeholders involved. When we think of the business sector, for example, private training providers have very much been a part of those networks, and there has been a great deal of input from business, because, as we say in 'Skills That Work for Wales', a lot of what we are about is producing the skills that will secure good-quality jobs in the future for the people of Wales, thereby helping firms that operate in Wales and, by extension, our economy.

[50] We want to ensure that all of our policies knit together, and that each takes full recognition of the other. Business is certainly important to this and the training providers will not only be very active, as they have been in the area networks—important as they are—but they will also be providing some of the learning and training that is chosen under the options that will be taken forward with the proposed Measure. So, I do not think that there is any doubt as to the importance of the role of the private sector.

[51] I will ask Mark to give a bit more detail about the input of individuals and organisations into the planning arrangements.

[52] **Mr Leighfield:** I will say a little more about current practice, because, sometimes, there is an assumption that things have not, perhaps, developed as they have in local authority areas in terms of the 14 to 19 learning networks that currently exist.

[53] The 14 to 19 networks currently submit to the Welsh Assembly Government the equivalent of local curricula for their areas for 14 to 16-year olds and 16 to 19-year olds. In the vast majority of those 14 to 19 learning networks, there is representation from FE colleges, private training providers, voluntary sector, local authorities and headteachers. So, engaged within those networks, at present, are quite a few stakeholders across the patch, in terms of the developments that are taking place. The contributions of those stakeholders will shape, very much, what we call the annual network development plans for the area. The annual network development plans are based around three-year priorities and move the agenda forward in terms of development, for example in relation to wider choice, and map out where providers intend to go in terms of that process.

[54] In terms of stakeholder involvement, governing bodies and headteachers obviously communicate, and, as a principal, I communicate with my governing body. That happens. We also have situations where the headteacher is represented, either in person or by another headteacher, on those networks. College principals are also often present. So, in terms of the

current planning processes, there is a considerable degree of involvement by the people whom you mentioned.

[55] **Christine Chapman:** It has been expressed that, for example, training providers and the business sector sometimes feel that the dynamics of that partnership are not always equal. Some headteachers seem to be more dominant in partnerships, as opposed to training providers. Are you monitoring that and is it improving?

[56] **Mr Leighfield:** That is something that we are aware of. I emphasise that it is not homogenous across Wales. We have some excellent examples of where private training providers have engaged well with the learning networks and, in some cases, have been commissioned to deliver particular projects that the Welsh Assembly Government has commissioned.

[57] However, some concerns have been expressed that some private training providers may not be sufficiently involved, which is something that we are working on. The development is what is proposed in terms of the minimum entitlement, to such an extent that, I think, needs must as far private training providers are concerned. They will, as a result of the proposed legislation, be brought into the process much more than they have previously. So, when we talk of equality of access for learners and how that is provided, that must engage all of the providers across Wales in order for people to be able to deliver.

10.10 a.m.

[58] **Janet Ryder:** You said that, in the vast majority of cases, all stakeholders are represented. That does not suggest to me that every network has all providers represented. Do you mean that every network has every provider represented, and they are working well? If you do not mean that, if you mean that there are weak areas, where do we need work to be done?

[59] **Mr Leighfield:** As I said, the vast majority of the stakeholders have representation—I use the phrase ‘vast majority’ deliberately. We issued guidance in 2006 on the membership of the networks, and that membership is inclusive. We will be following up those cases where we think that the representation is not as inclusive as it should be.

[60] **Janet Ryder:** So, there are some areas where it is not inclusive.

[61] **Mr Leighfield:** There will be some areas where representation and engagement are at different levels. I would hesitate to say that it was not inclusive, but I would say that there are different levels of engagement.

[62] **Janet Ryder:** Is that one or two authorities, or are we talking about more than that?

[63] **Mr Leighfield:** The vast majority do their best to engage with all of the providers in an area.

[64] **Janet Ryder:** How many are actually doing the job? How many are engaging with all of the providers?

[65] **Jeff Cuthbert:** If you cannot answer that specifically, perhaps you could let us know in writing.

[66] **Mr Leighfield:** It would be safer to let you know in writing about the membership of specific groups, but I want to emphasise that there are guidelines from the Welsh Assembly Government that specify who should be engaged. The proposed legislation makes it likely

that private training providers, in particular, would need to be engaged more.

[67] **Andrew R.T. Davies:** To continue on the issues of network providers and engagement, we have heard from headteachers that there will be a significant impact upon the senior management teams in schools, and therefore on their ability to work in these networks. Do you recognise that there is a loss of capacity in these senior management teams in terms of being able to work to deliver this Measure? It will be critical for the senior management teams to work with other institutions, such as FE colleges. However, headteachers tell us that budgetary problems over the years mean that they have lost significant capacity in the senior management teams, which will affect their ability to communicate with other institutions.

[68] **John Griffiths:** As I said earlier, there is a big job to be done by schools across the board, and we would all accept that. Education is very important to the future of Wales for obvious reasons, and it is important to all of us as politicians and Ministers. We would refute any suggestion that schools do not have the capacity that they need to take this forward. Schools are there to do a job, and the Welsh Assembly Government, along with local education authorities and school governing bodies, must ensure that they are adequately staffed. That is not something that is uniquely relevant to this Measure. It cuts across the generality of education provision in Wales.

[69] **Andrew R.T. Davies:** Do you not recognise the evidence given to us by headteachers that senior management teams are not up to strength, and will struggle to meet the requirements of this Measure? Do you not recognise that?

[70] **Jeff Cuthbert:** When you have answered this point, we will move on.

[71] **John Griffiths:** I do not recognise that picture, and I am not aware that that is the situation.

[72] **Jeff Cuthbert:** We move on to two important questions from Chris Chapman on the issue of qualifications.

[73] **Christine Chapman:** In your paper, you outline the position regarding the inclusion of level 2 courses to ensure that

[74] 'young people on vocational courses have an entitlement to access level 2 provision where this is possible'.

[75] What might the impact be on the provision of level 1 courses?

[76] **John Griffiths:** It has been the case that a lot of vocational provision for 14 to 16-year-olds has been at level 1. There has been a view that that is the appropriate level of provision for many of the youngsters who have disengaged with their schooling. We want to raise parity of esteem for vocational qualifications, which is one of our long-term objectives. Vocational education should be properly valued, and in no way seen as a secondary choice for those who do not have as much academic ability as others. Therefore, we want to very much increase level 2 provision, because we think that many of these youngsters are fully capable of studying at that level and, as I said, it very much fits into our parity of esteem model. However, we recognise that many young people would most appropriately study at level 1; therefore, we are trying to balance all of this and we feel that we have a reasonable balance in what we propose, inasmuch as level 1 courses will count towards the score that must be achieved in terms of widening choice. However, level 1 will not always constitute a choice; it will not always count as a choice. If there is no level 2 provision in a particular subject, level 1 in that subject will count as a choice. If there is level 2 provision, only level 2 would count as a choice.

[77] **Jeff Cuthbert:** To be clear on this, because I understand the desire for progression from level 1 to level 2 and to encourage young learners to make the very best of themselves in terms of qualifications, it has been suggested to us by a number of presenters that level 1 courses, in effect, would be excluded from any points score. Now, you are making it clear that that is not the case.

[78] **John Griffiths:** That is not the case, Chair.

[79] **Jeff Cuthbert:** Okay. Thank you.

[80] **Christine Chapman:** Further to that, John, how do you feel the Welsh baccalaureate will fit into the provisions in the proposed Measure?

[81] **John Griffiths:** Very well indeed, Chris, because obviously there are different levels within the Welsh baccalaureate, including the foundation Welsh baccalaureate at level 1. Therefore, there is a great deal of choice, and, because there are those levels, it will fit in with the various parts of the proposed Measure. When we talk about extending choice and achieving parity of esteem, the Welsh baccalaureate is absolutely along those lines, and so I think that the two complement each other very well.

[82] **Jeff Cuthbert:** Thank you. We will now move on to the next group of questions, from Janet Ryder.

[83] **Janet Ryder:** These questions are about the co-operation that is needed between institutions. They might refer back to some of the comments that you have already made on the networks. The proposed Measure places a duty on those delivering the local curricula to consider co-operation in delivering the maximum availability of courses, and, if they conclude that joint working is appropriate, they must seek to enter into arrangements. What needs to happen to ensure that consideration to co-operate does not become a purely bureaucratic exercise, and are you satisfied that all of the networks are functioning well in this area?

[84] **John Griffiths:** We are satisfied that the networks have co-operated and collaborated effectively. If that was not the case we would not have seen the progress that we have seen across Wales. As I said earlier, although some areas are in advance of others, that is inevitable in policy development and delivery. However, all have co-operated and worked together well, and all of the networks have been very constructive. We are greatly encouraged by that.

[85] The duty to consider co-operation in maximising the availability of choice is important because it is over and above the minimum entitlement, when it comes to numbers of choices, so that we do not expect areas to rest on their laurels, as it were, when they achieve the minimum choices. We expect them to extend choice much further if that is sensible and possible. This duty to consider deepening and broadening co-operation and working together in order to maximise choice is very important for how this policy and delivery will develop in the future. There will be requirements within the proposed Measure for there to be an output, as it were, from that consideration of co-operation and actual co-operation, because once a view has been arrived at through fulfilling that duty, and in having that consideration, it will obviously point in a certain direction and it would be entirely reasonable in law to expect that whatever direction that consideration points to will be implemented and rolled out. So, we expect this to be an important part of the proposed Measure, and we think that the networks have worked together very well thus far, and will continue to do so in the future.

10.20 a.m.

[86] **Janet Ryder:** What capacity exists to support schools and colleges in entering into joint arrangements? We have heard some evidence that the local education authorities no longer have that capacity in advisory teachers to support this.

[87] **John Griffiths:** We fund the learning pathways policy and networks to the tune of £32.5 million per year, and there is a roughly two thirds to one third split between revenue and capital. It is distributed to all of the networks on a formula basis. Part of that money is to ensure that the necessary capacity is there in the local education authority areas to take the policy forward. For example, there is funding for an officer at local authority level. There might be one officer or a number of postholders sharing the function, but the function would be to ensure that the necessary co-operation and working-up of arrangements takes place within that local authority area. Other funding can be used to support that.

[88] In addition to the funding, we have local area teams that work closely with the networks—it is a constant joint working arrangement with strong communication, which is supplemented by other Assembly officials outside the area teams. So, all in all, there is the necessary support, advice and assistance in place to make this policy a success.

[89] **Janet Ryder:** Have you assessed how that funding is being used by local education authorities?

[90] **John Griffiths:** Yes. They are required to produce a plan, as Mark mentioned earlier, for how the funding will be used. We must approve that plan to ensure that it will deliver the policy. So, we do not simply provide the money and allow local area networks to get on with it—how the money is used must be agreed.

[91] **Janet Ryder:** Would you be able to tell us which local education authorities employ specific officers?

[92] **John Griffiths:** We could give you that information.

[93] **Janet Ryder:** Thank you. Have you considered whether or not there will be a need for guidance on joint working and a need for partnership agreements or service-level agreements between institutions delivering joint working?

[94] **John Griffiths:** I will ask Mark to address that question.

[95] **Mr Leighfield:** We would issue guidance in relation to joint working. To return to the consideration issue that you raised earlier, there will be clear guidance that will spell out what constitutes consideration and on that basis whether or not it fulfils the objective of maximising the availability of the local curriculum. If it does, there would be a requirement to engage in co-operation. At present, we have a number of local arrangements in place in terms of agreements between providers. As you are aware, we have different levels of engagement and development across Wales at the moment, and where engagements and developments have taken place, we have examples of good practice in terms of the type of documentation that you refer to.

[96] **Janet Ryder:** What support has been given to the areas where you have not identified good practice?

[97] **Mr Leighfield:** The networks are structured so that there are 22 networks. There is a network executive and there are network representative meetings about three times a year. We also have regional meetings with networks, and we take the opportunity to share good practice that has been developed across the networks that are more advanced in some regards. We have also taken the opportunity to bring in specialists from outside of Wales who have

developed some co-operative arrangements across the border, and we have also used many good examples in Wales of collaborative working to promote those ideas.

[98] **Janet Ryder:** When will the guidance be issued?

[99] **Mr Leighfield:** We have already issued some guidance in relation to the 2006 learning pathways development and we will be in a position to issue additional guidance via the networks in January.

[100] **Janet Ryder:** What is the likely impact of the proposed Measure on sixth forms, Deputy Minister?

[101] **John Griffiths:** We hope that the proposed Measure will strengthen provision. It was instructive for me when I went to Wolverhampton to see how the agenda of widening choice, joint working, common timetabling, full co-operation and working together had been taken forward there. It was stressed in a presentation that I saw that everyone has been a winner, and that was with regard to individual schools, colleges, private training providers and the voluntary sector. What they found—and this is recognised as best practice, as this institution has beacon status in England for what it has done on 14 to 19 learning—was that in greatly improving the offer to 14 to 19-year-olds, there was a very considerable increase in participation rates. That is what we expect from the proposed Measure and what you would expect from widening choice and offering much better support. So, all were happy, as it were—the schools, the colleges, the voluntary sector and private training providers. That is the positive picture that we want to achieve in Wales.

[102] **Janet Ryder:** We have taken considerable evidence that points to rural areas not being physically able to enter into that kind of arrangement. How do you think that this will translate to rural areas? Are you are satisfied that it will offer pupils in rural areas equality of opportunity?

[103] **John Griffiths:** Obviously, rural areas present particular issues as far as the proposed Measure is concerned, as they do with service provision in general, but those issues are not insurmountable. We want to ensure that there is sufficient flexibility and support for the rural areas to deliver on the proposed Measure. We are quite confident that that will be the case. We know, for example, that there is a great deal of potential in virtual learning, with the use of new technologies and video-conferencing, but that there should perhaps be a blended learning approach so that a mix of technologies and traditional, face-to-face teaching and lecturing is used. We also know that many areas are working up peripatetic teaching teams so that it is not the learner who is expected to travel all of the time; it is expected that teachers and lecturers will travel too. Of course, rural areas are very used to these challenges in the delivery of education and training, and they already have many arrangements in place to ensure that they can take provision forward effectively. In terms of experience to date, including in rural areas, co-operative working, widening of choice, and a better offer have been the developing reality in Wales. What we want to do is build on that and strengthen it.

[104] **Kirsty Williams:** Do you agree that there may be a rural premium to delivering this agenda in a rural area—that it will simply cost more? If so, will your funding structures reflect that?

[105] We have had some evidence from teaching practitioners and, with all due respect, I guess that they were in the classroom more recently than you, and they were quite dismissive about the use of what you describe as ‘new technologies’. They say that they can be helpful additions but that they do not replace the necessity of having a teacher in a classroom. Could you address your comments to the scepticism that they have shown with regard to video-conferencing?

[106] In some rural areas, the nearest collaborator may be in England rather than Wales, so it might be easier for some pupils to go across the border into Herefordshire or Shropshire, for example. How do you envisage those kinds of relationships being developed if, for the sake of the student, it is easier for them to receive some of their education across the border?

10.30 a.m.

[107] **John Griffiths:** In many instances, there is a premium on service delivery in rural areas and that is recognised in various funding formulae, which is absolutely right. It is also recognised in the funding formula that we use in education and training. So, it is recognised that it is more expensive to deliver education and training in rural areas and that is allowed for in the various funding streams provided.

[108] When I spoke about the use of new technology, I said that often it would be ‘blended learning’ because I recognise the concerns that you mentioned. New technologies have an increasingly big role to play in education and training across the board, but traditional teaching methods also have a big role, so it is a matter of using both and blending them. That has been happening already. We have put a great deal of funding into this, including, for example, for installing video-conferencing facilities in colleges and schools and providing training on that. There will be further development and support. So, considerable investment has gone into this, which bodes well for the role of technology in providing the necessary choice and tuition.

[109] On cross-border issues, I think that we have been and will continue to be flexible. For example, on cross-border local authority boundaries in Wales, we have said that choice can extend across those borders and that could also be the case in terms of the border between Wales and England. It would be up to the local partners, when devising the local curriculum, to decide for themselves where provision might be made and where choice could be exercised, but that is certainly possible and it would be up to the local stakeholders to determine that.

[110] **Jeff Cuthbert:** I am mindful of the time. I know that you wanted to come back in, Kirsty, and two other Members have indicated that they want to come in on this point.

[111] **Christine Chapman:** May I quickly pick up on the video-conferencing issue, because the evidence that we heard yesterday was that it can work well, but that, if you are talking about a class of 10 or more pupils, there are issues. The devil is in the detail with this, as it should be. I do not want to appear to be a Luddite as far as new technology is concerned because it has a huge role to play, but it is important that we ensure that standards are always improving and not worsening.

[112] **Jeff Cuthbert:** That was more of an observation than a question. Andrew can come in on this point and then we will move on because we are running out of time.

[113] **Andrew R.T. Davies:** On the funding aspect, I asked our witnesses a week last Thursday, how much this proposed Measure would cost to implement given that the cost is currently £32 million. You would expect the vested interest to say that it would be double or triple the current figure, but do you have any indications of how much more you will have to provide to make all of this work? Kirsty touched on the issue of the higher costs of delivery in rural areas; the learning coaches will be quite an expensive tool, and I suggest that, given what we know from the Wolverhampton model, they will be an integral part of delivering this agenda. Could you give the committee a feel for how much more you will put into this to make it work?



[114] **Jeff Cuthbert:** Before you answer that, Deputy Minister, funding structures and methodologies are included in the next group of questions from Janet, so I will ask Janet for those questions first and then perhaps you could answer them all together.

[115] **Janet Ryder:** Apart from the timing, the funding structure has been the one thing that all our witnesses have underlined. They have all said that it needs to change and that the present arrangements cannot fund these changes adequately. How can you ensure that the proposals in the proposed Measure are effective without addressing the funding issue?

[116] **John Griffiths:** What we have discussed as Assembly Members for quite a long time is how we can achieve better use of the precious public resource for the 14 to 19 agenda. Most people have long recognised that there is a great deal of duplication and that we have not made the best use of public resource. That has improved through the developments that I have mentioned, but it is still not the best use of precious public money. So, as I said, the £32.5 million that we provide annually is, in effect, pump-priming funding to achieve the necessary change, and we are confident that that is a sufficient sum of money to achieve it. In fact, I have appeared alongside officials before the Finance Committee, which is enquiring into the affordability of the proposed Measure, and we go back for a further evidence-giving session next month. I said to the committee that it is about much better use of existing public resource, which is a good thing to achieve because public resource is limited and will perhaps become increasingly so given the current economic difficulties. So, the £32.5 million gets us to a much better fit-for-purpose system. We would expect various economies to develop from the better system and for the money to be put to good use in widening the choice and strengthening the support.

[117] **Janet Ryder:** Can you give examples of where there is duplication and what the type of duplication is, and what economies you are thinking of?

[118] **John Griffiths:** We are all familiar with the duplication that is involved. One of the classic examples is where you have three A-level students in a sixth form studying French, another three students in a similar A-level class in another school a couple of miles down the road, and yet another three a few miles down the road in another school sixth form. That is not effective or a good use of public money. The proposed Measure would tackle that by taking a much more rational and cohesive across-the-board look at what should be provided and where. So, the choice will still exist but students might have to go to another institution to study a particular subject, whereas in the past, they have been able to study it in their home learning setting.

[119] **Janet Ryder:** Where would the economy arise in that example, given that the member of staff teaching that subject in each school would still be required to teach the subject in the rest of the school?

[120] **Jeff Cuthbert:** We will move on after the Minister's response to this point.

[121] **John Griffiths:** There may be staffing implications to all of this change, and various issues must be addressed around that. I am not saying that the French A-level teacher would be out of a job in two of the three schools in that example, because it is obvious that other French provision takes place in the schools at GCSE and other levels, and someone has to do that teaching. It was often the case that if there were only three children in an A-level French class, that provision was effectively subsidised by funding for lower age ranges within the school. So, it is not a simplistic exercise but over a period of time as things develop, there will be greater specialisation within schools and colleges that will lead to different staffing structures. I think that we will get to a situation where there is much better use of public resource by institutions concentrating on certain areas—*[Interruption.]*

[122] **Jeff Cuthbert:** Hold on, Kirsty.

[123] **Kirsty Williams:** With all due respect—

[124] **Jeff Cuthbert:** I would be grateful if you could indicate if you want to come in. I am concerned about the time, because we are scheduled to finish at 11.00 a.m.—

[125] **Andrew R.T. Davies:** We could extend the session.

[126] **Jeff Cuthbert:** If we do, that is fine, because I want to cover as much as possible in today's meeting. So, I will let you come in on this, Kirsty, and we will move on after the Minister's answer.

[127] **Kirsty Williams:** With all due respect, John, you have not answered Janet's question. Why do the cost savings occur in that situation? Potentially, it could cost you more because someone will have to pay to transport the students to the various institutions where the French A-level is being taught or, if you do it by video-conferencing, someone will have to pay for the technology and for a supervisor to sit in the room with the students who are receiving their lesson via the video-conference link.

10.40 a.m.

[128] **John Griffiths:** We have already funded the development of a video-conferencing infrastructure, and we have built funding around that which we intend to continue. As I said, we provide £32.5 million annually, which is about achieving a change towards a new and better way of doing things; it is, in effect, pump-priming money. That will continue until 2012, I think, when the money will be mainstreamed. We are talking about developments over time. When we get the new system fully up and running, that will be a much better use of public resources, I would argue, because you will get greater specialisation, which has implications for how schools are organised, including their staffing structures. We are talking about developments over time and that is the light in which we have to look at that.

[129] **Jeff Cuthbert:** On this point, I will now allow a final brief question from Andrew, which I know will get a brief response.

[130] **Andrew R.T. Davies:** I want to seek some clarification, if I may. Deputy Minister, you believe that, in the current budget of £32.5 million, there is sufficient waste—you say 'economies', but I interpret that to mean waste—to be re-jigged to fund the proposals contained in this proposed Measure, and therefore you did not make a request to the Minister for finance for more resources to deliver this. The evidence that we have had is that it will cost significantly more if you want it to be a success. The line that you seem to be falling back on is this: 'A significant portion of the £32.5 million that has been put in so far has been wasted, so we can get economies out of that to pay for the extra transport, the learning coaches, the development of institutes, and collaboration'.

[131] **John Griffiths:** No, I did not and would not say that any of the £32.5 million was wasted. However, I do say that the current way of delivering education for 14 to 19-year-olds is not as efficient as it should be.

[132] **Andrew R.T. Davies:** If it is inefficient, it is wasteful.

[133] **Jeff Cuthbert:** Hold on. Let John reply.

[134] **John Griffiths:** It is not as efficient as it should be because there is duplication, as we all know. The £32.5 million has been provided to achieve the necessary change from the

system that existed before we took forward the 14-19 learning pathways policy to the new and much better way of operating and delivering education. So, the £32.5 million is pump-priming money to tackle the inefficiencies in the system, as well as to provide much greater choice and support and to up attainment and participation.

[135] **Jeff Cuthbert:** I want to move on now. There may be opportunities—

[136] **Andrew R.T. Davies:** It is quite a fundamental point.

[137] **Jeff Cuthbert:** I am not disputing that. As I said, we have additional time during the next four weeks when we may be able to return to this point, depending on the other evidence received. Janet, could we move on to your final group of three questions? I would suggest that question 19 about timetabling has been addressed already.

[138] **Janet Ryder:** I am not satisfied with that, Chair.

[139] **Jeff Cuthbert:** Well, it is your question, so it is up to you.

[140] **Janet Ryder:** More than one local area curriculum can exist within a local authority area. What practical difficulties might arise for individual institutions or those responsible for planning and delivering local provision if an LEA has more than one local area curriculum?

[141] **John Griffiths:** Given that much of this agenda is about maximising choice and providing flexibility, allowing for that is very much in keeping with what the proposed Measure is all about. Any difficulties are certainly not insurmountable. Again, it is a matter of working with the networks and all the key stakeholders to overcome any problems, just as we have on the development of policy and delivery until now.

[142] **Janet Ryder:** Some evidence suggests that the geographic size of some LEAs may make the delivery of collaborative and especially vocational provision more difficult—and we have touched on this in relation to rurality. How will you avoid a postcode lottery of provision developing, given that you said at the beginning of this meeting that it is your view that legislation is the only way to ensure choice for everyone?

[143] **John Griffiths:** There will have to be uniformity in delivering the minimum number of choices and co-operation to maximise the choice beyond that, because that will be in the proposed Measure and so will be a statutory requirement. The proposed Measure will deliver a consistent approach and that standard of choice and support right across Wales, because it will be enshrined in law.

[144] **Janet Ryder:** I will go back to the question that Kirsty Williams asked. Are you prepared to acknowledge that heavier funding may be needed in some areas to provide this?

[145] **John Griffiths:** All the funding formulae recognise that fact and incorporate it.

[146] **Janet Ryder:** I will ask question 19, Chair. Some respondents to the consultation suggested synchronising the timetables as a pragmatic approach for neighbouring institutions to take in delivering local curricula. We have also heard that there may be problems with tackling that. Deputy Minister, you said in your evidence—and please feel free to dispute this if I heard it incorrectly—that you are satisfied that all colleges and schools now work to a common timetable. Are there areas where college years and terms run differently to those of schools, and where the college day is timed differently to school days? If so, how much work still needs to be done to create a common timetable?

[147] **John Griffiths:** I have not said, nor would I say, that they are absolutely the same. I

said that a good deal of progress has been made towards marrying up the timetables and working practices of colleges and schools right across Wales, and that has developed through the 14-19 learning pathways policy. It is stronger in some areas than in others, just as development is stronger in some areas than in others generally, but we want to provide an element of flexibility. As long as the required choice and support are delivered, the statutory requirements will be met. There has to be some degree of bringing timetables together, but the approach adopted in some areas could be different to that in others. Some may go for timetables that are closely aligned, but often it will be a matter of selecting just two days a week for common timetabling. Schools have to deliver the national curriculum, and the proposed Measure will impose additional requirements, but they have to make sure that they satisfy all the requirements. So, there will be flexibility, but, in delivering the statutory requirements, there will have to be closer alignment than is currently the case.

[148] **Janet Ryder:** In how many areas is there work still to do?

[149] **John Griffiths:** In all areas, there is still some work to do.

[150] **Jeff Cuthbert:** Deputy Minister, this session is scheduled to finish at 11 a.m.. Are you able to stay beyond that time? I am not sure how the other Members are fixed for time, but we might be looking to hold a further session during the extra four weeks that we have. I do not want to rush questions unnecessarily.

[151] **Andrew R.T. Davies:** I would opt for another session, Chair, rather than trying to go on. I have things that I have to get done after 11 a.m., and so I suggest that we finish on time.

[152] **Jeff Cuthbert:** Fine. That is what we will do. The clerk will communicate with your department, Deputy Minister, to see what can be arranged within our extended timescale.

[153] We will use our remaining time fully, so we now move on to the next set of questions, which are from Andrew R.T. Davies.

[154] **Andrew R.T. Davies:** These questions relate to transport. In answer to an earlier question, you touched on the possibility of lecturers and teachers moving between institutions. What do you see as being the main transport issues? Regardless of how efficient we try to be, there will be movement between institutions in providing learning opportunities to students, which will be quite disruptive. So, how will you reduce the length of journeys that learners need to take?

[155] **John Griffiths:** We want to minimise travel for various reasons, one of which is that we want our young people learning in classrooms rather than travelling on buses. Environmental issues are also another factor to consider. As you mentioned, Andrew, having teachers and lecturers travel rather than students is important. We mentioned video-conferencing possibilities and blended learning, which is particularly important in rural areas.

10.50 a.m.

[156] Vocational provision is often delivered in blocks of day-long learning sessions, which I think is useful, because the travel is restricted to the start and the end of the day, which students would do anyway. So, the nature of vocational provision lends itself to minimising transport difficulties. However, in taking this policy forward, a good deal of consideration will be given to minimising travel difficulties and certainly minimising travel times, for the reasons outlined.

[157] **Jeff Cuthbert:** I would like to clarify a point. Whether it is the learner or the tutor who travels will be determined to a significant degree on the environment and the equipment that

may be needed for the delivery of that particular learning.

[158] **John Griffiths:** I accept that, Chair. That is why it is useful that vocational education is often delivered in a full day, because it means that there is just the normal travel at the beginning and the end of the day and requires no in-day travel.

[159] **Andrew R.T. Davies:** A fortnight ago, the Learner Travel (Wales) Measure 2008 was passed by the Assembly. I know that that Measure does not relate to this kind of travel, particularly mid-day travel, but would you like to see its provisions incorporated in this proposed Measure, so that those transport safety nets are in place for students travelling during the day as a result of this one?

[160] **John Griffiths:** We had the debate on the Learner Travel (Wales) Measure 2008 recently, did we not? We are where we are with it. There may be further changes, which Ieuan Wyn Jones outlined during the debate. However, we know the current situation and we will take the proposed Measure forward in that context.

[161] **Andrew R.T. Davies:** We knew that the proposed Measure was coming through, so why did you not talk to the Deputy First Minister and Minister for Economy and Transport to ask to incorporate the benefits of the Learner Travel (Wales) Measure 2008 in it, to make sure that students were covered by it? It seems as though there was no engagement. You said that we are where we are, but that is not much comfort, really.

[162] **John Griffiths:** I am just stating the position. The factors around education and training in Wales, including the 14-19 learning pathways policy, were very much factored into our consideration of the Learner Travel (Wales) Measure 2008, because it was taken forward in light of how learning and training is delivered in Wales. That has involved travel between schools and colleges for some time, so it was taken forward knowing that that was the reality. In no way was the proposed Measure and what the proposed Measure will bring ignored in formulating policy on the learner travel Measure. As you know, there has been this interchange between schools and colleges for several years.

[163] **Kirsty Williams:** Deputy Minister, regardless of the difficulties of travelling during the day, which the Learner Travel (Wales) Measure 2008 specifically excludes, that Measure is based on the geographical distance between the student and the place of learning. It is based on the 'nearest school'. That is the wording of the proposed Measure. If student A wants to study A-level A but it is not available in his nearest school, under the current law, he does not qualify for free transport, and yet your proposed learning and skills Measure will give student A the legal entitlement to study a range of options. How do you marry the two together? You are giving the student a legal right to study a range of options that you have admitted yourself may not be available in the student's 'nearest school', but the learner-travel law is based on the distance from the pupil's home to the school. Choice goes out of the window if you are a pupil who has to take a subject in the nearest school because you do not have the financial wherewithal or the support to get to the other institution that is not covered by the Learner Travel (Wales) Measure 2008. How do you marry the two entitlements when they are so obviously poles apart?

[164] **John Griffiths:** The law on education applies right across the board, and it is not unique to the proposed Measure, is it? If we look at choice in general, the position that you outlined applies. What we have said to local area networks is that travel will be important. We want it to be minimised, as I said earlier, for various reasons, but we expect travel arrangements to be at the forefront of the deliberations of the local area networks and that any travel difficulties are addressed in taking forward the choice that we want to see. We must allow the local area networks the flexibility to decide for themselves on the best way of addressing these issues, but it could be addressed in guidance. Perhaps Mark can say

something on what we expect of local area networks in this regard.

[165] **Mr Leighfield:** The practice, as it currently stands, is that via the annual network development plan allocations, it is possible to apply for transport funding and to fund the transport for those types of arrangements to which you have referred. There are a number of cases where ANDP funding has been used to fund the transport involved. In terms of how that might work in future, one thing that we were keen to avoid was an open-ended commitment to looking at funding for transport in terms of environmental considerations. We were looking for a development that would look at minimising transportation whenever possible, and, therefore, for there to be a case-by-case analysis of the transport needs being proposed, with a view to other possibilities always being explored, such as videoconferencing, e-learning and blended learning, as a way of minimising that cost. At the end of the day, where it is in the learners' interest, transport should be minimised, whenever that is possible.

[166] **Kirsty Williams:** With due respect, let me give you an example of practice as it currently stands and the reality of what people are dealing with on a day-to-day basis, which I see in my constituency all the time. I know of a student who wants to study A-level drama, which is not a particularly weird and wonderful subject, so you would expect it to be delivered in most schools. However, his nearest high school does not offer A-level drama. Another school in the local authority area does offer it, and he has been accepted to study on that course, because he is suitably qualified. Despite all the funding that you say is made available for the council to deal with these things, it absolutely refuses to pay for transport to the second school, because the student lives closer to the first school. His desire to study A-level drama goes out of the window, because the transport considerations take precedent. That student is lucky enough to have the parental support and the financial wherewithal to pursue his choice, above and beyond what the local authority is able to pay for.

[167] The issue is that, on the one hand the Deputy Minister for Skills is saying, 'We will give you the right to choose the subjects you want to choose', but the Minister for transport is saying, 'Ah yes, but we will only transport you to your nearest school, regardless of what that institution offers'. Unless we come up with some way to marry those two policy stances, students will continue to suffer as mine currently do and they will only be able to pursue choices actively in the school or college that is nearest to them.

[168] **Jeff Cuthbert:** I appreciate that you will not have knowledge of the particular case that has been referred to—

[169] **Kirsty Williams:** It is an example.

[170] **Jeff Cuthbert:** That was the point that I was going to make. So, if you want to, please comment in general, and then we will have to draw this session to a close.

[171] **John Griffiths:** I am not sure that there is a lot that I can add to what I said and to what Mark said on that front. We want to minimise travel for good reasons in terms of learners spending time learning rather than travelling and because of the environmental factors. An open-ended commitment from the Welsh Assembly Government to fund any travel costs involved in exercising choice would work against those strong policy factors. However, we have recognised the importance of travel in this agenda and of travel costs in terms of the funding that is made available. I know that many colleges, for example, have met the travel costs of 14 to 16-year-old students who travel to those colleges. Area network funding has been used to meet travel costs, as Mark mentioned. Therefore, these issues have been addressed, and they will continue to be addressed. However, we do not feel that the sort of open-ended commitment that Kirsty is, perhaps, looking for would be productive in terms of those policy matters that I mentioned—maximizing time in the classroom rather than travel, and environmental issues.

11.00 a.m.

[172] **Jeff Cuthbert:** Thank you, Deputy Minister. I am going to draw this meeting to a close now. We have more questions to deal with; this meeting was scheduled before we knew that we were going to have additional time. Therefore, all things being equal, it is important that we invite you back at a suitable time, when we can complete these questions, and any others that may arise as a result of the evidence of other witnesses. I am aware that you are going back to the Finance Committee—in early November, I believe—so whatever comes out of that meeting will be enormously useful for us. I thank you and your officials for attending this session.

[173] Before we close the meeting, can we agree that, when the great majority of us meet on Thursday at 11 a.m., that meeting will be in private, when we will consider what we want to do with the additional time that we now have? We will try to identify slots to have the Deputy Minister back. Do we agree that that meeting will be in private? I see that you are all in agreement. Thank you. I thank everyone for their attendance this morning, and I declare the meeting closed.

*Daeth y cyfarfod i ben am 11.01 a.m.*

*The meeting ended at 11.01 a.m.*