

EDUCATION AND LIFELONG LEARNING COMMITTEE

Date: 18 June 2003
Title : Minister's Report

1. As this is our first formal meeting, I thought that it might be helpful to cover, in brief outline, the very major agenda that is in train on education and lifelong learning as well current issues of interest.

1. THE POLICY AGENDA:

2. Key themes run through the approach taken to education and learning in Wales, as set out in the Learning Country and later documents:
 - to put the learner first,
 - to offer wider access and opportunities for all, at all levels,
 - to attain excellence across the board,
 - and to achieve this through partnership between all the players in the many sectors and interests that make up education and lifelong learning. The review below does not attempt to cover every element of our wide portfolio, but it does seek to set out some key achievements and action in major areas.

Early years

3. There is a clear consensus on the importance of early years provision. We cannot achieve higher standards of attainment unless we have put the right foundations in place. So, in line with our strategic objective of 'giving every child a flying start' we have:
 - Agreed to fund early years education for all three year olds whose parents want it - we have provided £16m this year for this purpose;
 - Invested £3.2m in establishing 11 new integrated centres for early years provision - with more planned this year; and,
 - Expanded the family literacy and numeracy schemes - giving parents the opportunity to improve their own skills as well as their children's.

Looking forward, we have consulted upon the development of a Foundation Phase and will be considering the way ahead with a view to setting out our action plan in the Autumn. I will be consulting on the implementation of our primary school breakfasts' proposal in due course. Taking forward our commitments in laith Pawb we shall invest an additional £7m over 2005-2007 to extend Welsh medium provision including through sabbaticals for early years workers and teachers.

Schools

4. There are over half a million pupils in our school system and a key priority has been to ensure excellent schools which deliver the highest possible

standards of teaching and learning for all our children. We are investing school buildings and in teachers. We have:

- Provided significant resources for school capital. This rises to £139m per annum for 2005-06 onwards.
- Reduced infant class sizes and junior class sizes. The average primary class size is now under 25 pupils, the number of pupils in junior classes of over 30 has come down from 29% to 17% in September 2002 and is set to fall again in September 2003.
- Promoted higher standards in schools. The Chief Inspector's reports have charted the steady improvement and the latest report shows that 97% of classes are satisfactory, good or very good. Fewer pupils than ever before leave full time education with no qualifications - down 16% since 1999.

The agenda for the future includes:

- Continuing work to "Narrow the Gap" in the performance of our least well and our best performing schools. We have to tackle that challenge if pupils in less advantaged areas are to have equality of opportunity with their peers. Work to improve our evidence base through improved statistical collection is also underway.
- Consulting on - and supporting schools and LEAs in – the development of the school as a community resource.
- Continuing to support local authorities to improve the school stock by ensuring that capital funding streams allow authorities to undertake larger scale school building projects and giving attention to facilities for regional SEN provision.
- Supporting school and LEA partnership through provisions in the Education Act 2002 as well as introducing school councils in every school.
- Taking forward our own distinctive approaches to supporting schools and local authorities in tackling disaffection and truancy.

Teaching

5. We continue to support measures to support, recruit, retain and reward practitioners. We have:

- Secured legislation for and established the General Teaching Council for Wales to further the professional development and standing of teachers.
- Introduced a pilot range of individually -orientated continuous professional development opportunities for teachers; induction and early professional development for new teachers; and piloted support for the leadership group including the Professional Headship Induction Programme for newly appointed headteachers that is unique to Wales.
- Initiated performance management arrangements for schoolteachers that will raise standards and help teachers identify their development needs.

These programmes help sustain a successful teaching profession. We shall also take forward work on reducing bureaucratic burdens and reducing

teachers' workloads including through additional administrative support for schools.

Learning for life

6. The focus for learning has not simply been upon the school. Learning opportunities need to be provided for all and the barriers to learning removed. We have:
 - Begun piloting a Welsh baccaulaureate
 - Consulted on a new approach to learning for 14 to 19 year olds under Learning Country: Learning Pathways.
 - Ensured that two thirds of 16-18 year olds continued their education, at school or at further or higher education institutions and introduced "**Extending Entitlement**" a "made-in-Wales" approach to all elements of young people's learning, economic and recreational activity with implications for their health and wellbeing and the lives and vibrancy of our communities.
 - Produced a **Skills and Employment Action Plan** based on the previous Future Skills Wales research with recommendations of the Wales Skills Taskforce. Over its first year 39 measures have been implemented and 14 are in the pipeline.
 - Introduced the first **all-age advice and guidance service** through Careers Wales
 - Introduced the new Assembly Learning Grant in a pathfinder year.
 - Introduced an all age Basic Skills Strategy for Wales.
 - Commenced the 2003 Future Skills Wales major survey to update our evidence base and contribute to the development of a refreshed Skills and Employment Action Plan for publication in draft format early in 2004
 - Created **new opportunities for work based training** through an all age skills programme - a Made in Wales policy and driven forward on **Modern Apprenticeships** by removing all of the age limits and introduced the Modern Skills Diploma for Adults. We are well on the way to reaching the challenging target set out in 'A Plan for Wales' of 14,000 people in training on an apprenticeship or the Modern Skills Diploma for Adults by 31 March 2004.
 - Established the National Council - ELWa, on schedule following the Learning and Skills Act 2000 - a major step forward in the creation of a coherent structure for post 16 education. Despite our collective concerns at some elements of the Council's programmes, we must note that the Council has already done a great deal to make post 16 provision more learner focused; and its prospective planning and funding arrangements, together with the development of CCETs, has the potential to transform provision in the years ahead. In its first full year of operation, ELWa fulfilled ambitious targets for Further Education, Individual Learning Accounts, Modern Apprenticeships, the Modern Skills Diploma for Adults (MSDA) and Work-Based Learning for Adults. 25,000 young people started work based learning and there were 305 Innovation and

Development Fund projects; innovative Company Learning Accounts, Networks of Excellence and e-learning developments were introduced.

- Set in train a major initiative to bring **pay levels in the FE sector** into line with those in the schools sector in the interests of equity, retention and the maintenance of high standards
 - Set out a strategy for Higher Education in Wales; “**Reaching Higher** reaffirmed our commitment to the sector in Wales which has seen a four fold increase in the number of 5* departments in the 2001 **Research Assessment Exercise** and has supported widening access and participation. **HEIs** in Wales are already consistently outperforming UK averages in attracting a wide social mix of students and of working with groups and communities which are under-represented in higher education.
7. The next 12 months will see our continuing programmes to boost skills levels in adults so that no-one is left behind. The pilot of the Welsh baccalaureate will start and we shall begin to implement our new approaches to the 14 to 19 phase taking forward the results of our recent consultation. A new survey of employees and employer’s skills needs - the 2003 Future Skills Wales survey - will be used to inform the development of education and training for Wales for the future. From Autumn 2003, Careers Wales Online, an innovative interactive Website will be piloted throughout schools and colleges so that Careers Wales can provide quality advice and guidance in ever more relevant ways. The Assembly Learning grant will continue to support access to further and higher education and projects such as Aim Higher will encourage young people from all backgrounds to go to university. We shall continue to support the establishment of widening access partnerships and reconfiguration projects in HE, for which £5m has been provided to date.

2. ISSUES OF CURRENT INTEREST

Foundation Phase

8. I launched the Consultation Document on the Foundation Phase on 12 February 2003. This provides detailed proposals following on from commitments made in the Learning Country. It seeks to integrate the existing Desirable Outcomes with Key Stage 1 in a new Foundation Framework for Children’s Learning.
9. The consultation period ended on 30 May. During the intervening period, officials held 22 individual seminars with LEAs in Wales as well as with a range of teaching unions. These seminars involved over 3,000 practitioners. The general consensus throughout has been strongly in support of it and this has been reinforced by well over 900 written consultation responses. These are now being analysed and I hope to be able to provide a Plenary Statement in July.
10. I believe this to be one of the most important and exciting initiatives we have undertaken in Wales under the Learning Country banner. The implications are profound and far reaching and provide the potential to transform the life choices of all our youngest children and to lift standards and expectations in the early years.

Special Educational Needs Tribunal For Wales

11. Under the provisions of the Education Act 2002, the Assembly has now established its own separate SEN Tribunal for Wales, which is based administratively in Llandrindod Wells although cases will be heard at locations near the individual appellants. This will be an appellate body considering principally unresolved disputes over Statements. It will begin receiving its first cases from September 2003 and will start hearing them from November. In addition, it is to act on behalf of the Department of Work and Pensions in hearing disability cases, but because disability is a reserved function it will do so against criteria and procedures established on an England and Wales basis.
12. While SEN is a devolved function, the appointment of the President and the Chairs are regarded as judicial appointments and have, therefore, been reserved to the Lord Chancellor. He has appointed Mrs Rhiannon Ellis Walker, who is a Welsh speaker, a District Judge with the Chester and North Wales Circuit and also the Finance Director for Redrow Homes to this part time post.

Narrowing the Gap in the Performance of schools Phase 2 Study

13. The Partnership Council agreed, in July 2002, to a second phase for the Narrowing the Gap project covering :
- early years and transition to primary school;
 - narrowing the gap in primary years;
 - the place of the primary school within the wider community;
 - how primary/secondary clusters and groups of primary schools can work effectively together.
14. As for the first phase of the study, there is a Steering Group made up of Assembly Government and WLGA officials and representative of other key education partners including Estyn, the teacher unions, GTCW, ACCAC. Oversight is to be provided by a small group of elected Assembly and Local Government members including myself, the WLGA education spokesperson (Councillor Jeff Jones), the Chair of the Education and Lifelong Learning Committee and a second WLGA nominated representative. I have written to Peter Black seeking a representative of this Committee.

Estyn's Annual Plan 2003-04.

15. I have agreed Estyn's Annual Plan for 2003-04. The plan was prepared in accordance with s87 of the Learning and Skills Act, 2000 and ensures that Estyn's work complements the Government's Learning Country agenda. It provides an outline of strategic priorities for 2003-06 and also sets out details of the inspection and advice to be provided in 2003-04. The plan has been published on Estyn's website (www.estyn.gov.uk).

ELWa National Council: Chair

16. Following concerns highlighted by the Auditor General, ELWa have produced a recovery plan to address fully the problems identified. Subsequent to its decision on restructuring, the National Council – ELWa will recruit a new Chief Executive and Director of Finance. I also want to inform Committee that the Chairman of the National Council - ELWa has written to me, advising that she will not be seeking re-appointment when her current term ends in October 2003. An advertisement for the appointment of Chair will go out next week. The Chairman has agreed to continue in her appointment until a successor takes over. As the Committee has yet to decide its nominees on appointments, I will be writing to party spokespersons on these appointments in keeping with the Public Appointments procedure

Assembly Learning Grant

17. I announced on 21 March that the Assembly Learning Grant would again be available for the 2003/04 academic year. Following the low take-up of the grant by further education students in the scheme's pathfinder year, the publicity – particularly at a local level – will be carefully targeted at this sector.
18. For 2003/04 I intend that the scheme remains largely unchanged, with only minor amendment to clarify the eligibility criteria, and the increasing of income thresholds in line with inflation.
19. I shall also be commissioning an evaluation programme to measure in greater detail the effectiveness of the scheme and to provide additional data to enable consideration of ways in which the scheme may be augmented in future.

Devolution of Student Support

20. On launching the UK Government White Paper on the Future of Higher Education in January, Charles Clarke, the Secretary of State for Education and Skills opened discussion with the First Minister, myself and Secretary of State for Wales on proposals for devolving elements of the student support system to Wales.
21. Following discussions between the Secretary of State for Wales, the Secretary of State for Education and Skills and myself on 10th March, Charles Clarke wrote to confirm that he has asked his officials to work with Assembly officials to scope fully the financial and other implications of the Assembly taking responsibility for student support, including the key issue of variable fees.
22. Power over setting the fee cap will enable the Welsh Assembly Government to fulfil its manifesto commitment that there will be no variable (top-up) fees in Wales during the lifetime of the second Assembly, ie until 2007. Variable fees have been neither ruled in nor ruled out thereafter.
23. A transfer with effect from 2006 admissions is one of the possibilities being considered. The intention would be that the proposed HE Bill would provide the Assembly with discretion over the timing of any commencement. I will report more findings at the next committee.

Secondary Legislation

24. The planned Secondary legislation for 2003-2004 terms is attached and I shall be advising the Committee of changes to it at each monthly report. There are a number of areas to which I should like to draw your attention.
25. The Education Act 2002 Commencement Order Number 2 is attached in full for your information. Specific consultations on the components are covered below.

Consultations issued in April 2003

26. On 31 March the Welsh Assembly Government published four key consultation documents arising from the school funding and school governance provisions in the Education Act 2002. The consultations above were produced following consideration by a reference group involving Assembly government officials and external partners including the teaching unions, Estyn, ACCAC, Association of Directors of Education (ADEW), WLGA and Governors Wales. The consultation periods for all of the documents have now ended. The documents themselves are available on the learning Wales website. The four documents are:

Consultation on Guidance on the Procedures for Dealing with Complaints to Governing Bodies – Section 29 of the Education Act 2002

27. This covers guidance on the procedures to be used by governing bodies when dealing with general complaints from parents, members of staff, governors, members of the local community and others. These arrangements are not intended to cover complaints on issues where other statutory complaints arrangements already exists ie curriculum, SEN provision, staff disciplinary and capability procedures, RE, sex education etc.
28. The guidance sets out the legal framework, and focuses on the general principles for handling complaints and the various stages of a fair complaints procedure. In light of responses to this consultation, a guidance circular will be issued for the start of autumn term 2003 when section 29 of the Education Act 2002 is expected to come into force.

Consultation on School Forums – Section 43 of the Education Act 2002

29. Every LEA will be required to establish a school forum to consider the budget for its schools every year. The forums are key to developing informed and confident dialogue between LEAs and schools on budgetary issues, including schools' funding needs, for the year immediately ahead, pressures on the subsequent two years' budgets, changes to the local funding formula and reviewing contracts and service level agreements for LEA services to schools. The consultation invites comments on proposed regulations and guidance on school forums.
30. In light of responses to this consultation the Welsh Assembly Government will prepare draft regulations and associated guidance which will be the subject of further consultation exercise in July 2003. It is expected the requirement to put forums in place will come into force on 1 November 2003.

Consultation on the Replacement of the Financing of Maintained Schools Regulations 1999 (as amended) – Sections 41 and 42 of the Education Act 2002

31. This consultation invites comments on regulations to replace the current Financing of Maintained Schools Regulations 1999. These new regulations will consolidate amendments that have been made since 1999 as well as covering new provisions contained in the Education Act 2002. The main changes relate to the new definitions introduced in the 2002 Act in place of the existing local schools' budget (LSB) and the individual school's budget (ISB) definitions. The document also seeks views on possible changes to the requirements for local funding formula.
32. Draft regulations and associated guidance will be prepared in light of responses and will be the subject of further consultation later in the year. It is expected that the new arrangements would come into force in January 2004 for the 2004-05 financial year.

Consultation on Guidance on Community Focused Schools – Sections 27 and 28 of the Education Act 2002

33. These powers allow governing bodies to provide facilities and services that benefit pupils, their families and the local community; and provide flexibility for governing bodies to enter into agreements with other partners to provide services on the school premises, providing they do not interfere with normal day to day schooling.
34. The consultation document seeks views on the guidance which should be given to governing bodies to assist them in developing a community focus or extend existing provision to help meet the specific needs of their pupils, their families and the local community. Following responses to the consultation substantive guidance will be issued in for the start of autumn term 2003, when sections 27 and 28 are expected to come into force.

The Education (Information About Individual Post-16 Pupils) (Wales) Regulations 2003'

35. The National Council has been working closely with Assembly officials to establish the least burdensome system of data collection of information on pupils in maintained school sixth forms to underpin their new funding methodology. To this end a Post-16 PLASC return will be introduced from September 2003 for all maintained schools in Wales which have designated sixth forms. To ensure that a sound legal basis exists for the collection, exchange and use of the required data, new secondary regulations are required to be in force by the first data collection date of 30 September 2003. This tight timescale coupled with the timing of summer recess and the priority that I felt should be attached to inclusion of a public consultation process on this matter will require the regulation to be made over the summer recess. Consultation has begun and the document '**The Education (Information About Individual Post-16 Pupils) (Wales) Regulations 2003'** may be viewed on Learning Wales shortly. I shall however also arrange for members of the Committee to receive a hard copy. The consultation exercise includes all secondary

schools in Wales, unions and appropriate partner and interested organisations.