

## Education and Lifelong Learning Committee

**Date:** 19 November 2003

**Title :** Minister's Report

**1. This report updates the Committee on specific issues raised by members and on issues of current interest. Annex A sets out major engagements since the last report.**

### **2. Iaith Pawb**

The draft budget made explicit provision for the additional commitments made for 2004-2005 in Iaith Pawb formally launched in January 2003. This means an additional £2m into the early years and pupil support BEL to improve and increase the training and provision of early years Welsh medium and bilingual provision. Further details on the use of this will be provided to the Committee as details are firmed. Welsh immersion pilots will also begin in primary schools from May 2004 and a further tranche in September 2004. This is in addition to resources to increase the Welsh medium incentive supplement and to provide further Welsh medium curriculum materials through ACCAC – where resources will be provided in year.

Supporting growth in Wales culture of bi-lingualism will not be a quick or easy process but the Government is committed to its action plan and the continuing development of our commitment to Welsh. Iaith Pawb set out too how far we have come in this aspect over recent year from making Welsh a compulsory subject for almost all pupils aged 5 to 16 to the growth in learning of Welsh by adults. Since the launch of Iaith Pawb, actions taken forward have included

- an audit of current provision of training and development needs for Welsh-medium and bilingual early years education has been commissioned;
- ensuring that bilingualism is a separate area of learning within our Foundation Stage proposals
- remitting ACCAC to advise on issues of linguistic continuity and measuring pupil progress along a linguistic continuum
- arranged for initial discussions to be held with LEAs about defining Welsh-medium provision
- funded the appointment, from September 2003, of a project director to develop and implement pilot projects to establish second entry points into Welsh-medium education
- remitted the National Council to ensure that the range of opportunities to enable Welsh-medium learning continues throughout life. ELWa has developed a comprehensive strategy to 2010 for bilingual learning in the post-16 sector which covers the full range of its operations for both adults learning Welsh and learning through the medium of Welsh. The Council approved the

strategy in January 2003 and will publish it as part of ELWa's forthcoming Welsh Language Scheme, which is to be released for public consultation in the coming few months. It comprises a three pronged approach to improve provision by: planning provision better; investing in learning resources; and training practitioners. Its aims are broadly to contribute towards increasing the number of people who can use Welsh effectively in their working and private lives and to help increase the number of persons with Welsh language skills available to employers.

- required the Sector Skills Development Agency to ensure that as a condition of their licence Sector Skills Councils have a Welsh language Scheme.

### **3. Teachers Workload**

This year, in anticipation of the changes to the teachers' contract that come into effect in September, I provided local education authorities with £3m for additional support to help schools transfer administrative tasks from teachers to other staff. Many schools will simply be able to reassign duties amongst existing staff. Smaller schools in rural areas, however, may have less flexibility to reorganise the work of existing staff and may need to find other ways to implement the changes. LEAs were asked to target the £3 million at such schools, LEAs can also use the £3.5m grant for small and rural schools for this purpose.

The Assembly's draft budget for 2004-05 proposed £152m increase in the local government revenue settlement, which includes £30m to meet the anticipated costs of implementing the National Agreement next year. This is in addition to the £3m identified in the ELL MEG for administrative support in schools next year which we intend to include in the revenue support grant making £33 million in total for teachers' workload.

The WLGA have estimated that the cost of the Agreement will be £17.1m in 2003-04, rising to £44.1m 2004-05. These estimates take no account of the existing position of many schools, or the contribution already made by support staff, and the extent to which support staff can in the future take on functions currently carried out by teachers.

### **4. Schools Admissions Policy Guidance**

The School Standards and Framework Act 1998 introduced a requirement for a Code of Practice for School Admissions. This Code was published in April 1999 and a further Code of Practice on School Admission Appeals in September 1999.

These Codes reflect the requirements brought in by the 1998 Act for admission authorities to consult each other on school admission arrangements and to determine and publish their admission arrangements annually.

The essence of schools admissions policy is that all parents should be able to express a preference for the school they wish their child to attend. To make an informed choice they need clear information and

every LEA must each year publish an admissions document for parents setting out basic details about their schools, which ones tend to be full, and the criteria which will be used for allocating places if schools are over subscribed.

Parents' preferences must normally be complied with unless the chosen school is full. If there are more applicants than places the admission authority (usually the LEA) must apply their published over-subscription criteria. Criteria often include residence in a catchment area, attendance at a feeder primary school, sibling links, medical or social grounds, or in the case of schools with a religious character, affiliation to the designated denomination. Selection by ability is not permitted except where this was in place in 1997; the law permits a degree of selection by aptitude. Only one school in Wales has a partially selective admissions policy.

Those refused a place may appeal to an independent Appeal Panel.

On the whole we do not experience the same degree of difficulty with school admissions issues in Wales as arises in certain parts of England. Most children in Wales attend their neighbourhood school with fewer parents expressing preferences for other schools than is the case in parts of England. In addition we do not have large numbers of different admission authorities operating in the same area (foundation and voluntary aided schools are their own admission authorities but there are relatively few of these in Wales).

Nevertheless we have recently been consulting on some changes to admissions arrangements in light of provisions in the Education Act 2002 which have yet to come into effect in Wales. All ELL Committee members will have received a copy of the consultation document "Changes to School Admissions Procedures" issued in July.

The first change which we intend to introduce is the requirement that an admissions forum should be established in every LEA, to ensure that those with an interest in schools admissions meet regularly to review arrangements in each area and seek consensus. The Education (Admissions Forums) Wales Regulations 2003 which set out the membership and functions of these forums are due to be considered in Plenary on 18 November.

Responses on the remaining issues covered in the consultation document are being collated. These included :

- Arrangements for setting and changing admission numbers
- Requirements for voluntary aided and foundation schools to consult annually on their admission arrangements
- Co-ordination of admission arrangements
- Changes to the admissions code of practice.

Some changes may be introduced by means of further regulations, which would be the subject of a

separate consultation. Replacement Codes of Practice will be needed once all the new Regulations are in place and will be the subject of further consultation.

## **5.Guidance On Area Schools**

Policy guidance on school reorganisation proposals, such as the formation of "area" schools to replace two or three small schools, is set out in National Assembly Circular 23/02.

Local Education Authorities have the responsibility for reviewing the school provision in their areas and proposing change where they feel it is necessary. This might be because of population changes and surplus school capacity; deteriorating or inadequate school buildings; difficulty in maintaining educational standards; or a need to create larger educational units in order to effectively and efficiently deliver the full range of the curriculum.

The Assembly Government reviewed policy on small and rural schools about two years ago. The Committee recognised at that time that whilst there are many excellent small schools in Wales they can face particular challenges and it may sometimes be best for the provision of high quality education in rural areas to reorganise provision. Our policy does not mean that rural schools should always remain open, but the case for closure must be robust.

Before a new area school can be established or any school closed, the LEA must comply with statutory procedures. They must begin by consulting all those locally who may be affected by the proposals. They should always consider alternatives to closure, such as federation or clustering, and be able to demonstrate why the changes they propose are necessary and in the educational interests of local children. If, having taken into account views expressed during consultation, the LEA decides to proceed they must publish a statutory notice which allows a two month period for objections to be made. If anyone objects to a proposal the matter is referred to the Assembly Government for determination.

The criteria I apply when making decisions on disputed school reorganisation proposals are set out in the Circular.

In the last couple of years I have approved two proposals from Pembrokeshire and two from Carmarthenshire for the closure of small rural schools and their replacement by slighter larger "area" schools. Such proposals usually involve considerable investment in the new or expanded school to serve the area. These cases are not all yet fully implemented, but I have had very positive feedback from Pembrokeshire on the success of similar schemes they brought forward three or four years ago.

## **6. Rathbone/ Training Porviders**

Turning to Work Based Learning, members will recall my statement to plenary in which I announced

that ELWa had increased the budget available for this programme to some £98m. This compares with an investment of around £88m for the previous year. Now that ELWa has had time to translate this additional money into learning activity I can tell members that this makes available an additional 2200 Foundation Modern Apprenticeships and around a 1000 Skillbuild places between now and the end of the financial year. This has been welcomed by the National Training Federation and provides the platform to take the programme forward into the next financial year and beyond. With that in mind, members may be aware that adverts seeking expressions of interest in tendering for Work Based Learning contracts, appeared in the Western Mail on 6 November and this will lead to the award of contracts running from April 2004 to July 2005. To help Providers through this process ELWa will shortly hold two events, one in the North and one in the South.

In addition, and arising from my bilateral with ELWa's new Chairman, I am pleased to advise the Committee that ELWa is proposing to undertake a full review of its Work Based Learning arrangements to inform the future policy and programme development, to take effect from July 2005.

Members will know that I have been very concerned about securing the future of Rathbone trainees across South and West Wales, particularly those at the two centres which Rathbone has decided to close. I understand that the centres in Caerphilly and Haverfordwest will formally close on 26th December and any affected trainees will be paid by Rathbone up to that date. However, ELWa is currently working through expressions of interest from other providers wishing to offer alternative places to trainees.

ELWa has recently undertaken an audit of Rathbone business in Wales and I expect to hear the outcome of this shortly.

## **7. Education For Sustainable Development**

Over the recent months as part of the Welsh Assembly Government's continuing commitment to education for sustainable development (ESD) I was pleased to approve support amounting to nearly £100,000 for 6 innovative projects within the field of ESD. I also attended the last meeting of the Education for Sustainable Development Advisory Panel on 23 September 2003.

6 successful projects include the development of –

- a Sustainable Award Scheme for schools (Pembrokeshire County Council);
- a methodology for integrating ESD into the adult education and lifelong learning, particularly focussing on curriculum development (Cyfanfyd);
- a proposal to implement an all Wales approach to embedding ESD and global citizenship into initial teacher education and training (OXFAM Cymru);
- a consumer website on ESD (Welsh Consumer Council);
- an ESD module option to the academic portfolio's of the University of Wales, Swansea and the Swansea Institute for Higher Education (SIHE and UWS); and finally
- a project to prepare and pilot appropriate project material that draws together ESD and Global

## 8. Global Citizenship

The Welsh Assembly Government's set out in "BetterWales" that we want to ensure that all schools place a greater emphasis on active citizenship and giving young people fresh opportunities to engage with the wider world. The curriculum for Wales includes opportunities for children to learn about global issues including development issues. However, citizenship is a very wide and varied agenda. This emphasises the need for working in partnership. It is only through working in partnership with each other that we will realise our objective.

I was delighted, therefore, that the Welsh Assembly Government was able to join forces with the Department for International Development and established a joint Global Citizenship Working Group (GCWG). The group, which includes key partners such as Cyfanfyd, Estyn and ACCAC have a key role to play in driving this agenda forward.

The Working Group plays a key role in developing and implementing our vision for global citizenship education in Wales. It is a source of specialist advice on the policy and operational issues necessary for promoting and supporting this aspect of education in Welsh schools.

A great deal of 'creation and construction' of Global Citizenship education is currently underway. The main areas on the agenda are:

- Work on 'Education for Global Citizenship, A Map for Curriculum Planners' - secondary education. This booklet will help schools to develop a programme of Education for Global Citizenship. It will be a significant step forward in better understanding and promotion of the main ideas and areas of interest to the Global Citizenship .
- The Working Group is developing a strategy for Global Citizenship. In 5 years time to make its work and visions more transparent.
- Pilot projects in three areas in Wales are planned. The pilots will establish good practices that in future can be developed and adapted for use in other areas.
- The Working Group sees also a need for clarification of a relationship between Education for Sustainable Development (ESD) and Education for Global Citizenship, which will require further dialogue between GCWG and the ESD panel.

In addition, the recent launch of the Global Citizenship degree course at UCW Newport is seen by the GCWG as a great opportunity to develop the objectives of the Global Citizenship at the University level.

I expect to be able to report further progress to the Committee as work in this area develops.

## **9. Standing Order 19: Provisions Within The Dfte MEG 2003-2004**

I would like to inform the Committee of changes I intend to make to budgets within the Education and Lifelong Learning MEG. The changes presented at Annex C will be included in the next Plenary budget consideration which will also permit transfers into and out of the ELL MEG for 2003-2004.

## **10. Skills Concordat**

The Skills Concordat was signed on 15 October. This is a joint agreement between the Assembly Government, National Council-ELWa, the Wales TUC and CBI Wales to work together to address the key issues of skills development and productivity. It will help to guide our activities over the next few years and ensure that we are all pulling in the same direction. It contains a joint approach to priorities as well as specific actions that each partner will deliver. I believe this is a major step forward in partnership working and will help raise our competitive edge as well as tackle deep-seated issues such as our basic skills deficit.

## **11. Careers Wales**

At the Committee Meeting of 11 March 2003 I announced my intention to hold an independent Review of the Careers Wales arrangements as proposed in the Education and Training Action Plan (ETAP). The Remit of the Review was designed to encompass not only the value-for-money and effectiveness of the present 7-company arrangements in delivering the all-age careers information, advice and guidance agenda but also whether there are areas for service and business improvement.

After a competitive-tendering exercise, the Welsh Assembly Government has appointed GCL Management Consultants to undertake the independent review. I expect the Report and Recommendations to be ready by March 2004. I shall consider them and report back to the Committee in due course.

## **12. Grants To Local Authorities**

**In passing at the last ELL Committee reference was made to an Assembly question on the above. The final answer is provided at Annex D for your information.**

## **13. Thirteenth Report Of The School Teachers' Review Body (Strb) Part 1 – November 2003**

The Secretary of State for Education and Skills published the STRB's thirteenth report on teachers' pay, and his response to it, via a Statement in the House of Commons on 10<sup>th</sup> November. The report covers all the major pay changes to teachers' pay over the period April 2004 to September 2006.

Teachers' pay is not a devolved issue and the Department of Education of Skills is responsible for policy on teachers' pay and conditions of service for both Wales and England. Following details are attached for information. Copies of the Secretary of State for Education's statement, which covers all main recommendations, is attached at Annex G.

The main proposals in respect of the headline pay increase are:

- teachers' salary levels will increase by 2.5% from April 2004
- 2.5% will be paid from April 2005 and in September 2005 will be increased to 3.25%. Over the financial year 2005-06, this will be worth 2.95% to teachers;
- From 2005, September will be the new date for all future pay awards.

Copies of the STRB report, consultation letter and press release are available at: [http://www.teachernet.gov.uk/management/payandperformance/pay/strb2003/STRB\\_report\\_November\\_2003/](http://www.teachernet.gov.uk/management/payandperformance/pay/strb2003/STRB_report_November_2003/)

The Department for Education and Skills has initiated consultation on the report and their Secretary of State's response to it - the closing date for responses from statutory consultees is 12 December 2003.

A further report from the STRB (part 2) on more technical matters will be published in February 2004 – this report will be subject to a separate consultation process in due course.

## **14. Devolution Of Student Support**

Work is underway on the three-year programme designed to deliver the transfer of the tuition fee regime and student support.

I want to ensure that stakeholders in the HE sector, including students and parents, are given the opportunity to engage in the work programme. Two initial seminars have been organised to help identify project issues and risk and to give those with an interest a chance to meet the project team. The first seminar took place in Cardiff at the end of October and a further seminar will take place in North Wales in January. Information and opinion gathered from the seminars will be fed into the work programme and to the Project Board.

The first meeting of the Project Board is due to take place on 19<sup>th</sup> November. Project Board members are

Richard Davies and Lynne Hamilton from the Assembly

Natasha Hirst – President NUS Wales



Steve Martin –Chief Executive HEFCW

Ralph Seymour-Jackson Chief Executive Student Loans Company

Chris Llewellyn –Head of Education Training and Cultural Affairs WLGA

Louise Woollard HEW

We are waiting to hear from DfES for the name of their representative

## **15.Commonwealth Conference**

A written statement will be issued next week.

## **16.Secondary Legislation**

The planned Secondary Legislation table is attached at Annex B. I shall be advising the Committee of changes to it at each monthly report.

Key Stage 2-3 Transition

Proposals For Additional Inset Provision.

Despite improved results this year in National Curriculum Assessments at Key Stage 3, there is no doubt that standards at this level need to be underpinned by effective arrangements for transition from primary to secondary school.

I have, therefore, asked ACCAC and Estyn, as part of the "Aiming for Excellence in Key Stage 3 " programme, to provide materials and guidance for schools on best practice in managing transition. The first two sets of materials, "Moving On" produced by Estyn and a good practice guide produced by ACCAC and BBC Wales, will be available by March 2004. In addition, I plan to bring forward proposals at that time to implement the powers provided in the Education Act 2002 for the establishment of transition plans by secondary schools and feeder primary schools.

In the Learning Country there was a commitment that In-Service Training Education and Training (INSET) would be provided for staff development linked to improving transition between key stages. An additional INSET day was provided for all school in the 2002-03 school year. This facility was widely welcomed as a useful opportunity for primary and secondary schools to come together to review and develop arrangements for transition planning.

I have, therefore, agreed that draft Regulations be brought forward that will provide schools with the

opportunity to take an additional INSET day during the current school year and in the following two years, 2004-05 and 2005-06 for transition planning. This will enable best use to be made of the Estyn and ACCAC guidance in ensuring that there is continuity and progression for all young moving people moving between Key Stages. Officials have written to schools and local authorities providing advance notification of the proposed INSET provision. A copy of the letter is attached at Annex E.

#### Subordinate Legislation Not Required To Be Made By Statutory Instrument Under Standing Order 27

In my report to the Education and Lifelong Learning Committee on 26 June 2002 I confirmed that I had approved a list of external qualifications under section 99 of the Learning and Skills Act 2000 for the purposes of section 96 of that Act. Under Section 96, schools, institutions and employers in Wales may offer to those under 19 years of age a course leading to an external qualification, funded either by a Local Education Authority or National Council-ELWa, only if the qualification has been approved by the National Assembly for Wales under section 99.

I have since approved updated lists in:

July 2002;

September 2002;

December 2002;

March 2003 and;

July 2003.

The current list is available at the Learning.Wales website, [http://www.learning.wales.gov.uk/scripts/fe/news\\_details.asp?NewsID=422](http://www.learning.wales.gov.uk/scripts/fe/news_details.asp?NewsID=422)

The revisions take account of changes reflecting a number of issues, such as qualifications that have run out of accreditation by the regulatory authorities, qualifications that have been withdrawn by the awarding bodies, changes of title for qualifications and new qualifications that are approved for the first time.

In all the cases set out above, I have followed Standing Order 27 procedures. For the approvals in December 2002, March 2003 and July 2003 and in accordance with Standing Order 27.4, Assembly Members were given 10 working days notice of my intention to make subordinate legislation and 5 working days notice to table a motion to express dissatisfaction with the proposal. No expressions of dissatisfaction were tabled and I approved the lists.

In the cases of the approvals in July 2002 and September 2002 the timing coincided with Recess. It was therefore not possible to provide notice to members under Standing Order 27.4. However, Standing Order 27.4 also allows Ministers to make subordinate legislation of this sort, without giving Members 10 working days notice if "it is not reasonably practicable to do so". Given the technical nature of this legislation, I accordingly did so; it would not be my intention to do so again.

The Presiding Officer has been notified, as required by Standing Order 30, that the subordinate legislation has been made. Under Standing Order 27.5 I am also required to report from time to time to this committee on the subordinate legislation made under Standing Order 27.

It is intended that the list of approved qualifications will be updated at regular intervals. Subject to the timing of updates, Assembly Members will be notified, in accordance with Standing Order 27.4 before updated lists are approved.

### **The Education (School Organisation Proposals) (Wales)(Amendment) Regulations 2004**

These draft regulations were issued for consultation last week. They deal with two issues:

- The implementation of the requirement in the Education Act 2002 that in future, statutory proposals will have to be made to open new community nursery schools and to make prescribed alterations to existing nursery schools.
- The removal of the need for statutory proposals for alterations in relation to language medium of a school when the change is being made for the purpose of a pilot Welsh language immersion project approved by the National Assembly for Wales. This will allow approved immersion pilot projects to commence next year. The purpose of such pilots, as set out in *Iaith Pawb*, will be to enable more pupils to move into the Welsh medium sector or to study more subjects through the medium of Welsh than would have otherwise been the case.

Consultation on these regulations runs to the end of January. The regulations will be finalised in light of responses to the consultation and subject to Assembly approval will come into effect at the end of March 2004.

### **The Education (Information About Individual Pupils)(Wales) Regulations 2003 –**

These regulations are attached at Annex F for members' information