

Education and Lifelong Learning Committee

Date: Thursday 13 May 2004

Venue: Committee Rooms 3&4, National Assembly for Wales

Title: Draft Annual Report 2003-04

Purpose

1. The Committee is invited to agree its annual report for 2003-04.
2. If the Committee is content, the report will be laid formally before the Assembly.

Committee Service

May 2004

Education and Lifelong Learning Committee

Report to the Assembly

1. Introduction

1.1 Standing Order 9.9 requires subject committees to report to the Assembly on their progress in fulfilling their forward work programme. This report covers the period 3 June 2003 to 31 March 2004.

2. Membership

2.1 During the year membership was:

Peter Black (Chair)
Leighton Andrews
Jeff Cuthbert
Jane Davidson (Minister)
David Davies

Irene James
Denise Idris Jones
Helen Mary Jones (to December 2003)
Janet Ryder (from December 2003)
Owen John Thomas

3. Meetings

3.1 During the period the Committee met formally ten times. All meetings were held in public.

4. Remit and Responsibilities

4.1 The Committee's remit is based on the portfolio of the Minister for Education and Lifelong Learning, which covers most aspects of education and training. The Committee's portfolio is attached at Annex 1.

4.2 The responsibilities of subject committees as set out in Standing Orders are attached at Annex 2.

5. Aims and Objectives

5.1 The Committee set out its aim in the Strategic Forward Work Programme for the period from June 2003 to December 2004, which it approved on 18 June 2003. The aim has been to promote and encourage long term and sustained improvement in the quality of education in Wales, with an emphasis on extending high quality education and lifelong learning opportunities to all the people of Wales.

6. Progress

6.1 The Committee has focused on its policy review of special educational needs and gathered evidence from a wide range of individuals and organisations. The Committee has also scrutinised items of secondary legislation relevant to the education and lifelong learning portfolio.

7. Policy Development and Review (Standing Order 9.7)

7.1 The Committee agreed at its meeting of 18 June 2003, to undertake a policy review of special education needs. As the topic area was very broad, it was agreed that the review would be split into three phases: early identification and intervention; the statementing process and the transition between the different stages of education and lifelong learning. The Committee decided to start with early identification and intervention.

7.2 The Committee appointed a reference group, including representatives from the education and training sector in Wales, with a particular interest in SEN. The reference group has met twice so far, to assist the Committee in identifying the main themes for the review and suggesting suitable speakers for evidence gathering.

7.3 A public consultation exercise was carried out between September and December 2004 and over 130 responses were received. The Committee heard oral evidence over several months and planned to

consider its conclusions in the summer term.

7.4 The Committee undertook two evidence gathering visits to schools in the north and south. Groups of Members met with pupils, teachers, headteachers, parents and representatives from local education authorities and visited schools. On 6 November 2003, a group of Committee Members visited St Christopher's School and Ysgol y Drindod in Wrexham and Mynydd Isa School in Mold. Members met with the public, parents, LEA representatives and teachers for an informal meeting. A group of Members also visited Brynteg Comprehensive School and Heronsbridge School in Bridgend on 22 January 2004 and held a similar informal session after school hours.

7.5 The Committee will consider the evidence it has gathered during the summer term and will present a report to the Assembly in autumn 2004.

Other Issues of Policy Development and Review

7.6 The Committee also decided to pursue a policy review of school transport in the summer and autumn terms; it agreed the terms of reference for the review at its meeting on 28 January 2004.

7.7 The Committee considered a progress update on implementation of the Welsh Assembly Government's 14-19 Learning Pathways Action Plan.

8. Scrutiny of Legislation (Standing Order 9.8ii)

8.1 The Committee regularly receives a schedule of secondary legislation proposed by the Welsh Assembly Government at every meeting. From this, Members are invited to identify any items they consider should be scrutinised by the Committee.

8.2 The Committee has considered two items of secondary legislation, namely:

- The Schools Forums (Wales) Regulations 2003 (17 July 2003 meeting); and
- The School Organisation Proposals by the National Council for Education and Training for Wales Regulations 2004.

Committee Members identified these items of secondary legislation for consideration.

8.3 Two Bills were referred to the Committee following the plenary debate in December 2003 on the Queen's Speech to Parliament. The Committee considered the Higher Education Bill on 28 January 2004; The Rt Hon Don Touhig, Parliamentary Under Secretary of State for Wales addressed the Committee on the timescale of the Bill and implications for Wales.

The Draft School Transport Bill (also referred to the Economic Development and Transport Committee) will be considered by the Committee on 28 April 2004.

9. Monitoring and Scrutiny (Standing Order 9.7 (ii) and (iii))

9.1 The Committee has scrutinised the Minister on the Welsh Assembly Government's performance through the ministerial report provided.

9.2 Consultants from Open Direction Ltd sought the Committee's views on the first stage of ACCAC's Quinquennial Review at the meeting on 19 November 2003.

9.3 The Committee undertook a general, extended scrutiny session of the National Council for Education and Training (ELWa) on 10 December 2003 and focussed on the proposals for the planning and funding framework for post-16 education and training.

9.4 The Children's Commissioner was invited to attend the Committee's meeting on 25 February to present and discuss his Annual Report 2002-03.

9.5 Her Majesty's Chief Inspector of Education and Training in Wales presented the main points of Estyn's Annual Report 2002-03 on 17 March 2004.

10. Appointments (Standing Order 9.8)

10.1 Peter Black (Chair) and Jeff Cuthbert have been the Committee's nominees for public appointments. They have been involved in ten public appointments.

10.2 The Minister for Education and Lifelong Learning was also involved in the appointment panel.

11. Budget (Standing Order 9.8)

11.1 The Committee considered and commented on the Assembly Government's proposed budget for 2004-05. The Chair's letter conveying the Committee's recommendations is attached at Annex 3.

12. Cross-cutting Issues

12.1 The Committee has worked with another committee. It invited the Chair of Health and Social Services Committee to attend meetings featuring the policy review of special educational needs. This was able to feed back any considerations to and represent the interests of the HSS Committee.

13. The Statutory Schemes

13.1 The Committee has taken account of the National Assembly's statutory schemes for relations with the local authorities and the voluntary sector and the sustainable development scheme in the course of its

work.

14. The Future Programme

14.1 The Committee's priorities for 2004-05 are set out in the Strategic Forward Work Programme, Annex 4. Key subjects include:

- Policy review of school transport;
- Next stage of policy review of special educational needs;
- The Draft School Transport Bill;
- Scrutiny of secondary and other primary legislation; and
- Scrutiny of Assembly Sponsored Public Bodies (ASPBs) and other relevant bodies. The Committee will make informal visits to the organisations prior to scrutiny of corporate plans.

Peter Black AM
Chair

Annex 1

The Committee's Portfolio

In accordance with s57(4) of the Government of Wales Act 1998, the Committee's portfolio follows that of the Assembly Minister:

- Nursery and early-years education in Wales;
- Standards of school education in Wales, including the activities of Estyn;
- School organisation in Wales, including approval of school mergers and closures;
- Oversight of local education authorities in Wales;
- The National Curriculum in Wales;
- All matters relating to pupils with special educational needs;
- All activities of the Qualifications, Curriculum and Assessment Authority for Wales and matters relating to academic qualifications generally;
- Funding of foundation (previously grant-maintained) schools in Wales;
- Teaching standards in Wales, including via the General Teaching Council for Wales;
- Appraisal of teachers in Wales, but not their pay and conditions (Teachers' pay etc. is not devolved);
- Policy on further and higher education in Wales;
- All activities of the Higher Education Funding Council for Wales and the National Council for

Education and Training in Wales;

- Control of fees charged to students by higher education institutions in Wales (NB this is largely a matter of primary legislation – see the Teaching and Higher Education Act 1998. But the Assembly has the power in Wales to control ‘supplementary’ fees, e.g. in relation to use of laboratory equipment or field visits);
- Careers policy, including all activities of Careers Service companies;
- Youth services and youth issues generally;
- Provision and support of work-based and other vocational training in Wales;
- The inspection of training providers and careers service companies; and
- Provision of supply-side employment programmes, including the New Deal but excluding others provided by the Employment Service (not devolved)

Annex 2

Duties of the Committee

The Education and Lifelong Learning Committee is one of seven subject committees. The responsibilities of the subject committees are set out in the National Assembly’s Standing Orders:

"9.7. Each subject committee shall

- i. contribute to the development of the Assembly’s policies within the fields for which the relevant Assembly Minister is accountable to the Assembly;
- ii. keep under review the expenditure and administration connected with their implementation; and
- iii. keep under review the discharge of public functions in those fields by public, voluntary and private bodies.

Each subject committee shall also, within the relevant fields,

- i. advise on proposed legislation affecting Wales, including performing its functions under SO22 (now SO24);
- ii. provide advice to the Assembly Cabinet on matters relating to allocation of the Assembly’s budget in accordance with Standing Order 19 (now SO21);
- iii. perform its functions under Standing Order 21(complaints) (now SO23);
- iv. perform any functions assigned to it under the Code of Practice on Public Appointments Procedure made by the Assembly under Standing Order 20 (now SO22); and
- v. consider matters referred to it by the Assembly within its fields."

Standing Order 9.9 requires the subject committee to maintain a rolling programme of work covering periods of at least 12 months

Annex 3

PWYLLGOR ADDYSG A DYSGU

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EDUCATION AND LIFELONG LEARNING
COMMITTEE

Jane Davidson AM

Minister for Education and Lifelong Learning

National Assembly for Wales

Cardiff Bay

CF99 1NA



Bae Caerdydd / Cardiff Bay

Caerdydd / Cardiff CF99 1NA

Eich cyf / Your Ref:

Ein cyf / Our Ref:

23 October 2003

Dear Minister

BUDGET PLANNING ROUND 2003

Thank you for your presentation to the Committee yesterday on the draft budget 2004-05. The Committee was pleased to note that you had taken account of its key priorities, as set out in my letter of 16 July.

On behalf of the Committee, I should be grateful if you would pursue, in discussion with Cabinet colleagues, means of identifying education funding relating to the statutory responsibilities of local authorities in the overall budget. This would enable Committee members to have a clearer understanding of proposed spending on policies, initiatives and statutory requirements relating to education and

lifelong learning in the round.

The Committee looks forward to the outcome of the policy review of student support to be conducted by the study group under Professor Rees.

Yours sincerely,



Peter Black AM

Committee Chair

Cc Sue Essex AM, Minister for Finance, Local Government and Public Services

Annex 4

Strategic Forward Work Programme

June 2003 - December 2004

Introduction

1. The Education and Lifelong Learning Committee is one of the National Assembly's seven subject committees. The responsibilities of the subject committees are set out in Standing Orders 9.7 and 9.8.
2. Standing Order 9.9 requires subject committees to maintain a rolling programme of work covering periods of at least 12 months. The Panel of Chairs has agreed that committees' work programmes should be strategic and cover an 18-month to 2-year time frame, supported by more detailed work programmes covering a three-month period. This work programme sets out the Committee's strategic priorities, following the National Assembly elections in May 2003 and covers the period until December 2004.

Remit

3. The Committee's remit is based on the portfolio of the Minister for Education and Lifelong Learning - Jane Davidson AM. Amongst other things, the minister is responsible for schools, further education and skills development, higher education, the youth service and the careers service.

Aims

4. The Committee aims to promote and encourage long term and sustained improvement in the quality of education in Wales, with the aim of extending high-quality education and lifelong learning opportunities to all the people of Wales.

Priorities

5. With such a broad remit, the Committee has developed a strategic approach to its work. Priorities for the coming year are as follows:

- Policy development SO 9.7(i) - the Committee will focus on those areas of policy development where it can make the greatest impact, and will seek to complement, rather than duplicate policies being developed by the Minister. It is anticipated that the Committee will carry out a policy review on certain aspects of special educational needs. It is anticipated that this review will start in September 2003 and be completed before the summer recess in 2004. The Committee will also consider other options for policy reviews.
- Scrutiny of the Minister SO 9.7(ii) - the Minister will report to the Committee at each meeting on current developments within the portfolio. Once a year the Committee will scrutinise the Minister on performance against targets. The Committee may also undertake thematic scrutiny sessions from time to time, notably in relation to the delivery of The Learning Country programme.
- Scrutiny of relevant public, voluntary and private bodies SO 9.7 (iii) - the Committee will keep under review the discharge of public functions by the following bodies: Higher Education Funding Council for Wales (HEFCW), the National Council - ELWa (the funding body for post 16 education and training in Wales), the General Teaching Council for Wales (GTCW), ACCAC (the Curriculum and Assessment Authority for Wales) and Estyn (Her Majesty's Inspectorate for Education and Training in Wales):
 - HEFCW – autumn term 2003 and 2004
 - GTCW – summer term 2003 and 2004
 - ACCAC – autumn term 2003 and 2004
 - National Council - ELWa - autumn term 2003 and 2004
 - Estyn – spring term 2004

Other items SO 9.8 - the Committee will also consider the following items as they arise:

- proposed legislation affecting Wales SO 9.8(i) and SO 22 – each term the Minister will outline forthcoming secondary legislation to enable the Committee to identify areas where it wishes to be consulted. Following the National Assembly’s consideration of the Queen’s speech, the committee will consider any draft primary legislation remitted to it by plenary. The committee will also consider draft secondary legislation referred to it by the Business Committee;
- proposals for the Assembly's budget SO 9.8(ii) – the Committee will indicate its budget priorities in the summer term each year and comment on the draft budget in the autumn term;
- complaints SO 9.8(iii) and 21 – the Committee will consider any complaints referred to it;
- public appointments SO 9.8(iv) and 20 – the Committee’s public appointment nominees will take part in the process of appointments to public bodies as vacancies arise; and
- other matters referred by the Assembly SO 9.8 (v) – the Committee will consider other matters referred to it by the National Assembly including other committees.