



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

**Y Pwyllgor Menter a Dysgu
The Enterprise and Learning Committee**

**Dydd Mercher, 1 Hydref 2008
Wednesday, 1 October 2008**

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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 Labour
Andrew R.T. Davies	Ceidwadwyr Cymreig Welsh Conservatives
Michael German	Democratiaid Rhyddfrydol Cymru (yn dirprwyo ar ran Kirsty Williams) Welsh Liberal Democrats (substituting for Kirsty Williams)
Gareth Jones	Plaid Cymru (Cadeirydd y Pwyllgor) The Party of Wales (Committee Chair)
Huw Lewis	Llafur Labour
David Melding	Ceidwadwyr Cymreig Welsh Conservatives
Sandy Mewies	Llafur Labour
Janet Ryder	Plaid Cymru The Party of Wales

Eraill yn bresennol
Others in attendance

Helen Arthur	Pennaeth Dysgu, Gwella a Datblygu Proffesiynol, Yr Adran Plant, Addysg, Dysgu Gydol Oes a Sgiliau Head of Learning, Improvement and Professional Development, Department for Children, Education, Lifelong Learning and Skills
Dr Philip Dixon	Cyfarwyddwr, Cymdeithas yr Athrawon a'r Darlithwyr Cymru Director, Association of Teachers and Lecturers Cymru
Elaine Edwards	Ysgrifennydd Cyffredinol, Undeb Cenedlaethol Athrawon Cymru General Secretary, Undeb Cenedlaethol Athrawon Cymru
Richard Edwards	Ysgrifennydd, Cymdeithas Genedlaethol y Prifathrawon Cymru Secretary, National Association of Head Teachers Cymru
Iwan Guy	Cyfarwyddwr Gweithredol, Cymdeithas Genedlaethol y Prifathrawon Cymru Acting Director, National Association of Head Teachers Cymru
Dr Chris Howard	Is-lywydd Cenedlaethol, Cymdeithas Genedlaethol y Prifathrawon National Vice President, National Association of Head Teachers
Jane Hutt AM	Y Gweinidog dros Blant, Addysg, Dysgu Gydol Oes a Sgiliau Minister for Children, Education, Lifelong Learning and Skills
Gareth Jones	Ysgrifennydd, Cymdeithas Arweinwyr Ysgolion a Cholegau Cymru Secretary, Association of School and College Leaders Cymru
Phil Jones	Hwylusydd Newid ar gyfer Ailfodelu Gweithlu, Dysgu, Gwella a Datblygiad Proffesiynol, Adran Plant, Addysg, Dysgu Gydol Oes a Sgiliau Change Facilitator for Workforce Remodelling, Learning,

Improvement and Professional Development, Department for
Children, Education, Lifelong Learning and Skills

Gareth Lloyd	Swyddog Cymru, Undeb Cenedlaethol yr Athrawon Cymru Wales Officer, National Union of Teachers Cymru
Rex Phillips	Trefnydd Cymru, Cymdeithas Genedlaethol yr Ysgolfeistri ac Undeb yr Athrawesau Wales Organiser, National Association of Schoolmasters and Union of Women Teachers
Phil Whitcombe	Llywydd, Cymdeithas Arweinwyr Ysgolion a Cholegau Cymru Cymru President, Association of School and College Leaders Cymru
Dilwyn Roberts-Young	Swyddog, Undeb Cenedlaethol Athrawon Cymru Officer, Undeb Cenedlaethol Athrawon Cymru

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

Dan Collier	Dirprwy Glerc Deputy Clerk
Siân Hughes	Gwasanaeth Ymchwil yr Aelodau Members' Research Service
Dr Kathryn Jenkins	Clerc Clerk

Dechreuodd y cyfarfod am 9.17 a.m.
The meeting began at 9.17 a.m.

Cyflwyniad ac Ymddiheuriadau
Introduction and Apologies

[1] **Gareth Jones:** Bore da, bawb, a chroeso i'r cyfarfod hwn o'r Pwyllgor Menter a Dysgu. Atgoffaf bawb i ddiffodd eu ffonau symudol ac unrhyw ddyfais electronig arall. O ran y meicroffonau, ni fydd angen i ni gyffwrdd â hwy yn ystod ein trafodaethau. Nid ydym yn disgwyl ymarfer tân felly os bydd rhyw larwm yn seinio, bydd rhaid i ni symud o'r ystafell a'r adeilad o bosibl o dan gyfarwyddyd y tywysyddion. Mae'r cyfarfod, fel y gwyddoch, yn ddwyieithog ac mae clustffonau ar gael i dderbyn y gwasanaeth cyfieithu ar y pryd o'r Gymraeg i'r Saesneg. Mae'r cyfieithiad hwnnw ar sianel 1 a gallwch ddefnyddio sianel 0 i chwyddleisio'r sain, os bydd angen. Bydd cofnod o'r cyfan a ddywedir yn gyhoeddus.

Gareth Jones: Good morning, all, and welcome to this meeting of the Enterprise and Learning Committee. I remind everyone to switch off their mobile phones and any other electronic device. There will be no need for us to touch the microphones during our deliberations. We are not expecting a fire drill and therefore if an alarm should sound, we will need to leave this room and possibly the building under the direction of the ushers. As you know, the meeting is conducted bilingually and headsets are available for you to receive the interpretation from Welsh into English. That translation is on channel 1 and you can use channel 0 to amplify the sound, if necessary. There will be a record of all that is said publicly.

[2] Yr ydym wedi derbyn ymddiheuriad y bore yma gan Kirsty Williams. Yr wyf yn siŵr y byddai'n ddymuniaid gennych, fel Aelodau, i ni ofyn i'r clerc anfon gair at Kirsty i gydymdeimlo yn arw â hi yn ei phrofedigaeth o golli ei mam. Wedi dweud

We have received an apology this morning from Kirsty Williams. I am certain that it would be your wish, as Members, for us to ask the clerk to send a note to Kirsty to extend our sincerest condolences to her in her bereavement in the loss of her mother.

hynny, yr ydym yn croesawu Mike German sy'n dirprwyo ar ran Kirsty bore yma. Croeso i chi, Mike, ac yr ydym yn edrych ymlaen at eich cyfraniad.

Having said that, we welcome Mike German who is substituting for Kirsty this morning. Welcome, Mike, and we look forward to your contribution.

9.19 a.m.

Cytundeb Llwyth Gwaith Athrawon Teacher Workload Agreement

[3] **Gareth Jones:** Yn fyr iawn, fel cefndir, llofnodwyd y cytundeb cenedlaethol ar ddiwygio'r gweithlu, codi safonau a mynd i'r afael â'r llwyth gwaith yn Ionawr 2003. Nid yw'r darpariaethau statudol wedi eu datganoli—yr ydym yn ymwybodol o hynny—ond mae'r Gweinidog yn gyfrifol am eu gweithredu yng Nghymru. Yr oedd yr Aelodau yn unfryd o'r farn y dylai pwyllgor gynnal ymchwiliad craffu i archwilio effeithiolrwydd gweithredu'r cytundeb yn ein hysgolion a'i oblygiadau i staff ac, wrth gwrs, i'r plant.

Gareth Jones: Briefly, the background is that the national agreement on reforming the workforce, raising standards and addressing teachers' workload was signed in January 2003. The statutory provisions have not been devolved—we know that—but the Minister is responsible for implementing them in Wales. Members were unanimous that the committee should conduct a scrutiny inquiry to audit the effectiveness of implementing the agreement in our schools and its implications for staff and, of course, for the children.

9.20 a.m.

[4] Mae tair rhan i'r sesiwn hon. Bydd y rhan gyntaf yn para tan tua 9.50 a.m.. Estynnwn groeso i Gymdeithas Genedlaethol y Prifathrawon a Chymdeithas Arweinwyr Ysgolion a Cholegau Cymru. Estynnaf groeso cynnes i bawb ohonoch, sef Iwan Guy, cyfarwyddwr gweithredol NAHT Cymru; Richard Edwards, ysgrifennydd NAHT Cymru; Dr Chris Howard, is-lywydd cenedlaethol yr NAHT; Phil Whitcombe, llywydd ASCL Cymru; a Gareth Jones, ysgrifennydd ASCL Cymru. Yr ydym yn hynod ddiolchgar am eich tystiolaeth ysgrifenedig hefyd. Yr ydym wedi ei derbyn a'i darllen ac wedi manylu ar y cynnwys.

There are three parts to this session. The first part will last until about 9.50 a.m.. We welcome the National Association of Head Teachers and the Association of School and College Leaders Cymru. I extend a warm welcome to you all, namely Iwan Guy, acting director of NAHT Cymru; Richard Edwards, secretary of NAHT Cymru; Dr Chris Howard, national vice-president of NAHT Cymru; Phil Whitcombe, the president of the ASCL Cymru; and Gareth Jones, the secretary of ASCL Cymru. We are also extremely grateful for the written evidence that you submitted, which we have received and had an opportunity to read in detail.

[5] Ni fyddaf yn gofyn i chi am gyflwyniadau'r bore yma, a mawr obeithiaf y byddwch yn derbyn hynny yn yr ystyr y cafodd ei ddweud. Yr wyf am droi'n syth at gwestiynau'r Aelodau, achos mae'r manylion gennym ac yr ydych eisoes wedi datgan eich pryderon—a'ch gwerthfawrogiad lle bo'n briodol. Felly, trown yn syth at y cwestiynau. Bydd hynny'n rhoi mwy o amser inni graffu ar agweddau gwahanol ar y testun sydd ger ein bron y bore yma.

I will not ask you for presentations this morning, and I hope that you will accept that in the spirit in which it was said. I want to turn straight to Members' questions, because we have been given the details by you and you have already expressed your concerns—and appreciation, where appropriate. Therefore, we will turn immediately to the questions, as that will give us more time to scrutinise the various aspects of this morning's subject.

[6] **Janet Ryder:** Thank you very much for coming here. When this subject was first

talked about and introduced, there was a great deal of hope that it would improve the quality of teachers' experience, improve their ability to develop things, and give them time to balance all their responsibilities in school. They would be able to do the preparation work as well as the teaching. I have a general question. What impact have you found this to have in schools and on your members? I appreciate that a headteacher's perception may be slightly different from a teacher's perception of how it affects the school, but what impact have you seen it have, to date?

[7] **Mr Guy:** Yr hyn sydd wedi digwydd yn bennaf o ran prifathrawon yw bod eu llwyth gwaith wedi cynyddu, a hynny er mwyn gweithredu'r rheoliadau newydd yn yr ysgolion. Yn aml, maent wedi cyflawni hynny i'w cost eu hunain. **Mr Guy:** From a headteacher's perspective, the main difference is that their workload has increased in order to implement the new regulations in the schools. Often, they have done that at their own cost.

[8] **Mr G. Jones:** In the secondary sector, there has certainly been change but there has been an improvement for classroom teachers, I think—not necessarily in the total working hours, but in the focus and direction of their work. They have had an opportunity to focus more on the teaching and learning, the core tasks. There was a period when senior leaders took over some of the tasks that needed to be done during the change process. In addition, factors outside the workload agreement have added to the workload of the senior staff, such as the 14-19 agenda and a whole list of other initiatives, such as transition planning, the new national curriculum, and new pay and conditions, all of which have come at the same time. That is why the statistics show that the workload of senior staff has started to increase again. Last year, I saw the figures for total hours worked back to what they were in 2005, virtually. The one area of the workload agreement where there has not been much improvement for senior staff is work-life balance. That has been a difficult area to challenge. It is fairly nebulous as a concept, but members feel that it is difficult to find time for their private lives during term time. I do not know whether Phil, as a serving head, can give his perspective on that.

[9] **Mr Whitcombe:** Not being home very often is an excellent way of avoiding divorce. [*Laughter.*] In reality, our teaching members in the classroom have been able to direct their energies more usefully from meaningless administration to tasks where they are working with children, and, from that point of view, this has been a rousing success. We are certainly seeing early signs of the benefits of that in raising standards, which, ultimately, is what this programme is about.

[10] As a head who has had to cut his senior team because of financial constraints, I know that the workload that existed previously plus the implementation of current changes is now spread across a smaller number of people. Therefore, at senior level, I would suggest that the conditions are, at best, staying still, but, in reality, they have probably deteriorated slightly.

[11] **Dr Howard:** It is not just that headteachers or schools are dealing with change, because change will always occur; there has been an increase in the level of bureaucracy associated with curriculum and assessment change in schools, which all staff have had to deal with, as well as an incredible expansion of bureaucracy attached to health and safety management in schools. In primary schools, that impacts directly on headteachers because they feel themselves to be the prime focus of the legislative impact there; they have the legislative responsibility for it. In my opinion, in Wales, that is not backed sufficiently by close support from the local authority or, as in England, from a host of private providers of advice, guidance and facilities management. That subsidiary industry has never taken off in Wales. Therefore, LEAs are the sole providers, but they have been slow to realise that they have a function to support headteachers and schools to deliver on health and safety as well as to ensure compliance. Whether compliance is with this means of statutory provision or with

the other statutory provisions that schools face—and there are many of them, and there always will be—the need to comply will be felt most heavily by the headteacher and the chair of the board of governors. The smaller the school setting, the more individual that becomes.

[12] So, there is a real problem with the degree of compliance, the way in which we expect headteachers to comply with a whole set of regulations, and the support that we give them to do that. The model is of autonomous leadership in schools—quite rightly so, in our opinion. Schools, headteachers and governors are best placed to determine what is right for an individual school. However, to do that in the interests of teaching and learning means freeing up time from other tasks, and that must be adequately supported. There is an issue for the Assembly Government to determine what level of support can usefully be provided—not from additional resources but from existing ones.

[13] **Jeff Cuthbert:** I am experiencing déjà vu here. I saw most of you only yesterday—at the meeting when we were, quite literally, washed out, unfortunately. However, I want to ask a question that is linked, in a sense, to the Measure committee that I Chair. To ASCL Cymru, Phil and Gareth particularly, in paragraph 27 of your written evidence, you refer specifically to the issues as you see them: the Welsh baccalaureate, the 14-19 pathways—and the baccalaureate is in place, and we most definitely want to see the roll-out of the 14-19 pathways, to give greater choice to learners—and you clearly also have concerns about the workload agreement. So, this is your opportunity to say a little more about why you have made those statements.

[14] **Mr G. Jones:** We fully support the 14-19 learning pathways initiative. We were involved in drawing it up, and our members served on all the planning groups. So, we want it to succeed and it is progressing. My concern is that progress will be slower, because of the implications of the workload agreement.

9.30 a.m.

[15] One of the last phases of the workload agreement is the condition that, from September 2009, teachers will be expected to cover only on rare or exceptional occasions. There are some disputes over what that means. However, in effect, the plan is that schools should have systems in place to manage cover without requiring teachers to do it. The statistics show that, for the last academic year, the average amount of cover done by teachers was 20 hours a year. Start multiplying that, and then consider that someone else has to do that from September. In the absence of any additional funding—and there is none for that aspect of the workload agreement—it means that all the extra funding has gone into the revenue settlement, with no provision being made for this. Given the current financial circumstances, it is difficult to expect additional funding. So, what are schools to do? They will have to reorganise their budgets. They will have to find the money from somewhere to meet what is a legal requirement. So, in readjusting the costs, posts elsewhere in the staffing structure of an establishment could be lost.

[16] The other way is to reduce any cover requirement to the minimum. Therefore, unfortunately, heads, senior staff or deputy heads who often manage the cover will have to say ‘no’ to people who want to go on educational visits, unless it is fully funded by parental contributions. They will have to say ‘no’ to co-ordination meetings, which is where the 14-19 learning pathways come in. The 14-19 agenda involves an awful lot of co-ordination meetings, not just for the headteacher but also for most of the senior management team. They are required to liaise with the careers service or the further education college, and everyone is involved in meetings with the clusters to try to plan the curriculum and the courses. However, because of the cover requirement, there will be a restriction on releasing staff to undertake those activities.

[17] We find that it is becoming increasingly difficult for headteachers to get out of school to attend meetings of any type, because, as Phil mentioned, the budget constraints have reduced the size of the leadership teams. Most secondary schools are, at best, down to one deputy and are reducing the number of assistant heads. When a senior manager retires, you can use that funding to replace one senior manager or employ three teachers. So, for the governors and the headteacher, what is the choice? Should you lose a member of the leadership team or keep three teaching posts? The three teaching posts take priority, because that is what is best for the students. However, that puts the pressure back on the senior management team. That is why we felt that we needed to raise our concerns.

[18] **Dr Howard:** In respect of the 14-19 agenda, Gareth makes a useful point about the level of commitment required of secondary school managers to collaborate. With regard to my earlier point, you are about to give us a statutory duty to collaborate. In England, the Government, rightly or wrongly, has addressed the issue of underachievement in the skills base by increasing the school-leaving age and placing the obligation on the individual student. In Wales, you have chosen to put a statutory obligation on the providers, the schools. It is another burden that schools will have to bear. They will have to organise their management teams to provide that delivery, and the bureaucracy required to have a meeting structure that can service that collaborative partnership is hugely multilayered. The policy is correct and, ultimately, it stands to take us further because we will build stronger local networks through collaborative partnerships. However, because we have attached a duty of compliance to it, it takes it into another sphere and gives it priority in the management of the school. It will mean that other things have to be shunted off the end of the cliff, as it were. In a day-to-day school picture, for all the reasons that Gareth and others have mentioned, that is becoming increasingly inflexible.

[19] **Jeff Cuthbert:** Thank you for that. I do not wish to base issues on anecdotal evidence only, but, as Chris knows, Caerphilly Local Education Authority is currently piloting the 14-19 learning pathways, and I recently met with its co-ordinator. While there were concerns, his overall feeling about sharing resources between learning institutions and the impact of that on staff was positive, and he felt that collaborative working was working. I realise that you are here in a Wales-wide capacity, Chris, but you are also the head of a Caerphilly school. So, are the points that you are making borne out by pilot areas at this time?

[20] **Mr Whitcombe:** Having also worked in the Vale of Glamorgan, I know that the benefits to the children are tangible. I cannot see any head resisting the implementation of the 14-19 agenda. In the same way, we have all signed up to the workforce remodelling agreement, because we see positive outcomes for the children in the longer term. However, the day-to-day impact on the ground will begin to have an effect. Inevitably, it comes back to funding and resourcing issues, and the cost of activities where children are off-site now has to include the cost of supply cover.

[21] Typically, that means £150 for every 10 to 15 children off-site—a cost that the parents are having to bear. In the present economic climate, the danger is that that will greatly restrict the wider education process that we are able to offer to the children. That is almost inevitable; parents cannot afford it, and we cannot release staff without cover. That is definitely an area to consider going forward.

[22] The other misunderstanding, I believe, is to do with the 14-19 agenda, under which children may be spending some of their time off-site with other providers—perhaps in another school, a workplace situation or a further education situation. Invariably, it is not a whole class that goes; it will be the case that half a dozen children from a teaching group will have part of their working day somewhere else. That means that the other 25 children in that teaching group still have to be taught, so there is no net saving for the host school. However, there is an increase in cost and in transport requirements and a significant increase in the

workload as a result of the monitoring, co-ordination and organisation to ensure that the package that the children get is suitable and appropriately supervised.

[23] **Janet Ryder:** Going back to what you said about the increased burden of bureaucracy on headteachers and the issue of cover and how you find cover, I know that schools sometimes find it difficult to get staff to cover lessons. We are now seeing independent companies, unfortunately I would say, starting to provide a service in that area. In addressing both of those issues, you touched on the role of the LEAs. What needs to change from an LEA perspective to support you in finding that cover in a way that would not put such a burden on your finances or on your staff or in reducing bureaucracy? What would need to happen to LEAs to make them more able to support you in those roles?

[24] **Mr G. Jones:** With regard to the cover-staff element, schools have a policy decision with regard to whether they are going to employ qualified teachers or cover assistants to provide supervision. Many schools have decided to go down the road of cover supervisors but have found it beneficial to employ supervisors as permanent members of staff. In that way, they get to know the children and routines, and behaviour and discipline are far better than they would be if people were coming in and out on short-term contracts. LEAs cannot necessarily provide assistance in finding cover staff, but, generally speaking, the feedback that I have had from members is that schools have not had great difficulty in finding supply cover. Welsh-medium schools have had greater difficulty, particularly where they wished to use short-term contracts and for things such as exam invigilation. The Welsh-medium sector has had particular problems, because of the qualifications required by the members of staff, that is the ability to speak Welsh as well as to relate to children.

[25] Therefore, the LEAs are not necessarily well placed to assist in the recruitment of staff, but they can assist a great deal with regard to what Chris was mentioning—support for health and safety issues. For example, from 1 October, today, all schools are required to display an energy certificate. I did a quick survey among branch representatives across every authority yesterday, and, in at least five areas the LEA has done nothing about that, despite the fact that it is a legal requirement with the burden of duty, including penalties, falling upon the headteacher. It is in such areas that LEAs need to do far more.

[26] **Dr Howard:** I have a facilities manager in my school because, for our sins, we are a private finance initiative school. Therefore, all of that work is done by the facilities manager. Without going into the particular ins and outs of that, LEAs provide a service as facilities managers, certainly in terms of health and safety for schools. However, they are reluctant to do so, because they do not see it as part of their core function. If the LEAs were to develop a more, dare one say it, entrepreneurial side to their provision of support to schools—but instead of establishing a private contract you established an extended service level agreement of some kind—it would have two effects: one, it would give schools more ready support that they could trust, because it would be local support; and two, it would have the wonderful effect of the purchaser of the SLA being able to say to the council that it is not quite doing that right and that there is always another place to go. At the moment, that does not exist, in most cases.

9.40 a.m.

[27] I have one further point on what LEAs might do. The Government, in its submission, has rightly made the point that, in the first years of the agreement, it put extra money into LEAs to provide a change management service for schools to get over the first 18 months of the management of the contract. As the Government has said, that money is still in local authority budgets, but in almost all cases it has been diverted from specific management of the change management process in schools. Members have to understand that a cottage industry has grown around delivering the same functions in England, but we had the change

managers in schools through the LEAs. They have now, in almost all cases, been absorbed back into the LEA structures. Generic human resource managers, sometimes with little experience of schools, are almost invariably placed at a lower level in the LEA hierarchy than that at which they would need to be in order to encourage, and sometimes press for, change.

[28] I do not want to create a privatised cottage industry in change management in Wales, but we need to spend more time looking at the processes to support schools and at how local initiatives link back into national initiatives. We need to spend more time doing that than we have done previously. The local workload agreement monitoring groups have been re-energised in the last few months and that re-energising spirit needs to be maintained and professionally supported. So, the notion that there might be a high-level body in Wales, facilitating how this happens, is not a bad one.

[29] **Mr G. Jones:** Following on from what Chris has said, in the early years of the workload agreement, the workload agreement monitoring group in each LEA worked reasonably well. All the unions worked together to solve the problems. That is now supposed to be evolving into local social partnerships, but the feedback that we are getting from most LEAs is that that is not happening.

[30] **Mr Guy:** That would also be the view in the primary sector. All these issues that are secondary-orientated come down to one person in the primary sector, namely the headteacher. The change managers for the majority of headteachers have virtually disappeared. There is no support for headteachers. All of these issues come back to the desk of the headteacher and the deputy, if there is one, and they have to deal with them. Headteachers can feel quite isolated at times when there is nowhere to turn for support. However, change managers are also there to facilitate change and to ensure that the statutory obligations of the workload agreement are in place; that is not happening. LEAs are not looking at the statutory requirements of the agreement in respect of workload and are not ensuring that that is happening.

[31] **Sandy Mewies:** Forgive me for being late—I had to take a call. I am sorry if I am asking you something that has already been asked. I am always particularly interested in primary schools. There sometimes seems to be a feeling that, if you are the headteacher of a small primary school, somehow it is much easier to manage that school than it is to manage a school of 2,500 pupils. I have always found that the jobs are still there—you still have to do the same amount of work regardless of the school size. So, do you think that there should be more recognition of the size of a school? I think that that is incorrectly weighted. There is a definite feeling that the headteacher should be run off his or her feet doing the work in a big school, but in fact the jobs are the same; you manage and you still have to look at the same things.

[32] Secondly, on local authorities, how easy is it for your budget fora to challenge the fact that the indicator-based assessment may not be spent, or spent in the way that it is intended to be spent?

[33] **Dr Howard:** On your first question, the two tasks in primary and secondary education are different. Both are equally complex and demanding, but in terms of relative job weight, that issue has been discussed almost annually by the school teachers' review body, and it has been reviewed again in the last five years. They keep coming back to the formula that we currently have, which, although flawed, would appear to be, in terms of overall job weight, the best way of solving the problem. Those issues are a matter for the Secretary of State, I would suggest, because they are STRB matters.

[34] In terms of individual workload, however, there is no doubt, and the point has already been made, that, in a small primary school, everything comes back to one or two people. Due to the psychological aspects of that arrangement, it in itself makes many situations more

demanding, threatening or wearing over time.

[35] As to what might come from this meeting, we would encourage you to see that the effect of the workload agreement on small primary schools had made things very difficult for managers. Teachers have had their PPA time. Many teachers in primaries are still putting displays on the boards and are still doing their own photocopying, because they are the least self-serving of employees. However, the burden of making a small primary school run still comes down to the head. They are working too long hours, and governing bodies are not paying sufficient attention to the fact that there are limits on their working time. It is not a nebulous concept—48 hours stated in the working time directive is a clear concept. Also, local authorities could spend more time with governing bodies, encouraging them to look at that issue in the round. I am afraid, however, that the unspoken message when you talk about these matters seems to be, ‘Well, the head manages to make things happen, and they’re busy people, and they’ll always be busy people, so we needn’t worry about whether it’s 48 hours or 54’. In fact, we need to do that, and that is a big thing that is missing from the agreement.

[36] **Mr Guy:** Within the agreement, it is indicated that no headteacher, particularly in smaller schools, should have a teaching commitment greater than 50 per cent of the timetable, but that is not the case. In many small schools, the headteachers have 100 per cent, and therefore they have no management time. All the other tasks have to be carried out outside of the school day. This is where we say that the LEAs are not indicating to governing bodies their statutory obligations for headteachers.

[37] **Mr Edwards:** Also, the provision for dedicated headship time in primary schools introduced in 2005 is, in many schools, not happening, particularly in small schools. Governing bodies need to work with leadership teams to address that issue.

[38] **Mr Whitcombe:** You raised the point about budget fora and the IBA, but by the time the information reaches a budget forum for discussion and, obviously, for feedback to the authority, the authority would need to have made a decision or have taken a view as to whether it was going to honour the IBA that has been set for that authority. We may recommend what we wish, as a pressure group and as a budget forum, but, ultimately, it is the members of the local authority who will make the decision. There are those who, as we all know, are not spending anything near the IBA.

[39] **Sandy Mewies:** The financial years are not synchronised, of course, and governing bodies often find that, by the time they are sorted out, the opportunity has gone. Is synchronisation still an issue?

[40] **Mr Whitcombe:** It is also often the case that funding is released to schools for a range of reasons, but the actual budget allocation is very late. Three-year budgeting may give us an indication by which we can plan more effectively, but that would still depend on the authority honouring it. It is an indicative budget as opposed to a fixed budget.

[41] **Mr G. Jones:** I recall that this committee, about 12 months ago, talked about a review of the budget fora—I think that there was a report. We are still waiting for that to happen.

[42] **Andrew R.T. Davies:** Thank you, gentlemen, for coming in. It is a bit like Groundhog Day, having seen you all at yesterday’s committee meeting. Hopefully, we will not suffer a leak in this room.

[43] I have a few points to raise; some have already been addressed by other Members. Gareth, yesterday, and today, you mentioned the structures of the senior management teams in schools. All the papers, be they from the teaching unions or the headteachers’ unions, understand the importance of the senior management team in delivering the workload

agreement. Can you give us a taste of how that structure is degenerating? Is it a recent phenomenon, or have the numbers been diminishing over the life of this workload agreement? It accelerates as we go further on and, if you do not have the management structure in place, you will fall foul of the agreement.

9.50 a.m.

[44] I have two other quick points. On the social partnerships, as they are now called, the Minister, in her paper, talks extensively of how these are functioning and are delivering the message from the locality back, to ensure that there is a supervisory role and that we can all see what is going on. In your paper, Gareth, you clearly state that this is not the case—I believe that that is in part 28 of your paper. Therefore, that is in complete contradiction to what the Minister will be telling us later. Has this happened because of the change from the workload management teams into the social partnerships, or is it something that has gradually happened bit by bit, the further we go into the agreement?

[45] In your paper, Iwan, you talk about school discipline. You highlight an Estyn report that states that, when relief teachers come in, and look after a class, there is a 25 per cent increase in bad behaviour in those classes. Are we to surmise therefore that there is a 75 per cent improvement in children's behaviour, and that they behave better that way, or is there a significant disruptive element going on because of that break in the continuity of teaching and the use of supply teachers?

[46] **Mr Guy:** I quoted Estyn's figures on that last point. Those are Estyn's findings, not ours. However, members are saying that they are having difficulty in finding supply cover. Where they are using some of the teaching or learning assistants, discipline has suffered. Those are the findings that schools have put forward to Estyn.

[47] **Andrew R.T. Davies:** Your members are telling you that that is pretty general, are they?

[48] **Mr Guy:** Yes. They are also saying that, often, in order to facilitate PPA time for a member of staff, it is the headteacher who goes into the class; that is common practice. They are also doubling classes, which is not a good idea. However, the bottom line is finance, and something has to give. The headteachers are saying, 'Yes, teachers will have their 10 per cent of PPA time, but the only way that I can do it is to go in myself and do it'. That has happened all along, and is still happening.

[49] **Andrew R.T. Davies:** It will get worse; because of the September 2009 agreement on rarity of cover, as there is no funding in place, we can expect that situation to get worse.

[50] **Mr Guy:** Yes.

[51] **Mr Whitcombe:** I can see it becoming an increasing issue. In common with many heads, I have a mixture of cover supervisors. We employ them directly, so that, as Gareth mentioned, there is a link for the kids—they see them as a teacher, effectively. We employ casual staff as and when needed. Casual is not a good solution, because it means that the children see a Mr Jones today, a Mrs Williams tomorrow, and so on; that is not good for behaviour. However, it is equally a poor situation for the continuity of teaching, and to ensure that standards are raised, which was the whole purpose of this agenda.

[52] Secondly—you need to be aware of this—the people who are paid as cover supervisors are typically paid on level 3 or level 4 of the national standards agreement. That sort of pay scale is the same sort of pay scale that is being applied to learning support assistants, who are in huge demand as the foundation phase rolls out. We are going to find it increasingly

difficult to find quality people—you will have a body in front of the children, but whether it is the sort of person you would want to put there is another matter. That is a potential problem.

[53] **Gareth Jones:** Mae amser yn ein herbyn braidd. Mae Christine Chapman a Mike German eisiau gofyn cwestiwn. Byddwn yn ddiolchgar pe gallech fod yn gryno.
Gareth Jones: Time is somewhat against us. Christine Chapman and Mike German wish to ask a question. I would be grateful if you could be brief.

[54] **Christine Chapman:** When the workload agreement was first discussed in Wales, one of the sub-clauses was that this could be an opportunity to bring in a slightly wider experience of education. We were talking about people from business, sports and youth services—under the supervision of the teacher. At the time, I was aware of some good examples of that happening, particularly around primary schools. However, from your experience, is that working as we anticipated it would, and do you believe that it is generally benefiting the students?

[55] **Mr Guy:** It is good if it works. However, we often find that you are relying on volunteers in some areas—certainly in primary schools; those volunteers assist children with sports activities, arts and crafts and other practical activities. However, they are not contracted to the school, and if they are unable to come in, you will always find that they say, ‘I am sorry, I cannot come in today’; its sustainability is then brought into question.

[56] **Mr G. Jones:** Briefly, the workload agreement has seen a tremendous increase in the number of adults other than teachers who are now employed on school sites. That has increased the diversity of experience in terms of personal interaction with students, which is part of education. Involving external bodies will be very much part of the learning pathways programme, broadening people’s horizons, as well as providing a community focus. So, that development is ongoing, and has not been hampered by the workload agreement—it may have helped it.

[57] **Dr Howard:** We need to be careful how we support our support staff. They need proper routes towards career progression, and proper pay, as we move forward. If support staff are to be more important, that importance needs to be recognised.

[58] **Christine Chapman:** Despite your concerns about the flaws that you mentioned, would you say that this generally benefits pupils? We have been looking at this from a staff point of view, but how does it look from the pupils’ point of view?

[59] **Dr Howard:** Do you mean the workload agreement? Within the NAHT, the jury is still out on that. We are in the social partnership, and we are determined to make it work, but it needs to work better than it is at present.

[60] **Mr G. Jones:** In my paper, I point out the work of the National Foundation for Educational Research, which says that the improvements are straws in the wind. It is virtually impossible to tell how far that is down to the workload agreement.

[61] **Michael German:** The subtext—or, in your words, Chris, the unspoken text—behind everything that you have said this morning is that this system is under strain, it is headteachers who are carrying the burden, and they are covering up for the difficulties in the system. I am sure that you will expect me to say, ‘You would say that’, and perhaps you would like to answer that argument. Can you therefore point to a solution? For headteachers, there is a difference between management and leadership, and I would be grateful to know how you make that distinction. Does this require more guidance from Government? Does it require more money? Does it require more energy from local authorities? In what

combination are those factors needed, and which is the priority?

[62] **Dr Howard:** There are two things that we have not had in Wales. First, we tend to look at what is happening after the event rather than beforehand. The partnership in England has worked on the basis that a great deal of detailed planning will take place before it is launched. In Wales, we have tended to do that the other way round, frankly.

[63] Secondly, England has a cottage industry around supporting change management in schools. I do not want to see a private sector cottage industry, but England supports schools through the National College for School Leadership, and the activities of the Training and Development Agency for Schools, neither of which has any currency in Wales. So, England has had a huge collaborative support network for headteachers, and in determining individual best practice, school leaders have been able to take risks, and where they come off, share that information with others. We have some networks in Wales, but they are not developed enough, in my opinion, and headteachers have therefore been loathe to take risks. Where they have taken risks, things can go spectacularly wrong, because LEAs have not had sufficient resources to generally support that process.

[64] So, what you see if you look at the progress of change in both countries, is that England has moved more quickly into different, more flexible, and often more productive school management environments than Wales. Here, we have seen a conservative reaction to change, because if someone takes a risk in moving the school forward into a new-world structure, and they come to grief, then every colleague in the locality will say that it is not worth doing. Believe me, that has happened in many parts of Wales.

[65] **Mr G. Jones:** To give a brief response: funding is crucial. It is like oil in an engine—if you have enough oil, then the engine tends to run smoothly. There is an issue as to whether funding is being used as well as it might be. For example, in Wales, the delegation rate of education funding for schools averages 75 per cent, whereas in England, you are talking about 85 to 90 per cent. Where is the extra 10 to 15 per cent going? You have to look at the administration costs that are involved in Wales. So, funding is a significant factor.

10.00 a.m.

[66] You asked whether we need compliance regulation, which is being suggested in some areas. We would have some reservations about using legislation that is focused on schools and governing bodies without necessarily giving people the tools to do the job. It is all very well putting a compliance regulation in, but if people do not have the particular tools, how can they comply? All that that will do is to make life even more difficult. Chris, do you want to come in on that?

[67] **Dr Howard:** We have noted the English Government's intention to move forward with compliance legislation and NAHT is horrified that it is moving forward in that way. We believe that it is rather like using a sledgehammer to crack a nut. There are some difficulties, but they are very small. So, the Government wants to legislate from up there to deal with what, we are convinced, are a very small number of problems at ground level in schools, when schools are one of the most contractualised and unionised working environments in the UK. There is sufficient redress at the moment.

[68] The idea that the Government wants to legislate on such matters is somewhat alien to us and we would encourage you to think carefully before proceeding in a similar direction.

[69] **Mr Guy:** Funding is one of the major issues there, but one of the other side effects, possibly, of the workload agreement is recruitment and retention of headteachers. We are seeing that it is increasingly difficult to recruit headteachers, and at primary school level,

more jobs are being re-advertised and more headteachers are being asked to run two schools, which should not happen, and they are looking at federating schools under one headteacher. We have been alerting people to this potential crisis for many years. The workload agreement is not working, certainly when, at primary level, all of these issues come back to the headteacher and to the deputy. They do not have time to dedicate to their leadership or management tasks.

[70] **Gareth Jones:** Mae'n ddrwg gennyf, ond mae amser yn ein herbyn. Yr wyf eisiau diolch i chi am eich cyfraniadau. Mae'r materion yr ydych wedi cyfeirio atynt yn y dystiolaeth ysgrifenedig, a byddwn yn talu sylw arbennig iddynt. Yr ydym wedi cael cyfle i drafod rhai agweddau, nid popeth, ac yr ydych wedi tynnu'n sylw at y pethau allweddol. Ar ran yr Aelodau, diolchaf i chi am eich presenoldeb.

Gareth Jones: I am afraid that time is against us. I would like to thank you for your contributions. The issues to which you have referred are included in your written evidence, and we will be taking special note of them. We have had an opportunity to discuss some of those issues, not all of them, and you have drawn attention to the key issues. On behalf of Members, I thank you for your attendance.

[71] Dyna ddiwedd rhan gyntaf y sesiwn hon ar gytundeb llwyth gwaith athrawon.

That is the end of the first part of this session regarding the teachers' workload agreement.

[72] Symudwn ymlaen at ail ran yr eitem hon. Estynnaf groeso cynnes i gynrychiolwyr Undeb Cenedlaethol yr Athrawon Cymru, Cymdeithas Genedlaethol yr Ysgolfeistri ac Undeb yr Athrawesau, Undeb Cenedlaethol Athrawon Cymru a Chymdeithas yr Athrawon a'r Darlithwyr. Fe'ch croesawaf i'r cyfarfod. Yr ydym yn hynod ddiolchgar i chi am eich tystiolaeth ysgrifenedig. Yr ydym eisoes wedi cael cyfle i ddarllen y pwyntiau hynny. Estynnaf groeso swyddogol i Gareth Lloyd, swyddog Cymru, NUT Cymru, Rex Phillips, trefnydd Cymru, NASUWT, Elaine Edwards, ysgrifennydd cyffredinol UCAC, Dilwyn Roberts-Young sydd hefyd yma ar ran UCAC, a Dr Philip Dixon, cyfarwyddwr ATL Cymru. Croeso cynnes i chi a diolch am y dystiolaeth yr ydym wedi ei dderbyn hyd yn hyn. Mae hwn yn rhoi cyfle i ni, aelodau'r pwyllgor, i ofyn cwestiynau yn benodol ar yr hyn yr ydym ni wedi ei ddarllen ac efallai ar yr hyn yr ydym ni wedi ei glywed hefyd o ran y cytundeb llwyth gwaith athrawon hollbwysig hwn. Nid wyf am ofyn am gyflwyniadau gennych chi am fod amser yn brin iawn y bore yma—rhyw hanner awr sydd gennym. Byddaf yn troi at yr Aelodau am y cwestiynau. Mae Jeff Cuthbert am ddechrau.

We will now move on to the second part of this item. I extend a warm welcome to the representatives of the National Union of Teachers Cymru, the National Association of Schoolmasters and Union of Women Teachers, Undeb Cenedlaethol Athrawon Cymru and the Association of Teachers and Lecturers. I welcome you to the meeting. We are extremely grateful to you for your written evidence. We have already had an opportunity to read those points. I extend an official welcome to Gareth Lloyd, Wales officer, NUT Cymru, Rex Phillips, Wales organiser, NASUWT, Elaine Edwards, UCAC's general secretary, Dilwyn Roberts-Young who is also here on behalf of UCAC, and Dr Philip Dixon, the director of ATL Cymru. A warm welcome to you all and thank you for the evidence that we have received thus far. This gives us, as committee members, an opportunity to ask specific questions on what we have read and perhaps on what we have heard about this all-important teachers' workload agreement. I am not going to ask you for presentations because time is of the essence this morning—we only have about half an hour. I will turn to Members for their questions. Jeff Cuthbert will start.

[73] **Jeff Cuthbert:** I am experiencing a little bit of déjà vu here. You were present at the Proposed Learning and Skills Measure Committee meeting yesterday, before we were literally washed out, which the others may have heard about. I want to put the same question to you that I put to your colleagues about half an hour ago. What impact do you think that the

14-19 learning pathways may have on the workload agreement? The baccalaureate is already here in Wales. Do you think that that initiative has had an impact, either positively or negatively, on issues to do with workload?

[74] **Ms Edwards:** Mae unrhyw ddatblygiadau sy'n ymwneud â'r cwricwlwm ac asesu, a newidiadau mawr fel y llwybrau dysgu 14-19, yn mynd i gael effaith ar lwyth gwaith. O ran yr agenda 14-19, efallai bydd yr effaith mwyaf o ran yr amser a fydd ei angen ar gyfer cydweithio a chynllunio gyda sefydliadau a phobl eraill. Bydd hynny'n anorod yn golygu cyfarfodydd ychwanegol, efallai y tu hwnt i safle'r sefydliad gwreiddiol, boed hynny'n ysgol neu'n sefydliad addysg bellach. Hefyd, o ran datblygiadau cwricwlwm ac asesu, gydag unrhyw ddatblygiad mae'n rhaid sicrhau ansawdd. Yn y blynyddoedd cynnar, yn sicr bydd angen monitro yn ofalus sut y mae'r datblygiadau'n mynd rhagddynt. Bydd monitro'r sefyllfa a chael pobl i ymweld i weld sut mae'r gweithdrefnau'n gweithio yn cael tipyn o effaith ar yr uwch dîm rheoli. Bydd unrhyw ddatblygiadau newydd o ran cyrsiau newydd hefyd yn cael effaith ar y staff dysgu. Efallai bydd yn rhaid iddynt addasu ar gyfer dysgu cyrsiau newydd a, mewn rhai achosion, i ddysgu pwnc newydd. Bydd angen hyfforddiant ychwanegol o bosibl er mwyn newid cyfeiriad.

Ms Edwards: Any developments involving the curriculum and assessment, and major changes such as the 14-19 learning pathways, will have an impact on the workload. In terms of the 14-19 agenda, perhaps the biggest impact will be in terms of the time required for collaboration and planning with other organisations and other people. That will inevitably mean additional meetings, possibly outside the original institution, whether that is a school or a further education institution. Also, with regard to developments in terms of the curriculum and assessments, with any development we must ensure its quality. In the early years, we will certainly have to monitor it carefully and see how the developments are being taken forward. Monitoring the situation and having people visiting to see how the procedures are working will have quite an impact on the senior management team. Any new developments in terms of new courses will also have an impact on the teaching staff. Maybe they will have to adapt to teaching new courses and, in some cases, to teaching a new subject. They may need additional training to change direction.

[75] **Mr Philips:** I would like to add that, as Elaine has said, we believe that all new initiatives have to be measured against the requirements of the national agreement. Impact assessments should be carried out on all new initiatives and they should be looked at in the light of those requirements. In terms of the Welsh baccalaureate, what needs to happen is that you need to identify the staffing needs in school and the resourcing needs. We need to remember that a lot of money was put into the pilot scheme for the Welsh baccalaureate and that funding must be maintained in the roll-out of the Welsh baccalaureate. We saw what happened with the foundation phase—again, we talked about this yesterday, Jeff. Money was put into the pilot schemes and the Minister has tried to ensure that the level of funding is maintained during the roll-out; the same has to apply, at the other end of the scale, for the Welsh baccalaureate. You have to keep the funding at the level provided for the pilot schemes. You cannot try to do it on the cheap; if you do so, you will inevitably impact on teacher workload; it will then increase.

[76] We have seen an increase in teacher workload. When the national agreement was first brought in, there was a downward pressure and that was maintained until about 2005, but it is slowly starting to creep up again, simply because the gains that had been made have been frozen, and the gaps that were put in place to reduce that pressure and give teachers time to plan and prepare are now being filled by other initiatives, to return to a point that I made previously, because no-one is measuring them against the national agreement.

10.10 a.m.

[77] **Mr Lloyd:** I support what the other unions' representatives have just said. There are a couple of other issues that are important. We welcome each new policy initiative and teachers will support each initiative. However, these initiatives have effects, one of which is an increase in meetings and an increase in meetings in twilight times. We seem to be returning to the days of multiple briefing meetings; the one-hour-a-week meeting is just not happening in many schools. Another connected issue is planning and preparation time. Teachers are being asked to deal with these new initiatives in their PPA time, which is having an effect, and that has been reported in primary and secondary schools.

[78] We agree that there is an effect on work-life balance. Teachers without management points are often asked to take on a new initiative and told that it will help them in the long run to get more teaching and learning responsibility, and at the moment, they are not being paid for doing so, because a limited number of management allowances are available. This is affecting senior management teams across schools, mainly because senior management teams are now limited. There are fewer teachers with management points; therefore, the workload is being shared by a small number of people.

[79] **Dr Dixon:** I echo what has been said on points. Any new initiative will obviously increase workload in the first instance, and it is important that that workload is not then carried on. So, the initiative must be sustainable. We have found with a lot of these headline initiatives that our headteacher members—a point that we would all like to make is that there are not just unions for heads, and we also have deputy heads and assistant heads in our membership—say that a lot of the burden falls on them as the initiatives go forward. A lot of the initiatives that have come out, particularly the foundation phase, the baccalaureate and the 14-19 pathways, have been welcome. We look forward to the Minister honouring her pledge: she said in her paper that there would be no new initiatives. I hope that there will be no semantic argument about 'new' and 'initiatives'. We have plenty on the table now that we would like to see bed down, and we would like to see the workload go down accordingly. Initiatives such as the 14-19 learning pathways, the new assessment arrangements, the new curriculum and so on have increased the workload. In addition, regarding the 14-19 learning pathways and what we were discussing yesterday, while that does not increase workload directly for some members in schools and colleges, it is increasing their levels of anxiety about future reorganisation. These things have an effect on work-life balance and on teachers and lecturers' morale as well, which must be taken into account.

[80] **Gareth Jones:** Jeff has a brief follow-up question on that.

[81] **Jeff Cuthbert:** To play devil's advocate a little, I do not underestimate the practical issues involved, but are these major, practical problems that affect Wales as a whole, or is it an issue of management training at learning-centre or school level?

[82] **Dr Dixon:** It is partly that in certain circumstances. You find different levels of management capability and training and so on; that is obviously the case. However, the problem arises because there is new initiative after new initiative. It is a problem of letting those initiatives bed in, and that is the main thing that we are looking at. We will have the 14-19 learning pathways and the changes to the assessment regime. Next year, there will be something else, and something else after that. So, there may be a certain question about the capacity of management, but it is not right to locate it there alone.

[83] **Ms Edwards:** I ddod yn ôl at ail ran cwestiwn Mr Cuthbert, ynglŷn â datblygiadau 14-19 yn benodol, teimlaf ei fod yn bennaf yn ymwneud â phroblemau ymarferol o fewn y sefydliadau yn hytrach na phroblemau arweinyddiaeth, hyfforddiant ac ati. Os ydych **Ms Edwards:** To return to the second part of Mr Cuthbert's question, regarding 14-19 developments in particular, I feel that this is mainly to do with practical problems within the institutions rather than problems of management or training and so on. If you

yn disgwyl i sefydliadau gydweithio, mae'n rhaid sylweddoli na allant wneud hynny heb drafodaeth. Yn y gorffennol, byddai'r drafodaeth honno wedi digwydd o fewn un sefydliad, gyda phawb ar yr un campws, ond yr ydych yn sôn yn awr am ddwyn nifer o sefydliadau gyda'i gilydd. Felly, bydd cyfarfodydd naill ai ar ôl oriau dysgu'r sefydliadau neu yn ystod oriau dysgu'r sefydliadau. Os byddant yn digwydd yn ystod oriau dysgu'r sefydliadau, bydd yn tynnu'r staff oddi wrth ddysgu plant. Bydd yn golygu bod y staff sydd yn arwain y sefydliadau yn treulio mwy a mwy o amser tu allan i'r ysgol maent yn ei harwain. Nid yw hynny'n beth da os yw'n digwydd yn rheolaidd.

expect institutions to collaborate, you must realise that they cannot collaborate without discussion. In the past, that discussion would have happened within a single institution, with everyone located on the same campus, but you are now talking about bringing several institutions together. Either meetings will happen outside teaching hours or meetings will happen within teaching hours. If they take place during institutions' teaching hours, that will take staff away from teaching children. That will mean that the staff who run the institutions are spending more and more time outside the school that they run. That is not good if it happens regularly.

[84] **Sandy Mewies:** I am sure that you will not be surprised to hear that there have been some common themes in these papers with regard to the teacher workload agreement—the fact that PPA time is being eroded or, in some cases, has probably never been achieved. Headteachers and deputy heads are taking on a bigger role because there is no-one else to do it. Several papers have mentioned the role of the governing body and its statutory obligation to ensure that agreements are adhered to within its school, and the responsibilities of the local authorities. Your governing body is your critical friend, and there is usually a fairly good relationship between a headteacher and the governing body—not always, but usually. What is not happening now? Are governing bodies not aware of what is happening? Are they aware, but ignoring it? What is happening? There is a statutory obligation to ensure that these agreements are adhered to. They have been agreed to and are in place. So, what needs to be done to ensure that governing bodies—and, indeed, local authorities—are aware of their role and what they ought to be doing?

[85] **Mr Philips:** I think that governing bodies are fully aware of their duties and responsibilities in this regard. In terms of what can be done, we have to look across the border to England. Last week, the Secretary of State for Children, Schools and Families, Ed Balls, announced that he will introduce legislation to enforce compliance with the national agreements. As you have already said, Chair, the conditions of service of teachers are not devolved to the Welsh Assembly Government. However, there will be a role for the Welsh Assembly Government to play in terms of compliance with the national agreement. Those duties will include the powers for LEAs to issue warning notices where schools fail to comply with the schoolteachers' pay and conditions document. It will also give power to the Secretary of State to direct a local authority to issue warning notices to schools where they are not complying. We would want to see those powers also being applied in Wales, because it is a statutory duty. As a trade union, we are embarking on a campaign called, 'Is your school breaking the law?', because it is the law. It is no good schools arguing that they do not have the funding to comply with the law. If I get stopped for not having paid my car tax, it is no defence for me to say that I did not have the money to pay it; I have to pay it. So, these things have to be put in place in schools.

[86] There are structures in place to monitor what is happening, but we, as a trade union, look to our representatives on the ground to tell us when schools are not complying with the campaign. In the first instance, we would go to the headteacher; if we did not have success with the headteacher, we would take that matter to the governing body. Educating and informing governing bodies about their duties and responsibilities is paramount to the success of the roll-out of the national agreement and the areas that have been included in that to reduce teacher workload.

[87] **Mr Roberts-Young:** Hoffwn ategu'r hyn y dywedodd Rex; mae angen addysgu, ac mae angen i hynny ddod oddi wrth yr awdurdod addysg leol. Pan ddaeth y drefniadaeth CPA i mewn yn 2005, yr oedd pwyslais ar roi arweiniad, ond nid oes arweiniad yn awr. Yn fy ngwaith fel swyddog maes yn mynd o ysgol i ysgol bron yn ddyddiol, yr wyf yn gweld diffyg dealltwriaeth. Yr ydym yn amlinellu ein consŷrn o ran diffyg dealltwriaeth o ran beth yw CPA sydd i'w weld, er enghraifft, yn gosod gwaith i athrawon a gofyn iddynt esgeuluso cyfnod o GPA am wythnos neu ddwy. Mae'n gonsŷrn sy'n codi'n ddyddiol yn fy ngwaith fel swyddog maes. Mae lle i addysgu nid yn unig y tîm rheoli mewn ysgol, ond hefyd y llywodraethwyr.

Mr Roberts-Young: I would like to support what Rex has said; there is a need to make people aware, and that needs to come from the local education authority. When the PPA arrangements came in in 2005, there was an emphasis on giving leadership, but there is no leadership now. In my work as a field officer, going from school to school almost daily, I see a lack of understanding. We outline our concern with regard to a lack of understanding of the PPA shown by, for example, setting work for teachers and asking them to miss a PPA period for a week or two. It is a concern that arises daily in my work as a field officer. There is a place for making not only the management team aware of this, but also the governors.

10.20 a.m.

[88] Soniodd Rex am hynny yng nghydestun y ddogfen amodau gwaith. Credaf bod lle i'r awdurdod sicrhau bod y timau rheoli a'r llywodraethwyr yn gwbl glir am y ddogfen honno ac yn ymwybodol o'r cynnwys. Cefais alwad ffôn y prynhawn ddoe gan athrawes a oedd ar fin derbyn swydd pennaeth. Wrth lofnodi'r llythyr neu'r ffurflen, dyma hi'n gofyn, 'Beth yn union yw amodau gwaith pennaeth ysgol gynradd?'. Byddwn i'n disgwyl bod hynny'n rhywbeth sy'n dod oddi wrth yr awdurdod addysg, neu wrth i ddarpar benaethiaid gael eu hyfforddi ar gyfer ennill y cymhwyster proffesiynol cenedlaethol i brifathrawon. Nid ydym wedi ein hargyhoeddi'n llwyr bod hynny'n digwydd ar y cwrs CPCB.

Rex mentioned that in the context of the document on working conditions. I think that there is scope for authorities to ensure that management teams and governing bodies are completely clear on the contents of that document. I received a telephone call yesterday from a teacher who was about to take up a post as headteacher. As she was signing the acceptance letter or form, she asked, 'What exactly are the terms and conditions for a primary school headteacher?'. I would expect that to come from the LEA, or during training for the national professional qualification for headship. We are not completely convinced that it is current practice on the NPQH course.

[89] **Mr Lloyd:** In many schools, planning, preparation and assessment time has been given and factored into timetables. That is the picture that governing bodies in many schools will see, but that is not the whole picture. During that PPA time, teachers are asked to plan new initiatives or, if they are pastoral staff, they will be interrupted. Pastoral staff in secondary schools do not get PPA time—as I know from personal experience—because pupils come in during that time. Mentoring will also take place during that time, and so it is not just an issue of PPA time not having been factored into the timetable; it is what happens when it already is in the timetable. Three or four years ago, when it was first introduced, I was a serving teacher and I felt that PPA was a wonderful new initiative. Eventually, more and more people got together and thought about what could be done in that time and so more work was found for teachers to do. Specific work, for instance, might have been done under the old management points system, as I mentioned earlier, which has now gone. Very few teachers with TLRs, teaching and learning responsibilities, undertake those duties. Maybe they were undertaken by teachers on management allowance 1 or 2 last year.

[90] **Dr Dixon:** On the question of governing bodies, while we need to ensure that the statutory requirements are enforced, many governing bodies are still unaware of their duties in that regard, so there needs to be a certain amount of indication. However, we also have to remember that they are volunteers, and you certainly do not want to frighten them off. We know that there are recruitment problems in certain parts of Wales. It is a question of building their capacity so that they can see the bigger picture, so there needs to be training. We floated the idea internally of whether governor posts should be like magistracies, so that there is some remuneration, but they should also be encouraged to see the broader picture. The support that comes from the local authority has to be much more targeted. That is crucial to this. So, it is a bit of a stick, and it is also a bit of carrot. We are trying to get that balance.

[91] **Sandy Mewies:** We have previously heard some evidence to suggest that not everyone would be happy to see the same sort of compliance laws being introduced. Is introducing compliance in that way a view shared by all of you? Is it an agreed view?

[92] Secondly, on your point about governing bodies, it is a long time since I was a chair of a governing body. One problem was the training. If you are a volunteer and you work and have family commitments, it is quite difficult to find the time to turn up again and again. Teachers have to face changes in the curriculum and so on, but so does the governing body, as well as changes in the rules. It is quite hard to balance that, because you are now asking governing bodies to do a far different job from the job that they did 10 or 15 years ago. I have not heard your idea about remuneration before. It is quite interesting because magistrates do get paid for training. Again, are people generally agreed about that?

[93] **Mr Lloyd:** We are in agreement that compliance is important, and that people be forced to do it. However, the funding has to be available. Many headteachers have a real fear that this will lead to redundancies and so on. I know that that is used as an excuse by many schools, but, in many schools, it is a genuine concern. Linked to that is a genuine concern about who is doing this PPA cover. If you compel teachers to cover it, will they be used more and more? I noticed that the headteachers mentioned cover supervisors, but that is another area of concern, because qualified teachers being paid by agencies have a take-home pay of £45 a day. It is a real fear. If you go to your own areas and check with the teachers in your schools, I am sure that you will find that that is the case. Not only are teachers getting no sick pay, they also do not have any pensions benefits and, on top of that, they are paid just £45 a day. I think that it works out as approximately £60 a day minimum, but, once tax and national insurance are deducted, you end up with £45. That is the first great concern.

[94] On the other issue about governing bodies, they are volunteers but they need to be aware of changes. Paying them could be an answer, but they have volunteered to be on the governing body because they want to play the role. I do not know what the effect will be if you start to pay people, but we would support some form of remuneration.

[95] **Mr Phillips:** On compliance, you cannot pick and choose which parts of the law to comply with. Those duties are there, that is the law, and, whatever others say, they have a duty to comply with all aspects of the law. You cannot use lack of funding as an excuse not to comply with the law.

[96] On the remuneration of governors, I would not be comfortable with the idea of governors being paid. It is voluntary and you give of your time for it but, if you start paying people, it becomes a job, and the next thing we will have is interviews for governors at schools. Depending on who becomes the paymaster, the paymaster can tell the governors what to do. The idea of expenses may be worth looking at, but not pay.

[97] **Gareth Jones:** Councillors who are school governors are paid, although I do not know whether that extends to that particular role. However, it is something to bear in mind.

[98] **Sandy Mewies:** The councillor might be the local councillor, but the rest of the school governors are volunteers.

[99] **Mr Phillips:** I was a school governor, and I did not receive pay or expenses for that.

[100] **Sandy Mewies:** On expenses, we mentioned magistrates who are not paid a wage, as such.

[101] **Mr Phillips:** I was merely thinking of the travelling expenses of getting back and forth to the governing body meeting. Presumably, most of the governors live locally because our schools, in the main, are neighbourhood schools—except in some areas of Wales where the neighbourhood can be a large area.

[102] **Ms Edwards:** O ran y gyfraith, rhaid cofio ei bod yn ddogfen statudol, mae'r gyfraith yn glir, ac mae canllawiau i gyd-fynd â'r gyfraith. Felly, mae rheoliadau yn bod yn y maes hwn eisoes ac mae angen sicrhau bod pawb yn ymwybodol ohonynt. Yr ydym wedi codi'r mater gyda'r STRB nad oes digon o ymwybyddiaeth o'r ddogfen. Bûm yn athrawes am 19 mlynedd cyn mynd i weithio at yr undeb, a dim ond pan oeddwn yn dechrau gwneud mwy gyda'r undeb y deuthum yn ymwybodol o fodolaeth y ddogfen, a hynny ar ôl gyrfa ym myd addysg. Os ydych yn lwcus, bydd un copi o'r ddogfen honno ym mhob ysgol. Mae'n costio £24 y copi. Mae'r undeb yn cael dau gopi am ddim ac yn gorfod prynu unrhyw gopïau eraill. Felly, gallaf warantu nad oes copi ar gael ar gyfer pob aelod o fwrdd llywodraethu ysgol. Tybed a yw pob pennaeth wedi cael amser i ddarllen yr holl ddogfen, heb sôn am bob ddogfen swmpus arall a ddaw o bob math o ffynonellau. Yr hyn sydd ei angen yw arweinyddiaeth glir gan awdurdodau addysg lleol er mwyn helpu prifathrawon i sicrhau eu bod yn gweithredu, a hefyd i gefnogi byrddau llywodraethu sy'n cynnwys mwyafrif o wirfoddolwyr.

Ms Edwards: On the law, we must remember that it is a statutory document, the law is clear, and there is guidance to accompany that law. Therefore, regulations already exist in this area, and we need to ensure that everyone is made aware of them. We have raised the matter with the STRB that there is a lack of awareness of the document. I was a teacher for 19 years before going to work for the union, and it was only when I began to do more with the union that I became aware of the document's existence, and that was after a career in education. If you are lucky, there will be one copy of that document in every school. It costs £24 a copy. As a union, we receive two copies for free and we have to buy additional copies. So, I can guarantee that there is not a copy available to each member of a school's governing body. I wonder whether every head has had time to read this document, let alone all the other weighty tomes that come from all manner of sources. What is needed is clear leadership from local education authorities to assist headteachers with implementing it, and also to support governing bodies, which consist mostly of volunteers.

[103] **Gareth Jones:** Rhaid inni symud ymlaen o'r pwynt hwnnw, oherwydd gwn fod un neu ddau o Aelodau am ddod i mewn ar bwynt gwahanol.

Gareth Jones: We must move on from this point, because I know that one or two Members wish to come in on a different point.

[104] **Andrew R.T. Davies:** Thank you for coming along to give evidence, ladies and gentlemen. I have a couple of questions, which were, sadly, not answered by the headteachers, because they were cut off. I have serious worries about the disintegration of senior management teams in schools. I heard all of you say that you have representatives from them in your unions, because they are critical to delivering the workload agreement. Is it your understanding that that disintegration is ongoing and will accelerate given the tightness of the budget situation facing many schools? It will fundamentally undermine the workload

agreement if the senior management teams are not in place.

[105] Phillip, in your paper you say that there 'should' be an audit of senior management teams, so that people can analyse what is going on in the senior management team. Are you talking about a statutory, compulsory audit?

[106] **Dr Dixon:** It is not a statutory audit, but it would answer some of the questions that you raise.

[107] **Andrew R.T. Davies:** In September 2009, the cover aspect will be worked out. In all the papers, the word 'rarely' is used in that regard. The definition of 'rarely' can be stretched in any way, but all the figures indicate that the cover expected of teachers is increasing: it did go down to 17 hours per academic year but now it has gone back up to 20 hours per academic year. So, instead of moving closer to the target stipulated by September 2009, we are moving away from it. Do you think we can hit that target, given that there is no budgetary consideration to allow us to inject resources for that, and that the indicators show that we are moving away from the target?

10.30 a.m.

[108] **Mr Lloyd:** First, I have some anecdotal evidence on your point about the senior management team. If you go into primary and secondary schools, you will find that people are labelling the teachers who have teaching and learning responsibilities in the same way as they might have labelled the senior management team in the past. People will say, 'Oh, they are the TLRs'. So, actually knowing who the senior management team is in a school can be quite difficult, and many teachers on the ground will feel that TLRs are part of that new senior management team. Middle management is a big issue, because, more often than not, middle managers are not given any additional management time. They are teaching, they are given their 10 per cent, and that is it; they are not given any management time. That is supported by deputies and heads not taking any headship time. That is pretty clear in the majority of the areas that we are working in, from what our members say. We have had comments, which are included in the report. 'What is headship time?' 'It is a joke; we do not get it.' That is quite clear.

[109] On the cover going up, when that came in initially, it mentioned a no-detriment clause. However, in every school, I find that that is not being adhered to. Teachers are starting off on maybe 20 hours one year, which they did not record, and then the next year, they go up to 22 hours, which is now the norm. The no-detriment clause is important, but it is not being adhered to in the schools that I am going to.

[110] **Mr Phillips:** On the senior management teams, three years ago, all schools were given a blank sheet of paper and told to look at their staffing structures and to remodel in line with the national agreement and the new TLRs. They started off with that blank sheet of paper, so if they have not got the staffing structures right in their schools, you have to ask why. It is because the governing bodies of those schools and the leadership teams in those schools have not done the job properly. The safeguarding that was put in place to cover previous management allowances finishes at the end of this year, so school staffing structures should be fit for purpose. If they are not, the question needs to be put to them in individual schools.

[111] All schools have been told for some time that they have to reduce down to 'rarely' cover by 1 September 2009. They all have a duty to put interim arrangements in place. That should have been done by the senior management teams in schools. If it has not been done, they are not complying with the regulations, and you have to ask why they have not carried out the exercise to make sure that there is not cover.

[112] The whole of the school budget was there to remodel and to ensure that the national agreement was put in place. It was not compartmentalised; pots of money were not put in place to do this or that. There were not pots of money for cover. There are budget headings, but budgets can be vired, and that was the challenge for headteachers and the managers of the schools. So, I get a bit concerned when I hear about school heads bleating that they cannot do this.

[113] When those issues cropped up in England, I know that the Workforce Agreement Monitoring Group, which is a structure that is like a national change management resource, said, 'Right, we will come into your school, sit down with you, have a look at your budget, and see where you can move money around so that you can put these things in place'. Nine times out of 10, it does not have to go, because, all of a sudden, the school can do it for itself. It is a matter of whether the will exists at school level to implement these things.

[114] **Ms Edwards:** Rhaid imi anghytuno rhywfaint â Rex yn hynny o beth achos, o'n profiad ni, mae penaethiaid gyda ni sydd wir yn dymuno gweithredu er lles eu staff a'u disgyblion ond maent yn teimlo rhwystredigaeth enfawr am nad yw'r arian ar gael. O'r herwydd, maent yn tynnu mwy o waith arnynt eu hunain i sicrhau bod eu staff yn cael amser CPA ac ati, ac nid ydynt yn cymryd amser eu hunain.

Ms Edwards: I must disagree somewhat with Rex in that regard because, in our experience, we have headteachers who genuinely want to act in the interests of their staff and their pupils but who feel a massive sense of frustration as the funding is not forthcoming. Consequently, they take a greater share of the work on board themselves to ensure that staff have PPA time and so on, and do not take their own time.

[115] Gan ddod yn ôl at y pwynt creiddiol ynglŷn â strwythur tîm arweinyddiaeth ysgolion, o'n profiad ni, mae llai o swyddi dirprwyon yn cael eu hysbysebu pan fydd dirprwy yn gadael ysgol. Gall y dirprwy adael, a bydd swydd pennaeth cynorthwyol yn cael ei hysbysebu, ond, yn y pen draw, y cyfan fydd gennych yw penaethiaid cynorthwyol yn gwneud gwaith dirprwy am lai o dâl—am ei bod yn rhatach cael pennaeth cynorthwyol.

Returning to the core point as regards the structure of the schools leadership team, in our experience, fewer deputy headships are being advertised when a deputy leaves a school. The deputy can leave, and the position of assistant headteacher will be advertised, but, in the end, you will just have an assistant headteacher doing the work of a deputy for less pay—because it is cheaper to appoint an assistant headteacher.

[116] Mewn rhai ysgolion cynradd, nid oes dirprwyon o gwbl, ac, mewn ysgolion bach iawn, nid oes neb ar unrhyw lwfans yn aml. Felly, pan fydd pennaeth yn absennol o'r ysgol, athro dosbarth cyffredin sy'n cymryd y cyfrifoldeb dros yr ysgol honno, a hynny heb unrhyw dâl am y cyfrifoldeb ychwanegol.

In some primary schools, there is no deputy at all, and, in very small schools, no-one is on any kind of allowance often, so that, when the headteacher is absent from school, an ordinary classroom teacher takes responsibility for that school, without any remuneration for that extra responsibility.

[117] Mae gennych sefyllfa o ganolfannau, er enghraifft canolfannau Cymraeg, sy'n dysgu disgyblion lle nad yw'r person sydd yn hollol gyfrifol am y ganolfan yn derbyn lwfans. Felly, maent mewn rôl arwain, ond nid ydynt yn derbyn unrhyw gydnabyddiaeth am hynny.

You have the situation of centres, for example, Welsh-medium centres, that teach pupils where the person who is completely responsible does not receive an allowance. Therefore, they are in a leadership role, but they do not receive any recognition of that.

[118] O ran y rheol 38 awr, mae ysgolion sydd wedi bod yn gweithio'n frwd tuag at

On the 38-hour rule, schools that have been working enthusiastically towards this and feel

hyn ac yn teimlo eu bod yn cael llwyddiant, yn nodi y bydd yn anodd iddynt gyrraedd y sefyllfa honno erbyn 2009. Mae hynny'n parhau i fod yn broblem. Her bellach yw safoni cyfnod allweddol 3 a'r ychwanegiadau at hynny, yn ogystal â'r cyfarfodydd pontio rhwng addysg gynradd ac uwchradd a chyfarfodydd ysgolion clwstwr. Pan fo'r athrawon allan o'r ysgol, mae'n rhaid i rywun gymryd eu gwersi.

that they are gaining some success, note that it will be most difficult to get to that position by 2009. That continues to be a problem. A further challenge has been the standardisation of key stage 3 and enhancements to that, as well as the bridging meetings between primary and secondary education and cluster school meetings. When the teachers are out of school, someone has to take their classes.

[119] **Dr Dixon:** We have also said, on the senior management team, that schools should have a deputy headteacher, because we think that it is essential to have that dialogue between a headteacher and a deputy to share that responsibility. So, where the management team is being pared down, we would be concerned—I think that you have previous evidence of that—that it possibly would not be able to function fully. That is of great concern.

[120] On cover, we are finding that it is reduced. It is a question of glass half-full, half-empty, is it not? It has improved, but it is certainly not tending towards zero. Yet, there are instances of schools putting in place good practice, where things seem to be moving in that direction. We do not seem to be sharing the best practice around Wales and we do not seem to have the mechanisms for doing that. The local WAMGs and the developing local social partnerships are important, but we possibly need something slightly over that, which would then be able to share that intra-LEAs.

[121] **Andrew R. T. Davies:** Are some social partnerships working?

[122] **Dr Dixon:** Some are working well; others I think probably exist just on paper. We would certainly want to see them rejuvenated. Where they are working—not without difficulty—they seem to be working well.

[123] **Gareth Jones:** Thank you; I think that we have covered the points this time, Andrew.

[124] Mae amser ar gyfer dau gwestiwn; mae Christine Chapman a Janet Ryder am ddod i mewn. Byddwch yn gryno, os gwelwch yn dda. There is time for two questions; Christine Chapman and Janet Ryder want to come in. Please be brief.

[125] **Christine Chapman:** I put this question to the previous sets of witnesses. One aspect of the workload agreement mentioned when it started was that it would give a good opportunity for people other than teachers to be involved in education—people from business, sports or possibly youth workers and so on. From your perspective, how is that working? I know that there were some good examples around Wales.

[126] Obviously we have approached this from the standpoint of teachers and staff, but if we had young people in front of us today, what do you think they would be saying about the workload agreement? What would be their experiences? I sit on the Children and Young People Committee and this is, possibly, an item that we will consider separately in terms of taking evidence from young people.

[127] **Mr Phillips:** On your question on young people, I do not know whether they would have noticed, to be honest. I do not think that they would notice a difference in their teachers; they may notice, if it is working and rolled out in the school, that levels of absenteeism decrease and so on, because that is one of the effects. If you reduce the workload, you can have the knock-on effect of reducing levels of absenteeism. I would be interested to hear what

the young people had to say.

[128] On the other question, I think that you are referring to the specified work that can be done in schools in order to generate PPA time and bring in people other than teachers in order to deliver, which then frees teachers up. We are very much wedded to that concept. However, I suggest that it is probably a mixed picture right across Wales. It depends, first and foremost, whether schools have bought into that idea or whether they want to have a qualified teacher in front of the class all of the time. However, we, as a trade union, welcome the development, because it broadens the horizon of pupils and broadens their experiences. Again, it comes back to the other points that we were talking about in terms of managing that.

10.40 a.m.

[129] **Ms Edwards:** Gwrthododd ein hundeb arwyddo'r cytundeb ynghylch llwyth gwaith athrawon yn wreiddiol a'r prif reswm am hynny oedd inni allu gweld y byddai'n anodd i'w weithredu, byddai'n golygu bod pobl eraill yn hytrach nag athrawon yn sefyll o flaen dosbarthiadau o blant, ac y byddai'n erydu rôl yr athro a hefyd safon addysg yn y pen draw. Mae tystiolaeth bod hynny'n digwydd.

Ms Edwards: Our union originally refused to sign the workload agreement and the main reason for that was that we could see that it would be difficult to implement, that it would mean that people other than teachers would be standing before classes of children, and that it would erode the role of the teacher and also, eventually, the standard of education. There is evidence that that is happening.

[130] Un o'r pethau sydd yn digwydd yw bod cynorthwywyr yn cael eu defnyddio i edrych ar ôl dosbarthiadau yn ystod amser cynllunio, paratoi ac asesu athrawon, ond mae athrawon yn dweud eu bod yn gorfod paratoi gwaith i'r cynorthwywyr roi i'r dosbarth ac wedyn mae'n rhaid iddynt ei farcio. A ydynt i fod i wneud hynny yn eu hamser CPA? Mae'n gwneud nonsens o'u hamser CPA. Mae sôn fan hyn am athrawon yn sylweddoli na all cynorthwywyr wneud y gwaith a, gan nad ydynt am i gynnydd y dosbarth waethygu, maent yn sicrhau eu bod yn cymryd y gwersi ac yn gwneud y gwaith ar eu cyfer. Hefyd, ar adegau, gwelir effaith ar ddisgyblaeth os nad oes gan blant yr un cyswllt drwy'r amser.

One thing that is happening is that assistants are being used to look after classes during teachers' planning, preparation and assessment time, but teachers are saying that they have to prepare work for the assistants to give to the class and then they have to mark it. Are they supposed to do that during their PPA time? It makes a nonsense of their PPA time. There is mention here of teachers realising that the assistants cannot do the work and, as they do not want to see the progress of the class being hindered, they ensure that they take the lessons and do the work for them. There can also be an effect on discipline if children do not always have the same contact.

[131] Yr oeddwn i yn dysgu pan gyflwynwyd y newidiadau. Yn sydyn, yr oedd cynorthwywyr yn mynd i fod yn y dosbarth. Nid oedd neb wedi rhoi unrhyw hyfforddiant i athrawon ar sut i reoli gwaith oedolyn o fewn y dosbarth. Mae'n anodd iawn i athrawon ifanc gael oedolyn dipyn yn hŷn na nhw yn y dosbarth, gan orfod rheoli ei waith. Yn aml, nid oes neb wedi trafod gyda'r oedolyn hwnnw y rheolau, sut maent i fod i ymddwyn o fewn y dosbarth, na'u perthynas gyda'r plant a'r athrawon. Mae'n creu problemau.

I was teaching at the time that the changes were introduced. Suddenly there was to be an assistant in the classroom. No-one had trained the teachers in how to manage the work of an adult in the classroom. It is difficult for young teachers to have another adult who is older than them in the classroom whose work they have to manage. Often, no-one has discussed with that adult what the rules are, how they should behave in the classroom and the relationship with the children and teachers. It creates problems.

[132] **Dr Dixon:** We have support staff members in our membership, because that is part of our ideology as an education union. We would like to see there being dedicated classroom assistants who are not taken away for other duties. We think that, over time, they can build up relationships with children, which can be very beneficial and, often, the classroom assistant can undertake duties that the teacher may want to delegate and so on. We would see that as team co-operation. However, where I would agree with Elaine is on the fact that there needs to be more training to enable them to integrate better.

[133] On Christine's point about what children would have noticed, they might have noticed that, now that they have PPA time, teachers are better prepared and lessons are more interesting.

[134] **Janet Ryder:** My question was on classroom assistants. I know that some of the unions had concerns when the agreements came in about an increased use of classroom assistants. I would like to give all of you an opportunity to reflect on the use of classroom assistants. Do you think that it is increasing children's educational outcomes? We have heard headteachers referring to the use of cover supervisory staff as opposed to cover teachers, and we have heard a mixed response from headteachers. Some of them are saying that there is no problem and that they can find cover, although there may be problems in Welsh-medium education, whereas the primary sector is saying that there are problems finding cover supply. I would like your thoughts on whether it should be a qualified teacher or a supervisory assistant who covers supply, and whether there are adequate facilities available to access supply cover of whatever source, when it is needed.

[135] **Mr Lloyd:** The simple answer is that there should be a qualified teacher teaching in every classroom. In my own classroom, the teaching assistant I work with is now doing teacher training. We support any training that leads to assistants becoming qualified teachers but not their taking the role of a teacher. We have an agreement with Unison; we do not take their roles and they do not take our roles, but it is possible for them to develop and to become teachers eventually.

[136] On cover supervisors, they are not all unqualified teachers; a lot of them are qualified teachers who cannot find work. As we have to point out quite often to schools, if they are not paid as qualified teachers, they are not working as qualified teachers. There is a primary school in one area where there are 42 students, one teacher, three learning support assistants and one high-level teacher assistant. We were told that the high-level teaching assistant is a qualified teacher. As we said, they are not paid as a qualified teacher and are therefore not a qualified teacher for that classroom purpose. That is a big concern for us; there is no getting away from it. A headteacher said that having cover supervisors is good, because you can keep them for the whole year and they get to know the pupils. In the olden days—or it feels as though they are the olden days now—supply teachers used to be able to come into schools and stay for the whole year. So, there is no problem with having qualified supply teachers to stay the whole year, but pay them, please, as qualified teachers. It is very demoralising for teachers to come in and be paid £45 a day through an agency. It is absolutely appalling and we are totally against that idea.

[137] **Mr Phillips:** On support staff in schools, I would refer the committee to the 'School Support Staff in Wales' research that has recently been undertaken. That is a balanced piece of research, although the returns were rather low. However, it highlights the importance of the role that school support staff play. They play that role because they assist in reducing teachers' workload, and because they free teachers up to focus on their central task of teaching and learning. So, that is a fundamental role.

[138] On cover supervisors, we are not wedded to the idea that you need a qualified teacher

to provide short-term cover in schools. That was one of the planks of the workload agreement that we recognise; in order to roll that out, there would have to be a different, or new, type of education professional in schools—I believe that David Egan used that phrase in evidence that he gave, I think, on child poverty. We would see cover supervisors within that bracket, but we would see them there for short-term cover. On long-term cover, if schools plan, and they need to bring someone else in for the long term, you need the teacher to deliver. However, I believe that cover supervisors are a perfectly adequate way of covering short-term cover.

[139] As a teacher, if I had to cover lessons in schools, if it was the odd lesson, you would do no preparation for that—you would merely look after the children, and hope that the teacher who was not in school had left some work for you to attempt to deliver with the pupils. So, I do not see anything wrong with the idea of having cover supervisors in school; in fact, we believe that it is fundamental to the success of the roll-out of the national agreement.

[140] **Ms Edwards:** Mae angen athrawon cymwysiedig ar bob adeg. Dychmygwch enghraifft mewn addysg plentyn ôl-14 o wythnos pan mae athrawon yn safoni gwaith cwrs. Efallai fod pob adran yn safoni yn ystod yr un wythnos, ac felly byddai angen cael rhywun i edrych ar ôl y dosbarth ar gyfer pob pwnc. Felly, faint o addysg fyddai'r plentyn hwnnw yn ei gael pe na bai athro cymwysiedig o flaen y dosbarth?

Ms Edwards: We need qualified teachers at all times. Imagine a scenario in the education of a post-14 pupil of a week when teachers are standardising coursework. Every department may be standardising during the same week, so you would need someone to look after the class to cover every subject. So, how much education would that child receive unless there was a qualified teacher standing in front of the class?

[141] **Gareth Jones:** Mae'r cloc wedi ein curo unwaith eto. Ar ran y pwyllogr, diolchaf i'r pump ohonoch am eich presenoldeb y bore yma, ac am y dystiolaeth ysgrifenedig a llafar yr ydych wedi ei rhoi gerbron. Dymunaf y gorau i chi yn eich swyddi, ac edrychwn ymlaen i wneud argymhellion y gobeithiwn a fydd o fudd i'r proffesiwn yn gyffredinol, ac, wrth gwrs, o les i'r plant.

Gareth Jones: The clock has beaten us once again. On behalf of the committee, I thank the five of you for your attendance this morning, and for the written and oral evidence that you have presented. I wish you the best in your jobs, and we look forward to making recommendations that we hope will be of benefit to the profession generally, and, of course, to the children.

[142] Symudwn ymlaen i ran olaf yr eitem hon yn ymwneud â chytundeb llwyth gwaith athrawon. Unwaith eto, mae'n bleser estyn croeso i'r Gweinidog dros Blant, Addysg, Dysgu Gydol Oes a Sgiliau, Jane Hutt. Croesawaf hefyd Helen Arthur, pennaeth isadran dysgu, gwella a datblygu proffesiynol Llywodraeth y Cynulliad, a Phil Jones, o gangen ailfodelu gweithlu ysgolion Llywodraeth y Cynulliad.

We will move on to the final part of this item on the teacher workload agreement. Once again, it is a pleasure to welcome the Minister for Children, Education, Lifelong Learning and Skills, Jane Hutt. I also welcome Helen Arthur, the head of the Assembly Government's learning, improvement and professional development division, and Phil Jones, from the Assembly Government's school workforce remodelling branch.

[143] Mae amser yn ein herbyn, Weinidog. Gobeithiwn y gallwn symud ymlaen yn syth i'r cwestiynau, a chawn gyfle wedyn i graffu ar yr agwedd hon ar addysg.

Time is against us, Minister. We hope that we can move immediately to questions, and we will then have an opportunity to scrutinise this aspect of education.

10.50 a.m.

[144] **Andrew R.T. Davies:** Thank you for coming along today, Minister. We have heard evidence this morning, and over a few days on the Proposed Learning and Skills (Wales) Measure Committee, that there seem to be real issues over the strength of the senior management teams in schools. Reading the papers, everyone seems to indicate that the strength of that team is a critical component in delivering the workload agreement. What is your understanding of the problems that headteachers, deputy headteachers and assistant headteachers face? It has been suggested to us that budgetary problems are the reason why schools are not replacing senior managers.

[145] Moving on to the social partnership, we have heard evidence this morning on the social partnerships. I hope that you agree that they are critical to delivering this project—your paper says how important they are and that they are working, but we have heard evidence that they are not working. Could you give us some examples of where best practice is being adhered to, but where they are struggling with their umbrella role of bringing all the elements of the workload agreement together?

[146] Finally, our papers this morning highlight the issues with the final implementation of the cover obligation in September next year. There are real concerns about meeting that obligation, because there is no extra budget provided and all the indices suggest that we are moving away from our goal. At first, the figures came down to about 17 hours; now they have gone up to 20 or 22 hours. So, we are actually moving away from delivering that part of the workload agreement for next year.

[147] **Jane Hutt:** I am pleased that you are undertaking this review, because it helps us to monitor a pioneering and important agreement with teaching staff and school leaders. The issue you raise in your first question is leadership. We support teachers and headteachers in using their professional skills, and that includes leadership skills, which are crucial for the remodelling work that has to take place in schools. One of the most important of my recent announcements is that there will be no new initiatives this year, to allow time for schools to consolidate their work on existing developments. That was welcomed, and it is crucial; schools have had to take on a great deal in terms of curriculum development, with the foundation phase and the revised skills curriculum from this September, leading through to the 14-19 learning pathways, and, as you said, all that has come up in discussing the Measure. However, the assurance that I have given on consolidation and implementation has been welcome, and we have a school workload advisory panel to identify issues in terms of the pressures that may be placing burdens on headteachers.

[148] We also support headteachers in their remodelling requirements. They are required to delegate as well as to use the support of the governors. That is a crucial point; I do not know whether it has come up in the evidence session this morning, but governors have a particular responsibility for overseeing headteachers' work-life balance, for example, and we are working with Governors Wales to raise their awareness of their responsibilities. We also have guidance, advice and support materials for governors as well as headteachers.

[149] **Andrew R.T. Davies:** May I just interject before you continue? The evidence that we are getting is that this is a budgetary problem. If I could draw your attention to Cowbridge Comprehensive School, for example; that school is well over-subscribed, with 240 year 7 students starting this year. It had to make a critical decision about where to make a cut, because there was a £100,000 deficit in the budget. The cut fell on the senior management team, with the school deciding not to replace one of the staff that was leaving. So, although we can see the initiatives that you are putting in place, the point that has been made is that money is not flowing to support this agreement. Do you dispute that? Are you comfortable that the required financial resource is going to schools to support them in delivering the workload agreement?

[150] You will be aware that, in the past five years, we have lost more than 2,000 governors in Wales. Those figures come from a written answer that you provided to me. So, it is all well and good talking about the responsibilities of governors, but they are not there in great enough numbers.

[151] **Jane Hutt:** I am clarifying the responsibilities of governors. I had a good meeting with Governors Wales during the summer, at which we talked about the importance of governors. Indeed, we are funding Governors Wales. Local education authorities have a role in the recruitment, training and support of governors, so that is a slightly different issue, but I take your point.

[152] On funding, you know of the substantial, additional funding of £70 million that was made available, which is now part of the annual revenue support grant. The issues are how that money is used and ensuring that it is getting to the schools. It is not just funding that secures change; it is also about that leadership in terms of workforce remodelling, which I am sure came through in the evidence.

[153] That takes me to your second point about local social partnerships. In my written evidence, I was describing their role; I was not necessarily saying that they were all working consistently. That is why your review is so important, Gareth. A national local social partnership conference was held earlier this year, and you will know, Andrew, that, on 25 June, I wrote to the directors of education about local social partnership working. I am happy to make that letter available to the committee, because it states our concern to ensure that, if necessary, we will re-launch or refresh groups that are currently inactive or whose focus is not sufficiently clear in terms of local social partnerships. Those partnerships are our driving vehicle at a local level to ensure that this agreement is delivered. So, I will share this letter with you and, hopefully, that will assure you that I am not complacent. If there are inconsistencies we clearly need to address them.

[154] **Andrew R.T. Davies:** The other point we heard today concerned the change managers who work with the social partnerships and headteachers and how many local authorities have now just amalgamated those into their human resources department. So, the change manager's role, in many authorities, no longer exists.

[155] **Jane Hutt:** I might bring Phil in at this point, because I think that Phil's correct title is 'change facilitator for workforce remodelling', so he is engaged with the change managers. Just before we came into the committee, my question to him was, 'When did you last meet the change managers?'—because his role is to work with the change managers—to which he answered that he was meeting them shortly. My letter to the directors of education is about local social partnership working, but it is also about ensuring that the change manager's role is effective and that it is not an add-on, and we will have to get evidence of that. So, I will bring you in on that shortly, Phil, because you are so closely operationally engaged with change managers.

[156] Before I bring Phil in I will cover the question that you raised about cover, which is an important issue. I met with Gareth Jones from the Association of School and College Leaders Cymru and his colleagues on Monday—I meet representatives of all of the teaching unions and leaders regularly—and the point of cover did come up. We talked it through and they pointed to the fact that the rewards and incentives groups is looking at this issue as part of the workforce agreement monitoring group, something that I think is also mentioned in the evidence that comes from our schools.

[157] It is more than five years since the national agreement was signed, so schools have been given time to plan how they reduce the cover burden. I recognise that this is a sensitive issue, and I want to ensure that, within our powers—which is critical in terms of cover—and

within our relationship and arrangements with WAMG, as part of the agreement, we see how this is panning out as we reach the 2009 point.

[158] I will now bring Phil in on the change managers.

[159] **Mr P. Jones:** During the course of the national agreement, we worked closely with representatives from each local authority, to whom we sort of attached the title ‘change managers’. As you are aware, the contractual changes arising from the national agreement were implemented over a period of three years, and during that time change managers were extremely active in supporting schools, providing training and dealing with individual issues on the ground in terms of that implementation. We worked closely with that group to provide leadership to the network and to ensure that effective practice was being shared and that we were providing training and support to the network.

11.00 a.m.

[160] We were aware that, once that third phase of contractual change was implemented, there was a perception that it was somehow ‘job done’, and we were very anxious to establish that that was far from being the case, that we needed to maintain that level of support to schools, and that local authorities needed to be just as active and vigilant in terms of providing support on the ground. We have done what we can to persuade local authorities that the level of support should remain consistent and enhanced where it is needed. Inevitably, in some authorities, we have been through some periods where the level of support has seen some erosion, but we are working with those local authorities to restore that level of capacity. As we have heard the Minister say this morning, she has written to local authorities to urge them to do just that.

[161] We have surveyed the local authorities in the past few months to see where we are in terms of local capacity, who is there in the role of change manager, what capacity they have to support schools, and what other hats they may be wearing at the same time. We have also surveyed local authorities to establish the current status of local social partnerships and where they are in terms of how active they are, what representation they have from workforce unions and local authorities, whether they have established remits, and what their current priorities are. That survey data has just been returned to us and we are working with our partners in the workforce agreement monitoring group to follow up some of the issues locally, where we feel that more could be done to strengthen the level of local social partnership working. I think that you are right that there have been some concerns about capacity, but we have been very aware of that and very active in addressing those concerns.

[162] **Gareth Jones:** Thank you for the response to those three points. Janet wants to come in on one point.

[163] **Janet Ryder:** I want to come in on this because it was raised as a critical point. I appreciate that you have recently done surveys. Has every county responded? Would it be possible to make the results of those surveys available to members of this committee?

[164] **Mr P. Jones:** Yes, to both questions.

[165] **Janet Ryder:** What can you do if you find that a county is not employing a change manager—or whatever you want to call them—at a high enough level to have an impact on that county’s structures and decisions?

[166] **Jane Hutt:** I will start by saying that we can certainly share that survey data with you and that we did have a response from all authorities. They are all signed up to the agreement. In a sense, I think that your second question about how we can enforce this in terms of the

robust role of change management and the state of the local social partnerships coincides very well with your review, in that it is a question of a signed agreement that they have to deliver. I have written to the directors of education on this matter, and I would certainly hope to be able to report back to the Assembly in due course on the outcomes of the discussions that Phil has described, which I think will be very robust.

[167] **Sandy Mewies:** Minister, there seems to be a general consensus in the evidence that we have heard today about the problems with the workload agreement, which has been in existence for some time. There seem to be weaknesses around compliance and an issue has been raised about the enforcement of statutory obligations by governing bodies and LEAs. You have said that you want to raise the awareness of governing bodies. The issue was raised that some governing bodies do not seem to be aware of their obligations. The problem with all this seems to be that perhaps the remedies should have preceded the agreement, rather than following it. One would have thought that many of the things that have been raised could have been prepared for rather better than they have been.

[168] I think that Janet just raised an important point. You have Estyn monitoring what is going on and the standards, but there does not seem to be any evidence that standards have improved—I have not seen any such evidence anyway, or very little. Janet’s point was that you can send the letter out, but if they come back and say, ‘Change managers, no, we’ve got rid of them.’ or ‘It is a fairly low-level post.’, what on earth can you do about it?

[169] It is not enough to say that something will be done about it. If it has been ignored up until now by local authorities, what can be done about it? Are we talking about hypothecation of budgets? This is a concern that comes up again and again, does it not? Money is put in for pilot schemes and then it is just subsumed into the RSG. This is where the issue of a lack of transparency comes into play. What can be done? There was some disagreement, but there was certainly a strength of feeling that the compliance arrangements that are in place in England should be put in place here. Do you have a view on that and how would that be done? There still seems to be a feeling that, sometimes, classroom assistants are not trained sufficiently to do the job that they are being asked to do.

[170] **Jane Hutt:** I will pick up on a couple of those points. With regard to standards, I am sure that you are already aware of the work that has been undertaken by Estyn in terms of the review. The Estyn findings are very important to your considerations. This is the report from last year, ‘The impact of workforce remodelling on pupils’ learning and raising standards’, which provides some assurance that progress has been made on implementing the national agreement. It also highlights areas where further work is required—something that we have referred to and that I am sure you will refer to. Therefore, we have commissioned Estyn to carry out further work on the issue of standards. The inspection framework now includes guidance to inspectors on what evidence they should look for to determine the extent to which schools have successfully implemented the agreement. Therefore, Estyn, through its guidance on the inspection framework, is already using that lever.

[171] **Sandy Mewies:** On that point, Minister, I presume that that will be part of the Estyn inspection process, which is in train all of the time. Given that that is a rolling programme, when will those results be known? We do not inspect all schools at the same time, but when they are due for an inspection, so how long is that going to take?

[172] **Jane Hutt:** It is being implemented as the programme rolls out. I appreciate that, because of the cyclical nature of the inspections, not every school will be inspected straight away, but it is a very strong lever for Estyn to have for its inspection framework. I am sure that you welcome that and the fact that we are asking for more work to be done on the issue of the impact on standards. Estyn’s inspection role is very important in taking this forward, and this goes back to the issue of compliance and the role of governing bodies.

[173] We must look at the contractual changes that arise from the national agreement, which is where you get into non-devolved territory with the school teachers' pay and conditions document. That is the responsibility of the Department for Children, Schools and Families. The main provisions of the teachers' workload agreement are within that document. We do not have powers to enforce compliance with performance and induction standards, but we have not been made aware of any significant non-compliance with elements that are readily measurable. For example, you can measure things such as the requirement for 10 per cent of time being for planning, preparation and assessment. It is more difficult to look at issues such as improved work-life balance and dedicated headship time; those are not so easily measured. However, I want to assure you that our officials—I am sure that, again, it is Phil and his team—are working with DCSF to look at the issues in relation to compliance.

[174] This goes back to the previous lines of questioning. We must ensure that our change managers and our local social partnerships are working effectively, because we want the agreement to be implemented.

11.10 a.m.

[175] I think that I have addressed the issues relating to engagement with governing bodies—it is through Governors Wales in particular, as far as this is concerned. You raised a question about classroom assistants. Could you repeat that question about support staff, Sandy?

[176] **Sandy Mewies:** Other Members may not agree, but there seems to have been some concern that classroom assistants were being used inappropriately to support the agreement. There was certainly a strong view from one person that only qualified teachers could provide cover and that perhaps cover supervisors should not be involved. Concerns were raised about what classroom assistants were being asked to do.

[177] **Jane Hutt:** You are aware, of course, that we have a commitment to look at a national structure for classroom assistants, which I am sure you would be interested in anyway, as part of the 'One Wales' commitment on a career structure for support staff. We are working closely with support staff unions, which I met recently. There was some publicity in the summer about this area. Accountability for learning outcomes for children has to, and always will, rest with qualified teachers. I make that clear. The leadership has to ensure that it manages this effectively. We want teachers to focus on their professional duties of teaching and learning, and they will then have to employ their support staff more flexibly. However, accountability for learning outcomes for children will always rest with qualified teachers. Support staff of any level and teachers are not interchangeable. That is an important statement for me to make.

[178] **Andrew R.T. Davies:** Sandy touched on standards, and I think that it was the National Association of Headteachers that raised the issue of behaviour—particularly when PPA time was taken into consideration—in classes that had a stand-in teacher or assistant to look after them. Estyn reported a marked deterioration in the behaviour of the pupils. I think that there was an increase of around 25 per cent in poor behaviour. Is that your understanding of the situation? What actions are you taking to address the behavioural issues that have been so clearly identified by the National Association of Headteachers?

[179] **Jane Hutt:** I understand that this point has been raised in evidence, and it goes back to the leadership and management of the headteacher. If you have continuity in support staff in a school, children and teachers get to know their support staff—who may be working in different capacities. The training of the support staff in terms of their skills in their different roles is important. We can exaggerate what may be anecdotal evidence in relation to these issues. Obviously, I have to take account of what has been reported back to me, but this is

about the continuity that schools can now have in the employment of support staff for a variety of roles. I assure you that we recognise the valuable contribution made by support staff to raising standards in schools across Wales. I am sure that that has come through in the evidence today from all of the leaders and teachers' unions. However, it goes back to my previous point that it is about effective leadership and management, and support from the local authority.

[180] **Gareth Jones:** Thank you, Minister. Before I ask Mike and Huw to come in, could you give some clarification about the statement made by the Department for Children, Schools and Families last week? We have been talking about compliance; presumably, we have been talking about current compliance, or non-compliance. This is significant. I know that it is non-devolved, and is UK-based in that sense. However, the proposal is to strengthen the law to ensure that schools implement these statutory provisions, introduce a new duty on governing bodies, a power to allow local authorities to issue notices to schools that are not complying, and a power to enable the Secretary of State to direct the local authority to consider issuing such a notice. Where do we stand in terms of your office in relation to this particular statement and the strengthening of this compliance?

[181] **Jane Hutt:** I appreciate the opportunity to comment on this. We are working with DCSF officials to introduce the necessary powers to ensure compliance with the provisions set out in the schoolteachers' pay and conditions document. I think that that is as much as one can say; we are working with them in terms of any necessary powers, given the non-devolved nature of this.

[182] We have not been made aware of any significant non-compliance. We are talking about the hard edge in terms of non-compliance. We do not know where the respondents to the poll are—the poll was done across England and Wales, and we do not know how many respondents work in Wales. That is important. We really have to work through the agreement on this.

[183] **Gareth Jones:** Will you keep the committee informed of this particular development?

[184] **Jane Hutt:** Certainly. I meet and listen to the workforce unions—teacher and school leader unions—to hear from them at the sharp end.

[185] **Gareth Jones:** Okay. Thank you. Mike is next.

[186] **Michael German:** Your question was precisely the one that I was going to ask, Chair.

[187] **Gareth Jones:** I am sorry about that.

[188] **Michael German:** That is fine, because I think that there is much more to be delved into here. Perhaps you could confirm, Minister, what you said about these powers, which are being taken by Ed Balls, being non-devolved. In other words, he proposes to make decisions on certain issues across England and Wales, because that is the nature of the agreement. If we are to believe the statement by the DCSF, which I am sure that we have to do, because it was a public statement on what these powers will entail, then, crucially, there will be changes that will impact upon this study. This review will be looking at other alternatives, but the statutory framework underpinning what the review is looking at will be altered. Presumably, these powers are related to the duties on governing bodies; they have to ensure that they manage their staff within the terms and conditions, and that is an obligation upon governing bodies that they will have to execute from now on.

[189] Secondly, on the right of local authorities to issue notices to schools that are non-compliant, that will be a pressure that we put upon local authorities; they will have to execute

that, should there be sufficient evidence to say that a school is non-compliant. Therefore, these are very strong compliance measures. You may want to alter the fringes of this, but, clearly, those are functions that are pretty clear cut, from what Ed Balls has said. These powers will, undoubtedly, have an impact on what happens in Wales. Are you able to say whether or not these powers will be sought in the future for Wales or whether we will have to accept last week's announcement?

[190] **Jane Hutt:** Clearly, we are early into this process in terms of clarifying what powers might be necessary and what the DCSF is considering. I give an undertaking today that I will bring you an update on this—that may be in writing. Clearly, I would want to engage the committee in the consideration of any powers that will impact on us in Wales.

[191] **Michael German:** It says to me, Minister, that Ed Balls made the statement but did not consult with you to see whether you were in agreement with it.

[192] **Jane Hutt:** As far as I am concerned, this is about us working in partnership with colleagues in the UK Government. I have given you my commitment that I will ensure that I will engage the Assembly in discussing any impact that new powers might have on Wales.

[193] **Michael German:** It seems like news to you then, Minister.

[194] **Gareth Jones:** Okay, the point has been made. Huw Lewis is next.

11.20 a.m.

[195] **Huw Lewis:** I was also concerned about the compliance legislation and the role of the DCSF. Although much of this has been covered, it might be worth asking, Jane, whether your thoughts have turned to how this legislation from Westminster might range across our implementation structures, which are different, particularly the social partnership models; they are inherently different from the English model. My impression was that some of the trade union representatives welcomed the compliance legislation and wanted to use it, because, to their minds, some of their members were not getting the benefit from the agreement that they had hoped for. In particular, the National Union of Teachers was pretty bullish in reminding us that the law is the law. Could we reach a situation where trade union-led appeals to legislation are popping up all over Wales, while we are busy trying to implement a more collaborative social partnership model? Are we prepared for this, or do you not anticipate that to be a problem at all?

[196] My second point is on pupils' educational experience of this whole process, and the impact of that on their attainment. I believe that it was £70 million of Assembly cash that went in—and will go in on a recurring basis as we take this forward—to the revenue support grant. It is really quite worrying that the whole of the previous chunk of the meeting before you arrived was almost entirely concerned with the impact on teachers' terms and conditions. As a former teacher, I well remember arguments about planning, preparation and assessment time—although I do not think that we called it that then—going back many years, and the beginning of the argument was always that we could improve the experience of pupils if we did it. However, that now seems to have been pushed into the background, as we are now talking about the experience of headteachers and teachers, and so on. There is an enormous danger of producer interest overtaking what might be a well intentioned and, to my mind, quite heavily resourced initiative—£70 million recurring is not small change in the Welsh Assembly's budget. All we have to go on are the comments of Estyn, which are worrying. It says that 10 per cent PPA time has led to changes in the quality of teaching 'in a few schools'.

[197] A crucial aspect is having a range of other adults in the classroom. I have always been a great advocate of children being exposed to a range of adults who can broaden their

experience, such as artists, writers, athletes, and scientists, but only a third of schools have been able to do that, which means, of course, that two thirds of our schools are not. The broader range of 'appropriate activities', which was also cited as an offshoot of PPA time, has happened in only a small number of primary schools, according to Estyn's figures. It is not a bad thing to improve the terms and conditions of our teaching staff, but the underpinning reason was always that, in doing so, we would improve the educational experience of our kids. Have we got £70 million-worth of improvement for our children out of this?

[198] **Jane Hutt:** Thank you very much, Huw. Your first point was about compliance and about where we fit in with the routes that the Assembly signed up to, for a more collaborative social partnership rather than the training and development agency model used in England, and the change management role with our local authorities. As for where that places us in the discussions about powers, and how we would engage with the DCSF, I come back to the process that was set up originally in the Workforce Agreement Monitoring Group. I asked officials that question. We have a resolution process to follow when there are compliance issues, and a dispute resolution process is being set out by WAMG, of local representatives of unions and employers working together at school or LEA level to resolve issues. If that proves ineffective, the issue can be escalated to WAMG for discussion and resolution among the partners. If resolution at local level has not proved possible, I want to hear about specific cases, if you have any examples, because this route plan has been in place right from the word go to resolve certain issues.

[199] I asked my officials whether we had evidence of that being needed in Wales, and Helen confirmed that we have not. Whether that is because matters have not escalated to that point is not known, but this route for dispute resolution was set out in the agreement. I am sure that we would all subscribe to its policy of making local arrangements first and then escalating matters to the national level. I will ask Phil to talk about the discussions that are taking place with the DCSF on moving to a more rigorous point on compliance.

[200] Your point asking about the outcomes for learners is important, Huw. You mentioned Estyn's work on standards, and it is doing more work on that. However, as I am sure all the evidence suggests, we have to go back to the purpose of this agreement, which is to help our professionals to do what they are trained to do, namely provide good teaching and enable learning within the classroom, securing positive outcomes from that. We must go back to that fact. The purpose of this agreement is to enable our school workforce to deliver what it is trained to do with the support of a trained and consistent school support staff.

[201] I would like to link this to our school effectiveness framework, because we are trying to enable and support our schools to be more effective, and to even out and get rid of the inadequacies in the comparators coming through from Estyn. We are aware that we need still more consistency of teaching. Good teaching is what we need. We need to consider the wider issues of investment, environment and curriculum, but this is a national agreement on raising standards and tackling workload. We have to deliver that, and it has to be part of the holistic view of how to deliver better outcomes for children. I am very grateful that you have brought that to the fore.

[202] Would you like to comment on the issues relating to compliance and the DCSF, Phil?

[203] **Mr P. Jones:** Yes. To help you to understand where we are on that, I can tell you that we have been working closely with DCSF colleagues for some weeks now on how compliance legislation might look and how it might affect Wales. We are in touch, virtually daily, to keep up to date with progress on that, as well as to scope how it may work in Wales and to know what legal advice to seek on the measures that may or may not be required in Wales to secure the same effect.

[204] There are two important principles there. One is that, as a signatory to the agreement, we are no less committed to securing compliance than any other partner to that agreement. The second is that, whatever legislation is put in place, we are anxious that, however it looks and whatever its complexities, it should have the same effect in Wales as it does in England. So, practitioners in the workforce in Wales should not feel in any way disadvantaged in comparison with their colleagues in England.

[205] **Gareth Jones:** Is there any indication of the time that that process will take?

[206] **Mr P. Jones:** We are talking about days and weeks rather than months.

[207] **Janet Ryder:** Minister, you made the point that teachers are trained to do good teaching and to produce good educational outcomes. They are not trained to manage staff, and yet many teachers are being asked to manage their classroom assistants. What training has been made available to all teaching staff to help them to become aware of how to manage classroom assistants? Has it been done nationally in Wales or has it been left to individual schools to organise their own staff training? What are you doing to monitor whether staff have been equipped to do that?

11.30 a.m.

[208] The other issue that was raised with us by the headteachers was the role the LEAs should be playing to help to support headteachers to deal with increasing amounts of bureaucracy. They felt that a more active role by LEAs could reduce the bureaucratic burden on headteachers. What assessment have you made of the roles that LEAs are now playing, and what can you do to encourage them to take a more active role in supporting headteachers to face the increase in bureaucracy?

[209] **Jane Hutt:** I talked about the important management and leadership role of headteachers, but, as you say, teachers at classroom level also need the support training. That has come through the extensive support given, for example, by way of training resources and resource packs. The change managers also have a key role to play in this, and we need to ensure that we exchange good practice. Indeed, that now comes into initial teacher training, which is important for managerial roles and responsibilities. However, at present, that work is mostly done in individual schools. That may be something that you want to pull out of this review.

[210] On additional bureaucratic pressures, we need to identify that we have released teaching staff from such burdens, which was all part of the agreement, so I hope that we can see the positive benefits of it. Going back to Andrew's point, we need examples of good practice to deliver such an agreement, which is why we depend on collaboration in Wales. We do that by ensuring that we know what we want to deliver, identify the good practice, and ensure that the resources are in place to roll it out. Whether that is about support for classroom assistants or the training and development of teachers and headteachers, that is what has to come out of this important agreement. I see it as taking stock.

[211] **Janet Ryder:** What assessment have you made of the kind of support that LEAs are now offering headteachers?

[212] **Jane Hutt:** That is part of my letter to authorities and the work that we are doing with change managers. However, we have also undertaken a survey and we will share the results of that with you. We have had responses from every authority. That was part of the questioning.

[213] **Gareth Jones:** Diolchaf i'r Gweinidog **Gareth Jones:** I thank the Minister and her a'i swyddogion am eu presenoldeb, eu officials for their attendance, their

cyflwyniad ac am y dystiolaeth ysgrifenedig. presentation and for the written evidence. I
Byddaf yn gofyn un cwestiwn i'r Aelodau will ask the Members one question after you
wedi i chi ymadael. Diolch eto, Weinidog. have left. Thank you again, Minister.

[214] The question for us now, as Members, in view of what we have heard and read is whether we feel that we have sufficient evidence to report. I am looking at Andrew in particular, because he specified this as a topic that we should consider. Do we need to invite more witnesses, or do we wish to visit schools, as individuals or collectively, for first-hand information and evidence? I am entirely in your hands now.

[215] **Janet Ryder:** You will not get a national pattern by doing so. You could visit schools and see good examples, but you would probably not visit the ones where this is not happening properly. So, I am not too sure what we would gain from such visits. However, I would like to see if we could find a slot for the Association of Directors of Education in Wales and the Welsh Local Government Association, because questions were raised today that I would like to pursue with them.

[216] **Andrew R.T. Davies:** And Governors Wales.

[217] **Gareth Jones:** And Governors Wales, yes. That became a very important topic.

[218] **Janet Ryder:** And Estyn.

[219] **Andrew R.T. Davies:** A great deal of the evidence in these papers was from Estyn's work.

[220] **Gareth Jones:** So, you would feel that it is in order for us to invite them to a meeting such as this rather than—

[221] **Janet Ryder:** We have had teaching unions in and it may be worth having Unison or the unions that speak for the classroom assistants in too.

[222] **Gareth Jones:** Fine. Obviously you want to take it further in terms of evidence gathering.

[223] **Andrew R.T. Davies:** The Minister will throw up some interesting things—

[224] **Gareth Jones:** We are looking forward to that response and to the compliance and these strengthened measures, as Mike said.

[225] Diolch. Dyna ddiwedd y cyfarfod. Thank you. That is the end of the meeting.

*Daeth y cyfarfod i ben am 11.36 a.m.
The meeting ended at 11.36 a.m.*