



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

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

**Dydd Mercher, 10 Rhagfyr 2008  
Wednesday, 10 December 2008**

**Cynnwys**  
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Welsh Assembly Government Consultation on its Schools Organisation Proposals

Cofnodir y trafodion hyn yn yr iaith y llefarwyd hwy ynndi yn y pwyllgor. Yn ogystal, cynhwysir cyfieithiad Saesneg o gyfraniadau yn y Gymraeg. Mae hon yn fersiwn ddrafft o'r cofnod. Cyhoeddir fersiwn derfynol ymhen pum diwrnod gwaith.

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. This is a draft version of the record. The final version will be published within five working days.

**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
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
Kirsty Williams	Democratiaid Rhyddfrydol Cymru Welsh Liberal Democrats

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

Mervyn Benford	Swyddog Gwybodaeth, Cymdeithas Genedlaethol Ysgolion Bach Information Officer, the National Association for Small Schools
Simon Brown	Pennaeth dros dro, y Gyfarwyddiaeth Partneriaethau Addysg, Hyfforddiant a Chynhwysiant, Estyn Acting Head of Directorate for Education Partnerships, Training and Inclusion, Estyn
Mary Davies	Pennaeth y Gangen Trefniadaeth a Derbyniadau Ysgolion Head of Schools Organisation and Admissions Branch
Jane Hutt	Aelod Cynulliad, Llafur (y Gweinidog dros Blant, Addysg, Dysgu Gydol Oes a Sgiliau) Assembly Member, Labour (the Minister for Children, Education, Lifelong Learning and Skills)
Dr Bill Maxwell	Prif Arolygydd ei Mawrhydi dros Addysg a Hyfforddiant HM Chief Inspector of Education and Training
Barbara Taylor	Ysgrifennydd, Cymdeithas Genedlaethol Ysgolion Bach Secretary, National Association of Small Schools
Arwyn Thomas	Arolygydd, Estyn Inspector, Estyn
Paul Williams	Rheolwr Trefniadaeth Ysgolion, y Gangen Trefniadaeth a Derbyniadau Ysgolion School Organisation Manager, Schools Organisation and Admissions Branch

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

Dan Collier	Dirprwy Glerc Deputy Clerk
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Siân Hughes  
Dr Kathryn Jenkins

Gwasanaeth Ymchwil yr Aelodau  
Members' Research Service  
Clerc  
Clerk

*Dechreuodd y cyfarfod am 9.29 a.m.  
The meeting began at 9.29 a.m.*

### **Cyflwyniad ac Ymddiheuriadau Introduction and Apologies**

[1] **Gareth Jones:** Bore da, bawb, a chroeso cynnes iawn i'r cyfarfod hwn o'r Pwyllgor Menter a Dysgu.

**Gareth Jones:** Good morning, everyone, and a warm welcome to this meeting of the Enterprise and Learning Committee.

[2] Fe'ch atgoffaf, yn ôl ein harfer, i ddiffodd ffonau symudol ac unrhyw ddyfais electronig arall. Nid oes angen inni gyffwrdd â'r meicroffonau. Nid ydym yn disgwyl ymarfer tân, felly, os bydd larwm, dilynwch gyfarwyddyd y tywyswyr.

I remind you, as usual, to switch off mobile phones and any other electronic devices. We do not need to touch the microphones. We are not expecting a fire drill, so if there is an alarm, please follow the ushers' instructions.

[3] Mae'r cyfarfod yn ddwyieithog; mae clustffonau ar gael i dderbyn gwasanaeth cyfieithu ar y pryd o'r Gymraeg i'r Saesneg ar sianel 1, ac i chwyddleisio'r sain ar sianel 0. Bydd cofnod o'r cyfan a ddywedir yn gyhoeddus.

The meeting will be held bilingually; there are headphones available to receive simultaneous interpretation from Welsh to English on channel 1, and to amplify the sound on channel 0. There will be a record of everything that is said publicly.

[4] Nid oes unrhyw ymddiheuriadau, ac, felly, nid oes unrhyw ddirprwyon.

There are no apologies, and, therefore, no substitutions.

9.30 a.m.

[5] Yr wyf yn siŵr y byddai pawb sydd yma y bore yma yn dymuno i mi, ar ran y pwyllgor, longyfarch Kirsty Williams ar ei hetholiad yn arweinydd Democratiaid Rhyddfrydol Cymru. Dymuniadau gorau i chi, Kirsty. Mae hefyd yn ddiwrnod hanesyddol i'r pwyllgor, gan fod arweinydd plaid yn aelod ohono. Llongyfarchiadau a dymuniadau gorau.

I am sure that everyone here this morning would wish me, on behalf of the committee, to congratulate Kirsty Williams on her election as the leader of the Welsh Liberal Democrats. We wish you all the best, Kirsty. It is also an historic day for the committee as we now have a party leader as a member. Congratulations and best wishes.

[6] **Kirsty Williams:** Thank you very much, Gareth.

9.30 a.m.

### **Ymgynghoriad Llywodraeth Cynulliad Cymru ar ei Chynigion Trefniadaeth Ysgolion Welsh Assembly Government Consultation on its Schools Organisation Proposals**

[7] **Gareth Jones:** Rhof ychydig o'r **Gareth Jones:** I will give a little of the

cefnidir i chi. Mae'r pwyllgor yn awyddus i ymateb i ymgynghoriad Llywodraeth Cynulliad Cymru ar ei chynigion polisi ar drefniadaeth ysgolion, o bosibl fel man cychwyn i waith pellach, mwy cyfannol yn y maes hwn. Cawn weld ynghylch hynny. Mae'r ymgynghoriad yn cau ar 31 Rhagfyr. Yn dilyn y cyfarfod y bore yma, bydd y swyddogion yn darparu adroddiad o'r sesiwn graffu. Bydd angen cymeradwyo'r adroddiad y tu allan i gyfarfod ffurfiol. Ar ôl gwneud hynny, caiff ei anfon at y Llywodraeth a'i osod gerbron y Cynulliad. Mae hynny i gyd yn ymwneud â'r amserlen. Kath, a hoffech ychwanegu at hwnnw?

[8] **Dr Jenkins:** Na.

[9] **Gareth Jones:** Dyna'r drefn yr ydym am ei mabwysiadu. Felly, ar ran Llywodraeth Cynulliad Cymru, croesawn Jane Hutt, y Gweinidog dros Blant, Addysg, Dysgu Gydol Oes a Sgiliau. Yr ydym hefyd yn croesawu Mary Davies, pennaeth y gangen trefniadaeth a derbyniadau ysgolion, a Paul Williams, rheolwr trefniadaeth ysgolion yn y gangen trefniadaeth a derbyniadau ysgolion. Croeso cynnes i'r tri ohonoch.

[10] Diolch am y papur. Yr ydym eisoes wedi cael golwg ar y dystiolaeth ysgrifenedig. Symudwn ymlaen at y cwestiynau. Deallaf mai Andrew R.T. Davies sydd â'r cwestiwn cyntaf.

[11] **Andrew R.T. Davies:** Thank you, Minister, for coming along this morning. In the summer, I had the pleasure of deputising for my colleague, Brynle Williams, on the Rural Affairs Sub-committee during its inquiry into the closure of small rural schools, in that instance. I know that this is not connected to that, and is about all schools. Among the points made time and again when we were taking evidence in Pembrokeshire and Ceredigion was the perceived, or the real, lack of consultation undertaken by local education authorities when they were determining the fate of schools. I note that Estyn's paper refers to a lack of national strategic direction. Do you acknowledge that lack of direction when it comes to giving clear guidance to LEAs when consulting with interested parties on whether to undertake any future school closures?

[12] **The Minister for Children, Education, Lifelong Learning and Skills (Jane Hutt):** It is helpful that, as well as this consultation on our proposals for a review of the circular, we have the report of the Rural Development Sub-committee, which will be the subject of separate consideration and debate in the new year. Your point is helpful in clarifying our roles in this respect, both my role and that of the Welsh Assembly Government. I want to focus for the moment on the issue of a strategic approach. I know that you will hear evidence from Estyn shortly, and we have seen its written evidence. It is important to recognise that my role is to offer guidance and a framework, but it is important not to be too prescriptive, because the responsibility clearly lies with local authorities. That is the balance that I am sure the

background. The committee is keen to respond to the Welsh Assembly Government's consultation on its policy proposals on the organisation of schools, possibly as a starting point for further, more comprehensive, work in this area. We shall see about that. The consultation period ends on 31 December. Following this morning's meeting, officials will draft a report of the scrutiny session. It will need to be ratified outside our formal meeting. After that, it will be sent to the Government and laid before the Assembly. That all relates to the timetable. Kath, would you like to add anything to that?

**Dr Jenkins:** No.

**Gareth Jones:** That is the procedure that we would like to adopt. Therefore, representing the Government, we welcome Jane Hutt, the Minister for Children, Education, Lifelong Learning and Skills. We also welcome Mary Davies, head of the schools organisation and admissions branch, and Paul Williams, the schools organisation manager in the schools organisation and admissions branch. A warm welcome to the three of you.

Thank you for the paper. We have already looked at the written evidence. We will move on to questions. I understand that Andrew R.T. Davies will ask the first question.

committee will want to consider: not being too prescriptive, and offering guidance and a framework to ensure that all those with an interest can participate in the process. We must set out the direction and aspirations of Government policy, and we have updated the guidance in that respect, looking at the whole range of issues. In my written evidence, I draw attention not just to the curriculum changes, but also to the fact that we are taking on board a few issues from the Rural Development Sub-committee's considerations, such as community impact and language impact appraisals. We must ensure that we can guide authorities when they develop proposals, while not being overly prescriptive. I have the second role of deciding on disputes over statutory proposals. So, Welsh Ministers have two roles here, and I am sure that the committee will want to consider that.

[13] Good consultation is the key to this, and good practice on that is now emerging from many local authorities, with better engagement. I know that this consultation has left a few scars around Wales, but many lessons have been learned about how to engage, and you will notice that page 24 of the revised guidance includes a section on the views of interested parties and how to engage with them. Indeed, responding to the debates that we have had in the Assembly, we have taken on board the importance of the views of children and young people, parents and other residents, and the impact on the local community. So, the focus on good engagement and consultation, and recognising and drawing attention to good practice is a key for authorities, and for the way in which we present our guidance. It is about how we define our role, and how prescriptive we can be in that second role in disputed statutory proposals. I hope that the revised guidance is taken on board and is seen as an update to Government policy reflecting debates in Plenary and in committee.

[14] **Andrew R.T. Davies:** Thank you for that answer, Minister. Would you accept that there has been a lack of strategic direction from your department? I appreciate that you have two roles, given that you must act as arbitrator at the end, but you also have to offer guidance to LEAs to push the agenda forward. An impartial body, Estyn, has said that the Welsh Assembly Government has not given a strategic lead on this, which is a critical part of its remit. Would you say that that is a deficiency of your department's? Hopefully, you are putting that right with this consultation process and the proposals that you have put forward.

[15] **Jane Hutt:** The strategic approach was signalled in 'The Learning Country: Vision into Action' as part of the twenty-first century schools programme. I have taken this on board and led it through as a Minister, and my department has responded and is progressing this. Developing the links between the allocation of capital funding and ensuring effective strategic planning for local authorities is critical to the strategic approach. If there is one message that I want to get across as a Minister, and that I want to come through this guidance, it is that local authorities have to be strategic in the way in which they approach capital funding planning, and strategic planning over the level of local demand for school places. We are encouraging local authorities to use their capital funding in a more focused and effective way, and we are providing an incentive for drawing up effective school reorganisation plans. This will emerge from the revised guidance, but it is not dependent upon it; it is a steer from Government. Tomorrow, I am meeting councillor Peter Fox, the cabinet member for education at the Welsh Local Government Association, and we recently met the whole WLGA cabinet. We intend to move forward strategically by taking a much clearer partnership approach to the twenty-first-century programme of capital investment linked to strategic planning. So, it is coming together effectively now, and the circular is part of that process.

9.40 a.m.

[16] **Andrew R.T. Davies:** However, it is coming together after some anomalies were identified by Estyn. Would you agree?

[17] **Jane Hutt:** You would have to take evidence from Estyn about question it on its

priorities and concerns as far as its role is concerned. I would just say that ‘The Learning Country’ signalled the strategic direction, and I am now taking that on board. Your contribution to that balance between our responsibilities and local authority responsibilities is crucial. Since the 2002 guidance was issued, there has been a recognition that this is not just about the role of the LEA; the whole local authority must take on board the impact of school planning places, the strategic issues of community regeneration, and the direct educational issues that we are concerned about. I am sure that this committee’s input into our consultation will be very valuable.

[18] **Gareth Jones:** I believe that Christine wants to come in on this point.

[19] **Christine Chapman:** I may have missed the very first part of the discussion, so I apologise if this has been covered. A consultation on school reorganisation can be quite difficult, and I have noticed over a few years that the rules governing LEAs prevent them from engaging until decisions are more or less finalised. That causes quite a lot of anxiety in the early stages of any discussion. We have seen parents worried about school closures, but the LEAs have not been allowed to engage with them properly until the decisions have gone further down the road. I wonder whether the consultation might deal with that. Do you have any views on that, Minister?

[20] **Jane Hutt:** I will start and then bring Mary or Paul in on this issue of the statutory role. There is no question that authorities can start engaging with local stakeholders and local interests at an early stage to develop a more strategic plan, and some of them already are. I recently visited Powys, for example, where Kirsty will know that that process has started in Ystradgynlais. I was impressed to see that they had open meetings and engaged with schools, heads, governors and local members to try to set the scene before getting to the point of coming up with proposals that go through a statutory process.

[21] We have good practice emerging across Wales, and authorities have not just gone straight for the big-bang decisions. Hard lessons have been learned about skipping though community engagement. We know that, in any kind of change process, you have to start with the people who are affected. That is why the strategic link to capital investment is so important. If people can see the change that is possible for them regarding a new school, for example, although it may be in different circumstances or a different location, you start to see them engage and recognise that education could change for the better in that community. Mary, do you want to add to that on the statutory point of the engagement?

[22] **Ms Davies:** It is a requirement that local authorities consult with local people before bringing forward statutory proposals. That is already clear in our guidance. I am not clear what you meant by saying that certain decisions had to be made before consultation started, because there is nothing to stop engagement from beginning at a fairly early stage, even if a specific proposal cannot be discussed until the Cabinet has approved that it can go forward.

[23] **Christine Chapman:** My area may be totally different to others, but my own experience is just as the Minister said: you need a holistic discussion about closing a school, looking at it as part of improving provision overall. It often seems to be the case that the closure is dealt with at one stage, and then the other provision is discussed further down the line. It does not help parents and communities to understand the big picture. I imagined that that was statutory, but it may be something about the way that my own local authority addressed the situation.

[24] **Mr Williams:** The restrictions are certainly not statutory. It would be more to do with the way that the local authority in question has chosen to operate. There is a good case to be made for local authorities engaging with governing bodies, headteachers and so on, at the very earliest stage. It is a little more difficult to engage with a community without having

something quite specific to show local people. Nevertheless, authorities often consult quite widely on general strategies, and from our perspective, we would encourage them to do so, where that is appropriate.

[25] **Jane Hutt:** This is the kind of thing that will hopefully be fed back to us. I am all in favour of demonstrating what works, and we know that there is some good practice around early engagement, with more emerging. That kind of feedback would be helpful for our consideration of the circular.

[26] **Jeff Cuthbert:** Minister, you just made the point that this is really about quality of education. In that regard, it is paramount that we offer as wide a range of choices to pupils as possible, regardless of their age. In your paper you make the point that there is no evidence that small schools necessarily perform any better or worse than large schools, but there is an issue about the greater degree of choice for students where there is a larger cohort of learners. Is this issue of quality of education, and choice, really driving this consultation—as opposed to the maintenance of buildings, important though that may be? The issue of children's education should be at the forefront of the consultation. As you point out, if nothing is done, there will be about 100,000 surplus places by 2016, which will mean that considerable sums of money will be spent on half-empty buildings. Is that kind of issue fully understood by those being consulted?

[27] **Jane Hutt:** As I have said in my written paper, and made clear in the current and previous circular, educational considerations should be paramount. They have to be at the forefront of this. That is how we get this message across. I believe, having met with all local authorities in the last few weeks, that they recognise that this is the message they must get across—that educational considerations should be paramount, and that presumptions in favour of or against school closures should be in the best interests of educational provision in the area.

9.50 a.m.

[28] The issue of falling rolls is formidable: around 14 per cent of primary schools have fewer than 50 pupils on roll—that is over 200 schools—compared with 4 per cent in England. We are not saying that that means that we should close all small schools. We must recognise that this is about falling rolls, but it is also about the adequacy of those schools to deliver the best education. We must try to reflect that in guidance and support to authorities so that they can take this forward. On page 22 of the revised guidance, for example, we are saying that the Minister should not normally be prepared to approve the closure of a popular and effective school unless evidence is presented that the alternative proposal would offer at least the equivalent quality and diversity of education. Those are the key points that we need to get across; this is about the delivery of quality education and investment. There is no doubt that the incentive of capital funding will help in the discussion, but we must focus on the educational outcome.

[29] **Jeff Cuthbert:** I wish to come back on one aspect of that, Minister, namely additional learning needs. There is a strong view that—

[30] **Gareth Jones:** Jeff, just before you do that, I think that Andrew wants to come in on a specific point raised.

[31] **Andrew R.T. Davies:** Jeff touched on the issue of small schools, as did you Minister, but what is your definition of a small school?

[32] **Jane Hutt:** We do not seek to have a definition. I have given you the statistics regarding our existing small schools—those with fewer than 50 children on the school roll—



but we do not seek to form a definition of small schools, and I do not think that it would necessarily be very helpful.

[33] **Andrew R.T. Davies:** Surely, in order to be objective, you would need some definition of what constitutes a small school, rather than just statistics, so that people can work to something.

[34] **Jane Hutt:** It might be helpful to look at the issue of minimum size. I have not taken a view on what the minimum size for a school should be, because, again, I have said that that is for local authorities to decide. Some authorities have a policy of reviewing any school where the pupil numbers fall below a certain threshold, but the size of a school is only one element that a local authority needs to take into consideration. There are other relevant issues such as the distance to alternative schools and the condition of buildings, as we have already mentioned. We must recognise that some school buildings may have to be retained irrespective of the low number of pupils, so I have not included a threshold relating to the size of schools as part of the consultation as I think it might detract from more important considerations. It is not simply a question—

[35] **Andrew R.T. Davies:** The Wales Audit Office thought that schools of 90 or fewer pupils should be classed as small schools. Would you accept that as a benchmark?

[36] **Jane Hutt:** It has expressed that view; as I said, we have not adopted a definition. It has looked at this from the perspective of the financial implications of school size. Mary, do you wish to come in on this?

[37] **Ms Davies:** The Wales Audit Office identified a school of 90 pupils as costing more proportionately than a larger school. It was looking at this purely on cost grounds. However, as the Minister said, a school would be considered small depending on the context. A school of 50 pupils in Cardiff would be considered a small school, but a school of 50 pupils in an isolated area may not be considered a small school by the local authority. It is for authorities to decide what the right size of school is to serve their local populations. This is why it is important not to be too prescriptive.

[38] **Gareth Jones:** Janet and then Kirsty wish to come in on this point.

[39] **Janet Ryder:** It was exactly that point that I wanted you to stress, Minister. Time and again, when you visit schools, you are told that the local authority has come up with a plan to reorganise and the authority says that it is the Assembly Government that is making them do it because the school is too small and that schools must be of a certain size. Authorities may well be looking at the Wales Audit Office for that, but will you stress again, Minister, that you do not put a threshold on the size of a school and that it is for the local authority to judge and justify the size of schools?

[40] You have said in the document that the issue is whether the school is a sustainable size in its local context and you go on to talk about travel distances. Some schools may be very small in their local context, but transporting the pupils to another school may mean adding an hour to each end of the day travelling in a taxi for very young children. Surely that is not an acceptable situation for a young child. You must have the best possible educational outcome, but you must bear in mind other factors. In some very rural areas, an hour in the morning and an hour to get home at night, for a young child, is not justifiable. I ask you to clarify, Minister, for all of those authorities, that you are not setting a minimum threshold on schools. That is for them to decide within the local context.

[41] **Jane Hutt:** I will repeat what I said earlier, Chair, for the sake of the record. I have not included a threshold on the size of schools as part of the consultation. We think that it is

for local authorities to decide on the minimum size for schools. However, they also have to take into account different circumstances. Many will have rural and urban settings. We have mentioned distance to alternative schools, and the condition of buildings, and there is also the issue of location in relation to other schools, and sustainability. All of those have to be considered by local authorities. We have clarified what the Wales Audit Office said from a financial costing point of view.

[42] In various representations, it has been said that the Assembly Government is putting pressure on authorities to close schools. This is not true, as I have laid out. However, we must recognise that this draft guidance and current guidance notes the importance of using funding for education cost-effectively. Authorities have to take on board the fact that a lack of efficiency could lead to funding being used for the benefit of the school. We have to recognise that the numbers of pupils on roll are falling year on year and that there is scope to make changes. The over-supply of school places is not just an issue for rural areas, but it has to be in the interest of learners. I did not mention earlier that this is about school effectiveness and raising levels of attainment and achievement. So, if authorities can look at this in relation to the educational offer that we give by way of achievement, attainment and school effectiveness, that helps with a benchmark. So, there has to be a balance of local circumstances, strategic focus and recognising that there has to be strategic action at a local level. Hopefully, my guidance will give them the overview and framework that they need to consider these important matters.

[43] **Gareth Jones:** Thank you, Minister. We are obviously discussing something that is very important to the Members. Kirsty wants to come in on this point, and then Sandy.

[44] **Kirsty Williams:** With your permission, I would like to move things on a bit.

[45] **Gareth Jones:** Jeff wants to come in on special needs.

[46] **Kirsty Williams:** I will wait my turn.

[47] **Gareth Jones:** Thank you. Sandy, is there anything that you want to follow up on that point?

[48] **Sandy Mewies:** Yes, there is. Minister, one thing that we have to be clear about in relation to the closure of schools is that it is extremely emotive. That is why we are discussing it and that is why there is new guidance. There is often a lack of transparency between the local authority and the Assembly. Parents are often unsure why a school is being closed or why such proposals are coming forward, and who is taking that decision. That is what Janet has touched upon.

[49] Before I ask my questions, I would like to raise some points. You said that there is no minimum number of pupils to define small schools, and it is difficult to define what constitutes a small school. I have seen a school of 22 pupils delivering the national curriculum extremely efficiently, but that is because the community is involved in helping to deliver it. We say that the national curriculum has to be delivered, because that is what makes pupils reach the standards of achievement and attainment that they are supposed to achieve. I have seen a primary school of a reasonable size not delivering the national curriculum. That is to do entirely with school organisation, and it needs different support altogether from what we are talking about here. There are also financial issues; for example, it can cost £10,500 per pupil to keep a pupil in one school, when a primary school two and a half miles away has pupils who get between £2,500 and £3,000 each for their education. That needs to be clarified for people.

10.00 a.m.

[50] My questions touch on all these issues. Are you satisfied that this guidance will be explicit, so that, when local authorities go out to consultation, the reasons for proposals will be clearly laid out? It is not fair for parents to hear rumours—which happens—and it is not fair to put them in a position of fear; the process can work properly if they are aware of all the reasons. They may still agree, which is good, but it means that at least the information is before them. Are you clear that this guidance will not fudge the issue? Will the guidance that will go out from local authorities be clear?

[51] **Jane Hutt:** On your first point on delivering effective education across the board—in small, big, or whatever sized schools—I have already mentioned the school effectiveness framework, which we are rolling out. It is very much about head-to-head school leadership across the board, narrowing the gap and raising the bar, and dealing with inequalities of achievement between advantaged and disadvantaged schools and areas. That is critical to school effectiveness across Wales. School funding issues emerge from that, and we could go on to talk about the funding that I am giving to small and rural schools as part of the community-focused schools programme; I have already given some information about that.

[52] Your point on guidance is a key one. We must give as much guidance and clarity as possible to authorities on how they make the case for a reorganisation and a strategic plan for managing their schools' places and capital investment. I hope that the revised circular will provide that. I have mentioned already the opportunities that exist, through good practice, to engage way before we get to statutory considerations with the views of interested parties and the community impact appraisal. This will arguably widen the discussion, so we will have to do more than just produce a written circular and guidance; we will have to do much more hands-on transformational change work with authorities, to help them take this forward.

[53] That is already happening across Wales. Recently, an authority in north Wales invited councillors, members and schools from an authority in west Wales to show it how they had achieved change. That kind of transfer of good practice is what will take us forward. The benefits of good, transparent community engagement are critical. However, it may not all rest in this circular; we have move forward to produce procedural guidance, which will come later in the year, and we can produce supplementary guidance. Paul or Mary might like to comment on that with regard to the kind of clarity that the Assembly is talking about.

[54] **Ms Davies:** We will go on to produce practical guidance on how to bring forward proposals, which will include what constitutes good practice on consultation. We have held a round of meetings with authorities on this matter in the past and shared good practice, and we could look to do that again. However, we constantly emphasise the importance of thorough consultation and explaining clearly to parents the implications of the changes, so that they know how it will affect them and so that they are in a position to make an informed response before the authority decides whether to proceed with a proposal.

[55] **Mr Williams:** Consultation, and consideration of the adequacy of consultation, is often at the forefront of the Minister's consideration of proposals as they come forward. We question local authorities at length about the adequacy of their consultation and we place great importance on that when advising the Minister.

[56] **Gareth Jones:** We will now move on to the additional question from Jeff.

[57] **Jeff Cuthbert:** Thank you, Chair. On additional learning needs or special educational needs, there is a perception that young people with additional learning needs are best catered for in smaller schools because greater attention can be given to their needs. I do not necessarily agree with that argument, particularly with regard to children with additional learning needs in mainstream education, which is the situation that my remarks mainly

concern. They need the same range of opportunities as anyone else. However, with regard to the consultation, do you feel that additional learning needs are being addressed adequately and that there are mechanisms in place to ensure that the needs of those children will become an equal priority to the needs of those without additional learning needs?

[58] **Jane Hutt:** Now that we have legislative competence on additional learning needs, there may be further opportunities to take this forward. On page 29 of the draft circular out for consultation, we ask authorities to make a full consideration of proposals, not only in light of reorganisation of particular special educational needs provision, for example, in relation to special schools, but also the whole inclusion policy for SEN provision in mainstream schools. It is important that we ensure that any reorganisation in special schools or mainstream schools takes on board additional learning needs issues. We link this to the second core aim of our core aims for children and young people on the need for a local authority to plan for promoting inclusion. On policy and strategic direction, authorities have now all developed their single children and young people plans, based on the seven core aims. So, they are more strategic by having overarching strategy across children and young people's services, rather than its just being about education.

[59] In the draft guidance we make it clear that we expect proposals in relation to mainstream schools to include an inclusive approach to catering for pupils with SEN. As local authorities begin to implement social inclusion policies, increased co-operation between special and mainstream schools is expected. This also relates to access to other services, such as therapists and other professionals—it is a multi-agency approach. So, I hope that we are addressing this fully through the draft circular that is out for consultation. It must also address inclusion in mainstream schools. You made the point about linking this to small schools and whether they might provide for additional learning needs. That question is debatable in light of evidence or research. The key factor is that those considerations should be taken into account in order to make the best provision for children and young people with additional learning needs in mainstream and special schools.

[60] **Jeff Cuthbert:** I think that you may have answered my supplementary question. With additional learning needs, other organisations are involved—not just the local authority, but, for example, the NHS and you mentioned therapy services—so are you satisfied that consultation with those organisations with regard to additional learning needs is thorough and will be taken account of properly?

[61] **Jane Hutt:** Point 2.7 on page 29 of the draft circular talks about the impact of changes on other services provided by the authority for children with special educational needs. Point 2.8 goes on to mention other requirements, such as access to therapists and medical professionals.

10.10 a.m.

[62] **Kirsty Williams:** Minister, the circular lists a number of considerations that local authorities must look at when developing their proposals. Of course, educational effectiveness for the pupils in the school must be at the forefront of it all. However, the performance of the four schools that we have lost in Brecon and Radnorshire since I have been the Assembly Member was not in question—they had had perfectly satisfactory Estyn results. It could not be said that the driver for the closure of those schools was that they were doing a bad job for their pupils. Do you think that you need to be explicit about the weighting the local authority should give to each consideration on your list? From my experience, if parents see that list and see that the consideration of whether it is a good school at the top of the list—and you said yourself that that has to be the driver—they will say, 'Well, it is a good school'. They will not be saying that because their child goes there, but because that is what Estyn said the last time that it carried out an inspection. If it is a good school and if the inspectors say that it

is a good school, they will ask why it has to go. Does your circular need to be more explicit about the weightings local authorities should give to these different factors?

[63] **Jane Hutt:** It is interesting that we referred in our written evidence to the Estyn report on small primary schools in Wales in 2006. On the performance of small primary schools, the report said that, overall, small schools perform no better and no worse than larger schools, although some have weaknesses in the areas of leadership and curriculum planning. Estyn raised a number of issues that are challenges for small schools. However, as you say, that is one of the most difficult things for parents, governors and local representatives such as you to deal with when a school has had a very good Estyn inspection, and that would have an impact on what an alternative would need to offer. I will not go back to repeat all the points that I made earlier about the considerations that have to be taken into account, not just educational outcomes, but distance of travel, capital investment—

[64] **Kirsty Williams:** I know what they are. It is the weighting that is the issue.

[65] **Jane Hutt:** Yes, it is the weighting that you are asking about. I think that I have mentioned that a Minister should not be prepared to approve the closure of a popular and effective school unless there are satisfactory alternative proposals. It is very much about what the authority comes up with by way of an alternative strategic proposal that is going to address the other factors that have an impact on not just the current, but the future educational achievement of children in that community. It would be very difficult for us to start coming up with weightings in that respect, because it has to be an overview, but I appreciate that that is one of the most difficult things for local communities, parents and local authorities. The responsibility of the authority has to be to provide an effective case for the alternatives and what is on offer. This goes back to Sandy's and Chris's points. What is on offer needs to ultimately persuade parents to accept that a closure is the right way forward and that it will lead to a replacement that is as good, if not better.

[66] **Janet Ryder:** Minister, may I just develop that point further because it touches on the question that I wanted to ask? If the overall driving force behind reassessing educational provision is the quality of the education that is being provided and a school has been judged by Estyn to have failed so that it needs to be put under special measures, should that not automatically trigger a reassessment of provision within a local authority?

[67] Before you answer that, how do you respond to the following scenario? A local authority has set a school's capacity for the number of children it can take, certain parents make repeated appeals for their children to attend that school and, despite those appeals being at first turned down by the authority and the school, those decisions are overturned on further appeal by inspectors. Consequentially, you have a situation in which a school has grown beyond the plans of the education authority and beyond the school's physical capacity to house pupils, and that has a detrimental effect on the overall plans of the authority. What support do you give to an authority under those circumstances, and at what point should a very poor Estyn report trigger an automatic reassessment of school provision in an area?

[68] **Jane Hutt:** That is a big question about intervention in an authority in which, although there may be good performance overall, there may be, unfortunately, some schools that are causing concern and that are under special measures. That may be to do with weak leadership or any of the factors that we know have an impact on school effectiveness. That should not in itself be cause to consider closure; the approach has to be more strategic than that. We refer in the revised draft circular to schools that give cause for concern and to ensuring that we first recognise any strategy for improvement deployed in such schools and whether that has been taken through in the form of action plans. However, such situations can lead to a school being blighted, in that parents can lose confidence in the school and the action plan may not be forthcoming or effective—these are the sorts of circumstances that

will feature in an authority overview. Then, of course, there is the other extreme where you have a very popular school and you have difficulties with capacity and catchment areas.

[69] My powers to intervene in these matters are fairly limited, really. However, I am well aware of this difficulty across Wales, which distorts the provision of education in a local area in relation to educational achievement and attainment. We know that it can be a geographical issue within one authority. So, with regard to this circular, we have to think about how much it can take on in providing guidance to the authority to deal with the challenges of educational effectiveness. However, those points will certainly have an impact on our plan. Perhaps Paul or Mary has something to add.

[70] **Ms Davies:** We could mention the new code of practice on admissions.

[71] **Jane Hutt:** Yes, okay.

[72] **Ms Davies:** Do you want to go into that, Paul, or shall I?

[73] **Mr Williams:** We are currently consulting on a new code of practice for admissions and admission appeals. The point that you made was specifically about admission appeals. Where schools are oversubscribed, local authorities have become better at managing places and ensuring that they apply oversubscription criteria to keep the numbers within the capacity of the school, but there are problems in certain schools with appeals panels then overturning the decisions of local authorities. The Minister cannot intervene in those matters; she has no powers to do so.

[74] It is hoped that the code will give further and clearer guidance to admission appeals panels on what they should take into consideration and how they should operate. There may also be things that we can do in relation to training and the co-ordination of training for appeals panel members to ensure that they understand the issues fully. Ultimately, they are independent, and their decisions are made on the basis of the evidence as they see it.

10.20 a.m.

[75] **Jane Hutt:** We may need to draw attention to that in the context of the circular, in that the code of practice is now being revised and considered.

[76] **David Melding:** I want to talk about secondary schools, which is not usually the focus in this discussion, but this is important. You say that you are reluctant to define what a small school is, but you also say that you classify 20 per cent of our secondary schools as being small. There is quite a lot of international evidence that the size of secondary schools has quite an impact on educational outcomes, and the literature tends to suggest that, since the 1960s, Britain has developed schools that are probably larger than the optimum, and that that has had quite a big impact, particularly on lower-level achievers, and that the dislocation between primary school and secondary school is exaggerated because of the difference in their cultures and the difficult shift that 11-year-olds or 12-year-olds make when they go into secondary school. Have you reflected on this? Do you want the current trend to have very large secondary schools to remain as the norm in the system, or might we take this opportunity to have somewhat smaller secondary schools in accordance with European best practice?

[77] **Jane Hutt:** This is the forthcoming challenge for our authorities. As they get to grips with the primary school sector, they are also beginning to get to grips with secondary school issues such as falling school rolls. We are also in the midst of the development of the post-16 transformation framework and the impact of that. I highlighted in my written evidence issues about falling pupil rolls. Although there was a slight rise in rolls in the secondary sector

between 2001 and 2004, they have declined by more than 5,000 pupils since, and they are forecast to fall dramatically over the next few years. This is part of the whole context of the possibility of there being 100,000 empty school places by 2016. So, we have falling rolls in secondary schools as well as primary schools.

[78] You raise an important point, and there are other policy issues, such as those on transition, which are critical to getting the move between primary and secondary school right. The real challenge in secondary schools and the way forward is now on the desks of local authorities. The post-16 challenge will be considerable for the offer of education, particularly in relation to 14-19 learning pathways. So, we must drive this educationally. We know that many secondary schools need refurbishment or new buildings, and that must all be taken into account in the twenty-first century school programme, and in what I am discussing with local authorities with regard to the way forward.

[79] **Sandy Mewies:** I am glad that David mentioned secondary schools, because when we think of small schools, we tend to focus on the primary sector. One of the things that we have done in this committee is to look at the impact of higher education entrepreneurship on the economy. However, it is a sad fact that some students cannot study the combination that they would like in post-16 education, because it is not deliverable within their school context. I note that there is some guidance on this, although I am not clear what oversight there will be to see that that is carried out. For example, Welsh-medium schools collaborate—I guess that that would be via video-conferencing—if pupils in one school are studying with pupils of another school. It does not always work, and it has to be done very well to make it work or it is not a good experience for pupils. This is meant to be pupil-and-child-centred, and the most important thing that we can do in our schools is to give our students the widest experience possible.

[80] What people sometimes forget is that when Joe Bloggs goes through school, that is his only opportunity to do so. If he has a bad year, or two or three bad years, that will devastate his life, and that is why this must be centred on the student and the pupil. I am not clear from this guidance what oversight there will be on 14-19 and post-16 provision. It is interesting that, in some countries, the equivalent of local authorities do not employ teachers to work at specific schools; they employ teachers who travel from school to school, taking their special skills with them, and, sometimes, we do not think out of the box in these ways. This is only guidance, is it not? The bigger issue is how you will see that the result of this guidance will be to give those pupils the best and widest educational experience that they can possibly have and to allow them to do what they want to do. If you cannot study what you want to study in order to be an entrepreneur, for example, you cannot do that. That is the situation that some young people face; they cannot do it, because the opportunity is not available.

[81] **Jane Hutt:** As the Proposed Learning and Skills (Wales) Measure is now progressing, following the events of yesterday, I feel that this is critical in terms the delivery of the 14-19 learning pathways—and I have mentioned the post-16 transformation framework. The standard of provision is the first and foremost consideration for a Minister in view of any proposals coming forward. The circular says that proposals will ensure the delivery of broad and balanced curricula, including all the required elements, and including all age groups affected, pupils with varying needs, and a wider choice of flexibility for learners aged 14 and above. This also talks about taking into account co-operation with other schools, FE institutions and training providers. So, it is there. This is why this is so important. We are updating this and we are including the impacts of the 14-19 learning pathways and the foundation phase, all the way through. The curricula must come first, but we also recognise that it is about teaching and learning, and having the best pedagogy possible. It is also about good facilities, which does not only mean buildings, but IT and video-conferencing facilities, and teachers going to schools as well as children travelling to other places. At least the

guidance now includes updates on the curriculum and on the educational outcomes that we are seeking, and, in a sense, the proposed learning and skills Measure will be a catalyst for the strategic proposals that will start to emerge for secondary as well as primary provision.

[82] **Gareth Jones:** We have run over the time that we allocated. This has been an interesting discussion. On behalf of the committee, I thank the three of you for joining us this morning. We are seeking clear guidance on a complex issue—you mentioned the levels of engagement and so on, Minister—and this has been a valuable exchange of ideas this morning, so we are very grateful.

10.30 a.m.

[83] Symudwn ymlaen at ail ran y sesiwn graffu. Mae cynrychiolwyr Estyn, yr arolygaeth yng Nghymru, yma. Estynnwn groeso cynnes i Dr Bill Maxwell, prif arolygydd Ei Mawrhydi dros addysg a hyfforddiant, Simon Brown, pennaeth dros dro'r gyfarwyddiaeth partneriaethau addysg, hyfforddiant a chynhwysiant, ac Arwyn Thomas, sy'n un o'r arolygwyr. We will move on to the second part of the scrutiny session. We have representatives from Estyn, the inspectorate for Wales, with us. We extend a warm welcome to Dr Bill Maxwell, Her Majesty's chief inspector of education and training, Simon Brown, acting head of the directorate for education partnerships, training and inclusion, and Arwyn Thomas, who is an inspector.

[84] Diolch yn fawr am eich tystiolaeth ysgrifenedig yr ydym eisoes wedi'i derbyn a chael cyfle i'w darllen. Yn unol â'r drefn, gofynnaf i Dr Maxwell fod cyn garediced â rhoi cyflwyniad byr o ryw bum munud ac yna cawn gwestiynau oddi wrth yr Aelodau. Thank you for your written evidence, which we have already received and had an opportunity to read. As is our usual practice, I will ask Dr Maxwell to make a brief presentation of around five minutes, and we will then move on to Members' questions.

[85] **Dr Maxwell:** Bore da, and thank you, Chair. I will make a few introductory comments and try to keep to five minutes, as you have suggested. I will then be happy to take more detailed questions. I will focus on a few of the main points in the papers that we have already sent to you, which relate back to comments that we also offered to the Rural Development Sub-committee in July.

[86] I will start with the inspections that Estyn undertakes of local authority education services. As you know, we look at school organisation as part of the inspection of access and school places. Arwyn is our lead inspector for that aspect of inspection, hence his presence here today. We inspected access and school places in nine local authorities in the current cycle, which started in April 2006, and found the grades for that area to be the weakest of all of the areas of local authority services that we have been looking at. Basically, too many local authorities are not taking sufficiently robust action to reduce places. It is clearly a difficult and sensitive agenda for local authorities, but our priority in all of this would be to find ways of making the process simpler, but more robust and transparent.

[87] The key shortcoming is that many local authorities do not have a long-term strategy for reducing surplus places that is linked to an overall strategy for improving school buildings and for looking at the local authority buildings and estate more generally. It means that too many pupils end up getting their education in schools that are not fit for purpose and are in a poor state of repair.

[88] In my last annual report, I also noted that the local authorities serving rural areas have been slow to tackle the issue of surplus and unfilled places, and this is exacerbated by the fact that the cost of education provision in these rural authorities is too high because they are maintaining a large number of small schools that are expensive to run. The perception now is



that as school rolls are dropping, many local authorities are struggling even to keep pace with that, not to mention getting ahead of the curve and beginning to eat into the surplus places in the system.

[89] In our evaluation of the performance of schools before and after moving into new buildings or significantly refurbished buildings, we found a lot of positives and that schools generally benefit. Young people—learners particularly—benefit from going into good new accommodation. A common concern about re-organisation is that it will lead to children being taught in larger classes and receiving less attention. In our own paper on class sizes, which I think that we have provided to you, you will see that we make a number of points, in particular that there is no clear link between class size and pupil achievement. Teaching a class of 25 to 30 pupils of the same age is often easier than teaching a class of mixed ages, although there may only be 15 to 20 pupils. Having a smaller number of teachers in a school increases the workload of general curricula management and so on. Small schools inevitably limit the range of sporting, social and cultural interaction that you can have for pupils. Again, that is easier to provide in a larger school.

[90] Quality, as we see it, is by and large a function of the quality of leadership, management and teaching. Size is not a significant factor in the quality of schools. We find a slightly disproportionate number of small schools in our categories of causing significant concern and special measures. They are over-represented rather than under-represented in those categories, although the numbers are small. Small schools clearly face greater pressures in leadership, management, staff development and curricula planning. In a range of ways, it is more difficult. If a large school has weak teachers within that context, from a learner's or parent's point of view, the effect is more diluted than in a small school where it can be really quite critical. In a small school, the weak teacher might be only one of two that the child has, and so may affect half of the child's school career.

[91] As for where we would want to see the proposals strengthened, at present, there does not seem to be a clear strategic direction or agreed action between the Welsh Assembly Government and individual authorities on addressing, globally, the issue of surplus places in their local authority areas. The circular looks very much like it is still focusing on a school-by-school individual approach to looking at each closure in isolation. We would much rather that there were clear agreements between the Welsh Assembly Government and local authorities on a longer-term comprehensive strategy for transforming school provision in local authority areas. Within that context, we could perhaps make the process of each individual school closure being considered rather easier and more straightforward, if there were prior agreements about the broader strategy incorporating a range of schools. We also note that perhaps a clearer timeline is necessary for the process when Ministers become involved, because if that process takes too long it can clearly get in the way of sensible action being taken by local authorities at times.

[92] The key principles approach in paragraph 1.7 would work well for whole local authority strategies and would be better applied at that level, rather than, as I say, taking each individual school closure in isolation and applying these principles. There is a danger of the process becoming very bureaucratic if all of the detail that is set out, for example, in 1.14 and 1.16, needs to be addressed in isolation for every school involved. Many aspects of that could be encompassed in a wider strategy.

[93] I just want to make a final comment, as I think that I have gone over my time. Given how the balance of the circular is currently phrased, it seems that, when you move to ministerial consideration, a whole new, broader and more detailed set of considerations comes into play than is set out in the first section, which details the considerations that promoters should take account of in looking at closures or rationalisation. I would have thought that the general principle ought to be that, as Ministers come in to look at specific cases, they should,

effectively, be looking at the same agenda and validating or otherwise the decisions taken by promoters, using the same effective criteria and basis.

[94] **Gareth Jones:** Thank you, Dr Maxwell. I now turn to Jeff Cuthbert.

[95] **Jeff Cuthbert:** You have touched on the issue that I want to raise. I wish to raise one key issue, which is in two parts, and then a separate matter, so that others will have plenty of time to make their points.

[96] You stated that there is no clear strategic direction or agreed actions between the Welsh Assembly Government and individual authorities on when and how they will address the growing challenge of surplus places, buildings not fit for purpose, and so on, and that the level of detail in the consultation proposals has the potential to make it even more difficult for local authorities to deliver their own strategies and so on. Can you explain in more detail why you think that that is the case in relation to those two points, which I think are linked?

[97] On the issue of additional learning needs—and this is the same point that I put to the Minister—there is a perception that young people, particularly in mainstream education, with additional learning needs are better catered for in a smaller—whatever is meant by ‘smaller’—school environment, because they have more attention and so on. Do you think that the consultation will adequately produce evidence one way or another with regard to that?

[98] **Dr Maxwell:** I will start with the latter point on special needs. I do not think that there is necessarily a link between school size and the effectiveness of special needs provision, even in the context of mainstream education support for young people with additional learning needs. That can be done very well in larger schools and in smaller schools. So, I do not see that as a prime consideration in any particular proposals for rationalisation, beyond the fact that, clearly, in the new proposals, the alternative proposals being put forward should incorporate good, effective provision for pupils with additional learning needs, as well as for all other pupils.

10.40 a.m.

[99] However, I do not think that there is anything particularly unique that would require you to keep small schools open purely because they might provide a different or better environment. Indeed, in some larger schools it is easier to provide a larger body of specialist support more frequently, and with more availability, than would be possible in a very small school, where you might get a visiting teacher for a short time. I would not accept the argument that additional learning needs is a particularly strong case here.

[100] **Jeff Cuthbert:** I note your views, but do you feel that the consultation is adequately designed to gather evidence and information on this, and to enable those views to come forward? Is it part of the process?

[101] **Dr Maxwell:** I am not sure. I would assume that there is plenty of opportunity for people with an interest in that topic to feed into the process. The consultation addresses special needs as a regional planning issue, but I am not clear enough about the detail of the process to comment sensibly on the opportunities that people have there.

[102] **Jeff Cuthbert:** There was also another part to the question.

[103] **Dr Maxwell:** Can you remind me what it was?

[104] **Jeff Cuthbert:** Sorry—it is my fault for asking long-winded questions covering more

than one point. You made the point in your oral evidence that there is no clear strategic direction or agreed actions between the Welsh Assembly Government and individual authorities when it comes to how they will address some of these issues. Later, you say that the detail in the consultation proposal could potentially make it more difficult for local authorities to plan. Could you expand a bit on why you say that?

[105] **Dr Maxwell:** That could well be the case if these proposals are treated as isolated decisions about individual schools, without looking at the bigger picture in local authority areas—or if each individual proposal is put through a range of potentially repetitive analyses. In some cases there may be interactions with neighbouring schools. So I would rather see a process that looks at this at a more strategic level, with the Welsh Assembly Government discussing planning with local authorities at that broad level. It could become very bureaucratic if there is a whole queue of individual proposals being dealt with in isolation. I do not know whether Arwyn wants to add to that.

[106] **Mr Thomas:** The other two elements to add to the broad, key principles are the community and language appraisals. They have merit when you look at whole authority strategies, but if you adopt an individual school approach, there can be problems. There are examples of community and language impact assessments being over-determining factors in making final decisions, rather than the education factors. We approach this from the point of view that schools are predominantly there to educate the pupils. The other two strands can be important in whole local authority strategies, but they can also slow the process down if you address that level of detail for each individual school. That is where we see the bureaucracy and it slows the process down.

[107] **Christine Chapman:** Just to add to Jeff's point, on page 3 of your paper you say that too many LEAs are not taking enough action to reduce surplus places, and that they should take account of that. I was particularly interested in the strategy to regenerate communities, which we started to talk about. I just wanted some further views on that. For example, do you believe that local authorities are not taking account of their local development plans, which are part of a slightly bigger picture? There could, for example, be new housing developments in communities where the numbers of pupils have dropped, so I wonder whether local authorities are taking that kind of wider view, and what impact that might have on school closures.

[108] **Mr Thomas:** In too many authorities, this was seen as an educational issue alone, but it has wider implications for the local authority, and across authorities, in some areas, depending on the location. That is why we are saying that different parts of councils need to be working together at a strategic, whole-council level, to be clear in shaping not only education, but the picture for the whole authority for the next five, 10, 15 or 20 years. It is a vision for the whole authority, and education is a part of it. You cannot do this in isolation, but our concern is that, unless the strategies are aligned and there is clarity about the direction in which authorities wish to travel, these three distinct areas collide and slow the process down. We want to see more clarity at local authority level so that, when it comes to determining the provision for education, it is seen in this wider context and decision-making happens in the context of a wider strategy, rather than there being a piecemeal individual-school approach that, in some areas, results in school closures. There are examples of facilities in local communities being removed, such as post offices, chapels, churches, public houses and so on, and, in some areas, the school is seen as the last bastion of community life.

[109] Our view is that community strategies should be helping to support this. If there is a need for a linguistic impact assessment, it should be factored in, but that should happen at a very high level initially to help to make those initial proposals. We also need to make the point that we are not only talking about small and rural schools; this is as much an urban challenge, because, looking across Wales, the urban areas of Cardiff and Swansea face as

many challenges as the rural areas of west Wales and Powys. This is a challenge for all authorities in Wales, and these factors are important to different degrees in all authorities.

[110] **Christine Chapman:** Do you think that the consultation should reflect that more strongly?

[111] **Dr Maxwell:** I think that it should reflect more strongly the regional overview, or the larger picture. This tends to come across very much as how you deal with proposals for individual school closures, and, although there are some links, we need to strengthen the notion that you should start from the point of having a large-scale asset management plan and a long-term view of how you are developing school provision in the context of the wider community strategy. Within that context, individual proposals for school closures should be much easier to handle, and the process should make that possible.

[112] **Gareth Jones:** Janet wishes to follow up that point, before I bring in Andrew.

[113] **Janet Ryder:** To clarify what you touched on in your last response, would you recommend that this guidance be altered to state clearly that county councils must first present an overall educational provision plan, showing how the school fits into the community development plans and contexts, and that the Minister should see that before seeing any other plans for reorganisation and educational provision? Should that be the overarching priority for any county council?

[114] **Dr Maxwell:** That makes sense to me. The first focus should be on developing those large-scale asset management plans, and, within the general performance management discussions between the Welsh Assembly Government and local authorities on the Wales programme for improvement, there could be quite a close focus on this issue, particularly given the opportunity cost of all the surplus places in the system, and the money that that is diverting away from more constructive use.

10.50 a.m.

[115] **Mr Brown:** This is one reason why, when we talk to chief executives in our local authority inspections, we talk at that sort of high strategic level about where education fits into the overall community improvement plan for the council, but also what its priorities are for education. A subset of that is what it is doing, whether it is making any savings from a school reorganisation plan, and how it is reinvesting that into the council's general priorities. A particular authority may have issues in an area other than education, such as social services, and it may wish to reinvest some of that money back into other council priorities, as Bill mentioned. So, when we talk to authorities, we talk about this at quite a high strategic level. We see it as a council issue rather than an LEA issue per se.

[116] **Andrew R.T. Davies:** One of the points that I was going to raise has been covered, namely the community use of schools conflicting with the educational aspect. This was raised with us when the Rural Development Sub-committee took evidence in west Wales. It was interesting. We saw one example where, when someone bought a house in an area, they felt as though they were getting the school as well. That was an integral part of what they were buying into, rather than the bigger educational aspect. I concur with the comments in your paper about that conflicting scenario unfolding.

[117] One thing that I tried to labour with the Minister, which is a point that was raised in your paper, was the lack of national strategic direction, which needs to come from the Welsh Assembly Government. As the questioning went on, and the Minister discussed the proposals, it seemed as though there were still many grey areas, and as though LEAs could shy away from doing anything about surplus places. Have you the confidence in the current proposals

that that strategic direction is being addressed, and that there is a more focused energy coming out of the Welsh Assembly Government to direct LEAs, or will we carry on in this no-man's land of, 'Well, it is not my fault, gov', from the LEA because WAG is doing it, only for WAG to say that the LEAs are doing it? At the end of the day, the agenda does not move any further forward. There will be 100,000 surplus places by 2016, which represents £30 million in today's money. What will that be in 2016?

[118] **Dr Maxwell:** I do not think that the circular, on its own, gives me confidence that that agenda is being pursued. That does not necessarily mean that the agenda will not be pursued, but it needs to be addressed at a strategic level, which is not clearly evident in this circular. We have mentioned already the discussions about the Proposed Local Government (Wales) Measure, the relationship with the Wales programme for improvement, and how performance management and performance targets are built into that process. That could be a good vehicle for getting a much sharper focus on this.

[119] **Andrew R.T. Davies:** Surely, that sharp focus should be reflected within it.

[120] **Dr Maxwell:** Yes, it should be reflected in this too. I would like to see a much stronger link from this circular to that process.

[121] **Andrew R.T. Davies:** So, this will not address the grey areas, as it is currently drafted.

[122] **Dr Maxwell:** No, not as it is currently drafted.

[123] **Andrew R.T. Davies:** The other point that I raised with the Minister, on which she was, once again, apprehensive about being prescriptive—which I can understand, because it varies from area to area—is the definition of a small school. What is a small school? I represent South Wales Central; Cardiff has real issues with surplus places, but what would be classed as a small school in an area like Cardiff would be totally different from a school classed as small in the area represented by my colleague, Kirsty Williams, in Powys. If you do not have that definition or some sort of guidance to work to, you fall between a rock and a hard place, do you not? What would you describe as a small school, using a good benchmark that people could relate to?

[124] **Dr Maxwell:** There are two issues. The circular makes some reference somewhere to 90 pupils being a trigger of some sort.

[125] **Andrew R.T. Davies:** Only as a financial measure.

[126] **Dr Maxwell:** Schools with fewer than 90 pupils would be considered more closely. However, you have to ask whether you will apply fundamentally different principles when making a judgment about a smaller school as opposed to a somewhat larger school. Many of the same principles that are outlined in it would be applied a little differently depending on how small or large the school is. It will also be more or less persuasive about rurality, because it will depend on distance from other schools as well as to the absolute size of the school. So, the absolute number of pupils is one factor in this equation. I am not sure that it fundamentally alters how you would deal with a proposal if a school has 95 as opposed to 85 pupils. The same principles apply, but the smaller the school gets, the more force certain dimensions will have in the argument, because there will be clear inefficiencies.

[127] **Mr Thomas:** The 90 figure is the Audit Commission's figure from England; so, 'small' in England and 'small' in Wales are different. In our small schools paper, we have divided 'small' into three categories: minute, very small and small. We have broken schools down into those with fewer than 30 pupils, those with between 31 and 60 pupils, and those

with 61 to 90 pupils. As you can see from the Welsh Assembly Government data, around a third of schools in Wales fit into that definition of 90 pupils or fewer. What is difficult is putting a ceiling, or a number, on that, because, as you rightly say, what is counted as 'small' would be different in Cardiff, in Powys and in Gwynedd.

[128] The other characteristic is that the schools that have between 61 and 90 pupils have even more pressure on them than the very small schools, because the headteacher is usually teaching, whether part or full time. He or she has three or four members of staff to look after, as well as the wider parents' representation. However, the very small schools that have fewer than 30 pupils have to cope with that on much less of a scale. So, it is extremely difficult to reach a ballpark figure. The Rural Development Sub-committee, in its recommendations, did not come up with a ballpark figure. However, in the section on small schools in this document, it seems that 90 pupils is the given figure, and there has not been any further clarification of what is meant by 'small' in Wales.

[129] **Sandy Mewies:** I am even more confused about what you are saying now than when you began. You say in your paper that there should be more national guidance, taking into account factors such as community development, and you have just mentioned other issues such as the fact that many headteachers teach, although other teachers now have planning time, and so on. You also mentioned travelling and accommodation, and Estyn has always inspected accommodation, and there is no doubt that there is a link between accommodation and the enhancement or otherwise of a child's educational experience. I agree with you that the most important factor, not just in this, but in anything that we do with education, is the experience of the pupil, and the effect that it will have on achievement and attainment. So, I am with you up to that point.

[130] However, I am not clear about what you are saying should be in the national guidance. You have said what should not be included, and you refer to paragraphs 1.7 and 1.16 of the consultation document, on the key principles and policies, and you have questioned those considerations— quite rightly, as I am not disagreeing with what you are saying. However, I do not know whether you are saying that there are too many of them, that they are too wide, or that you do not understand what they mean. Can you tell me what should come out of paragraph 1.7? There are difficulties around closing schools because it is not about buildings, although you have put a lot of emphasis on buildings; it is about people and what parents think is going on.

[131] We discussed earlier the transparency of local authorities, and when they decide to go down this road, I agree that they should have a clear strategy. However, they cannot close schools for the same reasons all the time, because they will not always apply. There will be different reasons for different schools. However, authorities should be clear when they are talking to stakeholders about why they are doing it. I cannot see the relationship between the national guidance and what you say should be included. You seem to be saying that it is too wide in some areas and not focused enough in others.

11.00 a.m.

[132] Are you saying that the Welsh Assembly Government should say that local authorities should look at this and that their first principle might be the educational experience that children have? I do not have a problem with that at all. Your second one might be, 'Well, you can save money', because when we talk about surplus places I do not think that the public realises that they cost money. I think that they think, 'There's no-one there, so it is not costing any money', but surplus places cost a lot of money and do not give equal opportunities to young people, because of the hugely differing costs. That needs to be evened out throughout Wales. We know that, when we are talking about the budgets that local authorities get, sparsity is always argued about, depending on whether you are in Powys or in Cardiff. I am

just not clear what you would put in. What do you think should be done nationally by the Government here? What is not there that the Government should be saying in the guidance and what should the Government remove? What should the local strategy be in relation to that? The local strategy will not always be a mirror image of what is indicated in the national strategy, if I have got it right that you are saying that it has to be a lot more focused. If you are saying that, tell us how it will be focused.

[133] **Dr Maxwell:** I am sorry for not being clear. Paragraph 1.7 is not a bad set of principles although I think that we have picked up on a number of areas where a bit more clarification would be helpful, around what exactly is meant by some of the bullet points. However, it is not a bad set of principles. It starts off with the quality of the education, as you have outlined, and cost-effectiveness. From my perspective, with suitable clarifications around what exactly a community impact assessment means and what a Welsh language assessment looks like, for example, that could be a perfectly good set of principles to cover what is, inevitably, as you say, a multidimensional consideration. Those principles could stand equally for when proposals come in to Welsh Ministers. As I say, we hope that proposals for broader strategies for changing school provision in a local authority area will be coming in, rather than lots of individual proposals. The same set of principles could apply equally, without a great deal of traditional detail or different dimensions, as appears to happen in the second part of the circular. So, effectively, Welsh Ministers would just be reviewing the decision and the rationale that has been presented by the local authority in the first place, against the same principles.

[134] **Sandy Mewies:** You are saying that 1.16 is extremely subjective and will slow up the process as well, are you not?

[135] **Mr Thomas:** Yes, if you are applying the points to individual schools—

[136] **Sandy Mewies:** Rather than to a strategy?

[137] **Mr Thomas:** Yes, rather than to a strategy.

[138] **Sandy Mewies:** Fine; that is what was not clear to me.

[139] **Mr Thomas:** If what Bill outlined in paragraph 1.7 was part of a strategy, allied to a community impact assessment and a Welsh language assessment at that high level, and that was then the driver for the organisation proposals by the promoters, with the suggestion to agree with the Welsh Assembly Government at that high level, the question then would be whether you need that level of detail when it comes to each individual school going through the process.

[140] **Sandy Mewies:** In looking at the principles, you made a very good point about numbers. I do not think that you can put a number on a small school. I am thinking of schools with 90 pupils. As I say, I have been in schools where they have delivered the national curriculum absolutely perfectly with 22 pupils and two teachers, but with considerable input from the local community. Therefore, the numbers cannot be the only consideration. I have also seen big schools where the national curriculum is not being delivered. It is an organisational thing. You have said that it is not always a rural issue and much play has been made of the fact that, if you close small rural schools, there is a travel implication, but sometimes it is a matter of a mile or a mile and a half. Quite a lot of places have rural schools that are very close together, so that must be looked at.

[141] There is also an issue that I have not seen mentioned, but I might have missed it. As the Chair probably knows, there can be urban areas where people are employed but where they choose not to live; they might choose to live in surrounding areas, where there are often

village schools. There is an issue where they pass three village schools on the way to where they work—they drive and drop the pupils off there. Do you have any thoughts on that?

[142] **Dr Maxwell:** No, other than to agree broadly with what you are saying. Distance or small schools is not just a rural issue, and I note that travel time is often referred to as much as distance, because that is also relevant, especially if you live in Cardiff, where the traffic—well, you know what it is like. The same principles apply whether you are in a rural or city context. The context in cities can often also be affected by catchment zones, which can become very controversial, particularly around perceived magnet schools. There can also be high levels of parental choice for particular schools, which drives the system in certain directions and which can distort provision.

[143] **Sandy Mewies:** Thank you for your clarification—I was not clear what you meant.

[144] **David Melding:** Turning to the figures that you have produced that relate to January 2007—they are a little out of date—the trends have probably increased since then. Of the 80,000 surplus places, what is your best guess for the proportion of places that are in small schools as opposed to large schools, because, presumably, large schools can have surplus places?

[145] **Dr Maxwell:** Indeed. I will hand over to Arwyn at this point, who pulled these figures together. They are basically Welsh Assembly Government figures.

[146] **Mr Thomas:** Yes, they are Welsh Assembly Government figures for 2007. The percentage of small schools with a significant surplus is 41 per cent. We will need to go back to the underlying data to answer your question. Mary Davies was in before us, and she is the person who would have a specific answer to the question. Off the top of my head, I cannot remember the number.

[147] **David Melding:** It might be quite useful, because we just assume that it is a problem with small schools. The other issue was what is the definition of a surplus place?

[148] **Mr Thomas:** During the last 18 months or so, local authorities in Wales have recalculated school capacity based on the formula produced by the Welsh Assembly Government. They have done the recalculation, and they have come up with a capacity figure for each individual school. From that capacity, we subtract the number of pupils and we are left with the number of surplus places.

[149] **David Melding:** Okay. You talked a lot about physical assets when you talked about reorganisation; in fact, it is what you concentrated on totally. Does the formula, when it comes up with the definition of a surplus place, concentrate more on the buildings than the teachers?

[150] **Mr Thomas:** The new formula includes places for a number of pupils with additional learning needs. If there is a community use to part of the building, that could be factored in, such as the school hall or library. Those are taken out of the capacity, whereas, under the old formula, everything was deemed to be classroom space minus the children. So, there has been a reconfiguration in the last 18 months or so. That is why the 2008 data is a bit slow coming out, because some authorities are at different points in the reconfiguration process.

[151] **David Melding:** It still sounds to me as though it is driven by land management, rather than the invisible factors of teachers and class sizes.

11.10 a.m.



[152] **Dr Maxwell:** As you know, class sizes are regulated to a certain degree. Teacher numbers will simply expand or contract with the number of pupils available in a school. Obviously, there is a great deal more flexibility around that than there is around the physical accommodation. The real constraints tend to come around the number of classrooms that you have available, particularly in a primary school. That will limit the size of a school but, equally, it will become evident when a school is half empty and half of its accommodation is not being used. The number of teachers may reduce but there will be a lot of inefficiency in accommodation.

[153] **David Melding:** You have said that pursuing the strategic point is comprehensively lacking in local authorities. I want to look at secondary schools, specifically, just because our other colleagues have talked a lot about primary schools. I have asked this question a few times over the years but I still have no idea what sort of optimum size we want in a secondary school; particularly if you are looking at a junior high school, for 11 to 16-year-olds. Britain has traditionally had mega comprehensive schools—we have really gone in for huge schools, which is not the norm in Europe. Is it still our working assumption that that is what we are after, and should it be?

[154] **Dr Maxwell:** There is no definitive research evidence to suggest that there is a perfect size of secondary school. From inspection evidence we can see some very successful large schools as well as very successful much smaller schools. It is often driven very much by a matter of judgment to do with the demographic context of the area. The more that you go in for very large schools, the more distance that you will inevitably cover in catchment areas, particularly in rural contexts. There is no definitive research evidence on the size of a school in that sense.

[155] **David Melding:** Therefore, we do not have a strategic objective for what we think. At the minute, presumably, our large schools are just a consequence of the form since the 1960s. Their size has not been driven by evidence.

[156] **Dr Maxwell:** Partly, there is a necessary bulk in a school to deliver the full range of curriculum opportunities and so on; that is a factor that comes into play wherever you have a large enough demographic to support a school of that nature. There are judgment calls in all of that, and there is no absolute research evidence to suggest that 1,500 pupils is far too much and not manageable.

[157] **David Melding:** Some countries go for 700 or 800 pupils as their norm, do they not? I am just curious. Like you, I wonder why we want an optimum size, apart from functionality. I do not suppose that we have ever made a decision that that is what we want, but we have ended up with these schools of about 1,500 pupils being seen as the norm. I have seen evidence that suggests that educational and pastoral outcomes seem to incline to a smaller figure than that. However, I agree with you; I do not think that there is necessarily conclusive evidence one way or another. We are talking about the composition of schools and the need to review the size, but we have no real evidence base as to what the size should be.

[158] **Dr Maxwell:** There is no definitive evidence base. It is a matter worthy of further research and consideration in due course.

[159] **Gareth Jones:** Thank you. I have not asked a question but I have a comment to make. I am looking at all aspects of organisational plans. It seems that we need the organisation and a strategy, but we keep referring to the catchment area. For schools to be sustainable, you need to identify the catchment area and the number of pupils. The method of funding that we have is pupil-related, which allows a shifting catchment area according to parental choice and so on. I am not against that, and I am not saying that we should change the funding method, but it seems to me that there is a dilemma here, as, where you exercise

that choice, it means that there is a real challenge to establish a reliable strategy and organisation for the future. Do you have a brief comment on that?

[160] **Dr Maxwell:** How parental choice interacts with all of this is interesting. It is not straightforward, particularly in secondary schools, to set the capacity of a school, but ways have been developed of doing that as best we can. It is important, having set the capacity of a school, to maintain that strategically and that the system does not allow the continued expansion and accretion of schools through parental choice, which is often at the expense of other, neighbouring schools, which then lose balance. If you have a strategy for the provision of schools across an area, you should maintain it and you should not allow it to become distorted.

[161] **Gareth Jones:** There is a mechanism in place to address that, is there?

[162] **Dr Maxwell:** There are ways—and guidance has been issued, I gather—of setting the capacity of schools.

[163] **Gareth Jones:** Okay. I do not want to take up your time.

[164] **Mr Thomas:** It goes back to the point that you made earlier, does it not? I am making the same point again here, Gareth, which is that the community, linguistic and educational elements need to be tied into the strategy, because one of the reasons that parents who live in rural areas are having their children educated in urban areas is pre-school and after-school wraparound care. If a community strategy was in place, it would ensure that such care would be in place in a rural area to give parents the choice of keeping their children at the local school. It goes far wider than education.

[165] **Gareth Jones:** Diolch i'r tri ohonoch am ddod yma. Mae wedi bod yn drafodaeth hynod o ddifyr a defnyddiol. Diolch yn fawr, a dymuniadau gorau i chi.

**Gareth Jones:** I thank the three of you for coming here. It has been an extremely interesting and useful discussion. Thank you very much, and all the best to you.

[166] Symudwn ymlaen at drydedd ran y sesiwn. Mae cynrychiolaeth o Gymdeithas Genedlaethol Ysgolion Bach yn ymuno â ni. Estynnwn groeso cynnes i Mervyn Benford, swyddog gwybodaeth Cymdeithas Genedlaethol Ysgolion Bach, ac i Barbara Taylor, yr ysgrifennydd. Mae'r dystiolaeth ysgrifenedig eisoes gennym, sef ein papur 3. Yr ydym yn ddiolchgar i chi am y dystiolaeth honno. Fel sy'n arfer gennym, gofynnwn i chi fod mor garedig â gwneud cyflwyniad byr o ryw bum munud, ac wedyn byddwn yn gofyn rhai cwestiynau i chi.

We move on to the third part of this session. We are now joined by representatives of the National Association of Small Schools. We extend a warm welcome to Mervyn Benford, information officer of the National Association of Small Schools, and to Barbara Taylor, the secretary. We have received your written evidence, which is our paper 3. We are grateful to you for that evidence. As is usual, we ask you to please make a brief presentation of some five minutes, and then we will ask you some questions.

[167] **Mr Benford:** Sorry, should I have been using the headphones?

[168] **Gareth Jones:** I have just welcomed you, given your names and said in what capacity you are here. We have received your written evidence, and we are grateful for it. We have had the opportunity to read it, but if you want to make a brief presentation on the salient points for about five minutes, that will be followed by questions from the Members. Sorry about that misunderstanding, but a warm welcome to you, all the same.

11.20 a.m.

[169] **Mr Benford:** It is lovely to be here.

[170] Our concern is particularly with small schools, and we find the guidance document wanting in several areas, which is why we express concern in our written submission. We are also concerned in relation to what is now arising as a definition of the quality of consultation. Mr Justice Mann in the High Court some years ago ruled four conditions for the adequacy of consultation, one of which was sufficiency of information for those consulted to enable them to make an intelligent, considered response. Looking at the draft guidance document that is out to consultation at present, there are areas in it that we do not believe that anyone can adequately respond to without further information. That is our big concern about that particular document, and our submission states that it is an inadequate document in those terms.

[171] The guidance of the Department for Children, Schools and Families on closing maintained schools, published in January of this year, has picked up almost those very same words, in referring to a statutory duty to provide sufficient information for those consulted to make an intelligent response. Paragraph 1.14 lists how many surplus places there will be in Wales in 2016, but it does not say how many of those are secondary or primary, urban or rural. The Audit Commission, in both countries, I think, certainly pre-devolution, ruled that surplus places were essentially an urban problem; it did not say that they were a rural problem at all. We are concerned that the document then goes on to talk about rural schools as if there is an automatic flow from paragraph 1.15 to 1.16, and that small schools are somehow accountable for these surplus places.

[172] How can I, as an independent person being consulted, make an adequate response if I do not have that further information? Another factor about the quality and sufficiency of information is that we believe that those consulted are entitled to have information that is not misleading. We also believe that some of the statements in paragraph 1.16 are misleading and probably untrue. So, again, one comes back to someone sitting here being consulted by the Welsh Assembly Government and having only that information on deficiencies in small schools, which suggests that change might be needed. That is a real steer to the view that there should be a change and the present situation, the status quo, is not satisfactory.

[173] The document rightly, at the beginning, raises and establishes the importance of educational standards, and we have, from Estyn in 2006, a survey that makes no doubt about it that small schools are achieving good standards, and are as good as any others. So, in that sense, we argue that small schools are doing the job that Government, taxpayers, parents and the nation want, and yet the critique of small schools does not suggest that at all. It talks about things that we have heard in the whole 30 years of our history, such as small peer groups. However, we do not know of any research, and none has been offered, that states that small peer groups impact on children's performance. We know that large peer groups are becoming a problem in inner cities in places such as Manchester, Birmingham and London, with gang culture arising at the expense of parental home culture and neighbourhood culture, but we do not know of any evidence that small schools suffer from having small peer groups. We do not know of any evidence that there is a need for six subject specialists, although your top civil servant, David Hawker, has said so in a magazine article. Estyn continues to report that children in schools of fewer than 90 pupils have access to a broad and balanced curriculum that meets statutory requirements. We have produced a booklet for our members, summarising small school reports across four local authorities that have many small schools, trying to draw out the broad picture of what is going on in Welsh small schools, and we cannot find any evidence that a lack of subject specialists is impairing the children's education. However, what we find is that, as Estyn says, small schools are doing well on standards, and they almost always benefit from the additional, wholesome factor of very good and outstanding relationships with parents and the local community. When you look at the

community value of a school, it is not just about use of the school as a hall for a dance—it is about that relationship and educational interaction between children, parents, teachers, and the rest of the community. We believe that the record speaks for itself—we have examples of schools of 18 pupils getting glowing reports from Estyn, without a hint of the complaints in paragraph 1.16 of the revised circular. We strongly object to that paragraph, and we do not think that it provides adequate and sufficient information for anyone to make an intelligent, considered response as part of the consideration. That is our basic position, and we are happy to answer questions.

[174] **Gareth Jones:** Thank you. The first question is from Andrew R.T. Davies.

[175] **Andrew R.T. Davies:** Thank you for coming today. The other witnesses were from the Cardiff area, and I appreciate that you have travelled some distance to get here today. You are the National Association for Small Schools, and I am trying to get an understanding of what constitutes a small school. That goes to the crux of the argument in some of the evidence that we have received from Estyn. You highlighted the fact that Mr Hawker has said that schools with fewer than 90 pupils are not viable. How would you define a small school? In your answer, could you deal with the secondary sector as well, because although we are focusing on the primary sector, there is the element of secondary education as well? What constitutes a small school in your view?

[176] **Mr Benford:** In our 30-year history, we have seen different figures used by different local authorities across the UK to define a small school—anything from 25 to 200 pupils. So, it is a matter of, ‘You picks your number and you takes your choice’. We have consistently found that the number tends to be chosen to suit the perspective of a closure debate. For example, Somerset has just changed its definition from 50 to 60, because it wants to include more schools in its federation scheme. It has suggested that schools with up to 60 pupils will now come under that scheme.

[177] The most intelligent and professionally responsible definition that we have come across, and the one that we accept ourselves, is that of the chief education officer of Worcestershire. In 2002, he and his council agreed that small schools should not be defined according to the numbers of pupils, but around the quality of education. He would want a school to be reviewed when it cannot provide children with access to three teachers. Access to three teachers was what he defined as acceptable to meet the broad, balanced statutory curriculum. They did not have to be full-time, and one of the most innovative schools in the country, a 44-pupil school in Cumbria, which is part of the DCFS innovation unit on IT, has just one full-time member of staff, who is the headteacher. It provides six subject specialists through part-time appointments.

[178] There is a lot more to this than numbers, and we would try to move the debate away from numbers and towards quality of education. The teachers are the people providing the quality. We get lots of questions about buildings, and that is reflected in the document, but one of the reports by Estyn deals with a 96-pupil school that scores 1 across the board for all seven key issues. It has an excellent quality of teaching, outstanding relationships with parents in the community, and children who are happy, secure and safe—the very wholesome model that small schools almost uniquely represent. However, the report states that the school’s toilets are not satisfactory for key stage 2 staff and pupils. There is not a shred of evidence that those toilets are spoiling the pupils’ standard of education. Of course we want decent toilets in schools, but the argument that somehow buildings are more important than the quality of teaching and the relationships with parents is just not professionally sound. There is so much professional evidence that buildings do not impact upon the quality of performance in schools. It may not be what the Rural Development Sub-committee report states, but we have four pieces of major research by bodies such as PricewaterhouseCoopers, Newcastle University—for the Design Council—the seminal ‘15,000 Hours’ report from

1980, and more recently, a report from two weeks ago—all stating that the quality of buildings is low on the scale of what creates effective education. High on the scale are the personal, human factors—the quality of the teachers, the relationships with parents, the way that parents and teachers share values and ambitions, and effort.

11.30 a.m.

[179] The Scottish evidence, which we gave to the Rural Development Sub-committee—which it perhaps decided was not relevant to Wales—showed that the smaller the school, the better. So, we are talking about the human relationships, which is why, coming back to your question, Worcestershire was correct to go for quality of education as a people thing and not a numerical thing.

[180] **Andrew R.T. Davies:** So, you accept that it is not numerical. I appreciate that it is a moveable feast because Cardiff is different from, say, Powys, which is an example that I have used several times this morning. In Wales, it is projected that there will be an oversupply of school places—100,000 surplus places, not discriminating between urban and rural schools. What criteria would you suggest to be legitimate reason to close a school? If you do not use the numbers as a reason to sustain a school and if you do not use the estate and the maintenance of that estate as a reason to close a school, what would you say would provide reasonable progress to address the oversupply of school places in Wales?

[181] **Mr Benford:** Before we had surplus places—and it goes back to the Callaghan/Williams axis in 1979, when it first became a problem that was going to cause economic concerns—schools just died on their feet when they did not have parental support. It has been an interesting factor in the years since that, when Secretaries of State have kept schools open that local authorities wanted to close, they used three criteria: is it achieving good standards, is it popular with parents, and is it valued by its community? When they had the final say, they kept open every school that satisfied those three criteria. In the end, children are there to learn, to grow up personally, to have values, to achieve, to have a sense of worth. The schools that do that do that.

[182] However, there is still a concern in rural schools, because the school is well integrated into the community, as can be seen in our report, which we have summarised here—and we saw many more that we have been unable to put into that document. If you have a school that is in a community, the community, the building and the life that the school provides should go beyond the factors that may raise the quality, or lower it, in education. For example, you can have small schools that are failing. I have yet to come across any, but it can happen. In those cases, out of 12, the one school that was closed by the Secretary of State, before they changed the system, was a school that was failing. When you close a school, you are closing a resource for a small rural community. That is why we welcome Ffred Ffransis's contribution to the Rural Development Sub-committee's work. He wanted services in rural areas to be across a wide range of provision for the community, within which schools and places for schooling would be provided, and there could be flexibility, as numbers went up or down, with regard to the amount of community provision. However, if the school eventually died on its feet for one reason or another, the buildings and the community would still be there, managed by the local community. That is thinking outside the box. I cannot say the name of the organisation, but it is sadly not given enough discussion in the report by the Rural Development Sub-committee.

[183] Because of that, even a school that may not be meeting those success criteria—

[184] **Andrew R.T. Davies:** Are you unable to say the name of the organisation or do you just not want to do so?

[185] **Mr Benford:** I could not say the name, but it is in the Rural Development Subcommittee's report. Ffred Ffransis was the witness.

[186] **Gareth Jones:** It is the Welsh Language Society, Cymdeithas yr Iaith Gymraeg.

[187] **Mr Benford:** That, again, seems to be the flexible, creative thinking that we need when we are thinking about the provision of services in rural areas, because they are a distinctive part of the overall picture and they have their own particular needs. That is why we think that the document is inadequate. In several instances, it does not differentiate between the rural and the urban figures.

[188] **Jeff Cuthbert:** Thank you very much for your written evidence and the oral statement that you gave to begin this session. I accept your view absolutely that, in any consultation, it is right that information is adequate and not misleading. I do not think that anyone could disagree with that. On the other hand, you represent the National Association of Small Schools, so you are not, in that sense, a neutral observer on the matter; you have a particular case to put forward. I heard what you said, and I want to take issue with you—and you may wish to expand on this—with regard to your saying that buildings do not have an impact on the quality of teaching. I believe that I quote you more or less accurately. I cannot accept that for a second. I can think of a great deal of evidence that states that the quality of buildings will have an impact on learners' ability to concentrate on what they are doing. We know from the Children's Commissioner for Wales that one of the commonest issues raised with him by children and school councils is the quality of school toilets. That is an important issue as far as children are concerned. You may wish to comment further on that.

[189] I now come to my specific point. You say that the hard reality across the UK is that small schools are driving overall standards of excellence, behaviour, attitude, parent-teacher partnerships, community wellbeing and so on, all of which are important. However, the evidence that we have had—from the Minister and from Estyn—is that there is no evidence to suggest that small schools do better or worse than larger schools. I accept the issue about what constitutes a smaller school and therefore what constitutes a larger school, but, in general terms, it is clear what is being referred to here. Therefore, if you believe that there is evidence that small schools in particular are driving overall standards, as you have said, I would be grateful to know where that evidence can be found.

[190] Related to that, do you feel that small schools will be able to deal adequately with the provisions of the foundation phase at primary level for our youngest children? Furthermore, on the secondary sector, the 14-19 learning pathways will demand greater collaboration between schools, and between schools and colleges. It seems that, if a school is small, there will be a far greater demand for those pupils to move about in order to gather the mix of experiences that the 14-19 learning pathways will want to provide them with. How do you respond to those points?

[191] **Christine Chapman:** May I come in on this, Chair? Jeff has raised some of the points that I wanted to raise, but I have a specific point on school buildings in the context of pupils with special needs. I believe that there is a much better progression now for pupils with special needs and an understanding of what they need. Buildings are important, and it is not always easy for pupils with special needs to fit in if you have very old buildings. Therefore, have you taken this into account at all? The foundation phase is new, but what comments do you have on that?

[192] **Mr Benford:** On buildings, PricewaterhouseCoopers's report number 407, for the former Department for Education and Skills, which was published in 2003, notes that improvements to buildings alone did not have as much influence on learner performance as other factors, such as the quality of teaching. That is precisely what I said to Alun Davies, but

he chooses to reject this; okay, he rejects a study. The report goes on to note that improvements to buildings have brought about little improvement in performance in the least and most well-off areas. In the least well-off areas, other factors such as social and economic deprivation, and limited parental support, were more significant. So, that is that.

[193] Newcastle University's report for the Design Council three years ago notes that there is strong evidence that poor environments, in relation to air quality, noise and temperature—if it is stuffy and smelly and crowded and noisy—have a negative effect on learners and teachers and that, once the environment attains minimum standards, the effect is less significant. Some research, which is reviewed in the report, found little or no evidence that improvement beyond this minimum standard raises attainment. Therefore, we have four pieces of evidence—it is not about our opinion. You and I could have a different opinion about it—

[194] **Jeff Cuthbert:** No-one would argue that improving buildings alone would raise educational attainment. However, the argument is that, if learners are learning, or trying to learn, in inadequate buildings that are outdated and do not have good, modern facilities or that have poor toilets, or are cold, and so on—and I remember from my days as a school governor the shocking state of some buildings—that will have a negative impact on the learner's performance.

[195] **Ms Taylor:** That is true if buildings are below the minimum standard. However, we are presumably assuming that all school buildings will achieve the minimum standard. If toilets are appalling—if they are outside and if they get frozen in winter—the building would obviously be below the minimum standard.

11.40 a.m.

[196] However, what Mervyn has said, and what the reports have said, is that if schools achieve the minimum standard, thereafter, the impact of the buildings on educational standards is minimal.

[197] **Gareth Jones:** Jeff, do you want to come back on that?

[198] **Jeff Cuthbert:** No, I have made my point.

[199] **Mr Benford:** It costs a lot of money to do all the building, refurbishments and renovations. Last week, the *Times Educational Supplement* reported that the Department for Children, Schools and Families was negotiating with the BBC and the Government on what would happen in a flu pandemic. Schools would be automatically closed across the nation. Whether or not children were sick, they would be taught at home. When we give an architect a specification and say that we are going to build all of these new schools for 2010, 2015, 2016 and 2020, can we really say that we know, in today's fast-moving world, what sort of provision we will need? We will need those human-scale factors—the factors that are more important than buildings. I am not saying that buildings are not important, but the human-scale factors are more important. We defend such factors in small schools because they are of a high quality.

[200] You asked us about the difference between small and large schools, and we have never denied the fact that large schools can get the same academic results, but it is much harder to get the leadership quality that underpins the quality of teaching and learning as the numbers increase. The greater the numbers get, the harder it becomes to find those dynamic, visionary people who can provide leadership on a larger scale. When research consistently shows that up to 50 per cent of all educational outcomes for you, me and for the children in school, still reflect home background, you have to start thinking about organising schools so

that parents and teachers can work together. Such joint working produces the factors that lead to the evidence in Scotland, which shows that the smaller the school the better; those are the Scottish Government's own figures, which were published only two years ago.

[201] In Scotland, children in smaller schools have a 25 per cent greater chance of reaching higher education and, therefore, of getting better jobs, better qualifications and of putting more taxes back into the system. Children from impoverished and disadvantaged backgrounds in those same smaller schools also succeed. That then reduces the cost of failing education—the sort of failing education and disaffection that are rampant in many of our big cities in England and that place such a costly burden on education and other public service budgets. We quoted evidence to the Rural Development Sub-committee for its report that was not accepted. It was American research evidence showing that teachers and parents working together could reduce the costs that would otherwise be incurred if they did not work together, such as teenage disaffection and so on. Therefore, we can make a sophisticated economic argument for small schools being profitable in the long term because of hard evidence that is quantified in American research, but if no-one wants to listen to that, fair enough.

[202] **Gareth Jones:** We are listening carefully. I would like to intervene for a moment because I think Christine had a follow-up point.

[203] **Christine Chapman:** Yes—

[204] **Ms Taylor:** Yes, you asked about special needs. I was going to say, we have not yet responded to that.

[205] **Mr Benford:** I am sorry, Barbara. If I could quickly finish, several schools referred to in this document—and we are talking about small pupil numbers such as 18, 35 and 46—have higher-than-average levels of need—children who have free school meals and those with special educational needs for example. Those schools had glowing reports from Estyn, and what Estyn reports about your small schools is the bona fide truth. The closer that you get to individual schools, the more you realise that small schools are good for children from difficult backgrounds.

[206] **Christine Chapman:** You have given examples of research, but I have heard of other research—I cannot remember where now—that suggests that larger schools attract quality staff. Often smaller schools put off quality staff or they do not always attract them. We have talked about that quite a lot over the years, so I am interested that you are saying the complete opposite.

[207] **Ms Taylor:** Studies show that teacher illness and stress are less frequent in smaller schools than in larger schools. If you look at the percentage of teachers who are off sick, for example, it is much lower in small schools.

[208] **Christine Chapman:** Surely that is down to leadership and not the size of the school. Whether a big or small school, it is all about relationships with staff, strong leadership and supportive management. That should not necessarily be a small school issue, should it?

[209] **Ms Taylor:** No, but I think that, in a small school, you have a link with the parents and the community. You have that support, because the community and the parents are much closer and more accessible. There is support, the parents and the school will work together, and that means that teachers find it less stressful.

[210] **Mr Benford:** In England, at the moment, although I am not sure if it is so in Wales, there are difficulties across the board with recruiting headteachers in primary education. It is



not a small school problem, as is often said. We have evidence from the Rural Development Sub-committee's document that was published last week, where someone from an organisation in Wales said what we had found in Scottish research, namely that the biggest deterrent to the recruitment of heads in rural areas is the sheer climate of uncertainty and doubt. They think that the school will be closed, so what can they do? The problem is that you cannot do this and you cannot do that. A school in Luton with 750 pupils last term received two applications for its headship. It is a growing problem, largely because of all the pressure on leaders and all the things that Estyn, Ofsted and the Scottish inspectors now expect headteachers to do. The criteria are designed for large schools, because 90 per cent of schools are large organisations and maybe they need all those systems of control, targets and paperwork and so on, but leadership in a small school is quite different. In a small school, you are part of a team of teachers. Ofsted's own study, which is not quoted in the Rural Development Sub-committee report or in this guidance on school performance, praises that involvement; it says that headteachers are part of the teaching team, part of the short-term and long-term planning, and are close to the standards being obtained in all classes by all children. That is what schools are about: the standards being obtained and the personal development of the children. Having leaders in small schools is one of the great advantages that you have in Wales.

[211] **Christine Chapman:** I have a final question, to do with value for money. It is a difficult one, because we always say that it would be good to have more money, but, at the end of the day, if you have small schools with unfilled places, it means that other schools, which could be poorer schools in neighbouring areas, could be suffering as a result of the decision to keep that small school open. So, it is about equality. It is about a broader picture than just saying, 'We really need to keep that school open because there are some parents there who really want it'. There are other factors to consider. What are your views on that, when you are talking about an equality agenda, and making sure that we get good or excellent standards in all our schools, not just in certain areas?

[212] **Mr Benford:** That is a very important question, so thank you. The answer to it is in something that I have already said: we need to know where those empty places really are. For example, if more of them are in urban areas, your question is falsely premised, because it would be those places that are costing the system money. We wanted to find out the potential scale of the problem, so we asked the Department for Children, Schools and Families in July about the number of primary teachers in schools with fewer than 100 pupils, which is the defining figure in England at the moment. It is what we and Ofsted use. We asked for the percentage of all primary teachers who teach in schools with fewer than 100 pupils on the roll, and the answer was 5.4 per cent. I suspect that if you asked the same question about schools with fewer than 50 pupils on the roll, the figure would be down to 3 per cent or maybe even less, at 2 per cent. We are not talking about enormous sums of money and resources being drained from anybody else, especially the urban poor; we are talking about a model of education that the urban poor need. We need small schools. We need money to be spent on buildings in our towns and cities. We need some really creative thinking about buildings in our towns and cities. The model of education that glows from these pages should be offered to the children in our bigger towns and cities. On the cost of those 3 per cent of teachers, some of them would be needed wherever you send the children, so it is not about a large amount of money.

[213] In addition, the only statistic that is used in these debates about the cost of small schools is the unit cost of the school compared with a notional average, but nobody explores that average. The implication of any average is that some are above it and some are below it. No-one looks at the schools above it to see whether they are pretty close to some of the small schools that we worry about. For decades, there has not been a fair argument about the cost of small schools, and if you add to that our belief that they deliver a bonus profit in the long term, as the American research shows, we do not think that they are anything like the drain on

public resources that people say they are.

11.50 a.m.

[214] **Gareth Jones:** Thank you, Mr Benford, and Barbara, for joining us this morning. We expected the small schools dimension, and you have made your presentation to us as champions of small schools, and everything that you have said will be on the record, so please be assured of that. I apologise for the dwindling number of Members. Nonetheless, your messages have been key to the discussions and the nature of the proposals. We are dealing with school organisation proposals rather than with small schools per se. The issue of small schools is a part of the bigger picture, and you have certainly championed that cause. We have listened most carefully to you, and we have had some very interesting discussions. I thank you again for joining us and I wish you all the best for the future in championing small schools. Diolch yn fawr i chi.

[215] We are just about quorate, but Kath has advised me not to propose that we go into private session. We will postpone that until next term, in early January, possibly at the next meeting. Despite all the vacant seats, for the record, I will thank Members and staff for all their good work and for the support that they have given me over what has been a very productive year, as we see if we look back at the committee's achievements. I wish you all the very best for Christmas and for the new year. I look forward to meeting you again in January. Diolch yn fawr i chi.

*Daeth y cyfarfod i ben am 11.52 p.m.*

*The meeting ended at 11.52 p.m.*