



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

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

**Dydd Iau, 15 Ionawr 2009**  
**Thursday, 15 January 2009**

**Cynnwys**  
**Contents**

- 3 Cyflwyniad ac Ymddiheuriadau  
Introduction and Apologies
- 4 Cytundeb Llwyth Gwaith Athrawon  
Teachers' Workload Agreement
- 24 Ethol Grŵp Rapporteur ar Ddwyieithrwydd  
Election of Rapporteur Group on Bilingualism
- 25 Cynnig Trefniadol  
Procedural Motion

Cofnodir y trafodion hyn yn yr iaith y llefarwyd hwy ynddi yn y pwyllgor. Yn ogystal, cynhwysir cyfieithiad Saesneg o gyfraniadau yn y Gymraeg.

These proceedings are reported in the language in which they were spoken in the committee.  
In addition, an English translation of Welsh speeches is included.

**Aelodau'r pwyllgor yn bresennol**  
**Committee members in attendance**

Christine Chapman	Llafur Labour
Jeff Cuthbert	Llafur Labour
Andrew R.T. Davies	Ceidwadwyr Cymreig Welsh Conservatives
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
Jenny Randerson	Democratiaid Rhyddfrydol Cymru Welsh Liberal Democrats
Janet Ryder	Plaid Cymru The Party of Wales

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

Mike Barker	Swyddog Datblygu, Llywodraethwyr Cymru Development Officer, Governors Wales
Paul Elliott	Pennaeth Llywodraeth Leol, Unsain Head of Local Government, Unison
Jane Morris	Cyfarwyddwr Gweithredol, Llywodraethwyr Cymru Acting Director, Governors Wales
Ray Wells	Swyddog Datblygu, Llywodraethwyr Cymru Development Officer, Governors Wales

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

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

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

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

[1] **Gareth Jones:** Bore da a chroeso i gyfarfod cyntaf y Pwyllgor Menter a Dysgu y flwyddyn hon. Atgoffaf bawb i ddiffodd eu ffonau symudol—yr wyf wedi bod wrthi fy

**Gareth Jones:** Good morning and welcome to the first Enterprise and Learning Committee meeting of the year. I remind everyone to switch off their mobile phones—

hun yn gwneud hynny—ac unrhyw ddyfais electronig arall. Nid oes angen inni gyffwrdd y meicroffonau yn ystod ein trafodaethau. Nid ydym yn disgwyl ymarfer tân ac, os bydd argyfwng, bydd yn rhaid inni ddilyn cyfarwyddiadau'r tywyswyr.

I have just done so myself—and any other electronic devices. There is no need to touch the microphones during our discussions. We are not expecting a fire alarm and, if there is an emergency, we will need to follow the instructions of the ushers.

[2] The meeting will be bilingual, and headsets are available if you want to hear the translation from Welsh to English, which can be found on channel 1. The headphones are also useful for increasing the volume of the proceedings. That can be done through listening to channel 0. Finally, there will be a record of all that is discussed here this morning.

[3] Estynnaf groeso arbennig i Jenny Randerson i'w chyfarfod cyntaf. Yr ydym yn edrych ymlaen yn arw at weithio gyda chi, Jenny, a gwyddom y byddwch yn gwneud cyfraniad helaeth i'n trafodaethau.

I especially welcome Jenny Randerson to her first meeting. We are looking forward to working with you, Jenny, and we know that you will make a substantial contribution to our discussions.

[4] Ar ran yr Aelodau, yr wyf yn diolch i Kirsty Williams am ei gwaith a'i chyfraniad i'r pwyllgor dros y flwyddyn a hanner diwethaf.

On behalf of the Members, I thank Kirsty Williams for her work and her contribution to the committee over the last year and a half.

[5] Nid oes ymddiheuriadau, felly nid oes Aelod yn dirprwyo.

There are no apologies, so there are no substitutions.

9.32 a.m.

### **Cytundeb Llwyth Gwaith Athrawon Teachers' Workload Agreement**

[6] **Gareth Jones:** Mae'r pwyllgor yn cynnal ymchwiliad i weithredu cytundeb llwyth gwaith athrawon. Cynhaliwyd dau gyfarfod, gydag undebau athrawon a Chymdeithas Cyfarwyddwyr Addysg Cymru, yn ystod tymor yr hydref y llynedd. Heddiw, chwe blynedd union ers llofnodi'r cytundeb, cawn gyfle i graffu ar waith Llywodraethwyr Cymru a'r undebau sydd yn cynrychioli staff eraill yr effeithir arnynt gan y cytundeb.

**Gareth Jones:** The committee is holding an inquiry into the implementation of the teachers' workload contract. We held two meetings, with teachers' unions and with the Association of Directors of Education in Wales, during the autumn term last year. Today, exactly six years to the day that the agreement was signed, we will have an opportunity to scrutinise the work of Governors Wales and the unions that represent other staff affected by the agreement.

[7] Bu inni wahodd Unsain, Unite the Union, a'r GMB i gyflwyno tystiolaeth. Dewisodd Unite beidio â gwneud hynny, a darparodd GMB dystiolaeth ysgrifenedig yn unig.

We invited Unison, Unite the Union, and the GMB to present evidence. Unite chose not to do so, and the GMB provided written evidence only.

[8] Trof yn awr at Lywodraethwyr Cymru. Yr ydym yn croesawu Jane Morris, cyfarwyddwr gweithredol Llywodraethwyr Cymru, a Mike Barker a Ray Wells, swyddogion datblygu Llywodraethwyr

I now turn to Governors Wales. We welcome Jane Morris, acting director of Governors Wales, and Mike Barker and Ray Wells, development officers for Governors Wales. On behalf of Members, I thank you for the

Cymru. Ar ran yr Aelodau, yr wyf yn diolch i chi am eich tystiolaeth ysgrifenedig. Yr ydym wedi cael cyfle i'w darllen. Gan fod amser yn pwyso ychydig y bore yma, hoffwn ofyn i'r Aelodau ofyn cwestiynau yn gyntaf ond, yn naturiol, os oes agwedd ar unrhyw fater yr hoffech ymhelaethu arno, cewch gyfle i wneud hynny yn ystod y trafodaethau. Gobeithiaf fod hynny'n dderbyniol.

written evidence. We have had an opportunity to read it. As time is a little short this morning, I would like to ask Members to ask questions first but, naturally, if there are any aspects that you would like expand on, you will have an opportunity to do so during the discussions. I hope that that is acceptable.

[9] **Jeff Cuthbert:** I thank the witnesses for coming and for their written paper, which is useful. I have two points that I would like to hear your response to. Do you feel that support is provided by local education authorities universally across Wales, or do you feel that it is patchy, with areas of good practice and areas that are not so good? I am not expecting you to embarrass anyone, but if that is the case, how do you as an association seek to tackle that and build best practice in support for staff?

[10] Over the next period we will be moving towards the full implementation of the 14-19 learning pathways, which will have implications for this issue. Your association came to give evidence to the committee looking at the proposed Measure that is under consideration and which is about to enter Stage 2. You are obviously keenly aware of this and the impact it could have in schools. Therefore, what assessment, if any, have you been able to make of the likely impact of the 14-19 learning pathways with regard to the workload agreement?

[11] **Ms Morris:** Thank you for those questions. First, I wish to thank you for inviting us to give written and oral evidence on such an important area. The opportunity is greatly appreciated. Mike and Ray are here today because they have different expertise, not least when it comes to 14-19 education. I will certainly turn to Ray for comments on that. In response to your first question about support from local education authorities, we do not have any specific evidence on what support is coming from LEAs in that respect, other than the fact that they obviously have the obligation to provide training for governors. In thinking about preparing for this meeting over the past few weeks, one of the things that we decided, as an organisation, is that, although, when the agreement came into being in 2003, there was an initial emphasis on training and although that is still there in LEAs to some extent, there is a great need for that to be revitalised. It is not that governors do not know about their roles, but it would enhance their understanding of the remodelling agenda as it progresses. Perhaps Mike would like to say something about that.

[12] **Mr Barker:** I was going to add that there are probably different arrangements at different levels with regard to the impact that governors can have on the agenda. One of the things that could possibly be improved is the influence that governors have in passing their views back to local authorities. We are well aware that there are traditional areas on which teachers' unions can make their views well known to local authorities. That may not be the case in all areas with governors. Perhaps in developing the budget forum arrangements and those sorts of things, there could be an opportunity to establish local partnerships that would have an influence on local authorities. As Jane has said, there is an issue of awareness-raising in training that we, as an organisation, could assist in.

[13] **Ms Morris:** Picking up on what Mike has said about partnership arrangements, looking at the local social partnerships in place at LEA level, I know that there is involvement with the change managers and trade unions and so on, but I am not aware, and neither are my colleagues, of there being any involvement with governors. Perhaps that is something that could be explored in future.

[14] **Jeff Cuthbert:** Thank you. I may come back on that later if time permits. I know that

I have already asked a lot.

[15] **Mr Wells:** It will have an impact—that is for sure. I have seen in some schools already teachers taking on extra workload with regard to working with employers and further education colleges on the partnership agreements that must be in place in order for schools to deliver a wider curriculum. That is not to say that the workload is seen as onerous. The teachers and governors whom I have spoken to have responded positively. The teachers I have spoken to have certainly welcomed the opportunity to broaden their expertise. In the long term, it may well have a bigger impact than it is having at present.

[16] **Jeff Cuthbert:** On that point, I cannot dispute what you are saying—it seems perfectly logical, and I know that it is very early days. However, to go slightly off the subject, although it is clearly linked, with regard to the learning pathways, have you, as an association been able to identify whether there are implications for governors with regard to awareness, understanding, expertise and so on? If so, does that have implications for you as an association?

9.40 a.m.

[17] **Mr Wells:** We have certainly not carried out any formal survey with regard to that, so, speaking anecdotally from my experience, there is not widespread broader knowledge—it is patchy. We will do what we can as a body to raise awareness. We are working in partnership with the LEA governor support officers, looking at the training programmes and at what needs to be delivered. As far as that development goes, it is in the early stages with regard to the workload agreement.

[18] **Mr Barker:** The focus of our northern conference and our two conferences in the south will be 14-19 education, with a view to raising the general awareness of governors. We are committed to doing that. As Ray has said, we liaise closely with the governor support officers, but we also have regular meetings with the Association of Directors of Education in Wales and its executive. So, particularly on a national level, we can bring to the attention of the governors the issues that we feel are important for them and to that body.

[19] **David Melding:** For many years, I was the chair of the governing body of a special school, and I am still on that governing body. My experience of the relationship between the chair, in particular, and the headteacher and other senior staff was that it developed pragmatically on an ad-hoc basis. There were times when the headteacher would want to talk to someone who was not employed directly in the school in complete confidence about a range of issues, and would want support, and might just want someone to talk to at times. You said in your evidence that you feel that the way in which we manage the workload and the work-life balance in general perhaps needs tightening up in terms of clear guidance. I am not altogether convinced by the pragmatic model that I have just described—where, because there is no-one else for them to talk with, a headteacher ends up talking to the chair of governors, who are often not professional educationists—I am not, for example. Once there is a general responsibility and duty of care to ensure that mechanisms are in place, doing that supervision directly is not, perhaps, altogether realistic.

[20] Another model that has grown over the last 10 years is mentoring. Headteachers are paired with other headteachers, thus fulfilling that role. For the person at the top of an organisation, there is difficulty with regard to who you receive supervision and support from. It can be a lonely position and can be difficult to give that and to have the confidence to speak frankly about issues. So, I would like your views with regard to where guidance ought to be going, or where we are weak at present. Could a less pragmatic ad-hoc system really be devised, and do we need that? If we have a problem with some senior managers taking on too much and then suffering ill-health, or we cannot recruit people because they see others in that

position, there are signals that we need to look more formally at our structures.

[21] **Ms Morris:** As you have said, it is a statutory responsibility of the governing body to look at the work-life balance of headteachers. The words ‘work-life balance’ are difficult; think, for example, if I asked you about your work-life balance. It can come down to personal choice. Some will be good at dealing with it, and some will not. For governors, it is difficult. We noticed that, in the proposed compliance structure that will possibly be put in place, there could be a compliance notice on governing bodies if they do not comply with, for example, looking at the work-life balance of headteachers.

[22] I am sure that you are aware that, a few years ago, there was a resource pack for governing bodies. We assisted with this at the time. It is a good document, but when I looked through it yesterday, I noticed that with all of the other sections to do with the teacher workload agreement, there are case studies, but nothing when it comes to work-life balance. I think that it is about how governors speak to the chair or head about this; they need to monitor and review the work within the school to ensure that it is not unmanageable.

[23] I would hope that the national professional qualification for headship and the professional headship induction programme and so on would cover this, because I think that it is incredibly important. I know that the NPQH will be reviewed soon. When scrolling through the internet, I found that one authority in England has produced quite a nice document that looks at how headteachers try to bring work-life balance into their lives. It gives lots of nice examples. I think, and it is certainly the perception that we get from governors, that although they find documents such as this useful, it is the practical examples that the heads and governors will find really useful. I think that it has to be some kind of holistic approach that governors have to take on board. I mentioned in the evidence that it may be all tied in to the self-evaluation that goes on within a school. I think that governors need to be asking not just the headteacher, but the teachers, about this via a survey or questionnaire, to ensure that what is going on is manageable. I do not know whether my colleagues have anything else that they would like to say on that.

[24] **Mr Barker:** I have one thing to add. When I was working more closely with headteachers and local authorities, headteachers always thought that there should be some sort of acknowledgement of headship time. Again, it is potentially for local authorities to identify that and the resources for it. That, in a way, does give an amount of time in the week when they can concentrate on that task and not necessarily take that work away with them. So, I think that that is one issue. On a general point, we have recently produced documentation on effective governing bodies and we are doing one now on the critical friend, which I think will assist with the general approach in terms of what governors should look for and how they should assist headteachers.

[25] **Ms Morris:** Although I am mindful that there should be dedicated headship time, I think that evidence and anecdotal evidence will show that it is not always practicable. In small schools, where heads have teaching commitments, and particularly in secondary schools where the senior management team has been reduced, it is incredibly difficult. Speaking from my experience as a teacher in a school, as we all know, you do not stop from the time that you go in in the morning, and you do not know what is going to happen, because the unexpected will occur during the day. That happens frequently with headteachers and it is also a resource issue.

[26] **Mr Wells:** I wear another hat with Investors in People—I sit on the recognition panel—so I see an awful lot of reports that come through from assessors and the issues of work-life balance and headship time are constantly referenced in those. As a panel member, I always ask how they know and where the evidence is. Coming back to what Jane was talking about in terms of asking the staff about this, whether through informal discussion groups or

surveys, they need to ask the staff what they think, and whether their workload is putting extra stress on them and whether it is growing or where it should be. The governing bodies need to be able to react to that.

[27] The other hat that I wear is as a Wales quality award assessor and a European quality award assessor. Again, in working with schools, it is about looking at the evidence for what they are doing and whether it is tangible evidence and something that they can measure. Very often, you can turn these things into tangible measures that you can monitor over time. My advice to governing bodies, through the association, is to gather the evidence through self-evaluation and try to make it tangible so that you can monitor those measures over time and that will tell you whether you are going in the right direction or not. Again, it is patchy.

[28] **Gareth Jones:** It is a critical area that we are discussing. It is one that has been highlighted. I am just looking around, because I am sure that there will be some follow-up points. I see that Jenny has a follow-up point. David, you come back in first and then I will call Jenny.

9.50 a.m.

[29] **David Melding:** I think that we had a very strong answer there in terms of seeking out evidence in the wider school, and surveys and groups. That is very interesting. I am not aware that the school with which I am involved has done that. However, I still have this slight concern that in most professions and senior jobs, there will be a clear supervision structure and people will have regularly—at least once a month—the chance to talk through issues confidentially and to seek appropriate advice. That currently seems to be done on a very ad hoc basis in schools. For example, the chair of governors or a local education authority adviser might do it, or if there is a mentoring scheme you may be linked to another headteacher. Although that does not impact directly on work-life balance, it seems to me as good a structure as any to identify things before they reach crisis point, because some of the other mechanisms may be triggered when people really see that there is wear and strain. I would like to hear your views on that, if you have any.

[30] **Ms Morris:** As you were saying that, I thought that we may have missed out the important role of the chair, which you have highlighted, but, as you have rightly said, it is ad hoc, is it not? If the chair were to meet the headteacher regularly, to ask those questions and discuss things, problems would be identified, as you said.

[31] When it comes to looking at the headteacher's annual objectives in review meetings, whether things are manageable and realistic and so on needs to be considered. That is another forum and mechanism whereby you can ensure the headteacher's work-life balance. However, you are right—there needs to be a consistent approach. Again, this perhaps comes back to Jeff's question. I do not know what is happening throughout all the LEAs in Wales. I am aware that where I am governor, the LEA adviser comes to school and I know that the mentor approach is used and so on. However, I do not know whether that is happening in schools throughout Wales. We need to consider that carefully.

[32] **Jenny Randerson:** I am on a governing body and each year, we appraise the headteacher, but I do not recollect us consciously referring to work-life balance, although it is a theme that comes up frequently in relation to staff in general. Reflecting on that and the proposal for compliance legislation, it is my experience, having been on several governing bodies and having had close contact with a large number of schools in my constituency, that, in some cases, the issue of work-life balance is being neglected. However, do we need compliance legislation and yet more legislation to deal with this, or do we need a proper training mechanism for governors and, as was suggested earlier in this meeting, better ways in which governors can raise and register concerns with the LEA? My experience is probably



typical of that of others, and I do not think that the pressures on staff and headteachers are coming from governors. The governors are not stepping beyond the system in order to put additional pressure on staff. I think that the pressure is coming from LEAs and from the Welsh Assembly Government requirements, that is, from the structure in general; the additional pressure is not coming from governors. Therefore, will legislation solve the problem?

[33] **Ms Morris:** In our evidence and response on the compliance issues, we have stressed that we would very much like a note of caution on this. I note that the proposals state that notices will be used only where it is reasonable and proportionate to do so once the established resolution process has failed.

[34] We would very much hope that, with support and by working in partnership with key partners, any issues surrounding non-compliance could be resolved, and training and support mechanisms very much need to be in place to ensure that governors have that awareness and that they have the means and the mechanisms—as has been touched on previously—to raise issues, concerns and so on. There are many initiatives coming from the Assembly and the LEAs, and we have to be mindful that schools, at a time of limited resources and falling rolls, face huge challenges, and this issue has to be manageable. There are no easy answers to this.

[35] **Sandy Mewies:** In general, it seems that you agree with the other evidence that we have heard that the workload agreement is a positive experience, but that it is still causing problems for headteachers and senior management teams. There is also the compliance issue, which you have mentioned. I do not know that it is not necessary, but I agree with you in that I would hope that much of it can be resolved beforehand.

[36] You raised some interesting points that I had not thought about before, such as how the governors feed into the budget fora. I assume that you are talking about budget fora in a slightly different sense—I thought that you were referring to it more widely than just with regard to the workload agreement alone, and I wanted to clarify that. If the answer is ‘yes’, then that is all I want to know.

[37] **Mr Barker:** There is an opportunity through the budget forum, stripped of the financial issues possibly, but I wonder whether that should be enhanced in some way to make it broader.

[38] **Sandy Mewies:** That is interesting. On training, there was a huge burst of training at the very beginning, but, of course, governors change, do they not? With parent-governors, their kids leave the school and somebody else is recruited.

[39] You also raised the issue of consistency. It strikes me that the problem is that there are 22 local education authorities, and within those are lots of different schools, with many different heads, each one, as you rightly said, with a different idea of what work-life balance is. One area that I am quite concerned about, and Estyn is going to do some work on this, is where the work has been during this time. This is not just about making life fairer for teachers; it is about improving standards. I am dismayed that so little evidence seems to have been gathered on whether this agreement is improving standards or not. That happens too often when things are imposed on schools. It is always said to be about improving the standards of achievement and attainment, but there is never any evidence.

[40] We would also want to achieve consistency in both the implementation of the workload agreement and in work-life balance throughout Wales. That is absolutely right, but, against that, you have to balance the huge number of schools and the huge number of different people involved. Whose responsibility is this? Estyn is just waking up to the need to get evidence on standards. Should we be strengthening your association so that you can take a

pan-Wales view of this matter? I do not think that your resources are such that your work-life balance would be improved enormously were somebody to suddenly come along and ask, 'Can you do this work, please, strategically?' and yet you are a strategic-thinking organisation. Who is responsible? It cannot just be Estyn, because Estyn will only provide snapshots of individual schools at a particular time. Is it a matter for the Welsh Assembly Government? It cannot be for local authorities, can it? They will always only care about their views as local authorities. Is it a matter for the Welsh Assembly Government? Should we in the Assembly be looking closely at this, or should we strengthen your organisation so that you can look at whether standards are being pushed up, whether that is happening consistently throughout Wales, and, if not, why not and what should be done to remedy that? What about work-life balance? There has to be some sort of norm somewhere or some criteria by which we can measure this, which would allow for the fact that Mr Jones or Miss Davies would rather be in school every night than going off to do something else. There are some teachers who love their school, and love being there. What is the norm or criteria? Should we be looking at your association in a different way to the way in which it is looked at currently, or is it the Welsh Assembly Government's responsibility to do it?

10.00 a.m.

[41] **Ms Morris:** You have raised many issues. First and—

[42] **Gareth Jones:** Before you go on, Jane, Christine wants to tag on another question to that.

[43] **Christine Chapman:** My question is to do with the standards. We have talked about work-life balance, but I wanted to ask about the improved standards for children and young people. In my area, there was mayhem when the workload agreement was introduced in many instances. It was led in some cases by governors, and I am glad that things have settled down and improved, but it seemed that there was a lack of communication by the Welsh Assembly Government, local authorities or governors. The point that I want to make, particularly in terms of primary schools, is that there was a lot of talk that schools would work together by helping each other. In terms of standards, have you seen evidence that primary schools in particular—because I think that it is more difficult for primary schools, and slightly easier for secondary schools, because of the nature of the institutions—are collaborating much more, and are governors involved in that process?

[44] **Ms Morris:** To take Christine's point first, there is evidence of schools working in clusters and bouncing ideas off each other, which is invaluable. Where there are federated schools, that will have to happen, and it will happen more and more as time goes on. On transition planning, there has been, and must be, liaison between secondary schools and primary schools. What needs to happen is greater collaboration between governing bodies. I am conscious that teachers will work together in clustering meetings, and so on, but governing bodies need to be brought together to look at the teacher workload agreement in general, for example, and discuss things such as work-life balance. I am not sure that that is happening. That is something that we perhaps need to look at as an organisation.

[45] You also touched on issues that overlap with Sandy's issues. The impact that the agreement is having on standards is a huge and incredibly important question. We are mindful of the fact that Estyn undertook a survey in 2007, and another report is due in March, which we await avidly. We have the school effectiveness framework, and I am concerned that as its pilot phase rolls out to all schools, there needs to be correlation between that, the teacher workload agreement and other initiatives. I said to Mike and Ray at the beginning that in looking at previous evidence that has been submitted, I am mindful of the fact that most of those bodies have undertaken surveys and have hardcore evidence. We have not been in that fortuitous position, so it would strengthen our role if we could do something like that.

[46] On whose responsibility it is, I think that it is everyone's responsibility. I do not think that we can pinpoint the Welsh Assembly Government or local education authorities. The school effectiveness framework is about tri-level reform.

[47] **Sandy Mewies:** I agree, but who will pull it together, because it is happening in isolation? That is the point that I am making.

[48] **Ms Morris:** I think that you are right, but it is not an easy question to answer. The findings of this inquiry will be paramount to any recommendations as to where we go from here. I would like to see Governors Wales having a bigger role in this, if that was feasible—there are funding issues and knock-on effects. I am sure that some type of working party exists, with representatives from all bodies, to discuss these issues. ADEW will discuss them, and there are various bodies throughout, but it is about pulling all those discussions together, and, depending on the recommendations, establishing a Wales-wide working group on this would be a way forward.

[49] **Gareth Jones:** Are there any other points on that? You referred to ongoing training, Sandy.

[50] **Sandy Mewies:** Jane nodded hard enough at me for me to know that that needs to happen.

[51] **Ms Morris:** Training is incredibly important. I would also make the point that it must be accessible. We must look at different ways of training governors, because not all governors can attend training sessions in the evening and we must ask whether there is online capacity. That is crucial.

[52] **Gareth Jones:** Do you feel, as the representatives of governors in Wales, that you have sufficient access, for example, to the Welsh Assembly Government? Do you feel that you can negotiate and consult? Do we have the mechanisms for you to do that, to share your concerns and to build and develop ideas and so on? Are you happy on that score?

[53] **Ms Morris:** We are happy. It is clear, from the evidence that the Minister submitted, that the Government is working with Governors Wales on some of these issues. We can always enhance things, can we not?

[54] **Gareth Jones:** However, a forum exists for you to exchange ideas and so on.

[55] **Ms Morris:** Yes.

[56] **Mr Barker:** I agree with what Jane has said. Sometimes, however, many of the documents that are produced do not appear to be directed strongly enough at governors and at gaining their views. That was said about the school effectiveness framework. So, there is an opportunity to improve that and to be more overt, because, at the end of the day, governors have a wide range of responsibilities within a school, and, sometimes, that is not fully acknowledged. Similarly, they need to be supported strongly in that.

[57] **Gareth Jones:** I am aware, as David mentioned, that thinking, 'We need the governors in on this' is often a bolt-on or done on an ad hoc basis. The point that I would make is that you must be central.

[58] **Janet Ryder:** On that point, it is probably governors who employ school staff, and therefore it is ultimately your responsibility to ensure that the workload agreement is delivered for each member of staff that you employ. Getting that balance right is a crucial part

of any teacher's week.

[59] I would like to return to the points that Jeff raised about the 14-19 pathways. As that develops, the teachers employed by each individual secondary school will be asked to travel and deliver work in other schools. As it is the governing body that will be employing them, they will still be your responsibility ultimately, and it will be the governing body's duty to deliver the workload agreement to those teachers. What are you doing to assess the impact on the ability of teachers, under the workload agreement, to still have dedicated time, if they have to spend a considerable amount of time travelling from one school site to another, which might be a considerable distance away? How will you, as governors across Wales, address this issue?

[60] **Mr Wells:** We do not know what impact it will have. We think that it will have a considerable impact, but, basically, we do not know. We are still looking at how this will pan out, how further education colleges will contribute to this, whether we can bring lecturers to schools or whether we can use schools as a central hub where we have spare capacity. There is a myriad of different issues that will be looked at to try to lessen the need for teachers or children to travel. At present, we have the headlights on, but we are in fog. We know where we are going, but we do not quite know how we will get there. There are several issues along the way that we will have to consider.

10.10 a.m.

[61] **Janet Ryder:** To come back on that, there are areas that are already doing this and staff are being asked to travel, and there is strong evidence from those areas that, despite agreements given by the county council, they are totally losing not just their workload agreement time, but their lunch and break times, partly due to the way that journey time is assessed by the county council. Does Governors Wales have a role in working strongly with local authorities to ensure that if teachers have to make a journey—and they are your employees, not employees of the county council—their journey time has been assessed adequately and that time off in lieu is allocated to those members of staff to allow them to prepare?

[62] **Ms Morris:** You raise some incredibly important points. We have obviously raised points in consultation documents and when evidence is given. We will have dialogue with the Association of Directors of Education in Wales on some of these issues to express our feelings, and so forth. We have a meeting with ADEW next week at governor support level, at which we will raise these issues. It is a huge logistical problem. At present, we do not have any answers to this. However, we can raise our concerns and say that, obviously, there is a statutory obligation to deliver planning, preparation and assessment time and, therefore, that we need to be incredibly mindful of that.

[63] **Mr Barker:** Unfortunately, at present there is a blurring of the employer issue in that governors are responsible, as are local education authorities. Discussion at both levels is therefore necessary. There have been schools that have existed on split sites where teachers have had to travel between the sites. Therefore, in one way, that has happened, but an allowance was made in terms of perhaps giving someone a free period before he or she had to travel. As you and Jane have said, there are statutory limits on the hours that teachers work, along with statutory limits in terms of planning, preparation and assessment time, and these need to be adhered to within all of the new agreements. It is a matter of reinforcing all of those things at every opportunity.

[64] **Ms Morris:** This is where we need to sit down to discuss some of the issues with trade unions.

[65] **Andrew R.T. Davies:** I think that you have been gracious in saying that the lights are on, Ray. Personally, I think that they are still looking for the switch. There will be big problems, but I do not want to go over that point because it has already been touched upon. However, you have referred in your evidence to the future viability of the whole teacher workload agreement due to the resource issue. I would be interested to hear how you see the future of the agreement panning out.

[66] We have heard in previous evidence that resources in the form of engagement from local education authorities and the dedicated facility officers, if you like—there is proper terminology, but it escapes me at present; I think that they have been renamed even—to support governors and headteachers in the continued implementation of the teacher workload agreement are diminishing. The final tranche of that agreement will come in in September 2009, but there is no new additional resource to meet that requirement which, in itself, puts an increasing burden on governors and headteachers to try to work with what they have, and it is already proving inadequate.

[67] Listening to various contributions around this table, it is interesting to hear about the legal obligation that might well be placed on governors. I would suggest that there is a diminishing desire among people to put themselves forward as governors. In the case of the school of which I am a governor—and I do not know whether we are exceptional—it is still very much a case of the butcher, baker and candlestick maker, if you like, who put themselves forward. Sitting here, I was thinking about those who make up the governing team—there is a builder, a farmer, an accountant, an auctioneer and a solicitor. Therefore, we have a strong mix of people, and they put themselves forward because their children are in the school or they see the school as a community asset. When more liability and responsibility is passed back to governors, I would suggest that we will see a decrease in the number of people putting themselves forward to be governors.

[68] Therefore, there are two questions to be asked. The first is about the future viability of the teacher workload agreement, and the second is about the engagement of governors at grass-roots level to take on the extra responsibilities that might well be placed upon them. I would be interested to hear what you believe needs to be done to make sure that governors stay in touch and keep putting themselves forward for the future benefit of schools.

[69] **Ms Morris:** On future viability, the bodies that have signed up to the agreement obviously want to see it continue. There have been many benefits, and we will see more as time goes by. I think that the Chair indicated that it was six years to the day since the agreement came in, so we are meeting in quite a historic setting today. However, you are right—funding is crucial if this is to work, and we emphasise the point that adequate resourcing is essential for the sustainability of the agreement, particularly with the move to ‘rarely cover’ in September. Funding is a huge issue, and if this is not funded adequately, there will be problems. We are already seeing the knock-on effects of that.

[70] As an organisation, we would hope to see the fruits of the workload agreement. Some people would say that it is still relatively early days, particularly with the impact on standards and so on. As for the impact at grass-roots level, and Andrew’s question about whether these responsibilities will deter governors, I have no answer to that. However, I am not aware of a tremendous vacancy rate among governors because of the teacher workload agreement.

[71] **Andrew R.T. Davies:** There is a vacancy rate—

[72] **Ms Morris:** I am aware of the information that you have on that; there is a vacancy rate. What I do not know, and what I need to look into in greater depth, is why there is a vacancy rate. I am aware that, in 2005, governors were able to reconstitute their instrument of governance. Did they opt for a smaller or larger governing body? I do not know. Obviously,

school closure will have impacted upon that vacancy rate, but I would have to look at those statistics in greater depth to have a better analysis of that. I am not decrying it in any shape or form. It is true, is it not, that once people are aware of the responsibilities, they sometimes decide that they do not want to be a governor? That might be the case. We have no hard evidence on that. What is very important in my mind—this is a personal opinion—is training. I would like training to be mandatory for governors, particularly at an induction level, so that they are aware of their responsibilities when they take on that role.

[73] **Andrew R.T. Davies:** Governors tell me that they want mandatory training, but I must say that, when I sit on my governing body, there is a great sigh when the LEA sends a load of training dates through that require attendance on a Saturday morning for four hours.

[74] **Ms Morris:** It is mixed, but I would hope that people who become governors would at least attend initial training so that they know what their role is. It is patchy. I have spoken to governing bodies that would welcome mandatory induction training. I must stress that this is my own personal opinion, and not necessarily the opinion of Governors Wales.

[75] **Mr Barker:** In a way, that goes back to the question that was posed about the input that is being offered to governors by the authorities. Many have argued that the responsibilities of governors have gone too far, and it may be that that will not be changed. If the level of responsibility is not changed, then the necessary resource and support must be provided. That is the key question. If governors feel that they are being fully supported, whether it is through training or resources to run the school, they will continue as governors. If they do not feel that that is the case, then that is why they would not wish to continue in that position. We need an opportunity, both locally and nationally, to make the point that that is available for them, for the good of the school.

[76] **Andrew R.T. Davies:** Are you seeing the reintroduction of support? The Minister and her official, to be fair, acknowledged that support had waned, and said that they were remodelling the groups and asking local authorities to identify the support that they could give. Are you now seeing more support coming forward to keep the workload agreement progressing? Or do you acknowledge that that support has diminished over the years, and will continue to diminish?

10.20 a.m.

[77] **Mr Barker:** There is a general reduction of support being offered to governors as the budgets tighten in local authorities. I would not wish, necessarily, to just look at workload, because I would say that that was a general issue.

[78] **Gareth Jones:** We have exceeded our allocated time. On behalf of committee members, I thank the three of you for your important contributions to this issue and the work that we have undertaken. I understand fully that we are talking about a complex area here, and I am sure that I have the support of my fellow Members here when I say that we appreciate the work done by governing bodies in our schools; it is important that you have that support and confidence. We understand that there are challenges ahead; things continually change and we must be up to that challenge. I mentioned the forum earlier; please remember that we, as the scrutiny committee, also have certain powers, if you like, to look at key issues, and I very much hope that our report will reflect that and be useful in the exchange of ideas. Keep up the good work. Diolch yn fawr iawn.

[79] Trown yn awr at ail ran yr eitem hon, We now turn to the second part of this item, gyda chynrychiolydd Unsain; gweler yr ail with the Unison representative; please refer bapur. Deallaf fod Christine eisiau datgan to the second paper. I understand that buddiant. Christine wants to declare an interest.

[80] **Christine Chapman:** I declare that I am a sponsored member of Unison.

[81] **Gareth Jones:** Jeff?

[82] **Jeff Cuthbert:** No, Unison is one union of which I am not a member. *[Laughter.]*

[83] **Gareth Jones:** Trof at gynrychiolydd Unsain, sef Paul Elliott, pennaeth llywodraeth leol yr undeb. Estynnaf groeso cynnes i chi, Paul, a diolch ichi am y dystiolaeth ysgrifenedig yr ydym eisoes wedi'i derbyn ac sydd wedi'i dosbarthu i Aelodau.

**Gareth Jones:** I turn to Unison's representative, Paul Elliott, the union's head of local government. I extend a warm welcome to you, Paul, and thank you for the written evidence that we have already received and which has been distributed to Members.

[84] Gan fod amser yn brin, nid wyf am eich gwahodd i wneud cyflwyniad, ond, yn hytrach, byddwn yn troi at gwestiynau gan Aelodau. Wrth gwrs, bydd cyfle ichi ymhelaethu ar unrhyw agwedd yn ystod y drafodaeth. Trof at David Melding i ofyn y cwestiwn cyntaf.

As time is short, I will not invite you to give a presentation, but we will turn instead to questions from Members. Of course, there will be an opportunity for you to expand on any aspect during the discussion. I turn to David Melding to ask the first question.

[85] **David Melding:** Thank you, Chair. I have pursued the point with other witnesses of the role of the governing body, particularly the chair, in implementing work-life balance. In your evidence, you state that the relationship between local education authorities, school headteachers and chairs of governing bodies is crucial for the effective implementation and development of the workload agreement. Is too much emphasis placed on the chair of governors, in particular, in terms of picking up issues, and is that too ad hoc? You get a range of people at various stages of development as chairs of governing bodies. Do we need more formal mechanisms with LEA advisers or mentoring, where headteachers are linked up, to pick up these issues? I would like to hear a trade unionist's view on the rigour of this process.

[86] **Mr Elliott:** You have hit on a crucial point there, David. It is about the school governing body's and the headteacher's legal position to appoint and employ staff. While the LEA can give advice and guidance to school governing bodies about how they should proceed with issues in relation to the appointment and employment of staff, ultimately it is left to the governing body. Obviously, with the number and range of schools across Wales and, you are right, with different headteachers and different chairs of governing bodies, it is often very difficult to get a consistent approach across every school in every local authority, let alone between local authorities, in order to achieve a common standard across Wales, which is something that I think we all want to see. I want to use the example of Powys County Council because, when this new teacher workload agreement was introduced, it handled it extremely well. With the council cabinet member for education and the director of education, the council held a conference for all chairs of governing bodies and headteachers—there was a three-line whip, with a second conference for those who could not attend on the first occasion—to spell out very clearly this very big change that would be taking place in schools and their involvement in it.

[87] We mentioned in our report the proposed changes to ensure compliance with the schoolteachers' pay and conditions document, which gives powers to the Assembly to intervene if schools are not applying those conditions. We do not want to be heavy-handed; schools have to have some responsibility for their community and their pupils, but we think that there ought to be clear guidelines and some way in which LEAs can intervene to put things right where they go wrong. School governors and headteachers have a heavy

responsibility, and we are concerned because we think that, as a consequence of this and the managerial responsibilities that they must take up, headteachers are probably the persons most under pressure as a result of this agreement. We feel that the issue of the role of the headteacher ought to be explored in relation to the concept of a school manager. There ought to be a school manager in the larger establishments, particularly in the comprehensive schools, to take those managerial responsibilities away from the headteacher so that they can concentrate on educational issues rather than the managerial issues of running a school on a day-to-day basis.

[88] **Jeff Cuthbert:** I should correct my earlier statement. I was a member of the National Union of Public Employees many years ago, which was one of the constituent unions that formed Unison. Anyway, that is history. Thank you, Paul, for the written paper. To an extent, my question flows from the question that David asked and relates in particular to paragraphs 12, 13 and 14 of your paper, which refer to the increased number of school support staff employed and the development opportunities that they ought to have, leading to appropriate NVQs. With regard to the workload agreement, do you feel that the approach of providing development opportunities to staff is reasonably consistent across Wales, or are there examples of very good practice and other examples of not-so-good practice? I do not necessarily want you to name particular local authorities or anything like that. However, what would be the role of the trade unions with regard to urging the implementation across Wales of good practice? How do you monitor it, and do you feel that it is being taken seriously by all LEAs at the moment?

[89] My next question is something that I asked governors earlier today. There are major changes coming in the way education is delivered in Wales. We now have the foundation phase for our youngest school children and the 14-19 learning pathways are in the process of being implemented and will be fully implemented within a year or so across Wales, I trust. That will obviously have implications for teaching staff, and I would be surprised if it did not have implications for support staff. Have you been able to make any assessment of what those implications may be and how you, as a trade union, would want to be involved in that?

[90] **Mr Elliott:** First, we welcome the teachers' workload agreement. When it was first introduced in 2003-04, we held a series of meetings in every local authority in Wales for the school support staff who would be affected by the agreement. In the past, we have probably been a bit neglectful of school support staff; they are harder to organise, there are far more establishments, and they are spread across large geographical areas. However, it was very revealing for us, because we found situations where school support staff were treated almost like second-class citizens.

10.30 a.m.

[91] This goes back to David's question about the relationship between local education authorities and the schools. The schools get their budget from the LEA. That budget has to cover training. We went to a series of meetings across Wales and we found, for example, that schools' technicians for science subjects had made applications year after year, for six or seven years, to go on courses to update their knowledge for their role in the school, but that training had always fallen off the agenda, because there was no money in the school budget. A percentage of a school's budget—I believe that it is 2.5 per cent—is hypothecated for teacher training, but there is no similar arrangement for the teaching assistants or the technicians in schools. So, they rely on whim and the budgetary situation in the school and, regrettably, as is the case in lots of industries, training is the easy one to drop off. We think that the establishment of this working party by the Minister Jane Hutt will enable us to focus on what is needed in terms of training, how that can be funded and how we can protect it in the schools' budget. Could support staff be subject to an arrangement similar to that for teachers, whereby the money is hypothecated in the school's budget?



[92] We want to develop another stream of qualification outside of the NVQ. NVQ is all well and good but, before NVQ, the nursery nurses who were employed by local authorities—and Wales has had a good record in nursery education for many years; far in advance of that in England—took two-year, full-time courses at further education colleges for what was called the NNEB qualification. That qualification has withered on the vine. We have had NNEB members coming to us and saying, ‘You have downgraded us. We only have to have NVQs now’, but we want to see a route, through FE colleges, possibly, as the providers, for people who are not currently in school situations to do a course to equip them to apply for jobs, because there are going to be lots more jobs as the starter programme for young children is rolled out. There will be lots more jobs over the next four or five years that we need to provide qualified people for, and we think that that is an important route for that.

[93] In relation to 14-19 pathways, I am trying to get my head around it to be quite frank, and around all the implications of whom the providers are going to be. Unison has a possibly controversial position in that we think that the old tertiary model was the best model available. Under that model, sixth forms were moved into tertiary colleges, and the college became the main focal point, but that is not likely to happen now. We have not yet really got our head around the 14-19 pathways and the impact that they will have. We cannot quite work out in our minds who the providers are going to be and how these partnerships are going to come together. How that is going to pan out and how it is going to impact on our members is something that we are finding rather complicated at present.

[94] **Jeff Cuthbert:** I know that the teaching unions are represented on the Deputy Minister’s implementation group, but do you—and by that I mean Unison and the other relevant trade unions more generally—have a place in that group? Clearly, that group will be very important.

[95] **Mr Elliott:** We have recently complained about this to the Minister, and we are now being involved in that process, I am pleased to say.

[96] **Janet Ryder:** Going back to the introduction and development of the foundation phase and linking that with the workload agreement, it is fairly clear to see the career pathways for teaching staff, the incremental steps up a salary ladder, how the training fits into that and how they have to gain certain qualifications to move from one step to the other. That is not at all clear in the case of support staff, and yet support staff will have an increased role in delivering the foundation phase. There is a strong argument that the training given to them does not equip them in any way to deliver that. What does Unison have to say with regard to what we should be doing to deliver a national pay frame for support workers, as pay rates for a support worker will vary from school to school, even within an authority? I would also like to hear your views on training levels and appropriate career pathways for support staff within the foundation phase, but also generally. How will that impact on the inclusion of support staff into the workload agreement?

[97] **Mr Elliott:** You have touched upon one of the most difficult problems that needs to be addressed in relation to this situation and the commitment contained in the ‘One Wales’ document to establish a national framework. It says that this will be for teaching assistants, but the Minister’s remit is to look at it for all support staff. When the teachers’ workload agreement came out, the national joint council, which is the body that negotiates terms and conditions, which are known as the ‘Green Book’, for local authority employees in England and Wales, produced guidance—joint guidance from employers and trade unions—which sets out clear descriptions for four grades of staff, whether teaching assistants, administrative staff, secretarial staff, or whatever, within the school. Local authorities were required at that time to do an analysis of the work being undertaken by the respective school staff and to slot them into one of the appropriate levels. That is very difficult. It then had to allocate an appropriate

salary to them. That is difficult when you are dealing with so many schools, different types of schools, and different existing establishments. In the surveys that we have undertaken over the last six months, we have found that, very often, partly because of the financial position in which schools sometimes find themselves, they are asking school support staff to perform duties over and above what they would be expected to undertake under the guidelines.

[98] We held meetings across Wales and we have issued a booklet that gives advice and guidance. We hope that the report being produced by the Minister's working party will provide some clear guidance, but there has to be leadership from the Assembly and from the local education authorities. Some local education authorities have good working relationships with their schools; they have school councils for comprehensive and primary schools, which meet regularly. In Neath Port Talbot, when we are implementing this agreement, representatives of the headteachers sat on the negotiating committee. So, all headteachers were aware of the implications for school support staff in the implementation of this agreement. It did not happen like that in every authority; there were differences.

[99] There is a huge problem. I have been trying to rack my brains over the past few weeks, since the Minister set up this working party, to see how the issue can be resolved. It is tangled up with the issue of equal pay. Local government is required to introduce equal-pay-proofed salary structures. This should have been done by 1 April 2007, but only three authorities have achieved this so far. They are lagging behind and, unfortunately, the current financial climate is not conducive to resolving this issue, which requires extra resources in the form of money.

[100] School support staff are currently linked into this. I have not yet been able to rationalise how you establish a national structure in Wales for school support staff and resolve the problem of equal pay within a local authority. At the moment, we are pursuing equal pay in every local authority. It has its downside for many teaching assistants.

10.40 a.m.

[101] Prior to this agreement, teaching assistants and qualified NNEB nursery nurses were on an agreement that was not dissimilar to that of teachers; they worked 32.5 hours a week, they were paid 52 weeks a year, and they were not required to come in during the vacation. If you are trying to establish an equal system—and the general working week is 37 hours in this agreement—local authorities are saying, 'We cannot have one group of staff who are not in this single-status agreement'. Therefore, we have had situations where people have lost money, and have been required to come in during the vacation.

[102] I have mentioned Neath Port Talbot County Borough Council in my paper. We asked the previous education Minister, Jane Davidson, to look at the Northern Ireland arrangement, and to send her civil servants over there to look at it; Northern Ireland resolved this issue by adopting Neath Port Talbot council's arrangement. Neath Port Talbot has many community schools, which are open during the vacation periods, and it offers staff 52-week contracts or term-time only contracts. That worked well apparently—it fitted in with people's individual needs, and people accepted either lower salaries or the 52-week contract.

[103] The working party will hopefully have the brains to focus on this issue, in order to establish a national agreement. Following job evaluations, Neath Port Talbot council has increased its annual wage bill by £13 million, which is a huge increase. It decided to do that because it values its workforce, and it does not want too many to go down. Other authorities have put in far less, so you end up with the scenario that I have mentioned, whereby, if you are a level 3 teaching assistant with Neath Port Talbot council, you are £4,000 better off than someone who works for the Vale of Glamorgan Council. It is a question as to how you overcome that, given the autonomy of local authorities, which are democratically controlled

and are elected by local people. They are having to commit themselves to equal pay, or else they will not only have the unions on their back, but these no-win, no-fee lawyers who are running around; fortunately, there are not many of them in Wales at present. They are saying, 'You have not implemented equal pay, and the unions have let you down because they have not implemented equal pay'. It is a difficult question.

[104] **Janet Ryder:** Denbighshire County Council has experienced problems in this regard, in that NNEB-qualified staff have been devalued, or not valued, or they have been put on different scales. There are two crucial issues that have come together at the same time; one is the equalisation of pay, and the other is the necessity to have a national pay structure. It might need to be specific, particularly in relation to classroom assistants. They are currently contributing to teaching the foundation phase—despite what has been said about it, they are delivering and teaching the foundation phase, without any common basis of training. Even if this ministerial group does nothing else, I hope that it comes out with a good, basic level of training that will equip those people to deliver something that many have already gone into, and have had their job descriptions changed as they are doing it.

[105] **Mr Elliott:** I attended some of the meetings with our school support staff. I remember going to the Princess Royal Theatre in Port Talbot, where there must have been 800 or 900 staff present. NNEB-qualified nursery nurses were holding up banners stating, 'The unions betrayed us'. In the end, Neath Port Talbot council managed to reach an agreement—it was not entirely satisfactory, but at least it protected salaries, and because salaries increased quite substantially, losses were minimal. However, it is a problem, and I am not sure what the way around it is.

[106] In England, work is taking place on a new agreement for schools. However, England is totally different to Wales. Many of their schools do not come under local education authority control—they are academies, trust schools or independent schools, and so on. Therefore, the England agreement, which the working party will monitor, might not be appropriate for Wales, as our education system is totally different.

[107] **Gareth Jones:** Do you have a follow-up point, Sandy?

[108] **Sandy Mewies:** I do. Like Janet, I am aware of people in the unions who have lost out. We have to remember that not everybody has won—some people have lost out—and it has caused a great deal of friction in some areas within your union. It would be dreadful if we lost the expertise of those with NNEBs, because that was a good qualification that worked very well in schools—those with NNEBs contribute enormously to schools. Do you think that this working group of the Minister's will come up with an answer? You are right that there has to be some way in which the NNEB qualification can be recognised in transition, to ensure that those with NNEBs can at least claw something back so that they can be where they were before. Some of these people have more than 20 years of experience of working in schools and I understand perfectly why they feel upset. That is an understatement as regards what is going on. Do you have any idea about what needs to be done? Is a national pay scale the answer? In a national pay scale, how would you allow for those who do not quite conform?

[109] **Mr Elliott:** Historically, Unison used to have nursery nurse branches. I remember going to conferences at which nursery nurses would get up and speak eloquently about why they ought to be treated in exactly the same way as teachers. Now, regrettably, the NNEB qualification is no longer a requirement and that had a big impact on the people who were NNEB qualified. They spent two years, full time, in a further education college seeking that qualification, but now, under the workforce agreement and the National Joint Council guidance that came out in 2003-04, the NNEB qualification is no longer a requirement. Instead, they have opted for the NVQ qualification at levels 1, 2, 3 and 4.

[110] There is also an organisation called WAMG—the Workforce Agreement Monitoring Group. Unfortunately, Wales was treated as a bit of an appendage, because a lot of people cannot get to grips with devolution. I keep on telling our head office, ‘Look, devolution is a process, not an event, and things will change in Wales’. WAMG is a very good body, but because it did not understand devolution, it was not really involved. It has now got a bit more involved and it does issue very strict guidelines. In relation to teaching, it is a big concern of ours that teaching assistants and classroom assistants are being asked to teach and take classes, but are not being paid at the right grade for that work. They are being abused. If we want anything to come out of the working party, it is clear guidelines or for the existing guidelines to be reiterated, to say, ‘These people will not do this task unless they are appropriately rewarded at this level’. For the higher level teaching assistant there are strict criteria laid down by WAMG as to who can go into that particular grade and what qualifications they require. I think that, possibly, in Wales, it does not happen very often. I think that we have often been far in advance of England in terms of our thinking since we have had the Assembly Government, but I think that on this aspect of qualifications, we are lagging a little bit behind England because, in England, there are qualifications that you can get via FE colleges.

[111] **Gareth Jones:** Thank you for that. I believe that we have time for a final question from Jenny.

[112] **Jenny Randerson:** This follows on from what has already been said, Chair. It was predicted that there would be difficulties in recruiting staff for the foundation phase and I gather that you, as a union, agreed with that prediction. You may recall that during the controversy over the finance for the foundation phase, one of the issues was that the Minister had based her calculations on the lowest point for the lowest qualification. I am sure that everyone here would agree that although that might be a starting point, it certainly did not allow room for development.

10.50 a.m.

[113] There was a fear that the recruitment of teaching assistants for the foundation phase would concentrate on the lowest qualified people and would adversely affect those with higher levels of qualification because the Minister was not providing the funding for those with higher levels of qualification. Do you have any evidence that that has happened?

[114] **Mr Elliott:** We are getting reports from a number of authorities that where an LEA has not shown the appropriate leadership towards schools or has not set up a proper partnership agreement with the schools—and I mentioned Powys at the beginning because I thought that its method of introducing this was good—abuses have occurred, for example, when people are asked to undertake duties at a higher level. I will gladly leave a copy of the agreement with you, if you are interested. There are levels—1, 2, 3 and 4—which set out clearly what they should and should not do. Where there is no clear direction from LEAs, schools abuse those teaching assistants by asking them to undertake duties over and above what is laid down in the existing arrangements. That relates in part to the relationship that I described at the start of the meeting, in response to David’s question, between schools and LEAs. Local education authorities no longer have the power to direct schools; they can only make recommendations. There have been situations where we think schools have gone wrong and we have gone to the LEA, which has had to threaten the school by saying that if the trade unions take this case to an employment tribunal, it will be responsible for any costs and not the LEA. That is the LEA’s only lever with which to influence that school.

[115] I am not saying that all schools are like that, Jenny. There are many good schools and good models out there, but when you are dealing with so many schools and trying to

introduce what is a huge change into schools, it takes time and effort. If the local authority takes its eye off the ball, problems can arise. In our final conclusion, we said that it is important for this process to be monitored and to ensure that every school in Wales reaches certain standards in relation to this agreement.

[116] **David Melding:** Perhaps we could follow up on the Powys example, because it seems to have established some good practice. Based on the quality of this evidence, I am almost tempted to join Unison myself. Perhaps we could have a branch for Conservative AMs. *[Laughter.]*

[117] **Mr Elliott:** You are very welcome any time; we are open to everyone.

[118] **Gareth Jones:** Ar y nodyn llawen hwnnw, ar ran yr Aelodau, diolchaf yn fawr iawn i chi am eich cyfraniad sy'n hollbwysig gan ein bod am weld parch a statws i'n staff ategol yn ein hysgolion. Mae'r amser 'ni a nhw' yn ein hysgolion wedi hen fynd. Timau sydd yno bellach ac y mae'n bwysig ein bod yn parchu bob aelod o'r tîm.

**Gareth Jones:** On that happy note, on behalf of the Members, I thank you very much for your contribution, which is extremely important because we want respect and the correct status given to support staff in our schools. The days of 'them and us' in our schools have long gone. We now have teams there and it is important that we respect every member of the team.

[119] Fodd bynnag, derbynïaf fod cymylau mawr ar y gorwel cyn belled ag y mae asesu swyddi ac yn y blaen yn y cwestiwn. Yr ydych wedi cyflwyno dimensiwn hollbwysig i ni ei ystyried, fel y dywedodd David. Felly, diolchaf i chi unwaith eto a dymunaf y gorau i chi yn eich gwaith.

However, we accept that there are dark clouds on the horizon as far as evaluating jobs and so on are concerned. You have introduced an important dimension for us to consider, as David said. Therefore, I thank you again and wish you all the best in your work.

[120] Aelodau, a ydych yn fodlon i ddigon o dystiolaeth gael ei chyflwyno inni allu fynd ati i lunio adroddiad gydag argymhellion? A deimlwch fod angen clywed mwy am ba bynnag agweddd?

Members, are you now content that the evidence presented is sufficient for us to be able to draft a report with recommendations? Do you feel that we need to hear more about a certain aspect?

[121] **Jeff Cuthbert:** I think, in general terms, that we have enough for a draft report for consideration. However, Paul Elliot raised a matter that hit me in the eye, and I think that we need to flag it up and look at it, and that is the issue of hypothecating for non-teaching staff in schools. In this day and age, in looking at an all-school approach, everyone is entitled to professional development, and it is wrong if they are being denied it for financial reasons, and I would want that flagged up in the report.

[122] **Janet Ryder:** We have enough to draw up a report on the workload agreement, which is what we were looking at. However, this work has led to two other areas that the committee may want to consider for separate reports following short inquiries. One is the role of governing bodies and its impact on school management and the delivery of the curriculum as the Government sees it.

[123] **Gareth Jones:** That is a valid point.

[124] **Janet Ryder:** The other one to come out of this work is the matter of how the Government will deliver its 'One Wales' commitment to establish a national pay structure for support staff. Both areas warrant separate inquiries.

[125] **David Melding:** Or rapporteur inquiries.

[126] **Sandy Mewies:** I also think that we have enough evidence to move forward, but I fully endorse Jeff's point about hypothecation of funding for support staff training. These staff do such good work in schools, and they need the tools to do their job. The role of the governors is important, and that of their association, because they have identified a definite gap with regard to how they feed into local authorities and, indirectly, into WAG policies. Jane mentioned that perhaps ADEW and unions could form a strategic group to take an overview, because that seems not to be happening at the moment. I am not sure that an inquiry is needed, but that is for Members to decide. However, I would like a written note circulated to Members about how far Jane Hutt's working group has gone and what it is doing. We have the school framework coming up, and we have the single status and equality issues, and then we have the issue of training, and I would like to know how the group is getting on, and I still want to know how the group is looking at standards, as that aspect seems to get lost every time. This is not just about improving the lot of teachers; the end result has to be that we improve standards in schools. This has been going on for six years, so I do not accept the argument that there is nothing more than anecdotal evidence. This has been going for six years, so there has to be more than, 'Well, we think this or that is happening, but actually, we don't really know'. I would like to know where her group is and what it is doing. A written note would do for me.

[127] **Janet Ryder:** To make a recommendation for hypothecation in school budgets is feasible, but I would rather that we take the evidence for that first, and I think that we need to take further evidence on that, because the issue relates to the kind of training that has to be made available and the standards that the training is pegged to. There is also the issue of whether the training providers themselves have the standard right, because there is no consistency in Wales on this. It is a big area. We need to look at what support is given to support staff in the role that they now play. That warrants an inquiry by this committee, and it warrants us asking the Minister to one of our meetings to inform us on the issue and to be open to questioning about how that working group is developing, rather than her sending a note. The issue is having an impact on other people's work, and, importantly, as Sandy said, it is having an impact on the standard of children's education. I would also like to say—and it is not a defence of getting a better deal for teachers—that if you get a better deal for teachers you will raise standards, because the standards of teachers are crucial to the type of teaching that happens in schools. All of the inquiries show that it is the quality of the teaching staff above everything else that impacts on a child's education.

11.00 a.m.

[128] **Sandy Mewies:** I do not disagree with that and I was not arguing the point; I am saying that we have heard a lot about the impact on teachers and support staff, but we have not heard a lot about the impact on standards. I remind everyone that the years that a child has in school are the only years that a child has in school.

[129] **Gareth Jones:** Christine and Huw have a few further points, and I am also looking to Andrew.

[130] **Christine Chapman:** I have a suggestion. The Estyn report comes out in March on the re-modelling agreement and the standards, so would it be useful to park what we have for the moment so that once we receive Estyn's report we can look at it again and add to the report?

[131] **Janet Ryder:** But this was about the workload agreement and how that has been covered.

[132] **Gareth Jones:** I will make a point on that towards the end of the meeting. Christine, do you have anything further to add?

[133] **Christine Chapman:** No, but we need to look at it because it is part of the same thing.

[134] **Huw Lewis:** Sandy is right to keep coming back to standards and the inter-relation of all of the elements that we are talking about. The evidence from Paul Elliott was very eye-opening, and it has got me to a point where I feel that I have a grasp of the complicated issues that we have been looking at. I am tremendously concerned about access to training for support staff within schools. My career path in teaching took me from the Scottish educational system back home to Wales, and one of the striking characteristics of difference between the two systems was that a much greater emphasis, status and training level was accorded to technical staff within schools, which had a huge impact on standards. In science lessons, for example, these were people that could make the whole experience of experimentation something that was orders above what was considered to be normal in a comprehensive school in Wales. These people also impacted on other aspects of teaching through audiovisual work, and latterly, information technology, which was another area in which they became specialists. They were specialists, and they were treated as such, but that has never been the case in England and Wales. Without access to training, that type of aspiration in terms of standards remains completely beyond us.

[135] So, there is a lot of inter-related stuff in this regard, and I think that we are going perhaps a little beyond the agreement to look at how different professionals within the school environment work together to raise standards. However, to echo what Sandy was saying again, I would be very interested to know what is going in the ministerial group.

[136] **Gareth Jones:** Okay. Andrew is next, as the person who requested this review.

[137] **Andrew R.T. Davies:** It has been a pleasure to listen to the evidence, as the person who asked for the review into the teacher workload agreement. We have received compelling evidence, and I suggest that we move forward to the draft report. However, on Janet's point about the relationship between governors and headteachers, the work of governors in the school needs more investigation. We assume that governing bodies will always be there, but if you look at the figures there is a big deficit of governors in Wales and people are turning away from putting themselves forward. We need to understand that problem and work with the governors to try to solve the problem. So, we should move to the draft report, but we should also get inside the training. As someone whose wife used to be a midwife in the national health service, I know that her training was always pushed aside because of the pressure of being wanted on the front line. It is good to hear that teacher training is hypothecated, but the support staff are just as important in delivering the teacher workload agreement and in the raising of standards, because ultimately the agreement is about raising standards and the students that come out at the end of the educational experience.

[138] **Gareth Jones:** The impression that I have from listening to the comments is that the evidence has been very useful and very informative for us. It has highlighted the key areas of concern: training, the impact on management and so on, and you also mentioned the take-up by governors. All of those areas have been clearly expressed and conveyed to us, and we have enough substance for a report along those lines to highlight the areas of concern. You have also clearly identified what I would refer to as a follow-up to the report. We need to bring together the various strands of the concerns that we have heard especially. You mentioned the working group and so on, and the role of governors and the future in that sense. So, we will draw up a report that we will then discuss, but there will be a follow-up component to it that we can analyse, and there may be scope for future action and inquiry. However, I think that it would be helpful if we could deliver a specific report on the way that the current agreement is

working or is not working, without losing sight of the important follow-up points that I am sure that we have all recorded. Is that an acceptable way forward? You have expressed concern, and I am aware that there is genuine concern, but I think that we can pave a way forward in that way.

[139] **Diolch i chi am hynny. Yr wyf yn edrych at y clerc; a ydych yn fodlon? Gwelaf eich bod.** Thank you for that. I am now looking to the clerk; are you content? I see that you are.

11.06 a.m.

### **Ethol Grŵp Rapporteur ar Ddwyieithrwydd Election of Rapporteur Group on Bilingualism**

[140] **Gareth Jones:** Trown at eitem 3, i ofyn am gynrychiolwyr i gael eu hethol i grŵp rapporteur ar ddwyieithrwydd. Yr ydym eisoes wedi cytuno'r egwyddor o ethol y grŵp hwn. Mae'r union gylch gorchwyl i'w benderfynu. Bydd y grŵp yn cychwyn ar ei waith cyn gynted â phosibl ac yn gweithio'n anffurfiol. Mae gennym hanes o wneud hyn: mae dau grŵp rapporteur wedi gweithio ar ran y pwyllgor hwn. Bydd y grŵp yn cyflwyno adroddiad i'w gymeradwyo gan y pwyllgor cyfan ar ôl cwblhau ei waith. Mae'n bwysig inni danlinellu hynny. Felly, yr ydym yn gofyn am grŵp a fydd yn edrych ar yr agwedd hon, adrodd yn ôl i'r pwyllgor cyfan a ffurfio adroddiad ar ddwyieithrwydd.

**Gareth Jones:** We turn to item 3, which is to ask for representatives to be elected to a rapporteur group on bilingualism. We have already agreed to the principle of electing this group. The precise remit of the group is yet to be decided. The group will begin its work as soon as possible and it will work informally. We have a record of doing this: two rapporteur groups have worked on behalf of this committee. The group will produce a report to be approved by the whole committee after it has completed its work. It is important to emphasise that. Therefore, we are asking for a group that will look at this aspect, to report back to the whole committee and then to produce a report on bilingualism.

[141] Yn gyntaf, a ydych yn parhau i fwriadu symud ymlaen ar hyn? Os ydych, gofynnaf am gynrychiolwyr. Gwelaf ei fod yn dderbyniol gennych inni symud ymlaen ar hyn. A oes enwebiadau ar gyfer y grŵp hwn?

First, is it still your intention to move ahead on this? If so, I will ask for representatives. I see that you are happy for us to move ahead on this. Are there any nominations for the group?

[142] **Janet Ryder:** Is my understanding that members of this group do not have to be a member of this committee correct?

[143] **Dr Jenkins:** Procedurally, there are no Standing Orders or formal procedures governing the operation of a rapporteur group. They should roughly mirror the Standing Orders for a subcommittee, because what else is a rapporteur group other than a subcommittee that operates informally? The advice that I would give Members is that they are not electing a group of Assembly Members, but a rapporteur group of the Enterprise and Learning Committee.

[144] **Janet Ryder:** In that case, could you give me some guidance, because I know that Bethan Jenkins would like to take part in this. Would it be possible for her to substitute for me on the rapporteur group?

[145] **Dr Jenkins:** That would always be the case.

[146] **Gareth Jones:** A oes unrhyw enwebiadau? **Gareth Jones:** Are there any nominations?



[147] **Sandy Mewies:** I nominate Jeff.

[148] **David Melding:** I formally nominate myself.

[149] **Gareth Jones:** Felly, mae gennym David, Jeff, Jenny a Janet. Mae hynny'n wych. Diolch i chi am hynny. Bydd y grŵp hefyd yn drawsbleidiol. **Gareth Jones:** Therefore, we have David, Jeff, Jenny and Janet. That is great. Thank you for that. In addition, it will be a cross-party group.

[150] Mae papurau i'w nodi. Fel y dywedais ynghynt, mae un oddi wrth y GMB. **Gareth Jones:** There are papers to note. As I said earlier, one is from the GMB.

11.09 a.m.

### **Cynnig Trefniadol Procedural Motion**

[151] **Gareth Jones:** Gofynnaf am gynnig inni fynd i sesiwn breifat. **Gareth Jones:** I ask for a motion so that we can go into private session.

[152] **David Melding:** I propose that

*the committee resolves to exclude the public from the remainder of the meeting in accordance with Standing Order No. 10.37(vi).*

[153] **Gareth Jones:** Diolch. Gwelaf fod y pwyllgor yn gytŷn. **Gareth Jones:** Thank you. I see that the committee is in agreement.

*Derbyniwyd y cynnig.  
Motion carried.*

*Daeth rhan gyhoeddus y cyfarfod i ben am 11.09 a.m.  
The public part of the meeting ended at 11.09 a.m.*