

**Y Pwyllgor Materion  
Cyfansoddiadol a  
Deddfwriaethol**

**Constitutional and Legislative  
Affairs Committee**

Leighton Andrews AM  
Minister for Education and Skills  
5<sup>th</sup> Floor, Tŷ Hywel  
Cardiff Bay  
CF99 1NA



Cynulliad National  
Cenedlaethol Assembly for  
Cymru Wales

Bae Caerdydd / Cardiff Bay  
Caerdydd / Cardiff  
CF99 1NA

14 November 2011

Dear Minister

**CLA31 - The National Curriculum (Assessment Arrangements on Entry to the Foundation Phase) (Wales) Order 2011**

**CLA32 - The National Curriculum (End of Foundation Phase Assessment Arrangements and Revocation of the First Key Stage Assessment Arrangements) (Wales) Order 2011**

Thank you for your letter of 31 October, which the Committee discussed on 7 November.

The Committee noted that you do not feel it is necessary for you to inform it separately of the proposed use of the provisions set out in article 5 of the above instruments. Your main reason appears to be that you envisage use of the power being subject to consultation, which would allow the Committee to consider any use of the power at the time.

The Committee had some misgivings about your approach, which may you may have based on a misapprehension of the way in which the Committee (or indeed any Assembly Committee) works in practice. The Committee does not routinely check consultations on the Welsh Government's website. Although this is in part a matter of resources, it also reflects the fact that consultations are an exercise for the Government to listen to and engage with stakeholders and the public.

I hope you will agree that the Committee has a reasonable expectation that the Government will bring directly to its attention matters in which they have a legitimate interest or where they have expressed a specific and reasonable interest in receiving information from the Government.

In the light of this, I hope you will be able to reconsider your approach on this matter.

Yours sincerely

A handwritten signature in black ink that reads "David Melding". The signature is written in a cursive style with a long, sweeping underline that extends to the right.

**David Melding AM**  
Chair, Constitutional and Legislative Affairs Committee