

Minutes of the Education and Lifelong Learning Committee

Date: 13 June 2001

Time: 2.00pm

Venue: Committee Room 2, National Assembly Building

Attendance:

Members

Cynog Dafis, Chair	Plaid Cymru	Mid and West Wales
Jane Davidson, Assembly Minister	Labour	Pontypridd
Lorraine Barrett	Labour	Cardiff South and Penarth
Eleanor Burnham	Liberal Democrat	North Wales
Janice Gregory	Labour	Ogmore
Pauline Jarman	Plaid Cymru	South Wales Central
Gareth Jones	Plaid Cymru	Conwy
Huw Lewis	Labour	Merthyr Tydfil and Rhymney
Jonathan Morgan	Conservative	South Wales Central
Alun Pugh	Labour	Clwyd West

Committee Secretariat

Chris Reading	Clerk
Holly Pembridge	Deputy Clerk

Officials

Richard Davies	Director, National Assembly Training and Education Department
Elizabeth Taylor	Head, Schools Management Division (Item Four)
Suzanne Chisholm	Youth Policy Team (Item Four)
Mandy Paish	Bureaucratic Burdens Project Leader, Schools Management Division (Item Four)
Tony Widdrington	Office of the Counsel General

Apologies

None

Substitutions

None

Declarations of Interest

Cynog Dafis Registered Teacher

Jane Davidson Registered Teacher

Huw Lewis Registered Teacher

Lorraine Barrett School Governor

Pauline Jarman Member of Court of Governors, University of Cardiff; and Leader of Rhondda Cynon Taff County Borough Council

Gareth Jones Registered Teacher; and Member of Conwy County Borough Council

Chair's Opening Remarks

- The Chair commented on the Committee's fact-finding trip to Scotland and Northern Ireland between Sunday 10 June and Tuesday 12 June. The aim of the trip had been to view Higher Education systems in these countries. The Chair commented that it had been a valuable exercise for the Committee.
- The Chair announced that the Committee had had an opportunity to consider the Progress Report

concerning the Supply of School Places (paper ELL 08-01(p.8) Annex 1) at the meeting on 9 May 2001. Consequently, the Clerk was proceeding to compile a Final report that would be presented to Committee at the next meeting on 27 June 2001, ready for presentation to Plenary on 10 July 2001. The Chair informed Committee Members that the Clerk would be grateful to receive any comments that they might have on this matter.

- The Chair asked the Committee to decide whether the first evaluation stage of the HE Review at this meeting (13 June 2001), should be held in camera or in public. It was generally felt that it would be more appropriate to have the first evaluation of the review in camera, as Members might feel inhibited in their discussion if the session were in public. Also, it was felt that it would be inappropriate to hold the evaluation stage in public as it might raise false expectations within the HE sector in Wales. The Committee resolved to hold all three evaluation stages in camera in accordance with Standing Order 8.21.
- The Chair informed Members that prior to the meeting of 27 June 2001, there would be a demonstration of e-learning facilities by the University of Glamorgan, commencing at 1.15pm. The Chair advised Members that their attendance would be worthwhile in light of the HE review.

Item One: Vote on the motion proposed by Huw Lewis

Paper: ELL 11-01(p.1)

1.1 Huw Lewis had previously withdrawn his original motion, concerning the paper by Dafydd Glyn Jones [ELL 09-01(p.5)], and replaced it with a revised motion. The Clerk had received an amendment to this motion from Gareth Jones.

1.2 The Chair invited Members to comment and the following issues were raised in discussion:

- Huw Lewis stated that in his opinion, additional references from Dafydd Glyn Jones's paper should be considered in accordance with his proposed motion. Connotations regarding the IRA (paragraph 8.3, p.17) and a reference to excluding the English from participation in the HE sector in Wales (2nd paragraph, p.21) were specifically pointed out by Huw Lewis.

Huw Lewis responded to Gareth Jones's amendment and stated that firstly, his own proposed motion did not censor any person as a national platform had been given to Dafydd Glyn Jones. He added that in regard to the freedom of speech, it was the right of the Committee to disagree with the use of expression that they had found offensive in Dafydd Glyn Jones's paper; the Committee were simply stating their opinion.

Secondly, Huw Lewis referred to Standing Order (SO) 7.2 (point 4 in the Presiding Officer's Guidelines Issued in Accordance with SO 8.17)," *Standing Order 7.2 forbids the use of language which the Presiding Officer considers to be disorderly, discriminatory, or offensive, or which may detract from the dignity of the Assembly*". Huw Lewis explained that the sections highlighted in the resolution were those references in the paper alluding to a 'patriotic elite' and of English people/speakers being excluded on the basis on nationality. Huw Lewis argued that he found these references discriminatory and offensive. He explained that Dafydd Glyn Jones had intimated that there were 'too many non-Welsh students in Wales.

Again, he argued if the phrase, 'non-Welsh students' was replaced with the phrase, 'non-white students' then people in general would be sensitised to this discrimination and would find this expression intolerable.

Lastly, Huw Lewis added that the Committee Members had a duty to maintain the dignity and integrity of the Committee, as cited in the Standing Orders. Huw Lewis stated that it would be intolerable to expect the Committee's Expert Adviser to the HE Review to give his opinion on the non-inclusion of non-Welsh students in the HE provision of Wales. Huw Lewis supported his previous comment on discrimination by highlighting that if the word/phrase, 'non-Welsh' were to be replaced by the word, 'black' then this would be wholly unacceptable and intolerable. Huw Lewis concluded by arguing that his proposed motion supported the right to free speech and that the Committee should not tolerate ideas of the expiation of certain groups in society from HE provision in Wales.

- The Chair reiterated SO 7.2 to the Committee and invited Gareth Jones to comment. Gareth Jones stated that he was angry that the Committee had wasted time on this issue and that it brought the Committee and the Assembly into disrepute. He argued that the voices of Wales should be heard. Gareth Jones commented that Huw Lewis's original motion proposed to censor the whole paper from Dafydd Glyn Jones. Whilst acknowledging that the new motion was not as bad as the original motion, Gareth Jones felt that it was still unacceptable. Gareth Jones informed that Committee that he was worried that if the Committee started expressing views on papers that were presented to it then, that would set an unfortunate precedent which would be destructive and auger badly for the future. Gareth Jones argued that if this motion were to be passed, then witnesses who might present unorthodox evidence might be deterred in coming to present evidence to Committees. Gareth Jones added that, although he did not agree with all of the proposals in Dafydd Glyn Jones's paper (for example, the idea that there should be a reduction in the number of students in Wales), nevertheless he strongly supported Dafydd Glyn Jones's right to expound these ideas.
- Jonathan Morgan commented that he had listened to the viewpoints of both Huw Lewis and Gareth Jones. He stated that he had a great deal of sympathy for the viewpoint of Huw Lewis, as he had found some aspects of the paper inflammatory and almost racist. However, Jonathan Morgan expressed his concern that if the motion was passed, then it would set an awkward precedent for the way in which Committees dealt with evidence. Jonathan Morgan argued that there was a need for firm guidance on the way in which Committees dealt with evidence. Jonathan Morgan stated that he thought the content of the motion was correct/appropriate but he could not support the motion due to the awkward precedent that it would set.
- Eleanor Burnham also expressed concern that if the motion was passed it would set an awkward precedent for the future. Eleanor Burnham remarked that the behaviour of Members had inconvenienced other presenters to the Committee, as there had been a formal complaint made at the meeting on 23 May 2001. She felt that the Committee had belittled a man of academic standing (i.e. Dafydd Glyn Jones) and he might have had a sense of humour that was not acceptable to all Committee Members. Eleanor Burnham said that she was heartened that Huw Lewis's original motion had been improved through its replacement.
- Alun Pugh commented that the issue of Welsh Language provision through the delivery in HE in Wales was an important issue but he had found Dafydd Glyn Jones's paper insulting. He had found the sneering tone of the paper and Dafydd Glyn Jones's proposal to reduce university provision and his reference to a 'self-perpetuating, native governing elite' very offensive. Alun Pugh argued that he found it unacceptable that bigoted ideas were dressed as a piece of academic work.
- Lorraine Barrett responded to Eleanor Burnham's comment about the time allocated/taken away from presenters due to discussion about the motion at the last meeting on 23 May 2001. Lorraine Barrett commented that she would like to know the amount of time originally allocated to the presenters at the meeting, as she recalled it was not that substantial. She highlighted the contrast of

time for the platform of presentations between Dafydd Glyn Jones and the representatives from the Trade Unions. Lorraine Barrett added that she would be embarrassed if Dafydd Glyn Jones's paper was left in its entirety on the National Assembly for Wales's website. She remarked that she did not find the idea of a Welsh Federal College offensive but had found some parts of the paper's deliberate choice of language and style flippant, xenophobic, sexist and offensive. Lorraine Barrett added that the Committee had a responsibility to mark out offensive material/evidence.

- Janice Gregory commented that the motion proposed by Huw Lewis was in no way meant to censure debate. Janice Gregory stated that as an Assembly Member, she could not justify to her constituents taking Dafydd Glyn Jones's comments into consideration as a serious piece of evidence. She added that if the National Assembly's aim were to promote Equal Opportunities and Inclusivity, then if this paper were to be accepted, the Equal Opportunities agenda would be difficult to exact.
- Pauline Jarman referred to SO 7.2 and commented that Members must extend respect to other Members, Officials and witnesses and that the principle issue in this discussion was about free speech and the weighing up of pros and cons of evidence submitted to the Committee. Pauline Jarman argued that there would always be issues/comments that some Committee members would not agree with all ideas that they were presented with but that did not mean to say that should not listen to unorthodox views. Pauline Jarman commented that she had every confidence in the way that the Chair had managed debate over this matter in the previous committee meetings.
- Huw Lewis concluded the discussion by commenting that it was not proper practice to use procedural points to undermine points of principle and that Gareth Jones had amended a non-existent motion. He commented that he understood Jonathan Morgan's nervousness about setting awkward precedents for the future but if the Committee did not comment on what it thought was appropriate, then the precedent would be set the other way and the Committee would not be expected to comment on its views on the appropriateness of papers. Huw Lewis stated that the Chair had acknowledged that the Committee had a right to comment. Huw Lewis rejected Eleanor Burnham's earlier inference that the Committee were behaving childishly. Huw Lewis commented that he ideas of Dafydd Glyn Jones contradicted the spirit of the Standing Orders.

The Chair then invited the Committee to vote on the amendment submitted by Gareth Jones – set out in ELL 11-01(p.1).

Four Members voted in favour of the amendment:

Cynog Dafis – Chair

Jonathan Morgan

Pauline Jarman

Gareth Jones

Six Members voted against Gareth Jones's amendment:

Jane Davidson – Minister

Lorraine Barrett

Janice Gregory

Eleanor Burnham

Huw Lewis

Alun Pugh

Gareth Jones’s amendment therefore failed and the Chair then invited the Committee to vote on Huw Lewis’s motion – set out in ELL 11-01(p.1):

Six Members voted in favour of the motion:

Jane Davidson – Minister

Lorraine Barrett

Janice Gregory

Eleanor Burnham

Huw Lewis

Alun Pugh

Four Members voted against the motion:

Cynog Dafis – Chair

Jonathan Morgan

Pauline Jarman

Gareth Jones

Huw Lewis’s motion was therefore passed.

- The Chair declared that he would make comments about the passing of the motion outside the Committee. With regards to the discussion centred around the Chair’s initial decision to bring Dafydd Glyn Jones’s paper before the Committee, the Chair stated that he also would comment on this in

future. The Chair subsequently issued a statement on this matter to all Committee members and this reproduced at Annex E.

Item Two: Minister's Report

Paper: ELL 11- 01(p.2)

2.1 The Minister gave her monthly report to the Committee on issues that she was currently dealing with. The report also included issues that Members had asked the Minister to report on. The Minister briefly introduced her report and subsequently, Members were given the opportunity to ask questions.

2.2 The following issues were raised in discussion:

- Members were interested to know in relation to the Minister's visits to Secondary Schools in Wales, whether there had been any feedback from head teachers about the new post-16 examination arrangements ('AS' Levels) and the fact that post-Year 12 students had to decide what three subjects to pursue before they had received their Year 12 examination results. Members commented on the pressure on the WJEC with regard to a lack of examiners and queried the Minister on whether Wales would have its own 'AS'-Level Review. The Minister stated that there would be a joint review undertaken by ACCAC and the Qualifications Curriculum Authority (QCA) and was keen for the experience of Wales to be fed into this review. The Minister commented that she was committed to providing the broadest possible choice of educational opportunities for Wales. The 'AS' Levels had been strongly supported by the previous post-16 Committee, teachers and educationalists; the 'AS' Levels came alongside the 'A'-Level, the vocational 'A'-Level and Key Skills. When the Minister had visited schools, she commented that head teachers had brought to her attention the issue of Key Skills as opposed to 'AS'-Levels. The Minister highlighted that it was important that the joint review took on board the current load on the curriculum.
- Members raised the issue of whether there would be an audit carried out on Community Consortia for Education and Training (CCETs) and how many CCETs there were at present in Wales. The Minister stated that there was currently immense CCET development underway and Education and Learning Wales (ELWa) had been charged with the responsibility of CCET development. The Minister reminded the Committee that ELWa had only been established on 1 April 2001 and an audit of membership of CCETs was underway. There were 20 CCETs in Wales but there might have been 21 if Conwy and Denbigh had split.
- Members asked the Minister if there were any developments in the Welsh Baccalaureate Pilot Scheme, in light of the recent 'AS' – Level developments. The Minister informed the Committee that she would make a progress statement on the Welsh Baccalaureate Pilot Scheme on 21 June 2001.
- Members raised the issue of the proposed reductions in primary initial teacher training targets in Wales and whether this would have implications for the rationalisation of other courses/professions i. e. engineering (where there was over provision). The Minister responded by informing the Committee that she had been in discussions with Teacher Training providers and the Higher Education Funding Council for Wales (HEFCW) about targets. The information was being collated at

a Wales/England level on an evidence-based basis. As £6,500 of Assembly money was allocated per head for primary teacher training, it was important to have a teaching profession that worked for Wales.

- Members were interested to know if there were any end of year savings for Education and if there was any underspend in Education. The Minister commented that many departments of the Assembly had underspend in some areas and if this was the case it allowed for end of year flexibility. Richard Davies undertook to provide in writing the exact figure of underspend for Education; he recalled it was between £30m and £58m. A very large element related to take up of new capital money as might be expected. Some Members also asked if the year-end underspend for Education was carried forward or added to the base budget. Richard Davies responded that none of the money allocated to Education was lost; decisions made by the Administration made sure that the money was used to the best possible effect.
- The Committee queried the Minister on whether the £500,000 funding for PE and school sport would go directly to schools or straight to the pilot Curriculum Development Centres. Also, a question was raised whether the funding for this initiative had been budgeted for. The Minister responded by saying that the PE and School Sport Task Force had produced its report outlining its recommendations. The Minister had issued the Task Force report for consultation and stressed that a National Co-ordinator and Steering Group would be appointed. The extra funding had mainly been made available to support the pilot Curriculum Development Centres. It was hoped that this initiative would encourage schools and FE institutions to make the best use of PE provision. The funding made available for the PE initiative had indeed been budgeted for.
- Members asked the Minister if she intended to report back from the Welsh Joint Education Committee (WJEC) on the issue of 'AS'-Level as she had declared this in November 2000. The Minister said that had not had any dialogue with the WJEC since the implementation of the 'AS'-Level but Officials would be in contact with the WJEC for the joint review of 'AS'-Level. The Minister reminded the Committee of the actual wording of her commitment in November 2000 and reinforced her promise that she would instigate regular meetings with the WJEC and would meet the new Chair of the WJEC as soon as he/she was appointed. The Minister emphasised that as Minister, both herself and the Assembly had the responsibility for a proper examination framework in Wales; the Minister would focus on educational matters with the WJEC.
- Members were concerned about the high levels of obesity in schoolchildren in Wales and that it could lead to health problems later in life and to urge the Minister to encourage pupils and teachers to cycle, walk or find a healthy alternative to sitting in a car en route to school. Sue Essex, the Minister for the Environment was promoting an initiative: 'Safe Routes to School' and it was suggested that the Ministers could work together on this issue.
- Members asked the Minister when she was initially consulted about the joint review of 'AS'-Levels, how the review would take place and if Estelle Morris, the Secretary of State for Education had been consulted on this review. The Minister stated that she had proposed for a review of this kind to take place in a dialogue with the previous Secretary of State for Education, David Blunkett. The Minister said she had been delighted that her proposals and be taken seriously and so rapidly the day after the General Election (7 June 2001).

Item Three: Policy Review – Higher Education Review – RNIB Cymru and Disability Rights Commission

Paper: ELL 11-01(p.3) and (p.4)

3.1 David Groves, Parliamentary and Policy Officer and Nicola Crews, Senior Education and Employment Officer, presented on behalf of RNIB Cymru. A copy of their slide presentation can be seen at Annex B.

Alun Thomas, Head of Communication and Change presented on behalf of the Disability Rights Commission (DRC). Alun Thomas handed out a supplementary paper to Members at the meeting; this can be viewed at Annex C.

3.2 The following issues were raised in discussion:

- Members raised the issue of the great challenge that lay ahead in implementing the Special Educational Needs and Disability Rights in Education Act (8 May 2001). Members were interested to know if an audit had been carried out on what improvements needed to be made and their subsequent cost. Members raised the issue of whether students with sensory impairments were deterred from attending FE and HE institutions because of their disability and/or by the institutions' inability to respond to the needs of these students. Alun Thomas commented that all evidence that had been collected was anecdotal and much more work was needed in this area. He added that further afield, SKILL had explored this issue. Alun Thomas explained that due to various Acts of Parliament, there were certain obligations that institutions needed to full in 2001 and in 2004 e.g. improving physical access, also for the general public who used these facilities. Auxiliary facilities would need to be improved by 2003-2005. Alun Thomas emphasised the timetabling distinction which would make it difficult to pass on the messages to colleges.

Nicola Crews added that improvements did not just concern physical access. For example, only 50 per cent of visually impaired students received accessible format material at the time of their sighted peers and RNIB were concerned about a reasonable timeframe for the acquisition of accessible format material. It was Nicola Crews's opinion that staff attitudes needed to change and this was therefore a training issue. David Groves added that it must not be forgotten that blind and partially sighted students were being examined on the actual materials with which they studied and not on the capacity to make these materials available to themselves.

- Members referred to RNIB's paper (ELL 11-01(p.3)), "*there needs to be standardisation of high quality, practical and effective support for blind and partially sighted students in higher education...*" Members asked who or what organisation could act as a watchdog and also as the paper informed the Committee that the biggest transition for blind/partially sighted students was from GCSE to 'A'-Level, should there be a disabled allowance for all post-16 students with a disability. Members were interested to know the cost of implementing improvements. Nicola Crews responded that from the post-16 students that sought advice from the RNIB, many weren't succeeding. The transition from school to FE was not maintained as the regular support from highly qualified staff ceased to be. Also, the transfer into university from school/FE was problematic as a different set of skills were required; students were receiving assessments for allowance but the specialist equipment was not reaching students in adequate time. Nicola Crews added that the transfer points were weakening and perhaps this was indicative of practical and training issues; an allowance for all post-16 students with a disability could be a possible solution. The RNIB would be enthusiastic to work with various agencies and the National Assembly for Wales.
- The Chair reiterated the question of whether a watchdog would be needed and what funds would be needed to initiate changes/improvements for the adequate students as this could be information to be considered for the Committee's Final Report on the Review of HE. Alun Thomas stated that it was imperative that students from Wales were treated equitably with their peers in England in terms of physical access to buildings – this was estimated to cost approximately £7m. Also, the development of auxiliary aids and services would have to be taken into account. There was a need to raise awareness and improve attitudes, especially in the HE sector. In the FE sector, there had been a

lack of access to work placements for disabled students. The Skills Council in England was bringing their recommendations forward??

- Committee Members were interested to know if there was any evidence that HEIs had a quota system for disabled people. Alun Thomas responded that there were common myths in society and society needed to look beyond issues of physical disability, cost and inconvenience.
- Members commented on the National Assembly for Wales's commitment to the Equal Opportunities agenda and whether Equal Opportunities training should be incorporated into initial teacher training as it was important to raise awareness. Alun Thomas agreed with the comments and highlighted how difficult it was for student to have to all their tutors about their disability and subsequent requirements: one individual should take responsibility for this. David Groves supported Alun Thomas's comments and emphasised that it was important that HE lecturers received appropriate training and that one key individual should re-iterate and re-articulate the requirements of disabled students. Nicola Crews added that as well as Equal Opportunities training, specific training in deafness and visual impairment was required in initial teacher training.
- The Minister commented that it would be useful to have a dialogue with Careers Wales as to assess how people with disabilities could progress properly in the FE and HE sectors. The Minister reflected that she was uncomfortable with the RNIB and the DRC having to rely on anecdotal evidence; the Minister preferred to operate on evidence-based information. The Minister felt it was important to have evidence-based information in order to reflect on the Equal Opportunities commitment and market institutions effectively – perhaps through the medium of Careers Advice/Guidance and the Internet. Alun Thomas agreed that this was a positive suggestion as the DRC was keen to work with the Assembly.
- The Minister queried whether the presenters were content with the Quality Assurance Agency's (QAA) codes of practice and if there was any evidence for HEIs conforming to these codes of practice. Alun Thomas stated that he would like to see far more examples of good practice – there was a need to demonstrate that issues could be resolved. There was no specific evidence with regards to the QAA codes of practice but hopefully there would be evidence to collect on the new codes issued.

Item Four: 'Reducing Bureaucratic Burdens in Schools'

Paper: ELL 11- 01(p.5) Covering note &

ELL 11- 01(p.5) Annex 1 Draft Report

4.1 Mandy Paish, Deputy Head Teacher of Tongwynlais Primary School, seconded to the Schools Management Division of the Assembly to lead this this project presented her draft report to the Committee and invited Members to comment. A copy of her Powerpoint presentation can be viewed at Annex D. She was accompanied by Elizabeth Taylor, Head of Schools Management Division and Suzanne Chisholm, until recently the SMD line manager responsible for the project.

4.2 The Minister introduced the report:

- The Minister thanked Mandy Paish for producing the report and the member organisations of the project advisory group for the project, for their support. The Minister stated her personal commitment to freeing up teachers' time by reducing bureaucratic burdens. The reports conclusions were

evidence based and were a starting point for further work. The Minister encouraged the Committee to comment on the report. Any comments and any issues raised by the advisory group at its further meeting on 18 June would be considered in finalising the report for debate in Plenary on 10 July 2001.

4.3 The following issues were raised in discussion:

- Members commented that the exercise should be regarded as having all-party support. The aim of the report was to reduce existing bureaucratic burdens on teachers and to ensure that future decisions did not add to overall burdens.
- Members asked Mandy Paish if her analysis indicated of the amount of time that teachers spent dealing with bureaucracy. Mandy Paish stated that she had not sought to quantify time spent. The teacher work load review commissioned by the STRB seemed likely to provide information which could be used as a benchmark for assessing progress.
- The Committee was interested to know what support mechanisms would be in place to help school staff to implement the recommendations in the report. Elizabeth Taylor informed the Committee that an important response from the Association of Directors of Education in Wales (ADEW) was that they would recommend Local Education Authorities (LEAs) to discuss the report with their schools and help them to review their internal systems. The Minister and NATED intended to talk to LEAs about their local funding formulae for schools and would cover the issue of whether those formulae gave adequate recognition to the need for administrative support in schools. The National Assembly would disseminate the report's recommendations to schools (probably in the form of a short synopsis with the full report available on the Internet and on request). NATED would be setting up a gate-keeping system to monitor the format and quantity of the information sent out to schools by the Assembly.
- One Member commented that he would liked the report to deal with the issue of bidding for GEST funding and the responsibilities of Estyn and ACCAC. The Chair reminded Members that Mandy Paish had had to work strictly within the remit given to her for the project. Some Members asked whether the levels of bureaucracy were right and whether there was any evidence that education was over-regulated. Mandy Paish responded that the levels of bureaucracy were not 'right'. While the report concluded that there were no areas of activity which could be abandoned – all had a bearing on school improvement – the bureaucratic systems involved needed to be improved. Her consideration of the legislation did not suggest there was over-regulation of school education.
- Members were concerned that the implementation of the recommendations would increase bureaucratic burdens for teachers. Members also wondered whether the Assembly might persuade the UK government to remove the requirement in primary legislation for an annual meeting of governors with parents. Suzanne Chisholm informed the Committee that there had been discussions with the Advisory Group about how to take forward the recommendations from the Action Plan. The implementation of the Action Plan should not create burdens i for schools. The Minister concluded the discussion by informing the Committee that this project had not been trying to address the work load issues being addressed by the STRB but the reduction of bureaucratic burdens on schools in Wales. Significant aspects of Estyn's and ACCAC's work with schools had been reviewed as part of the project. The Minister highlighted that it was important to work with LEAs and the Welsh Local Government Association (WLGA). The Minister responded to Members' queries on GEST funding and reminded the committee that allocation of GEST funding was not an open bidding process – authorities received an allocation against which they had to make proposals for funding. Scrutiny by the Assembly was essentially for quality assurance purposes. With regard to the Governor's Annual meeting the Minister said that she would want to think very carefully and consult before concluding that it was right to remove the one opportunity available to parents to hold a Governing Body to

account for its actions. The Minister thanked the Committee for their comments on the report which would be considered in finalising the report for debate in plenary.

Item Five: Minutes of 23 May 2001 meeting

Paper: ELL 10-01 (mins)

5.1 The Committee ratified the minutes of the previous meeting, 23 May 2001. The following issues were raised in discussion:

- Huw Lewis had an objection to page five of the minutes of 23 May 2001. He referred to the reference regarding Lord Dearing. Huw Lewis informed the Chair that he had made reference to Dafydd Glyn Jones and not Lord Dearing. *(The minutes have now been amended).*
- Janice Gregory also had an objection and referred to point four on page four of the minutes, where it said, " the Chair suggested that Janice Gregory take advice on when she could challenge the Chair". Janice Gregory explained that she did not recall the Chair stating this and asked for the Record of Proceeding to be checked and the sentence to be struck off if it was not stated. *(The minutes have now been amended).*
- The Minister requested a separate dialogue with the Chair outside the meeting. The Chair agreed and stated that amendments would be brought back to the Committee at the next meeting.

Papers to Note

Physical Education and School Sport Action Plan for Wales: Report of the Physical Education and School Sport Task Force 2001

Paper: ELL 11- 01(p.6) Covering Letter &

ELL 11- 01(p.6) Annex 1 – Report

A New University Concept for Wales

Paper: ELL 11- 01(p.7)

A paper from Professor Michael Scott, Principal and Chief Executive of NEWI.

A letter from the Minister for Economic Development to the Chair re: the HE Review, "Importance of First Class Higher Education Institutions to Economic Development in Wales

Paper: ELL 11- 01(p.8)

End of Public Session

The Committee undertook a private session: Policy Review – Higher Education – Evaluation Stage I.

Committee Secretariat June 2001

Annex B

RNIB Cymru

The Facts

- 75% of blind and partially sighted people of working age are unemployed.
- Of the 25% that are employed, 86% are in lower-paying jobs.
- Many students do not reach HE level education due to lack of support during 'A' level/Access courses.

Ref (a/b Bruce et Al, Adult Needs Survey, RNIB 1991).

The difficulties identified...

- Travel to, from and around the University
- Lack of staff awareness
- Studying and note taking

Travel

RNIB cymru recommends:

High quality orientation and mobility tuition prior to commencement of the course.

- Co-ordinated by the University Disability Officer
- covering the University campus and major routes to and from residence, city centre, public transport etc.

Staff awareness

RNIB Cymru recommends:

Specific disability awareness training for all teaching and front-line staff.

- timely Disabled Student allowance (DSA) Assessments so that needs are known well in advance
- opportunity for staff to discuss specific individual needs prior to the commencement of the course.

Studying/Notetaking

RNIB Cymru recommends:

Equal opportunities for students with disabilities.

- equipment to study both at home and on the campus
- comprehensive and timely access to all study materials in accessible formats when they are needed.

Conclusion

There must be a standardisation of high quality, practical and effective support - a common standard across the whole of Wales

Annex C

The Disability Rights Commission

Introduction

The August 2000 Labour Force Survey shows that overall in GB disabled people are nearly seven times as likely as non-disabled people to be out of work and receipt of benefits. Furthermore, in Wales 23% of the population of working age has a long term disability compared to all the regions/countries in GB and compares to an average of 19% overall in GB.

First year students with disabilities studying at Welsh H.E institutions account for 3.8% of the total population of first year students (HESA Student Record 1998/99)

Issues and points for action:

The Special Education Needs and Disability Rights in Education Bill became law on 8 May 2001. Providers of HE must not treat disabled students less favourably than students who are not disabled, without justification. HE institutions must make reasonable adjustments to avoid putting disabled students at a substantial disadvantage compared with students who are not disabled.

- By September 2002 HE institutions must not treat disabled students less favourably.
- By September 2003 HE institutions must provide auxiliary aids and services where needed.
- By September 2005 HE institutions must remove or alter physical features that present a barrier to access.

Students who wish to bring cases under the new Act can do so in the County Court and can be awarded compensation if they can win their case. Discrimination can only be 'justified' if it helps maintain the need for academic standards. The new measures will cover all aspects of student life including access to halls of residence, sports and leisure facilities.

The DRC may assist with the enforcement of the measures and will produce Codes of Practice to explain the Act to providers of education, disabled people and others. The DRC Codes of Practice will provide useful information on the base level provision that is acceptable.

Adequate resources need to be made available to providers of education in Wales to help them meet their legal obligations under the new Act.

Individual HE institutions need to audit the quality of physical access to their courses and look to the QAA Code of Practice to provide pointers towards best practice. HE institutions should be encouraged to work collaboratively to meet the needs of students with low incidence disabilities.

Academic and other staff employed within HE would greatly benefit from a better understanding of the needs of disabled students through participation in disability equality training. All staff must be committed to the principle that anyone who has the capability for higher education should have the opportunity to benefit from it.

More collaboration between HE institutions, the employment Service and other agencies can improve sign posting to funding for students with disabilities who are not eligible for DSA. This funding is to help pay for extra costs that are a direct result of disability. Better links and transfer of information can improve access and participation for students with a wider choice of part time non-degree courses.

Annex D - Separate Document

Annex E

Decisions by the Chair in relation to the matter of Dafydd Glyn Jones

During the discussions on the above, both in committee and Plenary, doubts were raised on a number of occasions about the propriety of some of my decisions as Chair. Herewith therefore an attempt to set out a defence of those decisions. With the benefit of hindsight and after careful consideration, I am of the opinion that my decisions all along have been the correct ones.

1. Concerning the suggestion from me that Dafydd Glyn Jones be invited to give evidence, I am confident that I did the right thing. Dafydd Glyn Jones is the author of the Welsh-medium Federal College concept; he has published extensively on the subject in various publications: he has been a more persistent advocate than probably anyone else of the need for adequate provision of Welsh-medium teaching and learning in Higher Education. The Committee were given an opportunity in good time (at the April 4 meeting) to approve the invitation, so that there was more than enough time to question the wisdom of doing so. Anyone who knew of Dafydd Glyn Jones's writings in this field would expect his presentation to be controversial and might make some hackles rise, but I believe that it would be a very sad day for the Assembly and for democracy were this to be regarded as an argument against extending an invitation to give evidence. The fact that there were representatives of the University's Welsh-medium Board at the meeting ensured that there was appropriate balance.
2. It has been suggested to me in private that the meeting on Welsh-medium teaching and learning departed from the model adopted for other meetings (expert witness+HEW representatives). My response to this is (a) that the time to raise this objection was when the Committee was first informed, on April 4, about the shape of the meeting (b) that Welsh-medium teaching and learning was not one of the themes concerning which arrangements had been made with HEW for the establishment of working-groups (c) two other meetings departed from this particular model, the one with the unions and the one on disability.
3. Dafydd Glyn Jones having presented his written evidence – which encompassed wider issues than Welsh-medium teaching and learning and the Federal College, the topics on which he had been invited to speak – it would have been entirely inappropriate for me to screen or select from his presentation in any way. The Minister suggested at the May 27 meeting that such action might be appropriate and asked for consideration to be given to this. I disagree with her fundamentally. Any such process would in my view be tantamount to censorship. I have seen the paper prepared for the Panel of Chairs on this subject, and I entirely concur with what it says.
4. When Huw Lewis proposed without prior notice a motion to the Committee on May 17 that Dafydd Glyn Jones's evidence should be completely disregarded (the impression that some people had at the time was that he was recommending the expunging of the evidence from the record), I refused to put the matter to the vote at that time. I believe that my decision was absolutely correct. To allow a vote on a motion of which there had been no previous notice, and which carried such serious and far-reaching consequences for the work of committees and the Assembly, would in my view have been not only unwise but irresponsible.
5. By the time that Huw Lewis presented his motion on paper to the Committee on May 23 I had received legal evidence which stated, inter alia, that a formal decision to entirely disregard Dafydd Glyn Jones's evidence "would set an unfortunate precedent with wider implications for the operation of the policy-development role of Assembly committees", and Huw Lewis had been given a copy of that advice. Nevertheless Mr Lewis decided to propose a motion which would have exactly this effect, and this without its having been shown to me or circulated to Committee members beforehand. I decided to act on the basis of the Presiding Officer's Guidelines on Motions to Committees according to Standing Order 8.17, and postponed a debate and vote until the next meeting so that the motion could be presented in advance and there would be an opportunity to propose written amendments in advance. My decision was questioned at the time, and it was suggested that that I had acted dictatorially, and that the date of the Westminster General Election had influenced my decision, but my conscience is clear that my actions were proper and responsible.