



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

**Pwyllgor y Mesur Arfaethedig ynghylch Dysgu a
Sgiliau (Cymru)
The Proposed Learning and Skills (Wales) Measure
Committee**

**Cyfnod 1
Stage 1**

**Dydd Iau, 2 Hydref 2008
Thursday, 2 October 2008**

Cynnwys
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Session 3

Cofnodir y trafodion hyn yn yr iaith y llefarwyd hwy ynndi 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 (Cadeirydd y Pwyllgor) Labour (Committee Chair)
Michael German	Democratiaid Rhyddfrydol Cymru (dirprwyo ar ran Kirsty Williams) Welsh Liberal Democrats (substitute for Kirsty Williams)
Andrew R.T. Davies	Ceidwadwyr Cymreig Welsh Conservatives
Janet Ryder	Plaid Cymru The Party of Wales

Eraill yn bresennol
Others in attendance

Alan Boxford	Careers Wales Gyrfa Cymru
David Eynon	Cymdeithas Cyfarwyddwyr Addysg Cymru Association of Directors of Education in Wales
Mark Freeman	Prif Weithredwr, Gyrfa Cymru Chief Executive, Careers Wales
Dr John Graystone	Prif Weithredwr, Fforwm Chief Executive, Fforwm
Kathryn Hopkins-Morgan	SummitSkills SummitSkills
Dr Chris Llewelyn	Cyfarwyddwr Dysgu Gydol Oes, Hamdden a Gwybodaeth, Cymdeithas Llywodraeth Leol Cymru Director of Lifelong Learning, Leisure and Information, Welsh Local Government Association
Dr Bill Maxwell	Prif Arolygydd ei Mawrhydi dros Addysg a Hyfforddiant yng Nghymru, Estyn Her Majesty's Chief Inspector of Education and Training in Wales, Estyn
Elaine Moore	Cynghrair y Cynghorau Sgiliau Sector The Alliance of Sector Skills Councils
Bill Peaper	Semta Semta
Brian Robinson	Cadeirydd, Fforwm Chair, Fforwm
Meilyr Rowlands	Estyn Estyn
Daisy Seabourne	Swyddog Polisi, Cymdeithas Llywodraeth Leol Cymru Policy Officer, Welsh Local Government Association
Bernie Tyler	Fforwm Fforwm
Nigel Vaughan	Estyn Estyn

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

Claire Griffiths	Dirprwy Glerc Deputy Clerk
Gwyn Griffiths	Cynghorydd Cyfreithiol Legal Adviser
Anne Thomas	Gwasanaeth Ymchwil yr Aelodau Members' Research Service
Siân Wilkins	Clerc Clerk

Dechreuodd y cyfarfod am 9.02 a.m.
The meeting began at 9.02 a.m.

Cyflwyniad, Ymddiheuriadau a Dirprwyon
Introduction, Apologies and Substitutions

[1] **Jeff Cuthbert:** I welcome everyone to the third evidence-gathering session of the Proposed Learning and Skills (Wales) Measure Committee. I welcome Members, officials, witnesses, as well as members of the public in the public gallery. I remind everyone that this committee will operate bilingually; headsets are available for those who are not Welsh speakers, to receive the simultaneous translation from Welsh into English. The headsets can also be used to magnify sound; channel 0 will magnify the sound, and channel 1 has the translation.

[2] We are not expecting a fire drill or test this morning. Therefore, if the alarm sounds it is the real thing and the ushers will escort us to a place of safety. I remind everyone to turn off mobile phones, pagers, or any other electronic devices, as these interfere with the broadcast and translation systems. You do not need to touch the microphones—they should come on automatically. We have received apologies from Kirsty Williams; Mike German is substituting on her behalf.

9.03 a.m.

Y Mesur Arfaethedig ynghylch Dysgu a Sgiliau (Cymru) 2008—Cyfnod 1,
Sesiwn Dystiolaeth 3
Proposed Learning and Skills (Wales) Measure 2008—Stage 1, Evidence
Session 3

[3] **Jeff Cuthbert:** As I said, this is the third oral evidence session on the Proposed Learning and Skills (Wales) Measure 2008. This evidence will form part of the committee's consideration of the general principles—stage 1 of the legislation process. As you will have seen, we have five groups of witnesses today, and we are due to carry on until 1 p.m.—it is a marathon session, but I am sure that it will be extremely worthwhile.

[4] Our first witnesses today are from Estyn. They are: Dr Bill Maxwell, the Chief Inspector of Education and Training in Wales, Nigel Vaughan, who is one of Her Majesty's inspectors, and Meilyr Rowlands, who is the managing inspector at Estyn. I welcome you all to committee this morning and thank you for coming. If it is all right with you, we will move straight to questioning. We have seen your written paper, and Members have several questions. I have the first question.

[5] In your evidence, you state that you are broadly in favour of legislation to reorganise the 14-19 learning pathways. Why do you believe legislation is required, and what impact might it have?

[6] **Dr Maxwell:** We certainly think that there is a need for legislation. We have been monitoring progress on this agenda for some time and seeing a relative lack of progress despite the best efforts of all involved. We therefore think that it needs the force of statutory legislation to inject some urgency and structure into this—particularly around the governance and funding arrangements, where we want to see something happening on the ground.

[7] **Jeff Cuthbert:** That is very clear—thank you. We now move on to the groups of questions that have been allocated to Members. Given the numbers of presenters and questions, if Members feel that their question has already been dealt with, perhaps through earlier supplementary questions, please avoid repeating the question. Also, if you feel that you can logically group any of your questions for the sake of brevity, please do so. The first group is from Mike German.

[8] **Michael German:** One would expect legislation of this sort to meet its objectives, and here the objective is for 14 to 19-year-olds to be able to elect to follow a course of study in a local area curriculum. Does this Measure in its generality meet that objective?

[9] **Dr Maxwell:** The Measure sets an appropriate framework at statutory level for doing that. Much will then depend on the nature of the regulations and guidance that follow to ensure that the objective is fully met. However, broadly speaking, yes: it sets the right statutory framework within which the objective can be met.

[10] **Michael German:** Is a Measure the most effective way to meet the objective?

[11] **Dr Maxwell:** Yes; I think that a Measure is needed to give statutory force to this. Below that, much will depend on, for example, the nature of the minimum entitlement and how that is defined and described. I would not expect that to be set in legislation, but it will be important for the guidance to have that legislative backing.

[12] **Michael German:** I want to address one of the key issues that people are talking about—namely, the roll-out and the timescale for putting this into operation. The Government proposes that the changes apply to year 10 pupils from September 2009, with a full roll-out across Wales within four years. In your evidence, you say that you require a sufficiently long lead-in time and, reading between the lines, it seems that the proposed roll-out timescale is not necessarily achievable. Is that a reasonable interpretation of your remarks?

[13] **Dr Maxwell:** First, we recognise the urgency in moving ahead with this agenda. We would not want to hold back for too long. However, our comments on its achievability were made on the basis that we understood this to be a full roll-out rather than a phased implementation for 2009. Certainly, we do not see a complete, big-bang implementation in 2009 as achievable. However, a phased introduction may work over a period of time, starting presumably with the areas that are most ready to move on this agenda. So, a phased introduction over three or four years seems perfectly reasonable.

[14] **Michael German:** What would you need to do in the legislation to ensure that the timescale is set out properly—or is that for the regulations?

[15] **Dr Maxwell:** It is probably for the regulations, in practice. You would commence certain statutory framework elements from 2009 to allow the roll-out to start, but the timescale for complete introduction would be set out in regulations.

[16] **Michael German:** What needs to be in place to ensure the proper roll-out of this?

[17] **Dr Maxwell:** There is a range of factors. Perhaps I will ask Nigel to comment on the best practice that we have seen in the areas that have managed to make the most progress.

[18] **Mr Vaughan:** There is some variation in what is happening across Wales. Some areas will be better placed than others to start quickly on this, although we do not know in any specific detail which areas those are. However, we are aware that one or two areas have started to look at the notion of entitlement, which underpins all this, and to quantify the number of courses for learners. In those areas, there are opportunities to start much earlier than there would be perhaps in other areas where that groundwork has not been completed.

9.10 a.m.

[19] **Michael German:** Can you phrase that into something a bit more tangible? Saying that they have started to 'look at the notion of entitlement' is a bit vague.

[20] **Mr Vaughan:** The entitlement, in the end, will probably state how many courses an individual learner should be able to take at a certain age. Given the legislation and the cohort with which we are concerned, it will be about what they are able to do between the ages of 14 and 16 and what they are able to do after the age of 16. It is currently quite difficult for providers, for schools, to plan their work, because they have no idea of how many courses they should be putting on for their learners to have access to.

[21] So, there needs to be some way of saying—this is what the legislation proposes—that, at the age of 14, every learner should have an entitlement of access to a certain number of courses, and that certain number is what the regulation will specify. We are aware that some areas have started to think along those lines, by saying to local providers—it will be the learning network that does this—that they need to start to specify how many courses learners should have access to. However, that will be stated in the regulations.

[22] So, it is for those areas to specify what that entitlement means, and some areas have done more work than others on that.

[23] **Andrew R.T. Davies:** Is September 2009 realistic for the start of a phased roll-out, or are you looking at a later date? Are there elements of it that you think could start in September 2009 on the phased basis? Am I clear in thinking that the big-bang approach for September 2009 is completely untenable?

[24] **Mr Vaughan:** Yes, I think that it is feasible. Some areas are more advanced than others. Again, it depends on how an area will be required to go. They may be asked to ensure that that entitlement is there for a certain proportion of providers before they start to ensure that everyone gets there. So, the phased implementation could take a number of forms. It could be that, in September, no area will take the big-bang approach, where every provider would meet that entitlement. However, it is reasonable for some areas to start to implement whatever that entitlement is in the regulation at that time.

[25] **Andrew R.T. Davies:** So, in your view, the big bang in September 2009 is unattainable?

[26] **Mr Vaughan:** Yes, we feel that it is.

[27] **Mr Rowlands:** We also feel that it is unattainable. It would be challenging for nearly all areas to start in 2009, but it depends on the details of the regulations. So, until we see the regulations, it will be difficult to predict. There may be a small number that could start in

2009, but we think that it is more reasonable even for the more advanced areas to start in 2010, because starting in 2009 is very early. There may be a few areas that could do it, but you cannot make a judgment until you have seen the details.

[28] **Janet Ryder:** So, are you saying that we need the regulation because providers need to see the details?

[29] **Dr Maxwell:** Exactly. They need to see the full detail of what they are required to provide across their area.

[30] **Janet Ryder:** So they need the regulations, because they know how many courses they must prepare for. It is the timescale of the roll-out that needs to be looked at again.

[31] **Dr Maxwell:** Indeed; the details of the phasing will be crucial—what you are required to do and when.

[32] **Michael German:** I think that the next set of questions falls into the planning that you need to do in order to arrive at that point. I do not know whether you want to hazard a guess as to how soon, once you have the regulations, it can be rolled out. What sort of gap is needed between the regulations being published and a start date? Do you have a feel for that?

[33] **Dr Maxwell:** In terms of the nature of the curriculum being offered for 14 to 19-year-olds across an area, it first needs to be defined, and, once it is defined, the local partners need to go away and map out what they currently have available, identify the gaps in provision and begin to reorganise their timetables—timetables tend to be planned at least half-a-year ahead of schools' implementation. So, allowing for the fact that it may then take a couple of years to fill the gaps, because you cannot plug them with new courses immediately without planning for getting them up and running, it will take time. Inevitably, there will be a degree of phasing even in the best areas; even when you have started on this programme and identified what your ideal position would be in your area, all the courses that would be available and what that would mean in terms of young people moving from one institution to another for some or all of their time. It is going to take a couple of years to get the timetabling organised across institutions and to get transport arrangements and so on sorted out before you will get 100 per cent implementation.

[34] **Michael German:** From your earlier remarks, I understood you to be saying that six months after the regulations had been issued would be the earliest that this would be possible, even for a quick starter.

[35] **Dr Maxwell:** I think that that is why we are saying 2010—assuming that they are not going to turn out the regulations next week, which I am sure they are not.

[36] **Michael German:** It would be very unusual to have the regulations before the Measure.

[37] **Dr Maxwell:** Indeed.

[38] **Michael German:** Let us talk about the planning for a moment. The responsibility for planning provision for 14 to 16-year-olds lies with local government and local education authorities, and the Welsh Assembly Government is responsible for the provision for 16 to 19-year-olds. You also have the headteachers and the governing bodies involved, so a whole mix of people is involved in the planning. Is there a better way of organising the curriculum for 14 to 19-year-olds than having this split between the various partners, or do you think that it is inevitable?

[39] **Dr Maxwell:** Are you referring particularly to the provision for 14 to 16-year-olds that is managed by the local authorities and—

[40] **Michael German:** Yes, because provision for 14 to 16-year-olds is managed by the local authorities and the provision for 16 to 19-year-olds is managed by the Government. We are talking about provision for 14 to 19-year-olds here and you have different partners with different perspectives. In your ideal world, is there a better way of organising it so that you could see that it is provision for 14 to 19-year-olds?

[41] **Dr Maxwell:** It is really one of the trickiest issues in all of this. I think that the logic of local authorities managing the provision for 14 to 16-year-olds is clear. Realistically, they need to be the people who are taking the lead role in planning that. On provision for 16 to 19-year-olds, a lot will depend on what it actually means in practice to have Ministers controlling or taking the lead in developing that area, as it is currently put. I am also aware that there is discussion around transforming provision plans, which are strategies that each area has been asked to provide to the Department for Children, Education, Lifelong Learning and Skills in due course. I do not know the extent to which those plans for partnerships between colleges, schools, adult learning providers and so on form part of this mix of governance for provision for 16 to 19-year-olds. I am not entirely clear on that yet. However, I think that it is important that somebody provides a clear lead and is accountable for all co-ordination at the 16-19 stage. It is currently noted that Ministers have that responsibility, but how it will be delegated in practice and actioned at a local level are key to a lot of this.

[42] **Michael German:** Are there to be more regulations describing all of that?

[43] **Dr Maxwell:** Yes. As I understand it, DCELLS is ready to be flexible to respond to suggestions from local areas about exactly what form those regulations might take and what sort of partnerships are required in each area. I can appreciate the need for some flexibility, because there will be different patterns of provision in different areas.

[44] **Michael German:** Do we see this pattern emerging already?

[45] **Dr Maxwell:** It is not very clear to me.

[46] **Mr Vaughan:** It is difficult to say, at the moment, whether that pattern of provision is there. I think that the word that you used was that this arrangement was 'inevitable' and I think that it is, given the way in which the two different parts of the 14-19 sector are controlled. The funding comes in two parts, so it is inevitable in that way. However, we are aware of one area where the local authority and the local college work very well together—there is a considerable amount of tertiary provision in that area. The assumption would be that an area like that would be well placed to have those powers delegated to it, so there are such examples.

[47] **Michael German:** The out-of-area issue is one that is raised in your evidence. How do you think that you can best accommodate the needs of learners from outside the area in the local curriculum?

9.20 a.m.

[48] **Mr Vaughan:** It has not been too rigorous or specific about what constitutes local curricula. There are certain areas in Wales where learners' option choices will include some outside their local authority area, in terms of Welsh-language provision in particular. Again, I suspect that this detail may be in the regulations, but they will hopefully not be too confining and will allow and require those arrangements to exist in most cases, so that learners can choose from the full range of options, not just those they are constrained to by the area in

which they live.

[49] **Mr Rowlands:** One of the improvements that we saw in the redrafting of the legislation was to allow more than one local curriculum. The original proposal was for just one local curriculum. Local curricula based on clusters of schools offer much more flexibility. In terms of provision for out-of-area pupils, it is particularly important for Welsh-medium provision, where it is likely, in many areas, that the best clustering of providers will be across several authorities. How those transauthority clusters will work in practice needs to be thought through carefully.

[50] **Andrew R.T. Davies:** The next grouping of questions is on co-operation and funding. The proposed Measure places a duty to consider co-operation in delivering the maximum availability of courses, and then says that, if co-operation is found to be applicable, providers should seek to enter into such an arrangement. What do you consider needs to happen to ensure that this consultation process does not become a bureaucratic exercise and that it delivers benefits on the ground? Given the diverse nature of Wales, with its urban and rural areas, how do you see the barriers in rural areas impinging on what could be logical co-operative moves between institutions?

[51] **Dr Maxwell:** It is vital that there is a strong push for co-operation, for which the proposed Measure puts a strong requirement on local authorities. You could argue that it should go beyond a duty to consider co-operation to a duty to co-operate appropriately, but certainly there should be a clear duty on providers to look across different areas when planning their provision. The nature of the entitlement that is set out will be key to this, because once that entitlement is clear, if an area can meet it from its own resources, that will be its starting point. However, in many cases, and in more specialised cases, it will tend to identify gaps that can only be filled by co-operating with others. It is clear that there should be a duty for them to go ahead and arrange that that happens to meet that entitlement, or they would be failing in their duty to provide it.

[52] **Andrew R.T. Davies:** Therefore, you do not see it developing into a bureaucratic exercise. Much has been said in this institution about co-operation, but in the real world there are vested interests and so on, which lead on to my next question on funding. However, you believe that the way that it is constructed is sufficient to ensure that that co-operation happens.

[53] **Dr Maxwell:** At a legal level, yes. However, as you said, many barriers can occur, not least a certain institutional inertia in terms of wanting to look at what you can do first. In extreme cases, like school sixth forms, there might be a reluctance to look beyond their own walls. Legally providing a duty to co-operate is an important first step. A barrier that may get in the way of that could be the way that funding is managed. That is a point that we would want to make strongly in all of this, namely that we should look again at developing a system where funding follows the learner and there are no perverse incentives for schools, for example, to hang on to kids that they should not be hanging on to, for funding purposes. Rather, it should be that wherever a child or young person is educated—

[54] **Andrew R.T. Davies:** Before we go too deeply into funding, because that is the subject of my next question, I want to touch on the rural aspect. It may be easier in an urban area for a co-operative model to fit in. However, with sparsity and distance, it is a more difficult proposition. Can you highlight significant obstacles that you can see in rural areas to allowing meaningful co-operation to happen, or is it a case of what will be will be?

[55] **Dr Maxwell:** In rural areas, there are obvious geographic issues about distance and the time taken travelling and the inefficiency of that. There may also be clever IT solutions to networking for certain types of provision that would also get around those kinds of issues so

that creative thinking can get around some of the rural issues. Undoubtedly, there is a certain reality about the geographical region.

[56] **Andrew R.T. Davies:** Sitting children in front of video-conferencing and so forth is not really the way to provide meaningful courses, is it?

[57] **Dr Maxwell:** It can be done badly. You can also build in. There can be quite creative and effective provision of that nature.

[58] **Mr Vaughan:** It can work so that instead of the learners travelling around, the person taking the courses could travel to those areas. There are mobile units that can be used. There are several imaginative ways in which it could be done.

[59] **Jeff Cuthbert:** Before we move on to the subject of funding, Christine Chapman wants to speak on this point.

[60] **Christine Chapman:** My question is on funding.

[61] **Jeff Cuthbert:** Okay. Do you want to speak on this point, Janet?

[62] **Janet Ryder:** Yes. On the rural aspect, the point has been made that if you allow each area to draw up its own curriculum, you could get disparities across Wales so that not everyone has equal access to a basic curriculum. That might affect rural areas more than urban areas where provision is quite sparse. Can you foresee any such problems, or do we need to specify the entitlement that every child should have wherever they are, and, if we do that, what impact will that have on areas drawing up local curricula?

[63] **Dr Maxwell:** There needs to be—and I understand that there would be—a definition of a minimum range of options that any young person can access. How you define that will determine where you set the constraints, I guess. It has to be realistic, presumably, and not unattainable in all areas but, equally, it should not be constrained just by the practicalities of what happens to exist on the ground. Therefore, in some areas—particularly in rural areas, perhaps—that will require some quite new thinking about how you make sure that young people have access to some of the provision that is not currently easily available in their area, hence some of the distinctions.

[64] **Mr Vaughan:** We have not been involved in it, but there has been work going on in the background where the number of courses that would constitute that entitlement has been debated with providers. Whatever it is, a specific number will not be plucked out of thin air. It will be based on two factors: what would be required to get some sort of proper entitlement that would do what it is meant to do, and also what is practicable. There has been debate about the number of courses that should constitute that entitlement, and the nature of those courses. There is realism in that debate, which, hopefully, should lead to something that can be done. It is important to have that entitlement specified to make sure that every learner in Wales has the opportunity to gain access to it.

[65] **Mr Rowlands:** The motivation for this development is to try to eliminate the inequalities that currently exist. In our inspections, we have seen inequalities that do not really need to exist, with schools in very similar situations offering very different types of curricula. Therefore, we are keen to see some sort of minimum established, although that does not mean that there will be total equality, because provision will be more challenging in rural areas. However, this setting of a minimum and ensuring that everyone has to co-operate to maximise opportunities should eliminate the worst examples of inequality that we have seen.

[66] **Jeff Cuthbert:** Thank you. We now come back to your questions, Andrew.

[67] **Andrew R.T. Davies:** Going back to funding—Dr Maxwell, you were just going into it before we put the wall up for you to crash into—the current funding formula acts as a barrier to co-operation because there is competition for the students, because the money flows from them. How could you envisage a better formula being devised to ensure that the co-operation that we discussed earlier can become reality? The current funding mechanism goes against the co-operative model that we aspire to have. Also, there is a need, I would suggest, to have significant resources allocated to this Measure to make it a reality. From where can those resources be found?

9.30 a.m.

[68] **Dr Maxwell:** In terms of the funding mechanism, particularly for post-16 education, there is a clear issue about how funding is channelled to schools in a different way than it is channelled to colleges and other areas. We recommend that some unitary system that applies to how money flows through to schools, colleges and other providers is pulled together that follows the learner and is proportionate to the amount of learning that that learner undertakes at a particular institution. Therefore, it is a system that becomes largely neutral in terms of the institutions, and fair in that sense because it cuts out the perverse incentive to hang on to students or to have them start.

[69] **Andrew R.T. Davies:** Would it not encourage the learning facility for 16 to 18-year-olds to provide the course on its own campus rather than engage with the college? I am thinking, for example, of Cantonian High School in Cardiff, which does that at the moment, although the same facilities are provided down the road in the college, because they obviously want to hang on to their students.

[70] **Dr Maxwell:** There will always be a temptation to do that, but you need someone—be it the partnership, or whoever—sitting above that and looking at the efficiencies across the piece of where students are being placed making structural decisions about who should be offering what in terms of course provision in that area. That takes you back to the governance arrangements for all of this. They need to be quite strong. If it is simply down to very loose co-operation, there will be too much temptation, whatever funding system you have, for people to hang on to provision.

[71] **Andrew R.T. Davies:** Where do you see the additional resource coming from?

[72] **Jeff Cuthbert:** We will have to move on after this.

[73] **Dr Maxwell:** In some areas, particularly where gaps in provision are identified, as we described earlier, in order to get everyone to an equitable situation, there will be a need for fresh investment in new courses or provision, although there should also be efficiencies flowing from this type of agenda, as we have often highlighted in the past. There may be a bit of spend-to-save if you need a structural change to get to that. However, some non-viable sixth forms and other forms of provision should disappear, and that money can be recycled into a more sustainable and coherent pattern for the longer term.

[74] **Janet Ryder:** If that were to happen, do you foresee it having an impact on the lower schools and how they then need to be funded?

[75] **Dr Maxwell:** Do you mean the remaining parts of the school, that is, key stages 3 and 4?

[76] **Janet Ryder:** Yes. I am thinking about where you are left with a school that only provides for children aged 12 to 14. Or are you saying that it is the post-16 education that

needs to change?

[77] **Dr Maxwell:** That is what we are arguing.

[78] **Mr Rowlands:** In terms of funding, there are many issues. The fact that you have two different systems does not help, because it complicates all types of planning. A funding system where you have per capita funding—funding for an individual—is not as flexible as having a funding system that follows individual courses, because an individual can go to different institutions to do different courses, and the money follows them. So, I think that that makes sense.

[79] **Dr Maxwell:** We are not suggesting that the whole of secondary education funding would need to change to this model—we would be looking at the post-16 student course model in particular, and you could run with those two systems in schools.

[80] **Janet Ryder:** We tried this before when we introduced the ELWa model of funding, and we saw an impact on how schools manage their budgets because of the interplay between sixth-form funding and the funding of the lower school. For many schools, it was difficult to take out the sixth form without its having a drastic effect on the lower school, because the same teachers and therefore the same salaries are involved and the same resources used in the lower as in the upper school. Do you not think that we could be creating that problem again, or do we need to say, ‘We are moving to tertiary, and this is how we will fund it’?

[81] **Mr Rowlands:** It would vary from school to school. We have seen examples where the sixth form is taking resources away from the lower school. That will probably be the more common scenario. That is a financial argument. I think that you are suggesting that there is an argument about taking teachers’ expertise away as well.

[82] **Janet Ryder:** There are two arguments.

[83] **Mr Rowlands:** We have looked at that. We produced a report on science education fairly recently. In an inspection of a particular area, we saw that around 20 pupils across the whole authority were being taught A-level physics by five different schools. So, the classes were very small. That was taking the expertise of five physics teachers, who are in short supply, away from lower schools. If you had some sort of system of co-operation, whereby one teacher was teaching all those A-level pupils in one class, that would release the expertise of the other four teachers to the lower school.

[84] It does vary from area to area, but, in certain areas, that kind of co-operation would release expertise to lower schools, as well as funding.

[85] **Jeff Cuthbert:** I see that Chris wants to ask a question. That is okay, but then we have to move on. I am being too generous.

[86] **Christine Chapman:** On this point, I just want to add to Janet’s question and ask about recruitment. You talked about expertise and funding, but there is a perception that if schools went tertiary it would also have a knock-on effect on recruitment. Do you have any views on that?

[87] **Mr Vaughan:** There are areas that are already tertiary in Wales, and some of those perform particularly well. I do not think that there are any recruitment issues. Once the system has settled down, I do not think that there should be any problems.

[88] **Christine Chapman:** There is a perception, sometimes, about recruitment, is there not?

[89] **Mr Vaughan:** Sure.

[90] **Christine Chapman:** You have no evidence particularly on that?

[91] **Jeff Cuthbert:** We must move on now, I am sorry. Andrew, you have the last question, which is on a different matter. While you are asking that, Janet, can you reflect on whether you feel that questions 11 and 12, which you are down to ask, have in fact been addressed?

[92] **Andrew R.T. Davies:** Moving on to Welsh-medium education, which Nigel and David touched on a little earlier, how do you envisage this Measure affecting Welsh-medium schools and, in particular, what impact do you foresee on Welsh-medium provision in relation to skills?

[93] **Dr Maxwell:** I will ask Meilyr to lead on that.

[94] **Mr Rowlands:** I mentioned earlier that, in broad outline, the same principles apply to Welsh-medium provision, but Welsh-medium schools are more sparsely distributed, particularly in south-east Wales. That means that the collaboration arrangements will have to stretch across authorities. It is not clear to me how this Measure makes that easier, because the emphasis tends to be on the local curriculum in a particular authority. The aspect of the Measure that does help is having a minimum entitlement, and that would apply to Welsh-medium schools as well.

[95] It is going to be more challenging for Welsh-medium schools, however, and co-operation will be needed across authorities to enable the minimum entitlement to be realised.

[96] **Andrew R.T. Davies:** As well as substantial resources.

[97] **Mr Rowlands:** I do not think that the resource issue is any different from what we were talking about with regard to rural areas. There are the same sorts of issues for Welsh-medium provision. There are resource issues to do with Welsh-medium provision, which we have mentioned in other reports, to do with the types of resources that are available. I do not think that that has specific relevance to this issue.

[98] **Dr Maxwell:** I think it fair to say that there is poorer provision of more vocational and FE-based options in the Welsh-medium arena, and that will be a particular gap that will need to be filled in order to achieve equity.

[99] **Jeff Cuthbert:** On this point, Janet Ryder wants to come in.

[100] **Janet Ryder:** That has answered my question—there is a gap that needs to be filled for equity.

[101] **Jeff Cuthbert:** Okay. We will now move on then, Janet, to your questions.

[102] **Janet Ryder:** Of the questions that I was going to ask, one was about setting a minimum number of courses and another about setting a maximum number of courses for pupils, but we have covered those issues.

[103] I will ask about the learning domains. Most of the comments in the consultation agreed with the introduction of learning domains, but there were some comments that guidance is needed on which courses fit into the individual domains. Could we have your views on that?

9.40 a.m.

[104] **Mr Vaughan:** I think that our current view is that the domains, as we have them, are broad enough and that they cover what they are meant to cover, which is the whole gamut of courses that should be available. Perhaps they are not constituted clearly enough, and one thing that we welcomed in the original proposal was the opportunity to vary those at some point in future, as they were tried out.

[105] At the moment, they are unbalanced: the first is a very big one, and the third on business administration is far smaller. There may be an argument to ensure that they are a bit more balanced in size. There is work to be done to clarify which courses relate to which. Some are obvious and straightforward, but others are not. To align those is a piece of work that needs to be done, but it is classification work. The five domains, the big titles, are in place, and the next level down is also pretty clear. However, it is a question of which groups those different domains go into, so that needs to be worked out.

[106] What also needs to be done is defining what is meant by a course when specifying the number of courses. How big a piece of work is needed for it to count as a course? In addition, if we are to specify that a certain proportion of the courses should be vocational, we need a definition of what is meant by vocational. So, that piece of work needs to be done. On the principle of domains, if we are to have entitlement, the notion that we say how broad that entitlement should be is valuable.

[107] **Janet Ryder:** Is what you have just outlined a big piece of work or could that be done in the timetable for regulations?

[108] **Mr Vaughan:** I would have thought so.

[109] **Janet Ryder:** You think that that can fit into the existing timetable, do you?

[110] **Mr Vaughan:** Yes.

[111] **Mr Rowlands:** It certainly needs to be reviewed in the light of experience, like many of these things. It is difficult because we have not had any evidence on whether it works. I imagine that it would need to be tweaked over time, but that is part of what is included in the proposed Measure.

[112] **Christine Chapman:** I know that you have expressed concerns in your evidence that the learning support services in the proposed Measure are narrower than the role proposed in the 14-19 policy guidance. You have also talked about the role of the learning coach as providing impartial advice to the learner. How should the proposed Measure be amended to reflect the role of the learning coach?

[113] **Dr Maxwell:** I think that it is important that it acknowledges the broad role of the learning coach rather than the narrow role that appears to be in the current legislation. The independence of that individual is pretty crucial to the effectiveness of this, because they have to act as the honest broker between the range of providers in the area. How that is best achieved in practice remains to be explored further. I know that an evaluation of best practice and of learning coaches was published recently, and there is much to be learned from that as we roll this forward.

[114] **Mr Vaughan:** It is at an early stage. We are in only the second or third year of implementation, and there is still quite a bit of work to do on establishing what that role is for, in comparison with the apparently similar roles provided by careers advisers, Careers Wales

or personal tutors, for example. I suspect that it will take time for that to evolve. Our general view is that the role outlined in the guidance seems to be sensible. That is important to ensure that the learner can find their way through their own individual learning pathway. An important part of that is to have someone to provide impartial guidance, advice and support as and when necessary.

[115] **Christine Chapman:** And away from the institution, because we have seen different models, as you suggested.

[116] **Mr Vaughan:** We do not have a vast amount of evidence on how well these things work out in practice. In principle, they do not have to be totally separate, but a large number of provisos have to be put in place to make them work properly.

[117] **Christine Chapman:** To move on to your role in this process, do you have any concerns about being able to evaluate and inspect the effectiveness of the arrangements proposed in the Measure, at a local and an all-Wales level?

[118] **Dr Maxwell:** In a sense, the Measure and the regulations that will flow from it, particularly on the entitlements and all of that, will make it easier to evaluate what is provided, because there will be more benchmarks against which to judge local areas. So, I do not think that we have any particular concerns about going forward with the area reviews, as we currently do, targeted around Wales, and, from that, building up a picture of practice across Wales.

[119] **Christine Chapman:** Do you think that the Measure provides adequate provision for learners with additional learning needs and pupils in special schools, for them to participate properly in the learning pathways programme?

[120] **Jeff Cuthbert:** I will butt in there and ask you to include in your response any problems for excluded pupils, too.

[121] **Mr Vaughan:** There is nothing particular, although it is an area that needs more work. There has been a change in the requirements from the original proposals to the ones before us now, and special schools have been made exempt. It is an area in which we have seen a rapid expansion of courses for such children. There has also been an increase in entry-level courses, particularly in key stage 4 and some level 1 courses, which would be appropriate for them. However, it is fair to say that more work is required in this area.

[122] **Dr Maxwell:** Making special schools exempt from something like this may be an understandable reaction, but, in the long run, you would ideally want to design an inclusive system. You would still need to consider exemption in that sense, but, ultimately, you would have a broad enough range of provision to meet the needs of all learners. Exemption is not the issue; it is more about ensuring that the full range of provision exists and is available across Wales.

[123] **Mr Vaughan:** If the Measure sets out an entitlement, it should apply to all pupils, including those who have been excluded. In some way, their entitlement should be met and enabled.

[124] **Dr Maxwell:** For example, we have concerns about the range and quality of provision that pupils who end up in pupil referral units get.

[125] **Christine Chapman:** Finally, do you have a view on what the future role of the 14-19 learning networks should be, and should the role of the current networks be reflected more clearly in the proposed Measure?

[126] **Dr Maxwell:** That will need to evolve as we go forward, because the Measure, if passed, would change the landscape to some extent, as will the transformational plans that local authorities and areas are being required to produce with their partners. In that context, the role of the network will need to be revisited, but there will still be a need for an overarching mechanism to look at the range of provision available to students aged from 14 through to 19. How that is best done remains to be seen.

[127] **Jeff Cuthbert:** You will be pleased to hear that this is the last question. Are there any other changes that you would like to see to this proposed Measure that you have not addressed so far?

[128] **Dr Maxwell:** We have raised what is probably the major issue for us, namely changing the funding system, particularly for post-16 provision, so that it does not create perverse incentives or obstacles to pupils moving from one type of provider to another.

[129] **Mr Vaughan:** The only other thing that I can think of, which may be outside the scope of the proposed Measure, is this. The requirement and duty to collaborate and co-operate will demand new types of leadership skills from the leaders of all the different providers, which they would not, traditionally, have. I mean mainly those skills that centre on working in partnership, such as negotiation skills. That may be outside the scope of the proposed Measure, but some attention needs to be given to developing a suite of skills that will allow leaders to take on those roles in this new form of provision.

[130] **Jeff Cuthbert:** Thank you. I thank the representatives of Estyn for attending. The clerk will ensure that you get a copy of the transcript, and we would be grateful if you would check it for accuracy. If there is any other information that you want to send us in writing, please feel free to do so.

9.50 a.m.

[131] We now move on to the second set of presenters, from the Welsh Local Government Association and the Association of Directors of Education in Wales. I welcome Dr Chris Llewelyn, who is the director of lifelong learning, leisure and information at the WLGA, Daisy Seabourne, policy officer at the WLGA, and David Eynon, who I know is the co-ordinator of the 14-19 learning pathways in Caerphilly and who I assume is representing ADEW on this occasion. Is that correct?

[132] **Mr Eynon:** Yes, David Hopkins was not able to come.

[133] **Jeff Cuthbert:** I appreciate that. Thank you for attending. With your permission, we will go straight into questions. We have already received your written information. I see that you have no objections, so we will move onto the first question, which is from me. The key purpose of this proposed Measure is to create a right for learners aged between 14 and 19 to follow a course of study from a local area curriculum. Do you think that we need to legislate in that regard and would the proposed Measure do that?

[134] **Dr Llewelyn:** I will kick off. Thank you for the opportunity to give evidence to you this morning, and I also thank David for attending as part of our group. We work very closely with ADEW and, even though David is representing ADEW today, he also advises the WLGA in this process.

[135] We agree with the aims and the thrust of the proposed Measure and what it is trying to achieve. To say that we have some reservations would probably be to overstate it, but there is a suspicion that what it tries to achieve could be achieved by other means. I suppose that

what I am suggesting is that our current arrangement is based on history, circumstance and on what has been in the past and still is today, to some extent, a competitive model. If we were able to remove some of the barriers that are derived from the funding system and the planning arrangement, and if there were greater coherence in the strategic and planning approach to post-16 provision, the proposed Measure might not be needed. So, what I am saying is that, at present, we are not in a position to say whether it is needed. We agree with what the proposed Measure is trying to do, but the truth is that examples of good practice in collaborative arrangements exist at present in spite of a funding process and planning arrangement that militate against that.

[136] **Janet Ryder:** In the evidence that we have taken from Estyn, it suggests that regulation is needed because progress towards achieving this has been too slow. It feels that regulation would show people exactly what to aim for, which would facilitate the move towards it. There would also be the ability to enforce it in areas that are reluctant to move ahead. What is your response to that?

[137] **Dr Llewelyn:** It is a valid position to adopt. I have seen Estyn's written evidence. There is an initial statement to say that it supports the proposed Measure but, later on in the evidence, it recognises that the prevailing circumstances do not engender the kind of collaboration that everybody recognises is needed. If collaboration is to be successful, there has to be a sense of ownership; the stakeholders within any collaborative arrangement have to subscribe to it fully and understand why they are doing it and what the end result needs to be. It is equally valid to say that, unless you get the buy-in and the sense of ownership from the participants and the stakeholders in the process, the collaborative arrangements are not likely to be successful. Therefore, there is an element of trade-off there between providing incentives and compelling partners to collaborate, and at the same time getting them to collaborate because they recognise that that is the way forward.

[138] The examples of collaboration that exist in post-16 and post-14 education—the various developments that are taking place in the south-west, what Caerphilly has set up, and what we are seeing between some of the colleges and the authorities in north Wales—prove that it is possible and that it is understood, and that the various partners in further education, local authorities and work-based learning understand the need to collaborate. Therefore, I believe that both positions are valid. In the current funding arrangement, I suspect that, if some of the barriers were removed, collaboration would take a natural course.

[139] **Jeff Cuthbert:** Thank you. We will now move on to the first group of questions, from Mike German.

[140] **Michael German:** I will come back to that point, because I believe that collaboration comes up later on. However, I wish to ask about the roll-out first. The Government is proposing that 14 to 19 provision would start in 2009, with a full roll-out over four years. Do you believe that that is achievable?

[141] **Dr Llewelyn:** I believe that it is achievable, but we want to ensure that collaboration is firmly embedded and sustainable and that any changes are consolidated. For those who have already embarked on this collaborative journey, I think that the timetable will be achievable—many are already a long way down this pathway. For those who are just starting the journey, it may be that it presents them with significant challenges. I suppose that the issue is, to what extent, in addressing some of those challenges, we move things too quickly, in a way that is not sustainable in the longer term. Do we achieve short-term gain, but put at risk longer term sustainability? That is the issue.

[142] **Michael German:** Can you be specific and tell us what you think should be in place in order to make that happen? What are the ground rules?

[143] **Dr Llewelyn:** The situation will vary, depending on immediate circumstances. As I believe everyone recognises, provision around Wales varies considerably, and we need to take local circumstances into account—what exists, history, and how we have got to wherever we are. Therefore, I believe that it will vary from region to region.

[144] **Michael German:** I understand that there is a variety of arrangements around Wales, but what do you believe needs to be in place in order to make this happen in time?

[145] **Dr Llewelyn:** Maybe I can ask David to comment, because they have arrangements in place in Caerphilly.

[146] **Mr Eynon:** There are three issues, the first being culture. A cultural condition needs to be in place that encourages and enables partnership work to happen. There are also two practical issues, which are sometimes the first barriers cited as reasons why that culture cannot develop. One of those is transport and the other is common timetabling. Transport is simply an issue of making the best use of the capacity that exists or any future capacity that might be created. Although Wales is a small country, it contains many geographical, local contexts; therefore, demography and geography can make transport a challenge. It is also an issue of capacity—whether local authorities, or their various learning organisations, have the capacity to do that.

10.00 a.m.

[147] Common timetabling is not quite the huge barrier that people sometimes suggest, as anyone who has worked on timetabling will know. It enables collaborative working to take place and unlocks the door to local collaboration. However, it is not without issues and, although it is effective as a solution to post-16 collaboration, it has a knock-on effect for the timetable lower down the school. So, it is not the only solution to collaborative working.

[148] **Jeff Cuthbert:** I would like to bring Janet in here—or has your question been dealt with?

[149] **Janet Ryder:** It has partly been dealt with. My point was that Estyn said that we need the regulations now, so that people know what they have to plan for, but that it is the timescale that needs to alter. Estyn's view was that very few people would be ready to move on this, particularly if you went for a 2009 start—that some might be ready by 2010. So, Estyn put an even longer timescale on this. Is that your understanding, from the counties that you represent?

[150] **Mr Eynon:** There is one other issue here, although I did not hear all of the Estyn evidence, so I do not know whether it was discussed earlier. A condition was introduced into the policy towards the end of the summer term that I do not think appears in the original draft legislation; it was certainly not part of the consultation exercises that we went through. The condition relates to the courses that are counted towards the minimum learner entitlement and states that only level 2 courses are eligible. That means GCSEs or equivalents, but GCSEs can be achieved at level 1 or level 2; grade C and above is level 2, and grade D and below is level 1.

[151] If level 1 courses are excluded from the various band totals that are required for 2009 and beyond, most local authorities will find it extremely difficult to comply. I think that level 1 courses should be included, for other reasons—the legislation would be making a poor statement if it ignored the many level 1 learners. If appropriate level 1 courses, with clear, local progression routes were included, local authorities would not find it particularly difficult to start by September 2009. The proposed banding has been staged over three years, and band

A, which I understand comprises six local authorities, would probably be able to meet the September 2009 start date with the inclusion of level 1 courses—we are certainly planning to be ready.

[152] **Jeff Cuthbert:** Mike, we now go back to your question.

[153] **Michael German:** I wanted to conclude on the joint timetabling issue that you raised. When would you need to do that timetabling, given the September start date? How far back would you have to go?

[154] **Mr Eynon:** First, you have to define the scope of the joint timetable, and there are physical conditions associated with that because it is intended to allow learners to access courses away from their base institution, which would not work if they needed two hours' travelling time. So, you need to define the local area within the partnership group. Then, the group needs to find some alignment between the school day and the college day, or at least the various sessions of the day. That needs to happen as a statutory change the year before this is introduced, for obvious reasons—it will come into effect in a subsequent September to the consultation. Only when there is a fit in terms of the cycle, the length of the sessions, and the length of the period can you start the common timetabling. So, the introduction of common timetabling is probably a two or three-year process.

[155] **Michael German:** That would suggest that you cannot start in 2009 because you have not done your joint timetabling.

[156] **Mr Eynon:** You can start it in those areas that have already moved onto a common timetable.

[157] **Michael German:** So, some areas already have the joint timetable?

[158] **Mr Eynon:** Yes—we do, for example.

[159] **Andrew R.T. Davies:** Are those the six areas that you referred to?

[160] **Mr Eynon:** On the six local authorities, I do not know which the other five are, but I would assume that it is those that have already introduced an element of common timetabling, so that they can proceed most rapidly down this route.

[161] **Andrew R.T. Davies:** So, they should be well down that road already?

[162] **Mr Eynon:** Yes, but that begs the question of the subjects that are counted in, and what subjects are and are not included as vocational. Nigel Vaughan said that Estyn is not averse to a kind of regulation because it is easier to assess whether entitlements are being met. It is just that we are all concerned that the right entitlements are going to be met and that they are defined appropriately, because if the Measure goes ahead, it will have a huge effect in that sense.

[163] **Michael German:** I will move on to the curriculum. At the moment, you have responsibility for 14 to 16 provision, and the Government has responsibility for further education institutions that have responsibility for 16 to 19 provision. Is there a better way of organising it than having two bodies with responsibility for what is going to be the 14 to 19 curriculum?

[164] **Dr Llewelyn:** Ideally, it would be preferable to have some kind of local collaborative arrangement for 16 to 19 provision, rather than having an arrangement where the local authority has responsibility for 14 to 16 and the Minister, centrally, has sole responsibility for

16 to 19. We need to provide as streamlined and fluid a process as possible and avoid any dislocations and disjuncture.

[165] **Michael German:** The Measure states that it places the duty on those delivering the local curriculum to consider co-operation and that they must seek to enter into such arrangements. So we have the words ‘consider’, ‘co-operation’, ‘duty’ and ‘seek to’, which almost amount to placing an obligation. You state in your evidence that if this collaboration does not occur, the Measure may then not provide sufficient leverage for fully inclusive collaboration, which means, in real speak, that it will not happen because there is not enough there. So, you think that the Measure should be strengthened to provide much more of a duty on collaboration than is already there.

[166] **Dr Llewelyn:** As you say, there is ambiguity in some of the wording in the Measure, and we need clarity so that everyone understands exactly what is expected to happen. Ideally, what we need to avoid is disjuncture or dislocation in the process.

[167] **Michael German:** How do you think that that clarity could be provided—in the Measure, in the regulations that follow, or in the guidance at the outset?

[168] **Dr Llewelyn:** We probably need further discussion on the issue. In order for it to be successful, the partners in the collaborative arrangement need to have a sense of ownership and they need to be able to take into account the local circumstances that they are dealing with. So we need to get to an outcome that enables that to happen.

[169] **Michael German:** You mentioned the co-operation and the competition element, which has been a significant factor for the past 16 years in this field of education. Some people say that the funding structures will continue to promote competition rather than co-operation. Do you think that the current funding methodologies have any prospect of being improved or changed to include more co-operation and joint working and how could that happen?

[170] **Jeff Cuthbert:** Strictly speaking, that was a question for Andrew to ask; you have moved on to another question, but, not to worry, the question has been asked, so, as long as it is not duplicated, please deal with the question.

[171] **Dr Llewelyn:** The funding arrangements in recent years have caused problems. The element of competition that the funding has engendered has been disadvantageous; it works against collaboration and creates a sense of protectionism within institutions. Just as we would like to see a learning continuum from three to 25, where various pathways open up along that journey, similarly, we need to see a funding process, which is a streamlined as possible and allows for as much local determination as possible.

10.10 a.m.

[172] The Education and Learning Wales arrangements and efforts to introduce a funding formula failed in the past. Despite the issues about how local authorities fund schools, it is a tried and tested method and I think that it is the best arrangement that we have and that we can find. Local authorities now operate within a three-year budgeting process, but post-16 education is funded on an annual basis and, clearly, that issue needs to be addressed. We need to look at a better way of funding post-16 learning, retaining the confidence of all providers but providing a more effective, efficient and streamlined process than the one that we have currently.

[173] **Michael German:** May I just clarify something? You say in your evidence that funding for the 14-19 networks is going to end in 2010. Will that have an impact on the work

that is being done in this Measure?

[174] **Mr Llewelyn:** It will, potentially. Again, I think that it is an area on which there needs to be further discussion. Clarity is needed to see exactly what is entailed and what is likely to happen. I would imagine that the impact will be variable, dependant again on local arrangements across Wales.

[175] **Michael German:** What about numbers falling in the cohort of pupils aged between 14 and 19 because of demographic change? Is that going to have a big impact on this as well?

[176] **Mr Llewelyn:** Yes, potentially it will.

[177] **Mr Eynon:** First of all, I think that it is slightly unfortunate that we have two funding systems: we have one funding system for provision for 16 to 19-year-olds and another for 14 to 16-year-olds. The funding system for 16 to 19-year-olds is no longer competitive in the sense that the funding follows the learner. We have a local arrangement that, if a student in a school sixth form is accessing a subject in another sixth form or a local college, 80 per cent of the funding that is drawn down by that total learner volume accompanies them. That was agreed over a year ago by all members of our partnership. The funding system for 14 to 16-year-olds is competitive in the sense that—if you pardon the expression—it is bottoms on seats that generate the money. That is where schools that were traditionally oversubscribed profited at the expense of schools with falling rolls that might be geographically close to them. The age-weighted pupil unit that generates the funds for 14 to 16-year-olds is premised on delivering very economical education to classes of 30 with one person standing in the room with them. It is not quite as traditional as that, perhaps, but you take the point. The moment that you start to disaggregate the budget for 14 to 16-year-olds and spend it on groups of 10 doing a practical subject, with perhaps a technician and a trainer in the room, you will find that it will not pay for it. So, you cannot disaggregate the budget for 14 to 16-year-olds and send the money with the learner in the same way that you might be able to do with the budget for 16 to 19-year-olds. That is one issue.

[178] You talked about post 2010. A lot of the money for provision for 14 to 19-year-olds is being spent by networks at the moment on commissioning that kind of provision from local providers, whether they are work-based learning providers or FE colleges. Assuming that the age-weighted pupil unit can take on that cost post 2010 is unrealistic; it is more expensive. It is necessary, and collaborative working will produce better results, but it is not going to save money in that way. So, there are implications for funding, I think.

[179] **Jeff Cuthbert:** Thank you. Andrew, I hope that you do not feel ignored, but you now have only one question to ask in this section and you might think that it has been partly dealt with already.

[180] **Andrew R.T. Davies:** I think that it has been dealt with, to be fair. The question is about setting the minimum and maximum number of courses in the local curriculum that students have the right to enjoy or follow. Do you think that setting a minimum number of courses in regulation is the correct approach? It is more important for vocational courses. Do you think that it is right that a minimum number of vocational courses should be set within the local curriculum?

[181] **Mr Eynon:** There was a debate about this when the legislation was being planned. The reservations that were expressed at that stage were certainly not about the overall theme of the policy or its ambitions; it was about whether it was practicable to deal with all five vocational domains and to require compliance with that. I think that the concession that only three of the vocational domains need to be included goes a long way towards removing any difficulties there. The sense that the entitlement ought to be across the whole range of

subjects, both traditional and vocational, is exactly right, and is likely to speed up that process in areas that are proceeding more slowly.

[182] I hope that I have already made my point about how compliance with the actual numbers is dependent on level 1 courses and level 2 courses, and on both being eligible in the overall aggregation, because some level 2 courses cannot be accessed unless you have done the level 1 course beforehand. Delivering ‘Skills That Work for Wales’ policies seems to be not only about increasing the number of level 2 courses and responding to the Leitch report, but about encouraging more people to stay on in education and training, reducing the number of those not in education, employment or training in Wales. Taking away the level 1 courses that were, possibly, the only way of engaging those students in the first place so that they might go on to level 2 courses subsequently, would be a disaster and send entirely the wrong signal.

[183] **Andrew R.T. Davies:** As you said earlier, that regulation has only been just introduced—

[184] **Mr Eynon:** It is not a regulation; it is a part of the policy that seemed to emerge before the summer holidays. It was not part of the nationwide discussion that took place. It has been made clear to networks, as officers have been going around discussing which band they would go into, that the current intention is to exclude level 1 courses. It sends a poor signal to those on a Welsh baccalaureate foundation course at the moment. I have a variety of other reasons for concern, which I have already communicated on a number of occasions.

[185] To return to your question, what has surprised me most about the Measure as it stands is the focus on year 10 and on the development of the curriculum as far as entitlement is concerned. Much of the changes that have taken place around Wales are focused on year 12. The real variance in entitlement around Wales, where geography and postcode affect entitlement, was to do with small sixth forms that might, in some schools, only offer about 10 or 11 subjects post 16; a further education college will routinely offer between 40 and 60. Common timetabling in Caerphilly has enabled us to take a school that, in September 2006, offered 11 subjects post 16—a combination of A-levels and vocational subjects—which now offers 43. It makes no difference to which 11 to 18 or 11 to 16 school you go, you have the same entitlement post 16. It seemed to me that that was a great step in terms of using collaborative working and reorganisation of structures.

[186] The increase in subjects in year 10, in the context of the age-weighted pupil unit—the funding formula for schools—and the potential withdrawal of funding post 2010 from the annual network development plan suggest to me that schools will only be able to comply if they stop offering level 1 courses and offer level 2 courses instead. We will be back in a situation where 14-year-olds are put onto courses that are unsuitable for them, so they stop attending school and become disaffected, turned off from the whole educational process. A school that is attempting to comply with a particular bar in terms of numbers will only have the resources to offer something once. If it can only offer something once, it will offer it for level 2, which will not be the appropriate level for some students.

[187] **Jeff Cuthbert:** Thank you for bringing that to our attention. I share the concerns that you have expressed about level 1. We need more information on this new policy; perhaps we could get clarification through a note to committee members.

[188] **Janet Ryder:** In which setting have you been able to increase the curriculum that is being offered by a small school? Is it a rural or an urban setting?

[189] **Mr Eynon:** We call it a mixed setting. If you are familiar with the Rhymney valley—

[190] **Janet Ryder:** So it is not a rural setting in the way that vast tracts of Wales are in a rural setting.

[191] **Mr Eynon:** Not in the same way as Powys.

[192] **Janet Ryder:** Could it be transmitted to that kind of setting?

10.20 a.m.

[193] **Mr Eynon:** There was a conference recently on issues facing rural local authorities held at Cardiff University. We were asked to go along and talk about the case in the Rhymney valley, because it hits some of the rurality issues. I think that 17 miles is the biggest commute that a student has to do. I appreciate that 17 miles would not get you very far in Powys, when you consider the distances between learning institutions. The rurality and Welsh-medium issues, which I know you will come on to later, are special cases.

[194] **Jeff Cuthbert:** I am sorry, Andrew, you have had only one question in this section, but we will make up for that elsewhere.

[195] **Andrew R.T. Davies:** I have a three-hour Petitions Committee meeting after this one.

[196] **Jeff Cuthbert:** Okay. We will now move on to questions from Janet Ryder.

[197] **Janet Ryder:** You have answered some of this, but you might want to add to it. It is about the learning domains. Some have commented that the proposed learning domains need greater clarity and that guidance is needed on how courses, especially vocational courses, will fit into the individual domains. What are your views on that? Estyn's view is that there is still a good deal of work to do on that.

[198] **Mr Eynon:** Work is being done at the moment on the credit and qualifications framework. There has been a readiness to review, because modern languages were moved from one of the domains relatively recently. There is an issue about which subjects can be described as being vocational, because of the debate about what 'vocational' really means. I spent many years as an English teacher, so doing English A-level and an English degree were obviously vocational choices to a certain extent in my case. A linguist could say the same. The situation at the moment is that a subject has to be applied in order to count in the vocational context.

[199] **Janet Ryder:** So, in the case of a student who wanted to go to medical school and needs to do chemistry and biology, would they be vocational subjects?

[200] **Mr Eynon:** The only vocational science at the moment is applied science.

[201] **Janet Ryder:** I think that we have touched on that.

[202] **Jeff Cuthbert:** It is an interesting subject area. Christine, is your question on this point?

[203] **Christine Chapman:** Yes. I would like to ask something very quickly, because it is an important area. I do not want to prolong this discussion. We have discussed academic and vocational subjects, and applied subjects have been mentioned. One comment that employers make is that there is a lack of team-working skills. This cuts across many subjects. Perhaps we need to look at the definitions.

[204] **Jeff Cuthbert:** This comes under key skills.

[205] **Mr Eynon:** With regard to key skills and employability skills—the skills that make someone ready for employment—we are frequently told that people can expect between 10 and 15 careers before the age of 40 in the twenty-first century. So, obviously, the transferable skills that they can take with them are crucial. They do not seem to be incorporated in this as it stands at the moment.

[206] **Janet Ryder:** I will move on to the definitions of ‘local areas’. Again, we have touched on some of this already. More than one local area curriculum can exist within a local authority area. What practical difficulties might arise either for individual institutions or those responsible for planning and delivering local provision under those circumstances?

[207] **Mr Eynon:** I am conscious that I am hogging proceedings at the moment. Would someone else like to comment?

[208] **Andrew R.T. Davies:** Carry on.

[209] **Mr Eynon:** Caerphilly has two local curricula, because it is a hybrid authority. So, we have an 11 to 18 system, an 11 to 16 system, two further education colleges, and two careers companies; we have inherited variations from a previous local government reorganisation. Meeting the expectations of all of the learning pathways legislation is not possible for any single institution. Collaborative working is the only way of moving that forward. Collaborative working will be distinctive to the areas where it takes place. The kind of collaborative working that is feasible in some parts of Wales is not feasible in other parts of Wales. We copied, admittedly and freely, Wolverhampton’s way of organising 14 to 19 education. Three years ago, people from Wolverhampton came to Caerphilly to do a presentation, and our director, David Hopkins, was in the enviable position of having all of his secondary headteachers agreeing to co-operate with the changes. I was one of the secondary headteachers at that time. Having said that, we are not Wolverhampton, either. We had to change the way in which Wolverhampton did it to implement it in our terms. Wolverhampton is a metropolitan authority, so it has metropolitan solutions and a metropolitan infrastructure, transport system and so forth. We do not have those; we have the Rhymney Valley. The kinds of things that would work in the Caerphilly basin will not work in the Rhymney Valley. Therefore, that is the very nub of this. You asked what the role of the 14-19 network is: it is making that happen and making it work, which is why the network has to be local and have sufficient resources and autonomy to take those kinds of local decisions that can make us effective.

[210] **Janet Ryder:** We have had some evidence that—

[211] **Jeff Cuthbert:** Sorry, did you want to come in there, Chris?

[212] **Mr Llewelyn:** Only to add that, in a general sense, I think that there is recognition within local government that collaboration is the way forward. We see it across a range of different service areas, not just within education. I think that there is the recognition that local authority boundaries should not act as an impediment to collaborative working and providing arrangements that lead to better outcomes for learners. Therefore, I think that there is a commitment on the part of local government to transcend these boundaries. For some authorities, it will not be an issue; but for others, it will. If you look at some of the collaborative arrangements that are already in place in the south-west, which we have mentioned this morning, and the way that local authorities are working within education consortia, I think that you can see that there is a commitment to that sort of collaborative cross-boundary approach.

[213] **Janet Ryder:** Some of the evidence that we have had suggests that you have to have

cross-border collaboration, and some of the curricula may well run across borders due to the locations of the facilities that are offering the courses. However, it has been highlighted that you may then have a problem if the neighbouring authorities fund schools at different levels. Can you see a problem there? What would be the consequences of that for the funding of schools?

[214] **Jeff Cuthbert:** Before you answer, I think that Andrew has a question on the same point. I beg your pardon, Andrew, I see you are having a quick snack—you are having your break early. [*Laughter.*] Would you like to ask your question now?

[215] **Andrew R.T. Davies:** Yes. You referred to the south-west on two occasions. Are you referring to the south-west of England or the south-west of Wales?

[216] **Mr Llewelyn:** I was referring to the south-west of Wales.

[217] **Andrew R.T. Davies:** Good. I just wanted to know for clarity.

[218] **Mr Llewelyn:** The acronym is SWAMWAC—the South West and Mid Wales Consortium. The authorities in question are Powys, Ceredigion, Pembrokeshire and Carmarthenshire.

[219] **Jeff Cuthbert:** All right. Thank you.

[220] **Andrew R.T. Davies:** I will go back to my biscuit now. [*Laughter.*]

[221] **Mr Eynon:** To add a supplementary point to that, it is fine for SWAMWAC because it remains that kind of region in all of the policy documents that have come my way, but Caerphilly bounces from region to region depending on which document you take up. Even the ‘Delivering Skills that Work for Wales’ group of policies sometimes locate Caerphilly in the South Central part of Wales, which is the ADEW and WLGA region, and sometimes move us back to the direction of Gwent. The paper on adult and continuing learning would put Caerphilly with a different learning network to the one that it would be working with for 14-19 provision. That does not seem to be sensible.

[222] **Michael German:** It is a case for local government reorganisation and everything coming out of Caerphilly, is it not? [*Laughter.*]

[223] **Jeff Cuthbert:** Do not start that; you know what you are doing. [*Laughter.*] Janet is next.

[224] **Janet Ryder:** The issue of—

[225] **Mr Eynon:** I can give you an illustration, if I may. The location of Welsh-medium education is not coterminous with anyone’s boundaries; it has just evolved where demand has determined. Blaenau Gwent, for example, does not have a Welsh-medium school, while Caerphilly County Borough has one, as does Torfaen County Borough. How will a Welsh-medium school collaborate if it is the only Welsh-medium school in its area? The answer is that it will collaborate across the border. Therefore, there is a Welsh-medium collaboration between Ysgol Gyfun Gwynllyw in Torfaen and Ysgol Gyfun Cwm Rhymini in Caerphilly, which is also participated in by Monmouthshire and Blaenau Gwent. They were able to get funds to administer that co-operation because the funds come from external sources and are managed locally across those authorities by the 14-19 networks. If the funds were coming up through the local authorities’ formula funding, it would not be possible to do it in the same way.

10.30 a.m.

[226] **Janet Ryder:** That verges on another suggestion, which is that you fund the network.

[227] **Mr Eynon:** If you want a network to make something happen, you must give it resources and it must be in a position to manage, although I appreciate that who gives the resources to the network is a separate question.

[228] **Janet Ryder:** The other issue about joint working that has been raised with us is the difference in terms and conditions for staff in colleges and in schools. The unions suggested that that could pose a problem and that terms and conditions would need to be equalised. Have you come across any problems?

[229] **Jeff Cuthbert:** Do you feel able to respond to that?

[230] **Mr Eynon:** I would rather Chris responded to that. [*Laughter.*]

[231] **Dr Llewelyn:** I think there is an issue there, because the terms and conditions of schoolteachers are very different from those of further education lecturers. When the workload agreement was introduced, it was at a significant cost. There are significant cost implications and further discussion is needed about how those arrangements are harmonised. In terms of aspects such as entering students for exams and setting up displays, there is a range of things under the workload agreement that teachers are not ordinarily expected to do, for example photocopying, which FE lecturers continue to do. So, further discussion is needed on that issue.

[232] **Jeff Cuthbert:** I am sure that those issues can be raised with Fforwm later today. Janet, I think that question 32 on timetabling has been answered. The final batch of questions is from Chris Chapman.

[233] **Christine Chapman:** The Measure provides for the determination of a pupil's relevant school or institution. What criteria should be applied to determining which institution takes responsibility for a pupil, and who should make that decision?

[234] **Dr Llewelyn:** I think that that is probably a question for David.

[235] **Mr Eynon:** I am quite intrigued by the whole concept, because since the Education Reform Act 1988, parental choice has determined which institution a student goes to. I appreciate that that does not work too brilliantly if you live in London, because choice sometimes does not work out in reality. However, in a context where many schools are under capacity, parental choice has been freely exercised. The admissions authority for any pupil of school age is the local authority, so any issues or disputes over admission would be determined at the moment by the local authority, from my understanding of the law. That is in the tradition where someone belongs to one institution, but we are now talking about moving to a culture where someone may be registered at a home institution that will be part of a collection of learning providers, which could include work-based learning providers, the local FE college or one or more local schools.

[236] So, I do not quite see how anything has changed in terms of how one enters the system, but the system itself is changing for those people who are part of it. There are certain key things that must be done by a base institution, such as taking responsibility for examination entry, and being accredited and responsible for the outcomes for that student. If you are commissioning provision you should be responsible for the provision that you commission in order to encourage you to commission good quality provision, and not to just comply with the numbers of subjects for the sake of it. So, I cannot quite see how anything

has changed in terms of parental choice and the local authority being the admissions agent for pre-16 education. Post-16, it is the student who chooses.

[237] **Christine Chapman:** I suppose that it is about who would be the main person with responsibility for the individual pupil or student.

[238] **Mr Eynon:** That is almost suggesting that people can be directed in particular ways, and the whole essence of learner entitlement seems to be that learners have more choice and are listened to when they invoke those choices.

[239] **Christine Chapman:** We will have to clarify that area.

[240] **Mr Eynon:** Yes. It would be unhelpful were it to remain ambiguous.

[241] **Janet Ryder:** You raised a point about the home institution being responsible for ensuring that everything is of a set standard—

[242] **Mr Eynon:** That would be our approach.

[243] **Janet Ryder:** How do you do that for a pupil who attends perhaps two or three different learning settings?

[244] **Mr Eynon:** That is why you require protocols that operate across a whole network. Nigel Vaughan and his colleagues are coming to inspect our network in January and one of the things that they will look at is the kind of quality management systems that we have so that if I have someone leaving my sixth form to access a post-16 course elsewhere I can be confident about the standard of education that will be provided for him or her.

[245] We are not unfamiliar in schools with the kind of regulatory system that is based on evaluation and monitoring; it is just a matter of extending that wider than single institutions. All over Wales, people are developing those quality frameworks at the moment.

[246] **Christine Chapman:** I will move on now to ask you about learner support services. There has been much discussion about learning coaches being independent of the school or FE institution. What are your views on this and how it should work? Should they be independent? There has been some concern about this new role being almost tagged on.

[247] **Dr Llewelyn:** I will start and then perhaps David will come in. I think that everyone has welcomed the principle behind the learning coach and recognises that it is a welcome development. It needs to be funded adequately and there are concerns about whether or not funding is available. There probably needs to be greater definition of what the role entails, which, in a sense, is the point of the question.

[248] On independence, I do not think that we would have the concerns that I have heard others express, because we would trust in the professionalism and objectivity of those fulfilling the potential roles that we are talking about, whether they were based in schools or in other institutions. We would trust in their professionalism to provide objective advice and support. However, we would want to avoid the role as being seen as just an add-on to another role. In order to have credibility, it needs to be seen to be discharged and fulfilled effectively, so we need to avoid it being tagged-on. We also need clarity of definition, to ensure that the funding is in place and then to trust in the professionalism of the individuals who fulfil the role.

[249] **Christine Chapman:** We had the teaching unions in this week and there were strong feelings expressed that teachers should not be learning coaches. Do you have any views on

that?

[250] **Mr Eynon:** My first view is to support what Chris said, because stressing the independence of the advice almost implies that there is a lot of selective, partisan advice floating around and I do not think that that is the case. I would expect my students to get impartial, independent advice from Careers Wales when they go to interviews there or, indeed, from the support and guidance of the staff who work with them regularly.

[251] Learning coaches make a difference, because we have local research that included an impact assessment on learning coaches working with young people. All of us, presumably, have benefited from learning coaches, except they were not called learning coaches; they were, if you like, concerned adults who gave us advice at key moments in our lives. That leads on to the more important point, namely that not everyone got such advice and, in our experience, it is the learning coaches who are targeted at the poor attenders, the disruptive and those who have been turned away from education at an early age who make a key difference. We have found—and again we have more than anecdotal evidence—that using learning coaches to accompany 14 and 15-year-olds who are attending college courses removed some of the difficulties relating to their behaviour, welfare and the duty of care that are sometimes used as barriers to such courses working.

10.40 a.m.

[252] The implications, however, of an entitlement where you have to identify a learning coach for every individual from age 14 onwards include the danger of confusing that with the more traditional forms of learning coaching that are done in institutions, or with the kind of individual learning coaching that needs to accompany somebody as they move between institutions. My feeling is that the emphasis should be on the latter, because the learning coach is crucial at times of transition and so on.

[253] **Dr Llewelyn:** As the culture of collaboration moves on, the issue of independence will become less significant because it is a reflection of the past, in a sense: you had competing institutions and the feeling was that the advice provided was partial, and would favour one institution or another. I would expect that to diminish as this culture of collaboration builds up.

[254] **Mr Eynon:** I think that some of you are familiar with our area, and so I do not know whether it would surprise you to learn that, on GCSE results day last summer, every secondary school in the area was perfectly happy for a representative of the local further education college to come along and talk to the students about where they might go at age 16. That would not have happened five years ago. In the week after results day, learning coaches were phoning up those people who had not come to get their results, or who had not yet decided what to do after their GCSEs to talk them through their options. Our local college has reported what is not quite a surge, as that would be an exaggeration, but a definite increase in enrolments that are attributable to that.

[255] **Jeff Cuthbert:** Thank you. We need to move on. Chris, we talked about Welsh-medium schools earlier, so perhaps you can miss—

[256] **Christine Chapman:** I just wonder whether there is any more to add to what we discussed.

[257] **Jeff Cuthbert:** Perhaps you could just add anything extra that you feel is crucial at this stage. I am not trying to hurry anybody along, but we have a time constraint.

[258] **Mr Eynon:** I would just say that that is genuinely a case of special circumstances.

[259] **Christine Chapman:** Thank you. Do you think that the Measure makes adequate provision for pupils with additional learning needs and pupils in special schools when it comes to practical arrangements and so on, and do you have any views on the impact of the proposed Measure on excluded pupils?

[260] **Dr Llewelyn:** I will start and David can come in on the detail. What we want is an arrangement that is as inclusive as possible. We know that inclusion results in better outcomes for individual pupils, and the more opportunities they have to participate in mainstream education, the better it is for them. So, we need to have an arrangement that is as flexible as possible, and that enables us to maximise those opportunities and ensure that those individuals fulfil their potential. David will probably have more to say on the detail of how that can be achieved.

[261] **Mr Eynon:** If the proposed Measure retains or develops a focus on level 2 courses to the exclusion of all others, I feel quite strongly that that would be ironic, given that it is supposed to be about learner entitlement but you would have to disentitle a significant group of learners to provide them with the local curriculum offer. That would not be meeting the principle enshrined in the proposed Measure. If those courses are not encompassed in the proposed Measure, it would send a very unfortunate signal about the value of the courses that are appropriate for learners with additional needs.

[262] **Jeff Cuthbert:** Chris, I think that question 37 on transport issues has been addressed. If you agree, we can move on. I see that you do. You will be pleased to hear that we now come to the final question, which I will ask. It is a catch-all. Are there any other changes that you might like to see made to this proposed Measure that you have not already mentioned today?

[263] **Dr Llewelyn:** There are concerns that the approach to post-16 and post-14 learning needs to be as joined-up as possible, so that it is clear that various Government developments and initiatives link together, and that the various elements, whether they interface with youth services, adult continuing learning, post 16, or 14 to 16 learning, are part of an integrated, managed and strategic approach. We do not always get that feeling.

[264] We all share the view that this needs to be part of a learning continuum, but we often feel that there are dislocations in the policy-making process. It is important that every element is seen as joined-up by all external stakeholders, and that the proposed Measure dovetails with what is contained in the transformation document that was published recently. From outside the Assembly Government, we do not always get that feeling, so, if some attention could focus on that, it would be useful.

[265] **Jeff Cuthbert:** Thank you for that. These initiatives need to be seen in a joined-up way, and please rest assured that that will happen. I thank all the representatives of the WLGA and ADEW for coming along today. The clerk will ensure that you have a copy of the transcript, which I believe will be quite long. We would be grateful if you could check that for accuracy.

[266] **Dr Llewelyn:** Could I just point out that, when I was referring to SWAMWAC, I was referring to the South West and Mid Wales Consortium, which includes Powys, Ceredigion, Carmarthenshire, Pembrokeshire, Swansea, and Neath Port Talbot local authorities?

[267] **Jeff Cuthbert:** We thought that that was the case. If you want to send us any further information in writing, please feel free to do so. Thank you very much. We will now take a break. We will reconvene at 10.50 a.m., or 10.51 a.m. at the latest. [*Laughter.*]

*Gohiriwyd y cyfarfod rhwng 10.46 a.m. a 10.53 a.m.
The meeting adjourned between 10.46 a.m. and 10.53 a.m.*

[268] **Jeff Cuthbert:** We now recommence. I apologise for the delay, but we have had two interesting sessions, and I am sure that this will be equally interesting. We do try to keep to time, but, as you will appreciate, it is not always possible. We cannot anticipate the answers that we will get, or the supplementary questions that they may generate.

[269] I now welcome the Alliance of Sector Skills Councils, particularly Elaine Moore. I understand that she is the relatively recently appointed manager for Wales. Kathryn Hopkins-Morgan is from SummitSkills, and Bill Peaper from the Sector Skills Council for Science, Engineering and Manufacturing Technologies. Welcome to you all, and thank you for attending. We will go straight into questioning from members of the committee. Questions have been allocated, and the first two are from me.

[270] My first question is about the proposed Measure in its entirety. You will know that the 14-19 learning pathways are all about allowing learners to elect to follow a course of study from a local area curriculum, and the question is about the need for legislation with the creation of a Measure. Do you feel that that is right? Is there a need for legislation, for a Measure, in this direction, and, if not, how might we achieve it otherwise?

[271] **Ms Moore:** I will explain a little about the Alliance of Sector Skills Councils first to put it into context. The sector skills councils are 25 in number, but, obviously, we cannot all be here today because that would be too many. So we will do our best to provide a collective response, but also to give some examples of how individual SSCs have worked across Wales.

[272] In answer to that question, we think that legislation is required, because this provides a different approach, which, if it is not legislated for, might be difficult to achieve. There may be elements of it that could be achieved subsequently via regulation and the establishment of practices, but, initially, the implementation of the legislation will ensure that everyone is on board with an endeavour that must be integrated if it is to be successful. It is a common theme throughout all of the evidence that you have received that, because this represents an integration of effort and will, you must have a common vehicle that everyone is on board with, and legislation will do that.

[273] **Jeff Cuthbert:** In your evidence, you referred to the need for apprenticeship schemes and work-based learning schemes to be included in the Measure. How would you like to see that done?

[274] **Ms Moore:** Our feeling was that, if you want to break down the traditional barriers that have existed between so-called academic and vocational qualifications and provide a new situation that does not make distinctions between types of learning, you need to mention in the Measure all of the ways that that can be achieved. Otherwise, it would look, subsequently, as though they were either slightly inferior or less positive choices that could be made by young people in schools. We have good examples of how that is already under way.

[275] **Ms Hopkins-Morgan:** That is really important if you want to break down the barriers between vocational and academic education so that it is all seen as one. There have been good examples of where you can show that you can get progression right through to higher education. Bill, perhaps you can give the example of your progression route.

[276] **Mr Peaper:** It is a work-based learning pathway that is going into its second pilot year in north Wales and south-west Wales. At the end of that scheme, the young person does not necessarily have to stay in, say, manufacturing; their route can lead them into A-levels, further education or apprenticeships, and, eventually, into higher education.

[277] **Ms Hopkins-Morgan:** In our sector, we have huge shortages of consultants at level 4, which will have an impact on sustainability and regeneration. If you include these in the Measure and show these progression routes, you are more likely to get individuals going towards the higher education sector, and you are more likely to be more inclusive in that process. That situation does not exist at the moment because of the breaks in the system.

[278] **Jeff Cuthbert:** We will now move on to Members' questions; the next two questions are from Mike German.

[279] **Michael German:** You suggested that section 29 of the proposed Measure should be amended to include a statutory role for the alliance and the sector skills councils. The committee has received some evidence stating that there is insufficient input from business and those who are providing work-based learning, but, at the same time, the committee has also received evidence stating that, if we do all of that, there will be too much focus on vocational study as opposed to what else may be happening in the academic sector and that, for 14 to 16-year-olds, it will put too much of a swing between further education and schools.

11.00 a.m.

[280] Can you give us your view on that balance and say why you think that that balance would not be altered, or would not be altered significantly, by your proposal?

[281] **Ms Moore:** I will not pretend to be a legal expert, so I am not entirely sure what the limitations are. My understanding is that you can include only those people over whom you have the capacity to legislate, so there are certain sectors that you cannot include in a legal Measure. One of the advantages of the sector skills councils that puts them in a unique position is that they do not have an agenda of their own to take forward. They are there to voice the needs of employers and ensure that there is a meeting point regarding how young people are given opportunities to get training and qualifications and to then go on to the world of work. That would ideally be in the Welsh context, but their work may take them beyond the Welsh borders and beyond the UK. That is the nature of certain types of work.

[282] The activities of SSCs are not solely around vocational or technical types of training—I think that that is quite a common misunderstanding. We have a number of routes that lead people to quite high level academic qualifications in, for example, the creative and media sectors. We have partnerships with higher education bodies that are enabling young people to take degrees in fashion and in certain types of film making and so on. So, there is not a distinction, as far as SSCs are concerned, between technical training, vocational training and the more academic routes. The job of the SSCs is to ensure that, wherever possible, the training that is required is available in Wales and can be accessed readily by young people. Bill, perhaps you want to say a little bit more about that.

[283] **Mr Peaper:** The other thing is that, with the data that the SSCs are collecting about their sectors, they can give good advice on the needs of the different sectors in terms of career progression and that sort of thing. Again, not all sectors need young people who have a vocational background; some also need people who have taken the academic route. I think that we are probably in a good position to provide the balance between vocational and academic routes.

[284] **Ms Moore:** I was at an event in Newport earlier this morning, and the financial services sector skills council, for example, has entered a partnership to have a centre of excellence there for people who want to further their studies in accountancy and associated areas. So, there are lots of examples of where SSCs are already engaged in the more academic routes.

[285] **Michael German:** I will not reflect at length on previous evidence, but one of the people giving evidence just earlier said that you could include English as a vocational qualification if you were going to teach English, for example. The issue is whether it is about vocational training or the level of qualification. There is another issue related to your role of course. You are representing the skills needs of employers and employers obviously want change very rapidly because they perceive a need that they want satisfied in the immediate future, and yet much curriculum planning is about much longer term consideration of learners' needs for generic and transferable skills. What would you say, therefore, about how you manage the short term and the long term in planning terms?

[286] **Ms Moore:** Bill has already mentioned the important role of labour market intelligence. This is a key element that every SSC has as part of its core activity, on a UK level and within each of the nations. The labour market intelligence will be disaggregated for Wales, for each sector, and it will try to identify immediate, medium and longer term needs. You are right; it is difficult to predict exactly what will happen in the long term, but that is why, with the emphasis on the role of SSCs and using labour-market intelligence in delivering 'Skills That Work for Wales', we are now trying to pull that together on an overall scale as well as for individual SSCs.

[287] **Mr Peaper:** The other point to bear in mind—to use the apprenticeship frameworks as an example—is that, if you follow an engineering apprenticeship at the age of 16, that does not mean that you will be an engineer for the rest of your life. The frameworks are broad enough to give a good, basic education and to allow young people, when they get older and perhaps more mature as they gain experience, to switch careers without too much difficulty.

[288] **Christine Chapman:** On that point, a number of employers have come to see us and said that, often, the skills that are needed are things that pupils do in other subjects. For example, we talked about English, but there are skills such as team building and team activities and so on, that you could get in other, traditional subjects. Should the main feature be less a question of skills, if we have a generic base—we could say that key skills should deliver that—and more a knowledge of the industry? At the moment, we have a narrow group of pupils who will opt for more vocational subjects, but the industry needs to provide much more information about the cases that Bill is talking about and what these things lead on to.

[289] **Mr Peaper:** That is right. I know that, when we worked with the Assembly Government and other organisations to put together a work-based learning pathway, we were very conscious that, at the age of 14, we did not want to confine youngsters who had chosen that route to a narrow path. So, we ensured that, as well as key skills, we also included employer skills, which are not the technical side of things, but things such as building on communication and getting an understanding of business.

[290] The other point that is worth mentioning, although I am sure that you are well aware of it, is that there is an opportunity with the Welsh baccalaureate segment on Wales, Europe and the world for our sector, namely manufacturing, and this is true of all the sectors. When a young person is doing a project that relates to Wales, Europe and the world and it is linked into in an area in which they are interested in pursuing a career, they can look at world trends, such as why China is manufacturing a lot at the moment and why Wales is not manufacturing a high volume. They can then link that to why Wales is becoming a centre for high-value and knowledge-related manufacturing and becoming a leader in that way. They can build up that project so that they understand those things and why decisions are made; if they had not studied those sorts of things, they would perhaps not understand.

[291] **Andrew R.T. Davies:** Thank you for coming along this morning. You referred to the way in which skills sector councils are currently working collaboratively. How would the

proposed Measure impinge on that collaborative working?

[292] **Ms Moore:** Do you mean collaboration among SSCs or more broadly?

[293] **Andrew R.T. Davies:** Among yourselves.

[294] **Ms Moore:** In a way, that is why the alliance has been formed. It is a different body to the one that existed previously—the Sector Skills Development Agency. We feel that the sector skills councils need to generate added value to consist of more than the sum of the parts. Many examples already exist of the way that SSCs work collaboratively and are outwardly facing. I am very confident that that will increase over time.

11.10 a.m.

[295] **Ms Hopkins-Morgan:** We work with the built environment, which includes ConstructionSkills, Asset Skills, Energy and Utility Skills and us. The partnership and collaboration is powerful. It relates to the point that Mike made regarding long-term forecasting. The average age of an electrician in my sector is 51. We need to address that in light of the energy policies in Wales. This is why Bill and I have worked with the diplomas in England and the learning lines coming into the baccalaureate. We need to address it at a much earlier age. You will need the infrastructure not only for domestic electricians, but also for energy and utility, which will need engineers for the grid, because it needs addressing. So, we have to address this at a much earlier age, be far more proactive and raise awareness of it—not only with students, but with parents as well.

[296] **Andrew R.T. Davies:** Do you think that the Measure might undermine the work that is going on at the moment?

[297] **Ms Hopkins-Morgan:** No, I think that it would strengthen it. We welcome that.

[298] **Janet Ryder:** On the issue of working in collaboration, it is not only within yourselves, but with the networks that are set up. Do you have the capacity to engage with the networks right across Wales?

[299] **Ms Moore:** We have already had to do that in the sense that every sector skills agreement has partnership agreements with key agencies to enable SSCs to deliver. As you know, they have limited resources. They can function effectively only by working collectively with other agencies. We see that as the main challenge presented by this Measure.

[300] **Ms Hopkins-Morgan:** The SSA process developed robust partnerships with the Higher Education Funding Council for Wales, Jobcentre Plus and Careers Wales. The purpose of that was to formalise those partnerships and then to start to deliver.

[301] **Janet Ryder:** We are talking about being involved in the collaborative networks that deliver it. So, you are talking about practical, local networks that include schools and colleges.

[302] **Mr Peaper:** I will miss a few out if I name them, but around six SSCs worked on the work-based learning pathways. It did not only involve putting together the framework of study, but also talking to the 14 to 19 networks to ensure that they were able to allocate the necessary funding. It was also about working with the schools and the colleges and bringing together co-operation there. Again, it took a lot of time for us to do that. However, over the last 18 months, we have been able to step back, because that relationship has been formed. The information that we have been able to provide, in terms of qualifications, linking industry back into support for the delivery of real-life practical experiences, has been excellent. Some

of the reports that have been produced as part of that initial pilot scheme will show that we are capable of working in partnerships with such organisations.

[303] **Jeff Cuthbert:** Thank you. Andrew, do you feel that your next question has been dealt with in this discussion?

[304] **Andrew R.T. Davies:** Yes.

[305] **Jeff Cuthbert:** Thank you. We will now move on to questions from Janet Ryder.

[306] **Janet Ryder:** The proposed Measure enables Welsh Ministers to make regulations to prescribe the minimum number of courses for inclusion within the local curriculum as well as a maximum number of courses of study that a pupil has a right to elect to follow. Do you think that setting a minimum number of courses through regulations is the correct approach, and is it also a valid approach for setting a minimum number of vocational courses for which students should elect?

[307] **Ms Moore:** I suppose that our feeling on this was that, as long as a system is well understood and transparent, it does not matter as much what stipulations are in it as long as they do not create any divisions and that there is no lack of parity in terms of how courses or pathways would compare. So, when you say ‘the minimum number’, that would need to take into account issues like the Welsh baccalaureate, which is not so separate, in a way—it is not about a number of courses; it is a wraparound qualification. So, I do not know whether that answers the question. I suppose that our feeling on that was not as strong as it might be.

[308] **Jeff Cuthbert:** I have a supplementary point to make. Presumably, you feel—maybe more so than just the arithmetic number, of course—that it is the content of the course that is crucial for the learner.

[309] **Ms Moore:** Yes; absolutely.

[310] **Janet Ryder:** Moving on to look at the learning domains themselves, you suggest that they should be expanded, taking into account the need for new recruits to be more commercially and financially aware—I think that we might have already touched on this. You also say that the disaggregation of arts, media, culture and languages needs to be considered. Would you like to expand on that?

[311] **Ms Moore:** SSCs are themselves victims of defining domains, because they have been given a footprint, which clearly does not always fit the requirements of the situation. That is why you have already heard of so many examples where SSCs have grouped together in different ways to address the reality. So, we have a group called ‘from plate to gate’, which is about the food chain. Actually, it is called ‘from gate to plate’, as it starts with the animal in the field, with Lantra, and ends up in a hotel—

[312] **Jeff Cuthbert:** If you were talking about composting, it could be ‘from plate to gate’. [*Laughter.*]

[313] **Ms Moore:** Yes. So, we are well aware that, when you set up domains, the problem is whether everything fits into them. I think that some of our colleagues could see that there were areas of work that do not naturally fall into these. For example, you might say that e-skills—being good with a computer—would fit in the technology sector, but it actually fits across everything now. If you do not have those skills and you go in to work in social sciences and preparation for life and work, you could be at a distinct disadvantage. So, the idea that culture and languages, for example, should be in with arts and media could also—in the context of bilingualism, which is the situation in Wales—present other challenges. So, it

was not so much a case of saying that we did not feel that the domains were right—they can never be right if you use them to divide or to stovepipe learning—but if they are a means of access, that is fine. You do not want to end up replicating hierarchies via the domains.

[314] I do not know whether Kathryn wants to speak.

[315] **Ms Hopkins-Morgan:** I think that this is important. Picking this up from my sector, if we talk about putting in heat and ventilation, if someone does not have really good IT skills, they will not be able to use AutoCAD, so will not be employed. In our sector, languages are quite important if people want to work in Europe, particularly in the German market, because there are many engineering jobs there. We do not want to shut any doors; we want to make sure that someone who comes through and likes it can get to the top of the tree and be the best.

[316] **Janet Ryder:** Do you think that there will be a promotion of parity between vocational and academic education, as this is set out at present, or will it be detrimental?

11.20 a.m.

[317] **Ms Hopkins-Morgan:** I hope so—I hope that this will go a long way towards addressing it. There is a difference—once they are in school, they are in school, but if they are in FE, they tend to do that and we need to bring it more together. On behalf of our sector, we wish to get into the 14 to 19 market to address diversity issues, because very few girls come into this. We must look at that piece of research to ascertain why that happens. Ultimately, they are missing a trick in that regard, because it is a good source of available labour. So, the earlier we start, the earlier that we can talk about the offer in saying to them, ‘The world is your oyster—it is not this or that’, which can only be for the better.

[318] **Christine Chapman:** The proposed Measure enables the awarding of point scores to courses, to facilitate the setting of maximum numbers for learning entitlement, and to provide clarity in relation to what constitutes a choice in terms of the size of a qualification. We have already received evidence that suggests that introducing another point system could cause confusion and lead to a focus on accounting and categorising, rather than outcomes. What do you consider will be the impact of awarding point scores to the courses, and is it appropriate to apply it to vocational courses?

[319] **Ms Moore:** There were a number of different questions in there, and, in a way, we have already touched on some of them. If the principles are right, so that you are not differentiating and giving more status to certain things, and not dividing areas of learning in a way that is not natural and does not reflect what people’s lives are like—it also applies to the idea of how you measure—we would not have a problem with that. We know that points are used later on in educational life and it is something that everyone is used to. When you get a grade in something, it is a score of some type. To invent a different system, or a system that did not move seamlessly into the future scoring systems, seems unhelpful. So, if it forms part of an overall approach, that would be good, remembering that people do not necessarily use their educational opportunities in a chronological way. That is an important thing to hold on to—not all of us got there at 17 or 18 years of age; some people come to it later. So, if you have a way of tracking that, in a universal sense, throughout people’s lives, it could be quite helpful, but if it is locked into the system that you have in school or the system that you get up to 16 years of age and then it is a different system, it would not be helpful.

[320] **Ms Hopkins-Morgan:** If you look at the university system, where you get credits for different courses, it is applicable in engineering and in our sector. I do not see a problem as long as you take that to a lower age group and encourage them to be aware that they can do courses and parts of courses, and that there is nothing wrong in doing an engineering degree

and that it will be relevant because they might have done GCSE German, or a taster session in French. As long as you capture it correctly, so that it means something in another system, that is fine, but it is also a good idea to educate younger people that the system is beneficial because it will continue when they are a bit older, and that it is not wasted. However, you must ensure that the system that you choose is relevant right up the tree from key stage 1 onwards.

[321] **Christine Chapman:** On learner support services, you refer in your evidence to the importance of support to ensure that pupils make informed choices that will support progression. Do you consider that the provision of learner support services in the Measure makes sufficient provision for this aspect?

[322] **Ms Moore:** We have some overall points on which we wanted to pick up. We overheard the previous evidence, so we have the advantage of knowing what was said. We recognise the importance for disadvantaged groups in particular, and how helpful it can be to have the learning coaches available to assist people at moments when they might stumble in their particular path. However, learning support should not be seen as something that is only for people who are getting it wrong because that, in itself, can be stigmatising. So, there is an issue around how the support is offered and provided in a way that makes it open and accessible to everyone and fits in with current support. I think that mention was made of careers advice and we have some—

[323] **Ms Hopkins-Morgan:** I think that the learning support individual is essential for everyone. We can all think back to when we were in school and thought, ‘What do I want to do?’ or ‘Do I still know today?’

[324] **Jeff Cuthbert:** My memory is not quite that good. [*Laughter.*]

[325] **Ms Hopkins-Morgan:** If I had had somewhere to go and chat about this and it had nothing to do with ability, then we might not have certain issues that we have today. I think that learning coaches are pivotal to bringing disadvantaged individuals back on board. Bill and myself do a little unofficial learning support when we get calls for career advice, such as, ‘I want to be a plumber, what do I do?’ That is quite regular. You have to give that piece of advice to them and you are being quite honest with them. The response and the feedback is, ‘Thank you ever so much for doing that.’ It is a bespoke service; it is one-to-one and you show that you care. That caring element is important and you cannot expect teachers to do that—you cannot expect them to do everything. You have to be realistic, but you have to fund this if you want it to work to make the change.

[326] **Mr Peaper:** We also need to ensure that we are giving organisations that deliver it, such as Careers Wales and others, the right information to enable them to be knowledgeable because their advice has to be impartial. If we were doing it, I know that we would be impartial, but we have a duty to provide information.

[327] **Ms Hopkins-Morgan:** We see this happening, because Careers Wales will often refer someone to me and ask, ‘Can you talk them through it?’ So, you are starting to see this happening out there. There is obviously a need for this, for adults as well as for youngsters. This has happened across the board.

[328] **Christine Chapman:** It is not just to do with entry into a particular career or job, but also relates to when people are in a particular organisation. Going back to Bill’s comments about engineering or manufacturing, that young person or older person needs to see that there is a progression through that organisation and, if there are any barriers, for whatever reason, for example confidence and so on, the learning coach could be there to help that person through that.

[329] I will now move on to Welsh-medium provision. We have taken evidence on how the Measure will affect Welsh-medium schools. Do you have any comments on the impact of Welsh-medium provision?

[330] **Ms Hopkins-Morgan:** I am looking to ensure that we have much more Welsh-medium provision out there, but my problem is that I do not get any feedback from schools or from further education institutions. So, they are not telling me that, for example, they would like to have a particular course in Welsh. It is therefore hard work for me to work out what we want. I know where a course is taught in Welsh and then the portfolio is written in English or it can be written in Welsh and then it has to be translated. However, it would be useful if we had that information because we could proactively tackle that.

[331] This week, we met with the National Curriculum for Wales, because colleges and schools give their materials to help support the curriculum. They capture the number of hits in the Welsh language, but do not do it per sector. I have asked them if they can do that because that then gives me all the evidence that I need. When I have spoken to Welsh-medium schools, they will turn around and say, 'We would love to have bits in Welsh', but I need to know where and what it is.

[332] **Christine Chapman:** What is the demand in terms of Welsh-medium provision from the industry side?

11.30 a.m.

[333] **Ms Morgan-Hopkins:** It is a bit patchy. There are curricula being taught through the medium of Welsh; there is no doubt about that. However, as I said, I am not getting feedback saying, 'We want this course in Welsh'. I cannot believe that people would not be saying that. Given the volume of individuals going through Welsh-medium education this will need to be addressed, but there is not any feedback. So it is just me asking, and it needs to be formalised, because it will affect this.

[334] **Jeff Cuthbert:** Who should feed it back to you? Who should give you that information?

[335] **Ms Hopkins-Morgan:** Lecturers in the further education system should do it. They should know the numbers of employers. There should be much more of a demand around Ammanford, but I have never had any figures or feedback saying, 'Can we have this?'. I know that, with Welsh-medium schools being much more popular today, the demand is going to increase, because I am looking ahead.

[336] **Christine Chapman:** You are working in the industry, though; this is your unique role in many ways.

[337] **Ms Hopkins-Morgan:** We did an interview with employers in Pwllheli on solar panels. We met on Monday and we were looking at green plumbers, were we not, Jeff?

[338] **Jeff Cuthbert:** Yes.

[339] **Ms Hopkins-Morgan:** It is interesting, because they said, 'We would love to have a course in English, but Welsh would be fab'. They just wanted the course, because it has to be developed. However, that does not answer the question, because they need to formally say, 'We do want it in Welsh'. That would come from FEs because they go to FEs for that training predominantly. When they go to the private sector for courses that is a different ballgame because those courses are paid for upfront and nothing has to be said to anyone, but the FE

sector is publicly funded. You asked about having a national network in place to monitor this, and that would be a golden opportunity to monitor the quality and to tell people that they need to feed the information back and tell us about basic skills and management and leadership out there. You could give it more focus if you did that. There is no diktat saying that we have to have this information. There is no way that we can capture it all, because there does not seem to be a mechanism for it to come back to us.

[340] **Jeff Cuthbert:** I need to draw this to a conclusion now with the final question, which is a catch-all. Is there anything else that you would like to see in this Measure that you have not mentioned during this session?

[341] **Ms Moore:** We wanted to emphasise a few points. One is the importance of the managing agency, which is a potential way forward. We really want to support that idea. We think that, for this initiative to be successful, you need to have somebody managing it. There will have to be an enormous amount of learning in terms of how to work collaboratively and in partnership, and that will have to be provided to agencies that are not used to working in that way if this Measure is to be a success.

[342] The other thing is around the timing of it. We envisage it being a major challenge to implement this in year 10 from next September, partly because of the cycle of where year 9 is now, with people choosing their options. If you do not have the network and the managing agency set up already, it is hard to see how you might deliver this on time. Given that this is such a major endeavour and such a sea change in approach, it will be really important to get it right from the outset, so rather than not being able to deliver appropriately, it might be worth while considering a slightly later date but putting in all the planks in anticipation of that date, enabling people to be fully able to launch that vessel.

[343] I think that John Griffiths uses the word 'bespoke' in the covering letter to the Measure. We should bear in mind that what is being developed here is a uniform for young people—and you can use the analogy of the school uniform; it unites everybody because they are in a common environment and situation—but it is a uniform without uniformity, because you also want, alongside it, to have that individual opportunity, which fits. It is quite difficult to achieve at the same time, getting those two elements, so you might want to place more emphasis on the uniform bits, and get those in place first and then build in the bits of the uniform that people can put on and take off—the hats, ties or whatever. That is something to bear in mind.

[344] It is a very challenging undertaking. We are fully in support of it, and we think that it is definitely the way to go, and for sector skills councils, it would provide an opportunity to strengthen the way that we have been trying to work for the last four to five years in Wales, because we would be on the same vehicle as everybody else, going in the same direction. So we want to get on it, but we want to make sure that it is moving.

[345] **Jeff Cuthbert:** Thank you very much indeed for that. Getting it right is exactly what we want to do. Thank you for coming along. The clerk will send you a copy of the transcript, and we ask that you check it for accuracy. If there is any other information that you wish to send us in writing, you are free to do so. Thank you for attending.

[346] We now welcome our next presenters, who are from Careers Wales. We have Mark Freeman, the chief executive, and Alan Boxford, a board member. If you do not mind, we will go straight into questions from Members, the first of which is from me.

[347] The key purpose of this Measure, as you know, is to create a right for learners aged 14 to 19 to follow a course of study from a local area curriculum that is right for them. We are proposing to do that through a Measure, through legislation; do you feel that that is the right

way to go about it? If not, why not?

[348] **Mr Boxford:** From the careers point of view, I think that it is the right way to go. Much has already happened towards developing a curriculum for 14 to 19-year-olds for Wales, and it seems to me—I have some school experience—that there is a lot of good intention moving in that direction. What concerns us from a careers point of view is that we should find ourselves cemented in as part of that partnership, because we have a very important role to play, and the Measure will ensure that the partnerships include all facets, other than just schooling.

[349] **Mr Freeman:** In terms of the legislation, I would just comment about getting the right approach and, I guess, a light-touch approach, rather than it being over burdensome and creating a tremendously bureaucratic process and procedure, which takes away resources from what you are trying to achieve. That is not an easy balance to strike. I think that a minimum entitlement is the way that we should go, but we need to find the right balance.

[350] **Jeff Cuthbert:** Thank you for that. We will now take the first group of questions from Mike German.

[351] **Michael German:** The Government proposes to implement this Measure for the year 10 group from September 2009, with a full roll-out over the next four years. Do you think that that timetable is achievable?

[352] **Mr Freeman:** There could be some structural issues in terms of organisations, particularly schools, being fully prepared to meet the specific requirements of the Measure. A lot depends on size and location. For example, in Cardiff, schools could probably roll forward quite quickly, but, in other parts of Wales, there are greater difficulties in making partnerships work because of geographical locations.

11.40 a.m.

[353] The size of a school makes a difference to its ability to offer a proper programme of courses, to meet the minimum set by the proposed Measure. So, that could be a problem, and I think it well worth researching that generally before a decision is made to say 2009 or some later date.

[354] **Mr Boxford:** It is important to establish a benchmark of where we are now. When you are trying to change things, you need to change sufficiently to cause a stretch while ensuring that it is still reachable; otherwise, you have set yourself up for failure before you have started. So, in principle, we support a phased roll-out, because we need to get the travel of direction started, but it is also important to make the right judgment as to what, realistically, can be achieved in that time. As Alan said, for the smaller school, especially in a rural setting, offering 30 options as a minimum will be a real stretch.

[355] **Michael German:** You just used the word ‘benchmark’, so what should the benchmarks be?

[356] **Mr Freeman:** My understanding is that information is being collected on what is currently on offer in the 22 local curricula, so that is where we are starting from. It is obviously different within the 22, so that is your benchmark. It is then a matter of deciding what would be a realistic timetable. However, it has to be a stretch, or we will never achieve it, as we will find that the barriers prevent us from overcoming. Therefore, that is what I mean by establishing a clear benchmark from where we are, or mapping that and then setting that clear direction of travel for the next two to four years.

[357] **Michael German:** I will move on now. The next group of questions relates to the curriculum itself, which you have just talked about. As you know, local authorities are responsible for the curriculum for 14 to 16-year-olds, and the Assembly Government, in its many guises, is responsible for the curriculum for 16 to 19-year-olds. You also have all the other bodies that are involved in assisting with that. Do you think that that is a reasonable split of responsibility, or do you think, as we have just heard, that there should be a planning organisation or body that has responsibility for managing this process in each of the local areas?

[358] **Mr Boxford:** When I was a headteacher, I always found the split, when it occurred, between the curriculum for 14 to 16-year-olds and that for 16 to 19-year-olds a difficult one to manage, because of the difference in funding regimes, and so on. I do not think that that did a great deal for the continuity of education. We need to look at the curriculum in broader terms, and cut out some of these intermediate steps; in splitting it at age 16, we seem to be on our own in most of Europe and probably most of the world. The proposed Measure should help to overcome that. We also need to look at funding regimes to help to overcome it, so that we can say that it is possible to plan from age 14 through to 19 with flexibility but also with continuity built into the system, as well as into a child's education provision.

[359] I have always been a great believer in local authorities, and I think that they could manage that continuity of provision well, as well as the partnerships. Careers Wales works well with local authorities, even though our companies do not necessarily always correlate with local authority divisions. It does not appear to me, as a non-executive director, to be a problem of making partnerships work. However, if we could remove that artificial gap at the age of 16, it would make quite a difference.

[360] **Mr Freeman:** Alan has mentioned continuity and progression. Splitting up the funding does not help the planning, and, for our young people, that progression and continuity is very important. That is especially apparent among those youngsters, post 16, who are in the labour market. That group is probably the least well catered for. That split, pre and post 16, just accentuates their issues.

[361] **Michael German:** So, to be clear, what is your solution to getting that continuity of funding?

[362] **Mr Freeman:** As Alan suggested, we need to give an organisation the overall responsibility for 14-19 learning pathways, so that the planning, funding and progression are coherently joined up—with the learner, I hasten to add, at the heart.

[363] **Michael German:** Moving on to the role of employers, do you think that the proposed arrangements, as they are laid out at the moment, will meet the needs of local employers? Should employers be more engaged in the whole process?

[364] **Mr Freeman:** The proposed Measure does not stand alone. For me, the curriculum changes proposed from 2009 to support the learning pathways place an increased emphasis on key skills and employability skills, and the skills framework from age three to 19. The proposed Measure helps to create an appropriate environment in which to provide youngsters with an opportunity to develop those skills for an employer. So, taken as a whole—the learning pathways, the proposed Measure, the curriculum, the new curriculum changes, and the Welsh baccalaureate—we can begin to support what employers would like as regards key skills.

[365] As to whether employers should be more engaged, that is the perennial question. It is easy to say that they should, but what should they do, and how should they do it? Employer organisations like the Confederation of British Industry and the Institute of Directors can

engage at a policy level, but we have many thousands of small and medium-sized enterprises in Wales, and they find it more difficult. That is not their day job. They receive what the education system produces, and they might say that youngsters are not prepared well enough, and need too much training when they arrive in the workplace, but, by and large, if we ask whether employers are involved in supporting education, I would say that they are. They are involved to an incredible level: 40,000 young people go on work experience every year, which means that they are going out to employers.

[366] **Michael German:** So, you would not want to see a change to the proposed arrangements.

[367] **Mr Freeman:** No.

[368] **Christine Chapman:** Briefly on that point, Mark, we have heard from employers who have mentioned particular skills that they would like employees to have, but sometimes they are not very specific about that. We have talked about key skills, which everyone should have, but those other skills are more difficult to pin down. Do you have any examples of specific skills that schools are not currently providing?

[369] **Mr Freeman:** By 'other skills', do you mean team working, problem solving, and that kind of thing?

[370] **Christine Chapman:** They might come under the key skills heading as well.

[371] **Mr Boxford:** It is not easy to find two employers with the same views on the skills that they want. Look at the construction industry, for example. That is possibly one of the problems with the domains: how generic are the skills that we are looking to teach? We expect young people to learn so that they can make changes in life, but the problem is that, if you deal with individual companies, they will each ask for something entirely different when it comes to specific skills. You need a different skill for plastering than for bricklaying, but they are both part of the construction industry. What are the generic skills that need to be taught within the construction industry? That is the key issue.

[372] **Mr Freeman:** Underlying that are often attitudes and values, which can determine your approach to work.

[373] **Andrew R.T. Davies:** The first part of my question is about the scope for co-operation between educational institutions, which is the basis of the proposed Measure. What might be the barriers to such co-operation becoming a reality?

[374] **Mr Boxford:** Issues of history come into play. The education system has lauded competition for a long time, and schools in particular have concentrated on their own position in competition with other institutions—how many GCSE do their students pass, and so on. That can be a difficulty if you need to work with the school down the road to ensure that a sufficient number of options are available and that youngsters have equal opportunities.

[375] Location is another problem. If a school is in rural Wales, and the nearest collaborating school is 10 or 15 miles away, that can present serious problems. Size makes a difference, as well. I can probably think of half a dozen schools in Wales that might be able to meet the Measure's requirements on their own, but all the others would have to co-operate. One of the advantages that you have is that learning pathways has been on the scene for two or three years, and many schools have been collaborating. Within Cardiff, for example, there has been a collegium arrangement for 10 years, and I doubt that it is alone in that collaborative provision. The mindset is already there that collaboration is necessary and many of the barriers are being broken down.

11.50 a.m.

[376] **Andrew R.T. Davies:** Obviously, the funding formula is one of the key obstacles.

[377] **Mr Boxford:** That is right; the money follows the individual.

[378] **Andrew R.T. Davies:** So there is a vested interest.

[379] **Mr Boxford:** It is then difficult for the school if it is hard pressed in terms of the budget, and the question would be whether it could afford the further education college down the road or whether it would try to do it itself.

[380] **Andrew R.T. Davies:** Do you have any ideas on funding? We have asked everyone that question—it is the million-dollar question—and we have probably heard the same answer from everyone, which is, ‘No, we do not.’

[381] **Mr Boxford:** It is like asking whether we can discover oil in the channel or something.

[382] **Andrew R.T. Davies:** Do you want me to let you run out to patent the idea and then come back to tell us about it. [*Laughter.*]

[383] **Mr Freeman:** You are quite right that it is a very difficult situation to find a solution for. Arguably, the simplest thing to say is, ‘The money follows the young person.’ So, if they are educated elsewhere—

[384] **Andrew R.T. Davies:** Then the institution holds onto that young person.

[385] **Mr Freeman:** Quite, and assuming that the local curricula collaboration is effective, it could be that the lead institution would be delivering six or seven subjects and that 30 per cent of the course would be delivered elsewhere, in as many as three or four other institutions perhaps. So, there is no easy answer to the question of how the money follows the pupils when they are within such a structure. However, it is a consequence of sharing the curriculum that you must share the funding somehow. So, that sharing is formalised from the start of key stage 4. Alan talked about good collaboration historically across Wales, but it has not developed far enough, fast enough. This legislation provides the framework to encourage us to get over the hill. However, within that, there is a great deal of detail still to be worked out, particularly around how the money follows the young person and deals with that competition.

[386] With the 30 options proposed, it makes it virtually impossible for most institutions to stand alone. You force collaboration, so you do need to address that competition.

[387] **Mr Boxford:** You also must attend to the funding formula. A daft idea has just occurred to me; you could behave like the utility companies and have a service charge. Every place where a young person is enrolled has fixed costs, which would exist no matter where the youngster goes to follow their courses. So, if you have a service charge at a level that stays with the institution where the young person is enrolled, and the money follows the course, that could make a difference.

[388] **Mr Freeman:** It is very difficult to plan.

[389] **Mr Boxford:** It is.

[390] **Andrew R.T. Davies:** On exclusion, the proposed Measure now includes grounds on

which headteachers or principals may remove a pupil's entitlement to follow a course. The pupil's level of educational attainment, the amount of time likely to be spent travelling, disproportionate expenditure and the pupil's or another person's health and safety are some of the grounds. In your evidence, you specifically state that

[391] 'Headteachers and college leaders need to use their powers of veto on the choices of individual learners sparingly.'

[392] You go on to state that the proposed arrangements must also avoid creating a bureaucratic process that leads to unnecessary litigation. How could this proposed process be improved and should there be an appeals mechanism?

[393] **Mr Boxford:** There must be an appeals mechanism because natural justice would demand such a thing. An appeals mechanism is now applied for exclusion from school for misdemeanours or whatever, because the youngster needs justice. In this situation, a youngster needs ownership, and we should not get to the stage where a youngster has had advice to say that it would be a good idea for them to do a particular thing and for them to have decided on that only to have someone in authority tell them, 'Sorry, we cannot afford to do that.'. The negotiation should be such that all of the different facets are taken into account, including, for example, affordability, even before the offer is made. Otherwise, we will end up with disappointment and we will have more youngsters who feel like dropping out rather than being included, which is what the Measure seeks. We would not be looking at parity any more.

[394] **Mr Freeman:** We can often think that it is perhaps the school that is denying the young person a choice, but sometimes it can be that the young people are denying themselves the appropriate choice. The school might think that they should follow subject A, but they do not want to travel to institution B to follow it—they want to stay where they are. That is the issue in reverse.

[395] On the comment about bureaucracy, I guess that the concern is about litigation. I am mindful of employment law and the grievance procedure. It was said that a framework would be set out to keep it all out of the courts and that it would be nice and simple, but it achieved the reverse. There are often unintended consequences and once you document processes and procedures, people will follow those, and I think that the number of appeals would rise considerably. I can see judicial reviews and all sorts of things. That is a consequence that you have to manage. You are aware of it to begin with and at least you have tried to solve the problem rather than just saying, 'Oh, we had not thought about that; this is an unintended consequence.'. I can almost guarantee that it will be a consequence so, again, we need to have a light touch. I think that, for many of these issues, we need that balanced approach.

[396] **Janet Ryder:** I want to ask you about the learning support services that need to be in place for this. How do you think that the roles of professionals who provide support and impartial advice to learners, including the role of the learning coach, could be clarified?

[397] **Mr Freeman:** I appreciate the fact that your question refers to learning support services. For me, that is the driver. I have never seen a document called 'learning support service strategy'. I have seen a document called 'learning coach strategy', but that is very different. That is saying, 'Am I a profession? Am I a role or a function? What is my strategy?' rather than saying, 'What is the strategy to support the learner?'. Our preference would be to turn it around, to make it very learner-centred in its focus, to set up a framework of learning support and then to deal with the outcomes required and entitlement. Then we could consider how the range of existing professions, and maybe those to come, could support the learner. Each has a role to play. That is a very significant about-turn. I sometimes think that a learning coach strategy is the tail wagging the dog. It should be the learner support strategy.

[398] On the role of learning coach, I think that Estyn, in its recent inspection, said that we had to clarify roles and responsibilities. Although many people think that they understand what the learning coach role is, their understanding is often different from what is actually the case, and that is why there is a considerable amount of confusion about the role and whether it is a role or a function. If it is a role, that would mean that it is a profession, but if it is a function, that would mean that all professions have a part to play in it.

[399] Some of the documents say that a careers adviser is a key specialist in employment. To take an example, if somebody in year 9 wanted to be a physiotherapist—we shall call that someone a 'he'—we would say that he needed to go to university to do a degree. He might then ask, 'How do I get from year 9 to there? What do I need to do?', and a careers adviser would then have to start to do learning planning. They would start to talk about the subjects required during key stage 4 and, if you like, key stage 5. So, learning pathway planning is integral to the role of careers work and you cannot divorce the two. That is why I think that a learning support strategy would provide a much better framework, so that we can work together collaboratively to ensure that a learner has the entitlement of support through the process.

[400] **Jeff Cuthbert:** That logically flows into question 60.

[401] **Janet Ryder:** The question is about the role that you foresee careers services having and how it will complement the roles of the other professional services that will provide support for learners in this new regime.

[402] **Mr Freeman:** There are a few key points to make in addition to what I have just said. I think that Careers Wales can say genuinely that we are independent and impartial. We are not funded in a way that means that our job is reliant on somebody staying in sixth form, so we can be very learner-centric. As the previous people who were giving evidence were saying, we can bring to bear the labour market.

12.00 p.m.

[403] We can help to bring employment, learners and provision together, so it is about being independent and impartial, but with a keen eye on the future. It is not guidance for its own sake; we ask, 'What are we going to do? How are we going to make that transition for that young person at 16 or 18?'. The end goal for everyone in Careers Wales is making them fit for employability, because that is where our success lies; it is not guidance per se, but guidance for a specific end. That is why we are involved in supporting the key transitions in year 9, year 11 and at 18 years old, and working strongly with those who are not in education, employment or training. That is Careers Wales's key function.

[404] However, any adviser conducting any guidance work automatically assumes the role of a learning coach, because, as I have just outlined, you must start talking about your learning pathway planning. You cannot divorce careers from that. However, a careers adviser would not, and should not, get involved in study skills, barriers to learning, disruption at home and after-school clubs. That is not part of a careers adviser's role, but a careers adviser brings together learning and career planning and settling young people into employment, whether it is at 16, 22 or 26, after someone has done their PhD.

[405] **Mr Boxford:** However, a careers adviser can bring to bear other sorts of support, working with the school. We have not mentioned special needs—

[406] **Jeff Cuthbert:** We are about to.

[407] **Mr Boxford:** I will wait then. [*Laughter.*]

[408] **Mr Freeman:** Before we move on to special needs, I will particularly mention those who are unemployed at age 16. If you are in an institution, by and large, you will have a lead provider and you will have some support built in, but if you are unemployed, you will not. I think that there is no better organisation than Careers Wales—I would say that, would I not?—to be the lead provider for the post-16 unemployed and to provide continuity by being that glue. Working with work-based providers, trusting that they progress to some form of training, there would be a partnership approach, and it could be that, if someone is on a 12-month programme with a work-based provider, the main responsibility would move to that provider. However, Careers Wales can be the glue for that group of 10 per cent, which is a small percentage, but one that commands a disproportionate amount of resources for everyone to secure that they are engaged.

[409] Unless we tackle the cohorts that are leaving in the coming summers, we are talking about their being disengaged in 20 years. So, we need to get it right at this stage of their lives, particularly with the 16 to 18-year-olds. If they do not succeed in full-time education, we need to ensure that they are well supported to progress to training, which is why I talked earlier about a coherent 14 to 19 planning provision, because it would particularly support that group of people who are left somewhat high and dry at the moment.

[410] **Jeff Cuthbert:** We note your bid for that job.

[411] **Mr Boxford:** If I may say, it is more than just a bid, because it applies to pre-16-year-old youngsters on the verge of dropping out. Good careers advice and good support in the school makes a difference. If 10 per cent have fallen by the wayside aged 16, we have 10 per cent without any qualifications at that age, some of whom will have disappeared from school already, sometimes from the age of 11 or even younger. Where are the facilities to draw them back in?

[412] **Jeff Cuthbert:** We want to talk about that issue, but, so that we do not lose the thrust of Janet's group of questions, do you want to deal with the last point?

[413] **Janet Ryder:** Given what you have said already, I assume that you feel that learning coaches and learning support services should be sited independently of the school or the further education institution.

[414] **Mr Boxford:** It depends on the particular institution, its ethos and how it would work. I know of schools that incorporate the work of a learning coach into the work of the form teacher and so on successfully. In others, a person other than a teacher, a well trained professional, will give autonomous advice. You must leave it to the discretion of the institution to decide how the institution works best. The nature of the intake of the school and such issues—

[415] **Janet Ryder:** Are you therefore not putting the interests of the institution before the learner?

[416] **Mr Boxford:** No, I am putting the interests of the individual first. It depends on what works well for the individual within an institution, and the way in which the ethos of the school or the institution is developed is important with regard to the way in which youngsters respond to someone who teaches them on a daily basis or someone who is independent of the teachers. It is very hard to legislate for what will work where learning support is concerned.

[417] **Mr Freeman:** I would like to add to that. For me, the heart of the matter is whether a learning coach is a function or a role. There is a significant difference between them. If it is a

role, then there is a specified learning coach. However, if it is a matter of having a learning support strategy and outlining the learner's entitlement, and we are all supporting that learner together, it is different; we then have different roles and responsibilities rather than just specifying a learning coach.

[418] **Jeff Cuthbert:** Thank you.

[419] **Christine Chapman:** I would like to move on to discuss additional needs and pupils in special schools. Do you think that the proposed Measure makes adequate provision for pupils with additional learning needs in order that they can participate effectively in the learning pathways?

[420] **Mr Boxford:** I think that there is a danger that they might be left out. We should be looking at inclusive policies all the time and ensure that youngsters' needs are met in that direction. They can all be productive members of society, and that is what we should be looking for, so that they can find progression through the world of work to responsible positions. That is important.

[421] **Mr Freeman:** The suggestion that level 1 cannot be counted as part of the entitlement if a level 2 course is available assumes that everyone is capable of level 2, which is not the case. We need to be flexible about what is offered.

[422] **Christine Chapman:** Particularly in special schools.

[423] **Mr Freeman:** Yes.

[424] **Jeff Cuthbert:** Unless you want to come back on that point, I would like to ask about excluded pupils. Do you feel that the proposed Measure addresses their needs?

[425] **Mr Boxford:** To a certain extent, yes, because it is incumbent upon local authorities to find other provision for youngsters, which could be through training providers and so on. They could often find routes through to level 2. The fact that you are excluded from school does not mean that you are not capable of learning. I am not sure whether they should be mentioned specifically and whether this provision should be made, but there is already an onus on the local authority to make provision. Whether they all fulfil it is a different issue.

[426] **Mr Freeman:** You have to work on the basis that, as the curriculum changes, we are engaging more learners. So, we are losing fewer learners. I have to believe that we can do that. So, it is good to note that there are now transition plans between primary and secondary to engage them at that key transition point. Many youngsters who we talk about being disengaged in years 10 and 11 have started to disengage at the ages of 11 and 12. If we focus on those, we will avoid problems for the future.

[427] **Christine Chapman:** Finally, in addition to those you have mentioned, are there any changes that you would like to see incorporated into this proposed Measure?

[428] **Mr Boxford:** We must be careful of rigidity. You have to legislate and set out the domains in a certain way, but recognising all the time that there will be a degree of arbitrariness in anything that is constructed. We must be prepared all the time to shift that and work to the way that experiences grow for us so that we can be flexible in the provision that is made. Overall, I think that the proposed Measure will create greater partnerships. It will cement what is already working, ensure that things work better, and force some of the reluctant to participate a lot more. I see it as something positive.

[429] **Mr Freeman:** It is important to get the timing right. There also needs to be a learning

support strategy so that we are all clear on our roles and responsibilities and the way in which we can support the learner. We should not forget young people aged 16 or over in the labour market. This is a key group whose needs we have to address. It will require almost a bespoke strategy to support those young people, which will be different from that required for those in full-time education.

[430] **Jeff Cuthbert:** Thank you very much indeed for attending. The clerk will send you a copy of the transcript, which we would be grateful if you could check for accuracy. If there is any further information that you wish to send to us, in writing, we would be very happy to receive it. Thank you for attending.

[431] For purely selfish reasons, I now call for a two-minute comfort break.

*Gohiriwyd y cyfarfod rhwng 12.10 p.m. a 12.13 p.m.
The meeting adjourned between 12.10 p.m. and 12.13 p.m.*

[432] **Jeff Cuthbert:** I welcome Fforwm to the table to end today's evidence-gathering session. We have Dr John Graystone, the chief executive, Brian Robinson, the chair, and Bernie Tyler, the head of quality on standards. I trust that I had all of that right.

[433] With your agreement, we will go straight into questions from Members. Thank you for the evidence that you have already provided. I will ask the first question. The key purpose of the proposed Measure, as you know, is to create a right for learners aged 14 to 19 to elect to follow a course of study from a local area curriculum. Do you consider that the proposed Measure achieves this key objective, and if not, why not?

[434] **Mr Robinson:** I think that the answer is that we do.

[435] **Jeff Cuthbert:** Thank you. That is very good. In that case, we will move on to the next group of questions, from Mike German.

[436] **Michael German:** Let us see if we can get a simple answer for this question. The Government proposes that this whole process will be rolled out from September 2009 for year 10 pupils and then over a four-year period. Is that timescale realistic? Do you think that there are conditions that need to be put in place in order to make sure that the timescale is met effectively? If so, what would the conditions be to make sure that it happens?

[437] **Mr Robinson:** It is difficult to respond to that. Ultimately, I suppose that it would be through funding—there would have to be some form of stick, via the funding methodology, that ensured that the process was delivered on schedule.

[438] **Michael German:** Would that not be through regulation?

[439] **Mr Robinson:** Our view would be that funding is a rather effective way of making things happen.

[440] **Michael German:** The problem is that the funding is in more than two different streams, so how do you make that work? One of my questions was about who does the planning and who does the arrangements, and given that you have responsibility in two separate areas, should there be one planning authority to manage the whole operation, should we continue to have this separation or should one of the two take a lead?

[441] **Mr Robinson:** In many ways, it would be more straightforward if there was one authority for education at 14 onwards. Realistically, there are two authorities—the local authorities up to 16 and the Welsh Assembly Government post-16. Our view is that that is

unlikely to change; that is how it is. So, the requirement is to make sure that those two approaches are co-ordinated. From my experience within one learning network, I believe that the learning network is capable of handling that.

[442] **Dr Graystone:** A separate issue would be on aspects such as data collection. At the moment, we have two data collection systems, namely the pupil level annual schools census and the lifelong learning Wales record. You could work towards a common approach there, rather than have two different systems. That is separate to funding, but it is linked to it.

[443] **Janet Ryder:** We have received strong evidence from Estyn that it doubts that this could be rolled out by 2009, and that, even if it went to 2010, it would have to be a staged roll-out. How would you respond to that, because you were quite definite that it is ready to be rolled out now?

[444] **Mr Robinson:** I believe that the proposed banding system, with its differential speed of roll-out, is based on where various networks are now. So, analysis has been undertaken on the curriculum as it is currently being delivered, which has put various networks in bands A, B and C. So, if some are a little off the pace, they will be in band C, and those that are a bit more advanced will be in band A. A differential speed of implementation has already been built into the roll-out, which, in our view, covers those concerns.

[445] **Michael German:** To move onto the role of FE in all of this, your evidence says:

[446] ‘There is huge scope for schools to draw on the expertise of FE colleges which have considerable experience in delivering high quality vocational courses’.

[447] You obviously would not have put that in your evidence if you did not think that that was not happening at the moment, so presumably it is not. Why do you think that it is not happening?

[448] **Mr Robinson:** It is happening, but it is not happening consistently across the various networks. There is ample evidence in a number of networks that there is already extensive use of FE expertise in terms of physical resource and human resource. However, if it was being used consistently, there would probably not be a need for the Measure in the first place.

[449] **Michael German:** To get consistency, you need regulation or guidance or you need to use the funding mechanism. Presumably, your answer to this would be to use the funding mechanism?

[450] **Mr Robinson:** Indeed.

[451] **Dr Graystone:** As an additional point, what we do not want the Measure to do is to create much duplication. So, it would not seem to be appropriate for schools to set up their own vocational provision when the college down the road already has that provision in place. The obvious way forward would be for the school to work closely with the college, drawing on the expertise of the college in terms of vocational provision and the school offering its expertise in teaching 14 to 16. It should be a win-win situation.

[452] **Janet Ryder:** Would you say the same about schools in terms of offering academic courses? If they are offering an academic course and there is a college down the road doing the same thing, should the responsibility for the academic course lie with the school?

[453] **Mr Robinson:** At 14, it is not an issue, because the GCSE provision is rooted within the schools; that only becomes an issue post-16. The academic provision in many further education colleges is fairly limited in any case—it tends to be more for people who have

missed the opportunity in school and are coming in to study academic courses at 19 plus. It is usually in the tertiary set-ups that you have a significant academic cohort in the college. The issue that you raised does not then become an issue as it is not available in the schools anyway, because they do not have that sixth form provision.

12.20 p.m.

[454] **Michael German:** I want to be clear about this matter of enforcement and how you get consistency, which I think was your point, Brian. To get consistency, you say that we have to have consistency in the funding arrangement. In other words, presumably, you would not fund anything post-16 unless it was consistent with the shape of what you were describing, but local authorities have a role in the funding. You have already said that you could not upset that relationship that now exists.

[455] **Mr Robinson:** Up until now and into the foreseeable future, the main funding for much of this comes through the annual network development plan—the current funding for the 14-19 network development. That is where you can control the extent to which unnecessary duplication is not feasible. Up until now, some of the ANDP spend has not done that. So, there have been instances where a school has asked for funding for a hair and beauty facility and it has been funded. In our view, before that happens, proper consideration should be given to where that facility is already in place. If it is available in a college and is accessible and the quality and so on is adequate, surely it makes more sense for the funding not to be allocated to the school, but for those learners to be required to attend a facility that is already in place.

[456] **Michael German:** So, just so that I understand, who currently manages that funding?

[457] **Mr Robinson:** It is managed through the 14-19 learning network arrangement, which is run by the Assembly.

[458] **Michael German:** I am trying to get to the point about how you achieve consistency. There has to be some form of direction or guidance to that funding.

[459] **Mr Robinson:** At the moment, each network annually submits proposals for expenditure in a various array of initiatives that all relate to increasing the range of options for ages 14 to 19. If some of those bids, or elements of those bids, led to duplication of resource, just turn them down. That is simple. However, at the moment, some of them are not turned down.

[460] **Michael German:** So that is inconsistency in the Welsh Assembly Government.

[461] **Mr Robinson:** Yes, it is.

[462] **Michael German:** On the other part of your evidence, on your role, you say that you would very much like to work more with pupils of 14 to 16 years of age. Others have said that FE should, perhaps, do some work with 14 to 16-year-olds. Do you think that that is right or appropriate?

[463] **Mr Robinson:** It is already happening. In my institution, we see over 600 14 to 16-year-olds, who access vocational provision weekly. So, it is not new. As long as appropriate criteria are in place, along with issues around staff development, capacity and facilities, it works.

[464] **Michael German:** Do staff say that they need more training and skills in this area?

[465] **Mr Robinson:** Given that this has been happening within the 14-19 learning network for four or five years, much of that training has already been effective. It is not unusual to have joint staff development between college and school staff, and issues are raised by school teachers in terms of how they manage particular learners. That type of exchange of expertise is already going on and, as long as it is happening consistently, we do not believe that there is a problem.

[466] **Christine Chapman:** We have already taken evidence from teachers' unions, which expressed concerns about FE staff and how they can deal with 14 to 16-year-olds. We are aware of those fears, but could you allay those fears? What evidence do you have to do so?

[467] **Mr Robinson:** There are numerous examples of where it has been happening for many years. As long as there is close collaboration between the college and the school, including an honest dialogue between the lecturers and the teachers, so that any potentially disruptive issues are identified upfront, and as long as there is ongoing communication between the two parties, no problem should be different from that of any other learner.

[468] **Dr Graystone:** May I interject? That is not a reason for not doing it. You could sum up this argument by saying, 'We cannot have co-operation because FE lecturers are not trained to deal with 14 to 16-year-olds'. If we are positive about this proposed Measure, then it brings, as a result, various issues that need to be addressed.

[469] If, in some parts of the country, lecturers need development, then they should work closely with the school to do that. I do not see it as a huge problem. As Brian said, this is already going on. It is not new; we have been doing it for four or five years, and I think that lecturers are much more comfortable with 14 to 16-year-olds than they would have been, say, five years ago, when it would have been a much more fundamental issue.

[470] **Janet Ryder:** Another issue that was raised was around child protection and the need for Criminal Records Bureau checks on anybody who comes into contact with younger pupils. How do you cope with that if you have 14-year-olds as well as adults on courses in your colleges?

[471] **Mr Robinson:** Child protection extends to those aged 18, so the issues relating to a 17-year-old are no different from those for a 13-year-old. We are well involved with this, and we have to be for all of our learners. It is imposed upon us. There is no hiding place when it comes to those issues; you have to address them for the learners.

[472] **Janet Ryder:** There were concerns, which Christine has just raised, that younger pupils going into college settings would be mixing very easily with adults who would not necessarily be checked. Do you therefore intend to check everybody who enrolls on a course in a college where you might have younger pupils?

[473] **Mr Robinson:** It would be no different from when you have a 17-year-old who is already in the college.

[474] **Jeff Cuthbert:** I think that the reference was to a student who is aged over 18, for example, and who may have contact with someone who is 14. That was the context, I believe, in which it was raised by the teaching unions.

[475] **Mr Robinson:** Clearly that will happen. It is inevitable that the very process of moving around a college environment is going to allow people who are aged over 18 to mix with those who are much younger. However, I do not see that there is any fundamental difference between a 15-year-old in that situation and a 17-year-old. The college is already equipped to deal with that. The key issue is at 18-plus, and the regulations there are quite

rigorous in terms of what can or cannot be done.

[476] **Jeff Cuthbert:** Do you want to pursue this or can we move on, Janet? I can see that you are about to say something.

[477] **Janet Ryder:** It is an area that we wanted legal advice on, and I think that we need to return to it as a committee.

[478] **Jeff Cuthbert:** Yes, we agreed, following the previous evidence session this week, that we would get legal advice on this. Mike, would you like to ask your final question?

[479] **Michael German:** The committee has received evidence about competition for pupils between FE institutions and schools. Is this a done deal or is there still competition in some parts of Wales? How widespread is this competition, if it exists?

[480] **Mr Robinson:** There is no doubt that there is still competition, and it is driven by the funding methodology. It is a fact that the funding methodology for full-time, post-16 learners drives a competitive model.

[481] **Michael German:** How widespread is it?

[482] **Mr Robinson:** It is the national system. We have a funding methodology that is in direct contradiction to the whole concept of 14-19 networks. The network methodology is about collaboration and putting on provision collectively for the benefits of the learner, and the funding methodology is forcing us to compete.

[483] **Michael German:** What is your solution?

[484] **Mr Robinson:** The funding methodology should be changed.

[485] **Michael German:** What should it be changed to?

[486] **Mr Robinson:** This goes back to your earlier question—

[487] **Michael German:** Yes, but I want to get it on the record.

[488] **Mr Robinson:** You need a funding methodology that rewards the collaborative agenda. In a sense, it is already there, because there is additional funding that follows the annual network development plan submission annually for collaborative work. If you do not work with a school, or you are a school and you do not work with another school, or you are a college and you do not work with another college, you do not get the money. You can apply that more generally. I am sure that it would not take a huge shift but, at the moment, we are driven by a competitive funding model.

12.30 p.m.

[489] **Dr Graystone:** The problem with the funding methodology is that it rewards institutes for bums on seats; that is the key driving force. Institutions, colleges and schools respond to how they are funded rather than to policy directives from the Welsh Assembly Government, or even from us. How to solve that is a complex matter, and it will need a lot of detailed work to come up with an approach. All we are saying is that, at the moment, the way that we are funded encourages you to get as many students in as possible, because if you do not get them in, it affects your income and a range of other factors. It is a very complex matter, and Fforwm will be happy to work with the Welsh Assembly Government in reviewing the funding system to see whether we can come up with a more appropriate and

balanced form of funding that reflects Welsh Assembly Government policy. At the moment, as Brian said, it acts against it.

[490] **Michael German:** Do you think that this Measure, or the regulations that will follow it, ought to be amended to include this rationalisation change to the funding mechanism?

[491] **Dr Graystone:** Personally, I think that it would be helpful if the Measure were to somehow recognise the funding issue, otherwise you will have the Measure going in one direction and how we are being funded going in the other, and you have to bring the two together. I do not expect the Measure to have the solution, but the issue should be included in recognition of what should be tackled in order for the Measure to be successful.

[492] **Jeff Cuthbert:** On this point, Janet has a question.

[493] **Janet Ryder:** I have two points. We have heard strong evidence from several bodies that until you have the right funding mechanism, it will be difficult to roll the Measure out, because you will remain in a competitive situation.

[494] The other issue that has been highlighted is that equality in terms and conditions has still not been achieved between lecturers and teachers, and yet they will be teaching the same children. It was said that proposals cannot roll ahead until that issue has been resolved. What is your response to those two points?

[495] **Mr Robinson:** The main concern with regard to the differential between lecturers and teachers has been addressed. We had a four-year pay initiative, which was designed to bring lecturers up to the same level as teachers. That has now been deeply embedded, so the main concern has been removed.

[496] **Jeff Cuthbert:** Okay?

[497] **Janet Ryder:** Well, yes.

[498] **Dr Graystone:** The conditions are different, but it should be emphasised that they are different between colleges. There is not a lecturers' contract that has every single lecturer on it; you have wide variations between colleges. So, it is not just a matter of difference between schools and colleges, as it is between schools and colleges and between colleges as well. The pay is at a similar level, however, just to reinforce that point.

[499] **Mr Robinson:** Potentially, changes need to be made on the teaching side of things, because one of the great strengths of the staff in further education is an immense flexibility. We have the ability to deliver through a 12-hour period in a day. We have the ability to work weekends, and there are all sorts of different degrees of flexibility. The schools tend to be locked in to a much more fixed day, which starts at 9 a.m. and finishes at 3.30 p.m.. Inevitably, some of the initiatives for 14 to 19-year-olds are going to require a longer day than that. There could be some issues there, where perhaps the highly flexible conditions in FE might be looked at within a school environment.

[500] **Ms Tyler:** There are also differences in the qualifications that teachers gain. Schoolteachers' qualifications enable them to teach in college, but lecturers' qualifications do not enable them to teach in school. Somebody who has achieved a qualification to teach post-16 learners cannot necessarily transfer that to a school. So there is inequality in that regard. Also, schoolteachers get more support from the General Teaching Council for Wales and the funding that goes into staff development, whereas FE institutions fund their own staff development for teachers.

[501] **Jeff Cuthbert:** Thank you for making that point. Janet, do you want to come back on this issue?

[502] **Janet Ryder:** That last answer in particular raises a number of significant issues that we have to return to.

[503] I cannot see it coming up in our set questions, but you touched on the issue of common timetabling and making them join together. You just highlighted a major issue that would cause radical changes in the whole of the secondary school system if followed through. Can you elaborate a little on the issue of problems in creating common timetabling?

[504] **Mr Robinson:** There is absolutely no doubt that the timetabling issue is a fundamental one. In my experience, it is usually between schools that the major problems occur. For example, one school has a two-week timetable while the school next door has a weekly timetable. If you are trying to draw learners from those two schools to another venue for learning, there are all sorts of complications.

[505] Therefore, there is no doubt that some serious work has to be done on timetabling, to build in the flexibility. However, in my experience, where good progress has already been made, that barrier has been overcome—if there is a will, it will happen. It can be put up almost as an excuse: ‘We cannot do it; the timetable will not allow it’. However, those schools that have already committed to this concept have overcome those problems.

[506] **Jeff Cuthbert:** Thank you. We will now move on to the next group of questions, from Andrew R.T. Davies. They include issues of co-operation between institutions, as well as the funding structure; you may feel that much of it has been covered, but that is up to you, Andrew.

[507] **Andrew R.T. Davies:** Thank you, Chair. Thank you for coming along this afternoon. We have already touched on the pay and the terms and conditions of staff, as well as funding. I have a question on the duty to consider co-operation and to seek to enter into co-operative arrangements. Outside the two issues that we have already discussed, do you believe that any other obstacles will come into play that will just turn this into a bureaucratic exercise rather than an exercise of genuine co-operation? Some rural institutions and facilities would have genuine obstacles to creating a meaningful, co-operative model to provide the courses.

[508] **Dr Graystone:** On the duty, the governing bodies of FE colleges have some statutory responsibilities, as set out in the articles of government. One thing that we point out in our evidence is that, if the Measure goes through, there may need to be amendments to the articles of government to reflect the new responsibilities of governing bodies. At present, they do not have a legal duty to co-operate. However, if the Measure states that they do, then that will need to be reflected in the articles of government, to ensure that colleges follow that through. I suspect that the same may have to happen in terms of local authorities and the instruments and articles for schools.

[509] Therefore, there may need to be revised statutory instruments that will make that clear, because at present the duty to co-operate is not included. In fact, the legal responsibilities of colleges were set out in the Further and Higher Education Act 1992, which came into effect in 1993, which was very much a competitive environment, and that stays as it is. Therefore, that has never been changed since 1993, and may need to be looked at again.

[510] **Andrew R.T. Davies:** There is a little tear coming down my cheek when you mention 1993, and the era that we lived in.

[511] **Dr Graystone:** I thought that that might be the case. [*Laughter.*]

[512] **Andrew R.T. Davies:** Do you have any observations on the rural aspect? Quite a few of our witnesses have mentioned their serious concerns about people who have a genuine will and desire to achieve co-operation, but, if you take Powys, for example, there are fundamental problems there.

[513] **Mr Robinson:** A key issue there is that we will have to accept from the word go that the solution to learners' requirements will not necessarily be available in their local authority area. The networks will require much greater flexibility and cross-border movement. Therefore, if you have, for example, learners in south Powys, and the solution is in Neath Port Talbot because it is geographically much more suitable, we have to accept that that movement will take place. In Carmarthenshire, learners will be coming in from the east—from Swansea—and there will probably be learners in the west going towards Pembrokeshire College. That quite sophisticated acknowledgement of differential learner needs will have to be built in from day one. The answer will not be within a local authority area, because inevitably in some areas the solution will not be in that local authority area—that would be impossible. The side effect of that is transport, which is unavoidable in my view.

[514] **Andrew R.T. Davies:** What about the Learner Travel (Wales) Measure that has been adopted? It does not relate to this Measure, does it?

[515] **Mr Robinson:** No. Transport will be a key element to making this work—it is unavoidable. One issue will be the capacity of the transport network to cope—literally, are there enough buses?

[516] **Andrew R.T. Davies:** Moving on to funding structures and methodology, in your written evidence to the Welsh Assembly Government, you had some concerns about the emphasis of the national planning and funding system on competition rather than co-operation. You also mentioned the ongoing review into funding, which we are all aware of. Could you please explain your views and how this review, and its outcome, could underpin the proposed Measure?

12.40 p.m.

[517] **Jeff Cuthbert:** You have answered the supplementary questions, to a degree, so, if you feel that there is anything more to add, please do so.

[518] **Dr Graystone:** Briefly, we would like to work closely with the Welsh Assembly Government on that review. We welcome the review, but you are quite right to say that it needs to fit with the proposed Measure. We just need to have all the ducks in a row.

[519] **Andrew R.T. Davies:** The review is due to report shortly, is it not?

[520] **Dr Graystone:** It is under way. A series of reviews is taking place, and this one has just been set up.

[521] **Andrew R.T. Davies:** I thought that the funding element of it was due to be reported by the end of September or the beginning of October.

[522] **Dr Graystone:** There is a review of higher education that may be due at that time.

[523] **Andrew R.T. Davies:** I was thinking of that one. I apologise. I was getting confused.

[524] **Dr Graystone:** This review is just about to start, but I am not sure of the date for inclusion.

[525] **Andrew R.T. Davies:** The proposed Measure will require considerable financial resources if its aims are to be delivered. Have you any idea where that extra resource might come from, and where it might need to be spent?

[526] **Mr Robinson:** In the short term, the 14-19 network development has additional funding. Presumably, that is where the money will be derived from. However, that is due to finish around 2011 or 2012, and so, after that, there will be a real problem. The sustainability of this initiative will then become an issue, and our view is that the education system will need additional money at that point. The question of where that comes from is a decision for the Assembly Government.

[527] **Andrew R.T. Davies:** It is a political decision.

[528] **Mr Robinson:** In our view, you cannot pinch money from somewhere else in the system to make this initiative work. The money simply is not there.

[529] **Andrew R.T. Davies:** You are running a very tight operation.

[530] **Mr Robinson:** Yes, it is very tight. You would have to look either for massive efficiencies from the network to release funds, or to bring in additional money from outside the education and training budget.

[531] **Dr Graystone:** Could I be a bit radical on this point? In our evidence, we mentioned the current issue with surplus school places: we know that there are 70,000 or 80,000 surplus places that cost money, and we would argue that that needs to be addressed, although we recognise the political sensitivities around that. We have a system where we spend more than we need to, and that could be an area for the Welsh Assembly Government to look at. However, we do recognise the sensitivities around that.

[532] **Andrew R.T. Davies:** Perhaps this is an unfair question, but do you have any idea what kind of funding is necessary to deliver this?

[533] **Mr Robinson:** I believe that, currently, about £30 million a year is going into the 14-19 initiative. That is the starting point. Given that that funds a lesser level of activity than that which the proposed Measure seeks to put in place, you could double it or treble it. It will clearly cost a lot more than the current arrangement.

[534] **Andrew R.T. Davies:** So, you are talking about a significant sum.

[535] **Mr Robinson:** Yes.

[536] **Andrew R.T. Davies:** Finally, how do you see the proposed Measure affecting Welsh-medium provision, because that element is critical to its success or failure?

[537] **Mr Robinson:** My own experience is that it facilitates development but involves additional problems, such as even further travelling distances. A lot of the Welsh-medium provision involves significant travel distances to school, initially, because they often have large catchment areas. From that school, a student may need to travel another significant distance to a Welsh-medium vocational training provider, so it could involve longer distances than the English-language or bilingual equivalent. It can be catered for, but there could be even greater logistical issues. I know that it happens in parts of Wales, but the travel times could be considerable.

[538] This goes back to the timetabling issue. You need a flexible timetable, because the

traditional day, split into five or six units, is inappropriate; you need half-day units at times, to take the travelling time into account and ensure that there is still time for a reasonable package of learning. However, it is all manageable.

[539] **Janet Ryder:** Does that need to be included in the proposed Measure—that networks should provide bilingual courses? That would force some development in areas where there has been none.

[540] **Mr Robinson:** I do not see why not. In practice, that is happening now, because the networks include Welsh-medium schools and bilingual schools, and much of the current provision is already being delivered through the medium of Welsh, or bilingually.

[541] **Janet Ryder:** What about the vocational courses?

[542] **Mr Robinson:** Yes. Within the network that I operate in, there is a significant movement from Welsh-medium schools into the college for courses such as catering, hairdressing and sports science through the medium of Welsh. There are staff going from the college to the schools to deliver through the medium of Welsh, and it is all funded from the current annual network development plan funds. So, more funding means more activity.

[543] **Janet Ryder:** My questions are on the minimum and maximum number of courses to be included in the local curriculum. In your evidence, you are arguing for a minimum of 30 options at the age of 14, and a minimum of 40 options at the age of 16, with rare exceptions. Will that approach help to guarantee a breadth of choice for an individual learner?

[544] **Dr Graystone:** Yes.

[545] **Mr Robinson:** The word ‘minimum’ is important. It should not be seen as a target: 30 is the absolute minimum. To ensure that people get the options that they need, you have to start with a greater range of options on the menu. That takes place now. With any curriculum offer, the number of choices available must be greater than the number that you would aim to guarantee. So, 30 must be seen as the minimum number.

[546] **Janet Ryder:** In your evidence, you put a four-year maximum timescale on rolling that out. What are the reasons for that?

[547] **Dr Graystone:** We would like it to be done quicker, but we are looking at the practicalities. So, in four years, we would want it to have been finally rolled out, but, as Brian said, we have various categories of local authorities that can do that quicker, where it will be in place in a year or two. However, those authorities coming from further back will need more time.

[548] **Mr Robinson:** Four years is a logical time for it, because, if you start with year 10, you can work sequentially through year 11, 12 and 13. That would seem to be an appropriate strategy, rather than trying to jump in. If you try to do it sooner than four years, you will have to hit two years simultaneously, which would be a difficult challenge.

[549] **Janet Ryder:** Do you think that there should be a maximum placed on the number of units that a student should follow?

[550] **Mr Robinson:** No.

[551] **Janet Ryder:** You also touched on the possibility of placing sanctions on institutions that fail to deliver the appropriate range of options or a reward system. Is there anything further that you would like to add on that?

[552] **Dr Graystone:** We would not necessarily want to see a sanctions-based approach to co-operation, but I suppose that it is about the ‘what ifs’. What if you have a strong lead and desire at local authority level to go forward, but one or two schools are refusing to play ball? In practice, there have been examples of different institutions deciding not to play ball over the past few years. If you do not address that in some way, you could lose credibility. The barriers—and you may ask about barriers—should not be seen as reasons for not going ahead, but as challenges to be overcome. That is where we are coming from. This will not be easy for many institutions, but we believe in it so let us get on with it and not find excuses not to do it.

[553] **Janet Ryder:** We have had quite a lot of discussion this morning about learning domains and what should be placed where. Do you have any comments that you would like to make on the learning domains and how they have been split up?

[554] **Mr Tyler:** It needs to be clear to the awarding bodies, for instance, what fits where from the outset. Otherwise, there could be complications as to where subjects sit. For example, should the subject of sports science sit in the domain of services to people or of science? Clear guidelines are needed on that.

[555] The Welsh baccalaureate is mentioned, but not enough. It should be a bigger part of the legislation. It is a perfect model for everything to sit within, and yet it is really not included as it should be. It could be the basis on which the whole Measure sits, but that is not evident in what is proposed; it is merely talked about as a qualification that could be an option or a part of the options menu. I think that that is an opportunity missed.

12.50 p.m.

[556] **Janet Ryder:** Finally, moving on to an individual’s entitlement, the proposed Measure includes the grounds on which a headteacher or principal may remove a pupil’s entitlement to follow a course, and those grounds cover a range of things. Will the inclusion of those grounds in the proposed Measure safeguard the entitlement of the individual to a reasonable extent but also give clear grounds for headteachers and principals to remove a learner’s entitlement? In addition, should there be an appeals process?

[557] **Mr Robinson:** There are a number of issues included there. Health and safety is mentioned, for example, and there could be some difficult barriers to overcome. If, for example, a woodwork facility in a college is limited for health and safety reasons to, say, 15 students and so you cannot teach more than 15 or you would be contravening all sorts of regulations, what happens if the school that you are working with in partnership wants 16 students, to do the course? How do you deal with that? I cannot think of an answer that is not extremely expensive. You would have to double the size of the woodwork facility. So, there are going to be some real issues there. It will not be the principal or the headteacher’s decision; it will be forced upon them. They will have no choice.

[558] **Janet Ryder:** So, you are suggesting that, even with the proposed new guidelines and regulations, learners may still not be able to follow the courses that they choose because there is not sufficient provision.

[559] **Mr Robinson:** There could well be problems. If demand was greater than supply, you would have to go back to the 16 students and really examine whether all 16 were suited to that particular course. That is where the learning coach would come in. You would need to question whether a couple of them were really making the best choice. Would they be better doing something else, to bring the group down to a manageable size? You have got to have quite a sophisticated selection process for those sorts of things to be overcome.

[560] **Dr Graystone:** If 30 wanted to do that course, there would be an issue of demand as opposed to supply. The proposed Measure would need to cover supply as well as demand. It will raise those sorts of issues, which can then be tackled. If we know that the demand is there, we know that we need to respond; however, it will not be easy. It is not a case of easily saying 'yes' or 'no' and then we will have all of this provision, all of a sudden, if the demand is not there.

[561] **Jeff Cuthbert:** Thank you very much. We will now move on to questions from Chris Chapman. The first one is appropriate because it is about learning coaches. Although we have talked a lot about transport, there are questions in this next set about transport, so, when we come to those, if you feel that there are extra things that you want to say, please do so.

[562] **Christine Chapman:** On the learning coaches, first, quite a lot of the evidence that we have received supports the need for learning support or learning coaches to be independent of schools and FE. I want to know your view on that. Where do you think their responsibilities should lie?

[563] **Ms Tyler:** We feel strongly that the information and guidance given by a learning coach should be impartial. We are concerned that that might not necessarily happen if learning coaches are located in, and so belong to, particular institutions. The original ethos was for the learning coach to be impartial, but that seems to have lost its impetus along the way. So, we are very concerned about how that impartiality will be secured. We would like to see it incorporated in the Estyn inspection framework so that it looks at this. Perhaps a significant part of the inspection process could focus on students, and on finding out whether they received impartial advice. I would like to see that tested.

[564] **Dr Graystone:** One of the earlier questions asked was about appeals, and the learning coach could be the person who works on behalf of the learner. Often, if you have an appeal within the school, the whole system seems to be geared against the poor individual. If the learning coach was truly independent, the independent advice that they had given a young person could be used as evidence in an appeal, rather than just leaving it to the young person.

[565] **Christine Chapman:** Did you hear any of the evidence that was given by Careers Wales earlier?

[566] **Mr Robinson:** No.

[567] **Christine Chapman:** The witnesses who came in talked a lot about a number of different organisations being able to offer learning support. Careers advisers are a part of that. We have heard from teachers who said that they do not see themselves as learning coaches and we have heard from careers advisers who feel that they can incorporate learning support into their work. Do you have any views on that? Careers Wales said that it seems to be a role rather than a function.

[568] **Mr Robinson:** Careers Wales could fulfil the role in many ways, but the learning coach as envisaged within learning pathways was about a much broader set of advice and guidance than simply in terms of careers. It was much more about personal support for a particular learner. In terms of giving impartial advice about career options, Careers Wales plays a key role and should continue to do so. Its capacity to do so goes back to funding. It probably needs more people on the ground in order to fulfil that.

[569] **Christine Chapman:** The main point that I think that you are making is that independence is important.

[570] **Mr Robinson:** Yes.

[571] **Dr Graystone:** Perhaps you are going to ask us at the end about anything that we feel is not included in the proposed Measure, but in our evidence we talked about strengthening the independent advice from the careers service. There is a strong statement in the Education and Skills Bill that is going through Westminster, and we would like a similar wording in the proposed Measure to enforce the fact that careers advice must be geared towards the needs of the individual and not the needs of the institution.

[572] **Christine Chapman:** I will move on to your views on the extent to which the proposed Measure would make adequate provision for students with additional learning needs. Do you have any views on that?

[573] **Mr Robinson:** One concern that we have about the curriculum that is on offer is that there is a reference to it having to be at level 2 or above. If it is not, it does not count, which is clearly inappropriate and needs to be addressed, because there will be learners who would be far better placed on a foundation or level 1 course. At a stroke, it takes out the Welsh baccalaureate at foundation level and level 1, which is a major initiative. In order that all learners have access to the richness of the curriculum, you must offer courses at foundation level and level 1.

[574] **Jeff Cuthbert:** Other presenters have made the same point, and it is a matter that we will look into in more detail.

[575] **Christine Chapman:** We had a question on transport, but I think that you covered that earlier, so I want to move on to the role of the 14-19 learning networks. In your evidence, you say that membership of local 14-19 learning partnership groups should reflect more closely the numbers of learners attending schools, further education and training providers, rather than the number of institutions attended by young people. Do the role and membership of the current 14-19 learning networks need to be reflected more clearly in the proposed Measure or regulations?

[576] **Mr Robinson:** It would be helpful.

[577] **Dr Graystone:** We have twice as many learners between the ages of 16 and 19 in further education arrangements as there are in school sixth forms, but the 14-19 learning pathways is often seen as a schools' initiative, with further education being invited into that. We would like a more balanced membership of 14-19 networks, because principals tell me that their college will send one person or two people, but that there may be five or six people from local schools. If you go through the votes, it always looks as though colleges will be outnumbered. Therefore, the proposed Measure should make some reference to this. Although we would not want it to be prescriptive, we would like every 14-19 learning network to reflect more closely the local provision. That would lead to a fairer approach with regard to how they operate.

[578] **Christine Chapman:** Finally, I want to ask you about excluded pupils. We know that schools and further education institutions have different procedures for dealing with excluded pupils. Will the current arrangements for these pupils be adequate when the proposed Measure is implemented?

[579] **Mr Robinson:** It depends on why they are excluded. In most local authority areas, there are already curriculum offers in place that combine youth service-type organisations and work-based learning providers in an alternative curriculum for the NEET group.

1.00 p.m.

[580] It is not so much that they are being excluded because of behavioural issues: they are school-refusers; they are not suited to what is on offer. So, they are outside this proposed Measure. Whether there is also a need to describe what they should have access to is a good question. They are not really covered by the proposed Measure. The idea that someone who is struggling with going to school at all will take advantage of this menu is clearly bizarre. They need alternative provision.

[581] **Christine Chapman:** When we discussed learning pathways early on, a number of us were at pains to say that it should not be seen as an alternative curriculum—that this could be universal—and that, if it was effective, it would pick up all of those pupils who could potentially be at risk of being excluded, because it would be broad and balanced. I am glad that you mentioned the Welsh baccalaureate, Bernie, because it is part of this.

[582] **Mr Robinson:** I do not think that the proposed Measure really does that, because it describes the elements of the 30 options in very traditional curriculum terms. It talks about GCSEs, NVQs, the Welsh baccalaureate and so on. It does not describe the sort of experience that many of these young people have. So, there is a gap there. If you want to include that, it needs to be added.

[583] If you are talking about behavioural problems and exclusion, what needs to be in place—and is in place in many networks—is an agreement between the college and the school or the school and another school that clearly articulates how behavioural problems are dealt with and who is expected to do what. Normally, the host organisation—a school for those aged between 14 and 16, and a school or a college for post-16 students—would have responsibility for dealing with those exclusion processes. So, it would be a referral from college to school, and they would deal with it. Those procedures are probably in place in many instances already.

[584] **Jeff Cuthbert:** Thank you very much indeed. You will be pleased to hear that we have reached the last question, which I will ask. It is the catch-all question. Is there anything else that you have not referred to already that you would like to see addressed by this proposed Measure?

[585] **Dr Graystone:** There are a couple of things. The first is the point that I raised earlier about the careers service: whether there could be a strengthened requirement in the proposed Measure to give impartial advice based on the needs of a learner rather than an institution. The other area on which the proposed Measure is silent is the issue of quality. There needs to be independent monitoring—

[586] **Jeff Cuthbert:** I am sorry; the quality of what?

[587] **Dr Graystone:** The quality of the effectiveness of the proposed Measure. In other words, there needs to be something built in to ensure that its effectiveness will be reviewed over the next few years. It could well be that, in four years' time, things are carrying on much as they are at the moment. So, I would like to see something built into the proposed Measure to state that it will be reviewed within a certain period of time.

[588] **Mr Robinson:** It is a quantitative piece of legislation. It describes numbers and volumes. It does not attempt to describe or capture the experience of people opting for the various arrangements. If you end up with people in very small groups, or even on their own, there are questions about the learning experience. If there are ridiculous transport arrangements that could be far better effected, there are again issues of quality. The question of whether the guidance given to learners is adequate needs to be measured; Bernie made that point. So, there are a number of quality issues about the experience that need to be evaluated,

but they are not really touched upon at all.

[589] **Jeff Cuthbert:** Okay. Thank you very much indeed for your presence today and the information that you have given us. The clerk will send you a transcript of proceedings; we would be grateful if you would check it for accuracy. If there is anything further that you wish to submit in writing, you are absolutely free to do so. Thank you very much for coming today.

[590] **Dr Graystone:** What is the timescale if we wish to submit further information?

[591] **Jeff Cuthbert:** It is a little fluid at the moment. We are enquiring as to whether we can have more time, but that is a matter for the Business Committee. So, we do not know. At the very extreme, we would be looking to conclude Stage 1 by December. Then comes the amendment stage. However, we are hoping to get it as right as we can at this first stage. I cannot give you a more accurate answer than that at the moment.

[592] It just falls to me to close the meeting and to remind Members that the next session will be on Thursday, 9 October at 12.15 p.m.. Thank you very much. I declare the meeting closed.

Daeth y cyfarfod i ben am 1.05 p.m.
The meeting ended at 1.05 p.m.