

Education and Lifelong Learning Committee

ELL2-03-05(p.9)

Consideration of the Education Bill

The Committee considered the Education Bill on 19 January 2005. A verbatim record was taken and can be viewed on the Committee's WebPage.

Rt. Hon Don Touhig MP, Parliamentary Under Secretary of State for Wales, explained the key provisions of the Bill, which received its first reading in the House of Lords on 30 November 2004 and its second reading on 13 December.

Members were given a paper ELL(2)-01-05(p.8) setting out the main provisions of the Bill. The paper included a clause-by-clause breakdown (Annex A), a summary of the Wales-specific clauses (Annex B), an overview of the school inspection framework (Annex C) and a summary of the Bill's non-inspection provisions (Annex D). Members were also given a briefing paper prepared by the Members' Research Service.

The Under Secretary of State stated that the objective of the Bill is to raise standards in schools. The Bill is divided into five parts and has 124 clauses and 19 schedules. Some 40 of the clauses apply to Wales only. He stated that the majority of the provisions relating to Wales have been framed to make them enabling in character.

During discussion, Members raised the following issues:

- **Truancy / Disaffection:** There was some discussion about truancy statistics. The level of 'unauthorised' absence had increased over recent years but the overall absences had reduced. The Assembly Minister for Education and Lifelong Learning, Jane Davidson, referred to various Assembly Government initiatives to tackle truancy, including electronic registration and joint action with the police. Schools and local education authorities discourage parents from taking their children on holiday in term time. The Bill enhances opportunities for local education authorities to bring prosecutions against parents who ignore this advice. Some Members felt that this was part of a wider problem; that disengagement from schools was often due to the nature of the curriculum and young people not feeling involved. Initiatives such as the 14-19 learning pathways and the Welsh Baccalaureate were to be welcomed, by mixing academic and vocational routes to learning and so making courses more widely acceptable and promoting inclusive education;
- **School Funding:** Members welcomed the move towards a three-year funding cycle and asked whether school funding would be hypothecated within the local authority settlement in Wales

and also if there would be a change from the financial year to the academic year. The Under Secretary of State replied that in England there was a move for funding provided by the Department for Education and Skills to be given directly to schools. The Bill allowed flexibility for the Assembly Government to make its own arrangements. The Assembly Minister stated that the key issue regarding school funding in Wales was transparency. The Assembly Government published individual assessments for each local authority before Christmas to help them set their school budgets in March, having taken account of the input from school budget forums. She added that it was important to give schools security of three-year funding but that this was part of the wider agenda of three-year funding for local authorities. In Wales the Assembly Government would continue to provide funding for schools via local authorities, so that they could take account of local factors when setting their budget priorities;

- **Bullying:** Members wanted schools to work more closely with the voluntary sector to help tackle bullying. The Assembly Minister stated that she had written to all schools in Wales reminding them of their statutory obligation to have an anti-bullying policy in place and to send a copy to the Assembly Government. These policies were being evaluated as they were received, in order to help disseminate best practice. The Assembly Government's policy on bullying was set out in a document entitled 'Respecting Others', published about two years ago. The Assembly Minister undertook to report to the Committee on this matter in due course;
- **School Councils:** Members wanted to know if legislation would be used to develop school councils by including them in school inspection arrangements. The Assembly Minister replied that the Assembly Government already had the power to establish statutory school councils. Once they were established in all schools in Wales, she would examine how they could be included in the inspection arrangements. The Assembly Minister added that a new common inspection framework had only recently been introduced in Wales, which is why the Assembly Government was not looking at the framework being considered in England;
- **Other Matters:** During wide ranging discussion, Members raised several other matters including the inspection of Careers Wales, annual meetings of school governors and work-related education. These are covered in the verbatim record.

The Assembly Minister undertook to keep the Committee informed of progress with the Bill.

The Chair thanked both Ministers and stated that the Committee would have an opportunity to scrutinise secondary legislation arising from the Bill.

The Committee welcomed the opportunity to discuss the provisions of the Bill and did not propose any amendments.

Peter Black AM

Committee Chair