

Agenda – Children, Young People and Education Committee

Meeting Venue:	For further information contact:
Hybrid – Committee room 3 Senedd and video conference via Zoom	Naomi Stocks Committee Clerk
Meeting date: 20 March 2024	0300 200 6565
Meeting time: 09.15	SeneddChildren@senedd.wales

Hybrid

Private pre-meeting

(09.00 – 09.15)

1 Introductions, apologies, substitutions and declarations of interest

(09.15)

2 Care Inspectorate Wales: Annual Scrutiny

(09.15 – 10.15)

(Pages 1 – 19)

Gillian Baranski, Chief Inspector, Care Inspectorate Wales

Vicky Poole, Deputy Chief Inspector, Care Inspectorate Wales

Attached Documents:

Research brief – Care Inspectorate Wales

3 Motion under Standing Order 17.42(ix) to resolve to exclude the public from items 4 and 8 of the meeting

(10.15)

4 Care Inspectorate Wales: Annual Scrutiny – consideration of the evidence

(10.15 – 10.20)



Break

(10.20 – 10.30)

5 Implementation of education reforms – evidence session

(10.30 – 11.30)

(Pages 20 – 34)

Judge Jane McConnell, President of the Education Tribunal for Wales

Rhian Davies-Rees, Head of Welsh Tribunals Unit

[Education Tribunal for Wales Annual Report 2022 – 2023](#)

Attached Documents:

Research brief – Education Tribunal for Wales

6 Scrutiny session with Social Care Wales

(11.35 – 12.25)

(Pages 35 – 61)

Sue Evans, Chief Executive, Social Care Wales

Sarah McCarty, Executive Director Improvement and Development, Social Care Wales

Attached Documents:

Research brief – Social Care Wales

Paper – Social Care Wales

7 Papers to note

(12.25)

7.1 Residential Outdoor Education (Wales) Bill

(Page 62)

Attached Documents:

Letter from the Minister for Education and Welsh Language

7.2 Welsh Government Draft Budget 2024–25

(Pages 63 – 77)

Attached Documents:

Welsh Government's response to the Children, Young People and Education Committee's report: Scrutiny of the Welsh Government Draft Budget 2024–25

7.3 Information from Stakeholders

(Pages 78 – 79)

Attached Documents:

Letter from Prospect

7.4 General scrutiny of the Minister for Education and Welsh Language

(Pages 80 – 86)

Attached Documents:

Letter from the Chair of the Children, Young People and Education Committee to the Minister for Education and Welsh Language

7.5 Information from Stakeholders

(Pages 87 – 104)

Attached Documents:

Report from Education Otherwise: The home education charity

7.6 Information from Stakeholders

(Pages 105 – 108)

Attached Documents:

Letter from the Wales Committee Interim Chair, Equality and Human Rights Commission

7.7 Services for care experienced children: exploring radical reform

(Pages 109 – 110)

Attached Documents:

Letter from the Chair of the Children, Young People and Education Committee to Andrew RT Davies MS

7.8 Services for care experienced children: exploring radical reform

(Pages 111 – 112)

Attached Documents:

Letter from the Chair of the Children, Young People and Education
Committee to the Deputy Minister for Social Services

7.9 Services for care experienced children: exploring radical reform

(Pages 113 – 114)

Attached Documents:

Letter from the Chair of the Children, Young People and Education
Committee to Councillor Jane Mudd, Council Lead, Newport City Council

7.10 Information from Stakeholders

(Pages 115 – 116)

Attached Documents:

Letter from the Director, Universities Wales

7.11 Implementation of education reforms

(Page 117)

Attached Documents:

Letter from the Minister for Education and Welsh Language

7.12 Do disabled children and young people have equal access to education and childcare?

(Pages 118 – 125)

Attached Documents:

Letter from the Deputy Minister for Climate Change

7.13 General scrutiny of the Minister for Education and Welsh Language

(Pages 126 – 137)

Attached Documents:

Letter from the Minister for Education and Welsh Language

8 Consideration of the evidence heard in the previous evidence sessions

(12.25 – 12.30)

Document is Restricted

Agenda Item 5

By virtue of paragraph(s) vi of Standing Order 17.42

Document is Restricted

Document is Restricted

Briefing on the work of Social Care Wales

In advance of our scrutiny session on Wednesday 20th March we have prepared some further information on two areas identified in your invite to consider our work as it relates to care experienced children and young people and their families. This briefing includes:

- information on our overall role and remit to support children's social care.
- further detail on workforce data and ongoing work to develop it.

Social Care Wales role and remit to support children's social care in Wales

The Regulation and Inspection of Social Care (Wales) Act 2016 determines that Social Care Wales's main objective is to protect, promote and maintain the safety and well-being of the public in Wales. Social Care Wales's ambitions are set out in our strategic plan¹ and we report our progress in an annual impact report. We have several core functions:

- Professional registration and regulation of social care workers including residential childcare workers and managers, and social workers.
- Supporting evidence-based practice through digital communities; evidence summaries e.g. trauma-informed approaches²; supporting research priority-setting exercises e.g. on transitions
- Supporting innovation in the sector e.g. innovation coaching offer
- Supporting service improvement through promoting strengths-based practice; improvement in safeguarding training and more recently on principles of positive cultures in collaboration with Care Inspectorate Wales
- Supporting the implementation of the strategic approach to social care data³ this includes providing social care data through a portal accessible at socialcaredata.wales
- Development and delivery of the workforce strategy for health and social care; (see annual report⁴). The strategy drives key areas of work of particular interest to Committee members include:
 - Workforce wellbeing framework and support
 - Leadership development and support
 - Induction, qualifications and standards
 - Attraction and retention
 - Delivery of workforce plans for professions including mental health; social workers; and direct care and support workers
 - Workforce supply and shape that includes workforce data and planning.

¹ <https://socialcare.wales/about-us/our-outcomes#section-65697-anchor>

² <https://insightcollective.socialcare.wales/evidence-summaries/trauma-informed-approaches>

³ <https://socialcare.wales/cms-assets/documents/Statement-of-Strategic-Intent-vFinal-EL3.pdf>

⁴ [Workforce strategy | Social Care Wales](#)

In addition, we are undertaking specific work to support the transformation of children's services programme. This includes:

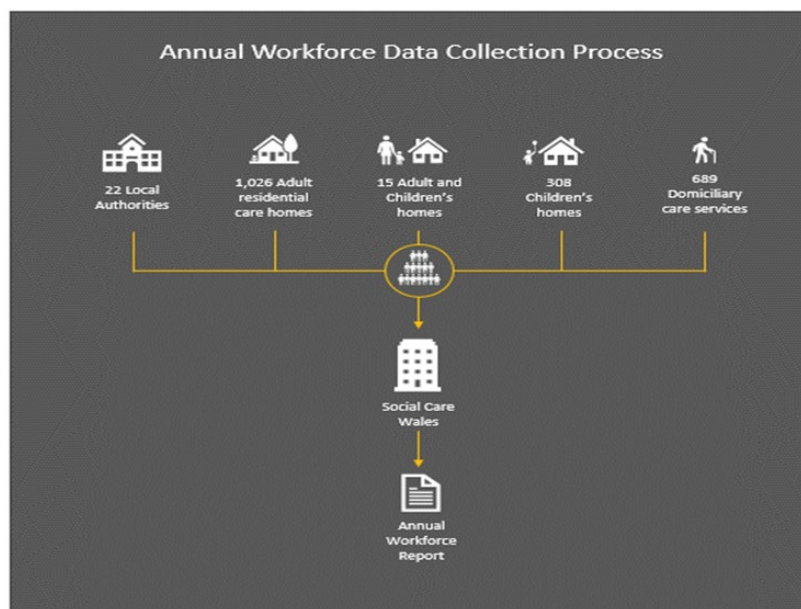
- helping to understand local authorities' workforce needs for residential childcare
- WeCare targeted activity to support recruitment into residential childcare, having previously focussed on social work, and
- support for developing more consistent therapeutic approaches.

Workforce Data

We recognise the committee has identified workforce data as a specific area of scrutiny, we recognise the collection of robust workforce data and intelligence is a vital component in planning for an effective workforce in Wales. As such we have provided more information in relation to how our work is developing in this area.

We have two main sources of workforce data:

- 1) **Annual workforce data collection:** Launched by Social Care Wales in 2021, this collection enables a report outlining the characteristics of all those who work in in social care, for the first time. This follows the setting out of the Welsh Government's Performance and Improvement framework and provided a unified approach for previous multiple collections. The workforce data is completed by the employer in each social care setting as shown in the diagram below. See also summary of our data journey in the appendix.

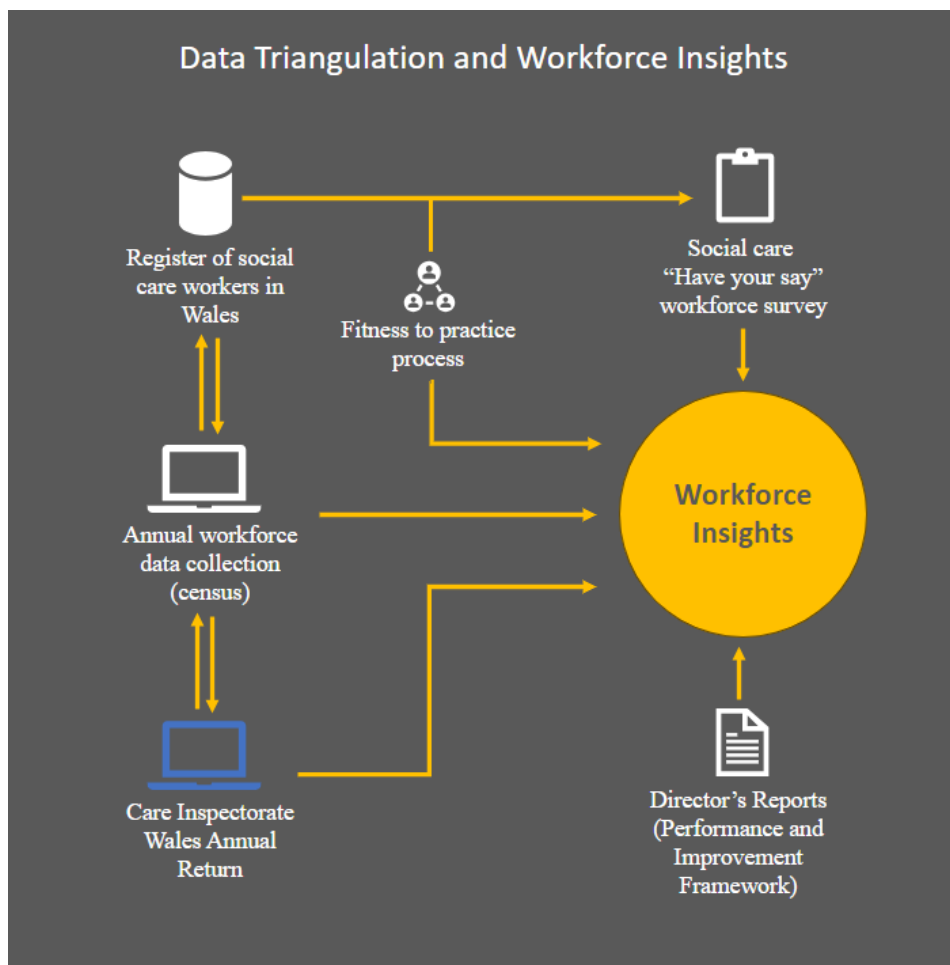


- 2) **Register of social care workers in Wales:** Social Care Wales was created in 2017 and has seen a rapid increase in the number of social care workers registered. We now have a register of 60,000+ individuals. Registered people are responsible for maintaining their personal details held by Social Care Wales. We have recently produced a briefing on social workers which is attached.

Further data collection:

In 2023 we launched a pilot survey of the registered workforce. This enabled, for the first time, a single survey providing insights from the workforce on areas such as health and wellbeing, pay and conditions, training and development, recruitment and retention, and what it's like to work in social care. We are now carrying out this survey on an annual basis and have expanded it to include social care roles beyond the registered workforce (such as Occupational Therapists and Registered Nurses in social care).

This provides us with the ability to triangulate data from a range of sources as shown in the diagram below and give a much more comprehensive overview of the workforce.



Differences in data provided

As a committee you raised a question over the data provided, particularly on the number of children social worker agency workers. The data provided in 2022 represented data from the second annual workforce data collection (with a trend from 56 to 49 individual agency workers from the previous year). The data we provided more recently (429 individuals) is from the Register. We now have the ability to triangulate data and so make reference in our annual report when data does not correlate from other data as described in the diagram above, and therefore identify areas where we need to improve the data collection and validation.

ADSSC are leading on the All Wales-Pledge, a commitment by Children's Services leaders across Wales, to adopt and implement agreed principles when engaging recruitment agencies in the supply of social workers. This means they will have the most accurate and up to date position of agency workers employed by local authorities, as this data is collected quarterly.

We recognise our shared commitment to workforce data that is routinely verified and published. As part of our long-term strategic leadership in this area, we continue to improve our capacity and systems. Following the first workforce data collection, we have:

- Employed data specialists with responsibility for collecting, validating and reporting on workforce data.
- Improved our systems and data reporting capabilities and made year on year improvements to data collection and reporting approaches.
- Our workforce data collection and reporting has been audited and received reasonable assurance on its validity.
- Commenced a data maturity exercise with local authority social services departments to understand areas where we need to support improved use of data.

We will continue to improve approaches to workforce data collection. This includes:

- working with CIW and self-assessment returns;
- working with local authorities to ensure data provided by HR departments is reviewed by social services senior managers prior to submission;
- working with local authorities to develop more robust process for recording direct payments and individuals employed as personal assistants.

At Social Care Wales we will also review and revise our processes for handling requests for data so that there is a single process that can be followed for all requests that includes validation checks, regardless of the source or entry point for the request.

Sharing data and insights

Annual workforce data reports are routinely published on our website,⁵ however we also have the national social care data portal for Wales socialcaredata.wales. This provides open access to interrogate data from a range of verified sources and includes a section on workforce data. The portal enables any individual to analyse data (for example you can use the portal to identify the age profile of social workers by local authority area).

Our evidence summaries draw on our most recent data where available, such as on [Attraction and recruitment](#) and [Improved wellbeing and workforce retention](#). In the longer term, these will be accompanied by 'data summaries' that explore the data on the portal.

We are also producing a workforce insight series, an annual set of written briefings that draw together key findings on workforce-related research conducted/commissioned by us, to help inform decisions around attraction, recruitment and retention in social care. There are two forthcoming briefings on improving terms and conditions in social care and active recognition in social care.

We also will be formally launching in spring a new Insight Collective a website that provides access to quality research, evidence and information on social care.

⁵ [Social Care Wales | New report shows almost 85,000 people work in the...](#)

Appendix

History of social care workforce data collection in Wales

2004

Staffing of local authority social services (STF1-3) introduced as part of the Performance Management Development programme. No data collected about any independent social care provision at this point in time.

STF data is collected each year until 2016.

2014

Staffing of local authority social services (STF1-3) reviewed as part of data requirements for the new Social services and wellbeing (Wales) Act 2014. Minor changes are made to the definitions, but the collection remains largely the same.

Revisions do not include information about independent provision, which has increased significantly since 2004.

This collection continues until 2020.

2017

Social Care Wales is created to support the regulation of the social care workforce in Wales. Social Care Wales produces reports on the registered social care workforce in Wales and for the first time commissions work looking at independent commissioned services.

2019

Welsh Government begin the process of replacing the performance measurement framework that was introduced with the Social services and Wellbeing (Wales) Act 2014, with an improved Performance and Improvement Framework. Following formal consultation, it is decided that previous disparate workforce collections be replaced by a single unified workforce data collection managed by Social Care Wales. 2019 is the last time STF returns were completed due to all data collections being suspended due to the coronavirus pandemic.

2021

Social Care Wales launch the Annual workforce data collection for the first time. A report outlining the characteristics of all those people who work in social care is released for the first time.

2024

Social Care Wales begins a review of the annual collection process following the first three years. It has been decided that further improvements can be made to the collection process by combining this collection with the Annual Reporting process undertaken by Care Inspectorate Wales. Social Care Wales continue to work with stakeholders to refine the collection process and improve intelligence and insight into the social care workforce in Wales.



Gofal Cymdeithasol **Cymru**
Social Care **Wales**



Noddir gan
Lywodraeth Cymru
Sponsored by
Welsh Government

Social workers in Wales

What we know about
the social workers who
are registered with us

March 2024

Find out more at:
socialcare.wales

Pack Page 58



How many social workers are registered?

In September 2023, **6,736** social workers were registered with us:

1,734

work in adults' services – up from **1,578** in **2021**

2,457

work in children's services – up from **2,219** in **2021**

2,545

work in combined adults' and children's services – down from **2,663** in **2021**

This is **185** more social workers than in September 2022. Of those:

89

work in children's services

72

work in adults' services

24

work in combined adults' and children's services

The significant growth in the numbers of registered social workers coincides with local authorities' investment in 'growing their own' social workers.



Who are our social workers?

Gender

82.6%
are female

17.4%
are male

Ethnicity

89.1%
are White

4.9%
are Black

2.4%
are Asian

1.8%
are of mixed ethnicity

Age

46
years old – the
average age

55.2%
are aged between **40**
to **60** years old – down
from **57.5%** in **2021**

33.2%
are under **40** years
old – up from
29.8% in **2021**

11.6%
are aged over **60**
years old – down
from **12.8%** in **2021**

Welsh language

48.9% of social workers
have some Welsh language
ability – up **1.6%** since **2021**

Where are our social workers employed?

Where our social workers work

65.8%

are employed by local authorities – down from **67.9%** in **2022** and **71.3%** in **2021**

11.5%

are employed by an agency – up from **9.3%** in **2022**

A further **6.7%** are employed by an agency on top of their main employment

494

registered social workers are employed outside social care – this is up from **411** in **2022** and **281** in **2021**

Agency social workers

55.4% work in children's services – an increase of **103** social workers since **2022**

25.6% work in adults' services – an increase of **43** social workers since **2022**

What do social workers think about their job?

This is what social workers told us in spring 2023:

76%

started working in social care because they wanted to make a difference to people's lives

38%

are dissatisfied with their current job

77%

say having too much work or not having enough time to do it causes stress at work

34%

think the right staff are in place to provide services

only **24%**

feel safe at work
Pack Page 61

40%

think there are barriers to accessing training

Agenda Item 7.1

Jeremy Miles AS/MS
Gweinidog y Gymraeg ac Addysg
Minister for Education and Welsh Language



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref JMEWL/00266/24

Jayne Bryant
Chair of Children, Young People and
Education Committee Senedd Cymru

26 February 2024

Dear Jayne,

Further to my attendance at the evidence session on 24 January for the Residential Outdoor Education (Wales) Bill, Ruth Coombs, Head of Wales EHRC, has written to me to clarify a statement I made in relation to the development of Equality and Human Rights Commission online training for practitioners.

In my answer I said that the EHRC were developing online learning for practitioners and how they can meet the statutory duties on them. However, Ruth has clarified that isn't what they are producing and that there may have been some confusion with other resources they have published, for example the [Public Sector Equality Duty: Guidance for schools in Wales](#).

I apologise for the misunderstanding. I have asked for the record of proceedings to be amended and corrected.

Yours sincerely,

Jeremy Miles AS/MS
Gweinidog y Gymraeg ac Addysg
Minister for Education and Welsh Language

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

Gohebiaeth.Jeremy.Miles@llyw.cymru
Correspondence.Jeremy.Miles@gov.wales

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Agenda Item 7.2

Jeremy Miles AS/MS
Gweinidog y Gymraeg ac Addysg
Minister for Education and Welsh Language

Eluned Morgan AS/MS
Gweinidog Iechyd a Gwasanaethau Cymdeithasol
Minister for Health and Social Services

Julie Morgan AS/MS
Dirprwy Weinidog Gwasanaethau Cymdeithasol
Deputy Minister for Social Services

Lynne Neagle AS/MS
Dirprwy Weinidog Iechyd Meddwl a Llesiant
Deputy Minister for Mental Health and Wellbeing

Ein cyf/Our ref: MA/JMEWL/0370/24

Jayne Bryant MS
Chair of Children, Young People and Education (CYPE) Committee

4 March 2024



Llywodraeth Cymru
Welsh Government

Dear Jayne

Thank you for the Committee's report on the 2024-25 Welsh Government Draft Budget, published on the 5 February, outlining 19 recommendations for the Welsh Government.

We acknowledge the work undertaken by the Committee on their scrutiny of the Draft Budget and welcome this report. Please find enclosed the Welsh Government response to your recommendations in advance of the vote on the Final Budget on 5 March.

Yours sincerely,

Jeremy Miles AS/MS
Gweinidog y Gymraeg ac Addysg
Minister for Education and Welsh Language

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

Gohebiaeth.Jeremy.Miles@llyw.cymru
Correspondence.Jeremy.Miles@gov.wales

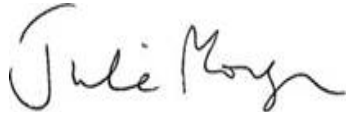
Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.



Eluned Morgan AS/MS

Gweinidog Iechyd a Gwasanaethau Cymdeithasol
Minister for Health and Social Services



Julie Morgan AS/MS

Dirprwy Weinidog Gwasanaethau Cymdeithasol
Deputy Minister for Social Services



Lynne Neagle AS/MS

Dirprwy Weinidog Iechyd Meddwl a Llesiant
Deputy Minister for Mental Health and Wellbeing

WELSH GOVERNMENT RESPONSE TO THE RECOMMENDATIONS FROM THE CHILDREN, YOUNG PEOPLE AND EDUCATION COMMITTEE'S REPORT: SCRUINTY OF THE WELSH GOVERNMENT'S DRAFT BUDGET 2024-25 FEBRUARY 2024

We thank the Committee for their work undertaken on the scrutiny of the 2024-25 Draft Budget. We are grateful to the Committee for their feedback on the written evidence papers and during the oral evidence sessions on 11 and 17 January 2024. This report sets out the Welsh Government response to the 19 recommendations outlined in the Committee's report.

1. Cross Cutting Recommendations

Recommendation 1

The Welsh Government must produce a Children's Rights Impact Assessment of its Draft Budget to demonstrate its compliance with the Rights of Children and Young Persons (Wales) Measure 2011, as set out in the Welsh Government's own Children's Rights Scheme.

Response: Reject

We are committed to fulfilling the legislative requirements for impact assessments, including where these relate to the assessment of our financial decisions.

The duty on Ministers is to have due regard to children's rights, rather than to complete a Children's Rights Impact Assessment. We believe that the approach we are taking in respect of the Strategic Integrated Impact Assessment (SIIA) and children's rights meets our legal obligations, in giving due consideration to the United Nations Convention on The Rights of the Child, alongside meeting our wider commitments.

We therefore do not consider it is necessary, and nor would it be helpful, to publish a separate Children's Rights Impact Assessment of our Budget. We continue to maintain that the SIIA, which takes an integrated approach, enables us to better understand the intersectional and unintended impacts of spending decisions and to maximise the impact of available funding, reducing the disproportionate effect on any one specific group or area.

To consider an area of impact in isolation risks unintended consequences such as the negative impact in one area being driven by a positive impact in another. In this current context difficult decisions could not be avoided. Ministers will also make decisions informed by ongoing and iterative impact assessment both as policy is developed and actioned including in relation to budgetary decisions. .

We will continue to engage with our Budget Improvement Impact and Advisory Group (BIIAG), to explore how the Welsh Government can better reflect children's rights in our improvements to budget and tax processes.

Recommendation 2

The Welsh Government must set out to how it will ensure effective in-year monitoring of outcomes against financial expenditure, and how it will use this information to be agile in reprioritising financial spend if necessary when the intended outcomes are not being realised.

Response: Accept in Principle

We already outline substantive information throughout the financial year through our Draft, Final and Supplementary Budget publications. We report the monitoring and delivery of outcomes through the Programme for Government report. In addition, throughout the year we publish a range of information through our website on the monitoring and outcomes of policy areas. We are happy to consider improvements through our work on the Budget Improvement Plan recognising that such changes must be proportionate and should also be considered through any changes to the Budget Protocol.

Recommendation 3

The Welsh Government must set out the detail of how it monitors outcomes for children for all the programmes funded through both the Children and Communities Grant and the new Local Authority Education Grant and publish this data on an annual basis.

Response: Accept in Principle

The Children and Communities Grant (CCG) includes the following programmes:

- Childcare and Play (formerly Out of School Childcare) including Training and Support Programme
- Families First
- Flying Start
- Out of Court Parenting Support Grant
- Promoting Positive Engagement for Young People at risk of offending
- St David's Day Fund
- Playworks Holiday Project (from 2024-25)
- Early Intervention Parenting Support Grant (from 2024-25)

A range of information is collected as part of the monitoring and evaluation arrangements for the grant. This is done for individual programmes within the grant,

and is proportionate to the scale of each programme. These arrangements include management information collected via data monitoring returns from local authorities and the grant monitoring process as set out in the CCG grant terms and conditions. Information about outcomes is collected through more formal research and evaluation projects.

For example, for a larger scale programme such as Flying Start, statistical releases are published annually, and large scale evaluations are carried out and published in accordance with Government Social Research protocols. The forthcoming national evaluation of Flying Start is exploring techniques like data linking to enable a robust outcome assessment of the Flying Start programme.

For the new Local Authority Education Grant, we will be monitoring outcomes of our programmes through newly developed grant terms and conditions.

We have streamlined the monitoring requirements of our pre-16 education programmes, in line with Welsh Government's objective to reduce the administrative burden on local authorities, and parallel to the workstream for reducing workload and bureaucracy in our schools across Wales.

Our terms and conditions require reporting against high-level outcomes set out in each of the four elements of the new LAEG - School Standards, Equity, Reform and Cymraeg 2050.

We will use this information to help us monitor outcomes for children across our funded programmes. Although this will not be published routinely from a collective grant funding perspective, it will be used to evidence impact of funding in various policy areas which is likely to result in information being published as part of other frameworks across Welsh Government.

The recommendation has been accepted in principle as there are no plans for annual reporting for the CCG or LAEG.

2. Health and Social Care

Recommendation 4

The Welsh Government must provide the Committee with the mental health modelling report undertaken by the Welsh Health Specialised Services Committee when finalised.

Response: Accept in Principle

The modelling was commissioned by the Welsh Health Specialised Services Committee to inform their Strategy for Specialised Mental Health Services. The Strategy will be published shortly and we will share a copy with the Committee once it is available.

Recommendation 5

The Welsh Government must provide us with an update of the work being done on the Healthy Weight, Healthy Wales strategy with Public Health Wales to establish an overall evaluation framework for the strategy.

Response: Accept

A scoping study has been undertaken by Alma economics to assess the evaluability of the Healthy Weight, Healthy Wales strategy, including looking at approaches to the evaluation of other strategies comparable in terms of their complexity or subject matter. The recommendations from the study are under review and the next steps will be taken forward through the 2024-26 Delivery Plan which is currently in development. We will share a copy of the outcome of that review with the Committee when it is available.

Recommendation 6

The next Healthy Weight, Healthy Wales delivery plan must include a clearer focus on the prevention of childhood obesity, including action and associated costings and targeted at families and the early years.

Response: Accept

The 2024-26 delivery plan for the Healthy Weight, Healthy Wales strategy is currently in development. Whilst current plans have a focus on Early Years, it is envisaged that the 2024-26 Delivery Plan will build on current action and have a renewed focus on the prevention of childhood obesity. A copy of the final plan will be shared with the Committee when it is completed.

Recommendation 7

The Welsh Government must provide us with a written update detailing its communication plan with recipients of the Sustainable Social Services Grant as it relates to children which is due to end in 2024-25.

Response: Accept

A written update regarding planned communications with recipients of grants under the Sustainable Social Services Third Sector Grant Scheme will be shared with the Committee once the communications plan has been finalised.

Recommendation 8

The Welsh Government must provide us with a copy of the Children's Rights Impact assessment on the decision to reduce the Social Care Workforce Grant by £11 million.

Response: Reject (not applicable)

We have referenced in earlier recommendations our commitment to fulfilling the legislative requirements for impact assessments, and do not feel it is necessary to publish separate, individual Children's Rights Impact Assessments.

In relation to this recommendation and as a result of the UK Government recently announcing an increase to their funding for local authorities, Welsh Government are now expecting a consequential allocation for Wales of around £25 million for 2024-25, which will be confirmed at the UK Spring Budget on 6th March. We intend to use some of this allocation to reverse the proposed reduction to the social care workforce grant, and return the grant to £45 million for 2024-25, as per this financial year.

Recommendation 9

The Welsh Government must provide us with an update on its latest estimate of the cost and subsequent profit for private children's social care services in Wales that it is aiming to address through the eliminate profit provisions in the Social Care Bill.

Response: Accept

This information will be published as part of the Regulatory Impact Assessment that will accompany the introduction of the Social Care Bill.

Recommendation 10

The Welsh Government must publish a more detailed plan than is currently available as to the transition of 1880 children and young people out of independent placements by 2026.

Response: Accept in Principle

It is important to recognise that we are not promoting like for like replacement of one provider by another. The shape and scale of provision needs to be different, including models of care, wrap-around support and models of ownership. The system simply cannot continue to operate in the way it currently does if we are to provide the best outcomes for our children and young people.

We are investing an additional £68 million into the sector over the three years 2022-2025 to help local authorities build capacity in-house and not-for-profit residential and foster care provision, help move children out of residential care back into a family setting, and provide locally based and designed services, including specialist provision for children with more complex needs and above all improving outcomes for children.

This is a complex and ambitious change, and we are giving detailed consideration to the transition to the new arrangements to prevent or mitigate disruption to children and young people as far as possible. The intention is that the requirement to be not-for-profit will apply to new providers entering the market in the first instance. It will then be widened to include any existing for-profit providers.

We aim to fulfil this commitment by the end of this Senedd Term and our clear expectation is that local authorities must use the next 3 years to rapidly accelerate their care reduction policies and programmes as well as to develop sufficient alternative placements.

3. Education and Welsh Language

Recommendation 11

The Welsh Government must remain vigilant to future demand for the budget lines it has reduced within the Education and Welsh Language MEG and closely monitor whether it needs to revise its projections of demands so as to avoid any unanticipated future 'shocks' to budgets.

Response: Accept

Careful financial management is essential given the extraordinary financial pressures facing public services. All budgets, including demand led budgets, will continue to be monitored and challenged within the Education and Welsh Language MEG on a monthly basis during 2024-25 to consider latest forecasts and to ensure a balanced position can be achieved by year end.

Student support is the most significant demand led budget in the MEG. It is forecast and monitored through various analytical models managed by an expert analytical team and regularly updated to reflect the latest available data. The level of support provided is reviewed annually and subject to strong governance arrangements, particularly focussing on affordability and future planning requirements based on published data.

Recommendation 12

The Welsh Government must clarify the current level of the 2023-24 budget and therefore the change that the 2024-25 Draft Budget brings to the level of resource and capital available in the Education and Welsh Language MEG. It must clarify whether this an increase of £15 million as the Minister told the Committee or £42 million as the figures announced in October 2023 imply.

Response: Accept

The October 2023 announcement by the Minister for Finance and Local Government resulted in the reprioritisation of funding from the Education and Welsh Language MEG of just under £75 million fiscal resource (revenue) and £40 million capital. There were no changes to non-fiscal resource (non-cash) budgets as part of this exercise. The changes were formalised in the Second Supplementary Budget 2023-24 published on 20 February.

Taking only these changes into account, the overall Education and Welsh Language MEG resource budget published in Draft Budget 2024-25 (£2,237.198 million) is £42 million higher than the 2023-24 Final Budget after the October statement adjustments (£2,195.092 million). The increase of £15 million confirmed by the Minister for Education and Welsh Language at the Committee session on 17 October referred

specifically to the fiscal resource (revenue) budget increase, with a budget of £1,718.770 million published in Draft Budget 2024-25 compared to an adjusted 2023-24 budget of £1,703.425 million. The remaining £27 million increase relates to the non-fiscal resource budget, with a budget of £518.428 million in Draft Budget 2024-25 compared to 2023-24 Final Budget of £491.667 million.

The Education capital budget is £16 million higher in Draft Budget 2024-25 (348.402 million) compared to the 2023-24 Final Budget after the £40m reduction announced in October (£332.186 million).

Recommendation 13

The Welsh Government must monitor closely the consequences of its decisions in the Draft Budget and local authorities' provision for school budgets, and consider what more it can do to ensure as much money as possible is invested in education. The Welsh Government should provide the Committee with an update by October 2024.

Response: Accept

For 2024-25 we prioritised protecting core frontline public services, including schools, through protecting the indicative rise of 3.1% for the local government settlement.

Following confirmation of consequential funding, a further £14.4 million has been allocated to local government through the revenue support grant for 2024-25 to support pressures in both social care and education, including teachers' pay. This means that the overall level of revenue funding shows an increase of 3.3% over 2023-24, with no individual authority increase lower than 2.3%.

Funding that goes directly to schools has been prioritised.

For 2024-25 the amalgamation of pre-16 local authority education grants provides the same level of funding against similar grants provided to local authorities in 2023-24; this is also a 3.2% rise against the 2024-25 indicative budget for those same grants.

Recommendation 14

The Welsh Government must continue to closely monitor the level of reserves held by schools, in particular variation between schools and between local authorities in order to ensure that as much money is being spent on the front-line as is prudent and appropriate and to support schools struggling to balance their budget. The Welsh Government should provide the Committee with an update by October 2024.

Response: Accept

Schools are responsible for managing their own finances. Reserves relate to any shortfall in expenditure relative to the schools' individual budget share plus/minus any balance brought forward from the previous year. The level of reserves held by an individual school at any point in time will depend on a number of factors.

The Welsh Government has proposed a review of the School Funding (Wales) Regulations 2010 and has been working with stakeholders to seek their views. This includes reviewing provision around the prescribed levels of surplus balances and local authorities' abilities to take action where required.

We know that the high level of reserves reported in recent years is a temporary position due to school closures and reduced activity during the pandemic. We are now seeing schools using these reserves to manage the increasing pressures being faced as a result of inflation and the cost-of-living crisis. We will continue to monitor the level of school reserves across Wales.

Recommendation 15

The Welsh Government must ensure that effective monitoring systems are in place for the Local Authority Education Grant and ensure that the amalgamation of funding does not result in any dilution of previously ring-fenced activities and interventions.

Response: Accept in Principle

We have developed our monitoring arrangements for the new Local Authority Education Grant (LAEG) in line with the Welsh Government's objective to reduce the administrative burden on local authorities, and parallel to the workstream for reducing workload and bureaucracy in our schools across Wales.

The grant terms and conditions will ensure local authorities meet the high-level outcomes set in line with our education policy priorities, which will include areas of activity previously ring-fenced. However, this new grant approach will be providing flexibility at a local level to enable local authorities to best meet the needs of their learners without the many bureaucratic restrictions government grants sometimes impose, including onerous monitoring systems.

In line with the Programme for Government commitment to reduce the administrative burden on local authorities, we have developed the monitoring arrangements for the new LAEG in a way which ensures a suitable level of monitoring for the Welsh Government, whilst entrusting our local government partners to deliver on key education priorities.

Recommendation 16

The Welsh Government must explore all options to minimise any adverse impact on the progress of the Sustainable Communities for Learning programme from static or decreasing budgets, especially in light of inflation and rising construction costs.

Response: Accept in Principle

Recent Sustainable Communities for Learning budgets reductions have been mitigated through the flexible use of intervention rates across ongoing Band B schemes to minimise any impact on the programme to date.

Delivery partners with significant cash flow planned for 2023-24 were asked to fund a higher proportion of the capital costs themselves, in the short term, with no overall impact to the overall contribution or disruption to active projects. This approach allowed us to maintain confidence in the programme from a delivery partner and wider construction industry perspective.

It also allowed continued submissions of new business cases and funding requests, which we have been able to support.

As construction costs have increased it has highlighted the cost difference between the smaller primary school projects and that of secondary school or college projects. Circa 10% difference in costs per meter square can be attributed to the scale of projects with primary schools and smaller projects including projects such as childcare provision costing more to build.

A Review of school design guidance/space requirement has also been undertaken in consultation with a sector wide stakeholder group. Due for publication this spring and specific to the requirements of priorities in Wales, the new guidance will assist local authorities in designing new schools in a space and cost efficient manner.

Benchmark costs going forward have been split to reflect this change to minimise impact or disparity to the sectors. However, achieving Net Zero Carbon in operation in smaller projects is proving to be less challenging than that of secondary schools and colleges and therefore increases in cost may be seen in this element going forward. Welsh Government Programme officials are working with delivery partners and industry specialists to ensure a balanced cost/benefit approach, in accordance with the UK Green Buildings Council's published guidance, is taken towards the delivery of Net Zero Carbon schools in Wales.

Additional funding was made available with 100% of costs relating to achieving Net Zero Carbon being funded by Welsh Government, in part, reducing the additional burden on delivery partners.

Future projects within the Sustainable Communities for Learning will be through a 9-year rolling programme allowing the Welsh Government and delivery partners to be more flexible and reactive to cost increases as well as changes in local priorities. This

approach has been taken to minimise the impact of any future restrictions on the programme as well as any opportunities that may arise through additional funding becoming available.

Recommendation 17

The Welsh Government must consider further how its decisions in the Draft Budget affect its commitment and objectives in respect of life-long learning, with particular reference to part-time learning and postgraduate grants, and look for ways to mitigate the impact of reductions.

Response: Accept

Postgraduate study

The replacement of the base and contribution to costs grants for postgraduate Master's study with repayable loans is not expected to have a significant impact on participation. The support available to students resident in Wales remains significantly greater than that available to those resident in England. Loan repayment terms are generous. Similarly, the ending of the targeted bursaries for certain postgraduate students is not expected to reduce participation in Master's study noticeably, except among those aged over 60 years.

Postgraduate qualification has become more relevant to today's economy and labour market but it is not comparable to the importance of undergraduate education for developing life chances. Participation in undergraduate study remains the Welsh Government's priority. The decision to undertake advanced study is one for the individual to make, and much of the return is thought to accrue to the individual rather than to society more widely. Whilst the Welsh Government remains willing to facilitate advanced study and recognises its benefits, the policy of providing a contribution to the costs of study is the correct one and cannot be seen other than in the wider context of ensuring that everyone who has the potential to benefit from higher education should be able to, with the consequent prioritisation of resources to undergraduate study which that implies.

The Welsh Government will keep this policy under review and monitor participation in postgraduate Master's study by those resident in Wales.

The removal of the age related bursary operated by the Higher Education Funding Council for Wales means that there is currently no Government subsidy for advanced study by this age group. The Welsh Government recognises that people are working longer, that older people are an important part of the economy and labour market, that lifelong learning is conducive to well-being, and that, as our *'Age friendly Wales: our strategy for an ageing society'* states, older persons should have access to the educational resources of society. We are reviewing age restrictions as they relate to our provision of statutory student support and will accelerate this work.

Further Education

Officials have convened a sector wide meeting to agree clear priorities for part-time learning in further education. Allowing local flexibility for individual institutions to move delivery between those priority areas will ensure some mitigation of learner impact on a local level.

Recommendation 18

Subject to its consideration of recommendation 17¹, the Welsh Government must consider how it can further support adult learners and post-graduate students, in the context of the importance of lifelong learning to both individuals and to society and the economy as a whole.

Response: Accept

Postgraduate study

Please see the response to Recommendation 17.

Further Education

The Tertiary Education and Research Act (Wales) 2022 introduced a new duty to secure proper facilities for further education and training for adults. The precise scope of this duty will be set out in forthcoming secondary legislation. This duty will create a stronger statutory obligation on the government and the new Commission to ensure sufficient investment in lifelong learning, particularly for those who stand most to benefit from it. The forthcoming regulations will be designed so that we continue to provide sufficient lifelong learning opportunities in basic and essential skills for those without lower-level qualifications, and to provide a basis for progression into further learning, training or employment.

Recommendation 19

The Welsh Government must, without undue delay, publish its statement of priorities and funding letter for the Commission for Tertiary Education and Research and provide clear direction and transparency on its expectations for how the Commission's budget will be used.

Response: Accept

The Statement of Priorities for the Commission for Tertiary Education and Research Commission will be published shortly.

The funding letter will be confirmed prior to the establishment of the Commission.

¹ Amendment to the CYPE Committee report which referred to recommendation 16.

Agenda Item 7.3



04 March 2024

To: Jayne Bryant MS
Chair of Children, Young People and Education Committee
Jayne.Bryant@senedd.wales

Dear Jayne,

As you know, the statement issued by Jeremy Miles, Minister for Education and the Welsh Language, on the 31st of January, refers to new arrangements that are to be implemented in relation to school improvement. This statement was released into the public domain alongside the letter to the Minister from Professor Dylan Jones in order to “share these messages transparently with the sector”.

The Minister announced the next phase of the review which essentially requires exploration of how school to school collaboration and cross LA working may occur in a move away from the current wider regional model.

This is a far-reaching statement, the importance of which cannot be underestimated. The language and assertions made within Prof Dylan Jones letter are strong, making direct reference to “concerns about quality of support”. This represents a direct evaluation of the performance of our workforce in GwE, and it is not one that we accept, and it is also not one that we believe should have been placed in the public domain in this way.

Whilst members recognise that education and school improvement is necessarily an evolving process, indeed many of us have been through various cycles of change, this is not an example of positive change management by the Minister. We question both the motivations and methodology of the ‘Middle Tier’ review and the subsequent communication of its findings.

We believe that the statement from the Minister has left the system in disarray. Having had their work publicly judged, our members are left unsure about their future, made even worse given the current information vacuum.

Our members within the regional consortia are particularly frustrated and disappointed that there has been no formal consultation with stakeholders about the recommendations. In addition, there was no advance indication that such a far-reaching statement was to be released publicly on the afternoon in question. In fact, many of our members were working within schools that afternoon and they were informed of the intention to move away from the regional model through teachers and school leaders. This is completely unacceptable and extremely unprofessional and has caused severe distress to many of them.

As a result, we are asking you to call in and scrutinise the Ministerial Statement to:

- Establish that the original Terms of Reference of the review have been adhered to.
- Understand the methodology and veracity of the evidence gathered.
- Understand the rationale for changing the timelines of the review mid-way through.
- Understand the implication of the recommendations.
- Investigate how confident we can be that proposed arrangements will provide better support for schools.
- Find out if an impact assessment has been undertaken to assess the potential impact of these changes on areas such as the Welsh Language, equality, work load, finance etc.
- Investigate how much this significant change in policy will cost in difficult budgetary times as there is no financial information available – this should include staff redundancy costs and closing down liabilities for current arrangements for LAs and set up costs for any new arrangements. This should also include the financial cost to release school staff to address the recommendations proposed.
- Seek to understand the contradictions in the Chief Inspector finding in this year’s Annual Report and findings of the Middle Tier Review, especially around schools’ ability to self-evaluate and effectively plan for improvement.
- Seek clarity on the rationale to accelerate the findings of this review which seems to date back to mid-December (rather than the March 2024 date initially agreed for publication).
- Evaluate the extra workload on schools and Headteachers in particular to implement the first recommendation regarding collaboration, joint working and school to school improvement.
- Understand how the third recommendation will allow Local Authorities to undertake their statutory responsibilities.
- Seek clarification and understand the veracity of the evidence base used to give the committee confidence that schools are best placed to self-regulate their own improvement.

Our members would like you to robustly scrutinise the evidence base so that you can be confident that any changes that are recommended will result in a sustainable school improvement model which will be cost efficient and improve on the current arrangements.

We can assure you that our workforce has the best interests of learners at its heart. We are committed to school improvement. We are committed to supporting schools and learners; working collaboratively and with compassion in support of the National Mission. We will not however have our professionalism, expertise, experience, and commitment cast aside in such a careless manner.

Yours Sincerely

Adam Flanders & Jane Lancaster
Prospect Officers Education & Childrens services.

Agenda Item 7.4

Y Pwyllgor Plant, Pobl Ifanc ac Addysg

Children, Young People and Education Committee

Senedd Cymru

Bae Caerdydd, Caerdydd, CF99 1SN
SeneddPlant@senedd.cymru
senedd.cymru/SeneddPlant
0300 200 6565

Welsh Parliament

Cardiff Bay, Cardiff, CF99 1SN
SeneddChildren@senedd.wales
senedd.wales/SeneddChildren
0300 200 6565

Jeremy Miles MS

Minister for Education and Welsh Language

6 March 2024

Follow up from general scrutiny session

Dear Jeremy,

Thank you for giving evidence to us on 28 February 2024. At the meeting you agreed to:

- Provide further information on the attainment gap between pupils eligible for free school meals and other pupils, including why you believe the data published by the Welsh Government cannot be used to make comparisons between years;
- Look further at the Seren Network data in relation to those pupils who may not continue on the programme, to identify if there are any trends in relation to their subsequent performance and engagement with their learning;
- Provide further information on how take up of Welsh A-Level can be encouraged and increased, in particular in relation to the teaching and the content of the syllabus;
- Provide information on the research undertaken, and guidance issued, regarding how schools could provide digital, remote teaching and learning should the need for this arise again in the future;
- Confirm when you anticipate issuing the strengthened guidance on Learner Travel.
- Consider further how the work of the Attendance Taskforce can be reported back to the Senedd and / or Committee;
- Share the e-sgol participation data; and
- Share, when available, Public Health Wales' work on the whole-school approach.



You referred to the "granular detail" the Welsh Government has about performance of the school system in Wales and that you had decided to publish this on an annual basis. Could you confirm whether you were referring to the aggregated data you published in November on pupils' personalised assessments and that equivalent versions of this is what will be published annually?

As we have indicated, we are likely to do work looking at school standards in the future. The scrutiny session was helpful in starting to help shape our thinking on this potential strand of work. As part of this preparatory work, we have invited Professor Dylan E Jones to talk to us about his work as part of the ongoing review into roles and responsibilities of education partners in Wales and delivery of school improvement arrangements. He has confirmed he will be attending.

I am enclosing letters we have received from UCAC and Prospect, highlighting their concerns in particular on how the recent announcement was made regarding the next stage of Professor Jones' review.

Throughout all our recent work, there have been very clear messages from both schools and local authorities that they do not have capacity to take on any additional work. In this context, we would welcome your views on how any changes to current regional working will take into account these broader capacity and resourcing issues. Also, for those areas where regional working is the preference of schools and local authorities, will they be able to continue with arrangements, if they are shown to be working effectively?

It would be helpful if we could have your response before the session with Professor Jones, we would therefore appreciate your response no later than April 10. While acknowledging that this is less time than usual to respond, we feel it would be helpful to have this information ahead of the session with Professor Jones. If you envisage any issues with this timeframe, please let us know.

Yours sincerely,



Jayne Bryant MS
Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English

Enclosure: Letter from UCAC

Letter from Prospect

This document provides a translation of correspondence received from Undeb Cenedlaethol Athrawon Cymru (UCAC)



www.ucac.cymru

Jayne Bryant MS
Chair of the Children, Young People and Education Committee
Welsh Parliament

Via e-mail.

22 February 2024

Dear Jayne Bryant,

I am writing to you as the General Secretary of Undeb Cenedlaethol Athrawon Cymru (UCAC; the National Union of Teachers of Wales), a union that represents and supports not only teachers and school leaders, but also school improvement service officers.

As you know, the statement published on 31 January by Jeremy Miles, Minister for Education and the Welsh Language, refers to the new arrangements that will be implemented in relation to school improvement. As part of those arrangements, there is an expectation that local authorities will be expected to establish a partnership with at least one other authority, signifying a move away from the wider regional support model.

Those members who work for the consortia are extremely frustrated and disappointed, as there has been no formal consultation with them, as individuals, regarding any possible changes, any more than there has been with classroom teachers, which is also very surprising. Furthermore, our members were given no prior indication that such a far-reaching statement was going to be released publicly on the afternoon in question. Indeed, as many were working with schools that afternoon, they were informed of the intention to eliminate the consortia by teachers and school leaders. We feel that this is entirely unacceptable, and it has caused mental distress among several of our members.

Given that this is a fundamental change to the education system in Wales, we request that you call in and scrutinise the Ministerial Statement in order to:

- Establish that the review has complied with the requirements of the terms of reference.
- Understand the methodology and the accuracy of the evidence collected.
- Understand the rationale for changing the timelines of the review halfway through the process.
- Understand the implications of the recommendations.
- Establish how confident we can be that the proposed arrangements will provide better support for schools.
- Establish whether a change impact assessment process was undertaken to include areas such as the Welsh language, equality, workload, funding etc.
- Explore how much this significant change in policy will cost in a challenging budgetary period, as there is no financial information available. This should include costs associated with redundancies and shutting down existing local authority arrangements, and set-up costs related to any new arrangements. It should also include the financial cost of releasing school staff to address the first recommendation.
- Try to understand the difference between the opinions expressed in the findings of the Chief Inspector in this year's Annual Report, and those expressed in the findings of the Middle Tier Review, particularly regarding schools' ability to self-evaluate and plan effectively for improvement.
- Understand the available evidence base that could instil confidence in the committee that schools are in the best position to self-regulate their own improvement.
- Evaluate the additional workload on schools, and headteachers in particular, in terms of implementing the first recommendation regarding school-to-school collaboration and improvement;

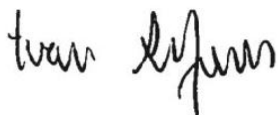
- Understand how local authorities will be able to fulfil their statutory responsibilities as the work of supporting school improvement is supported at a national level.

I'm sure that you realise that this is a difficult, uncertain and complicated time for our members who work within the regional services. It is therefore vital that we ensure fairness for them by considering all of the implications stemming from these changes.

As you can imagine, we are also keen for you to ensure that any new models that are established provide full support to all schools, whatever their language of education and wherever they are. And that support should be as good as, if not better than, what is being offered at the moment, especially in relation to the resilience and effectiveness of the support provided to schools, leaders and teachers, who provide services through the medium of Welsh.

I look forward to receiving your response.

Sincerely,



Ioan Rhys Jones,

General Secretary.

Copied for information: Members of the
Children, Young People and Education
Committee; Committee Clerk



04 March 2024

To: Jayne Bryant MS
Chair of Children, Young People and Education Committee
Jayne.Bryant@senedd.wales

Dear Jayne,

As you know, the statement issued by Jeremy Miles, Minister for Education and the Welsh Language, on the 31st of January, refers to new arrangements that are to be implemented in relation to school improvement. This statement was released into the public domain alongside the letter to the Minister from Professor Dylan Jones in order to “share these messages transparently with the sector”.

The Minister announced the next phase of the review which essentially requires exploration of how school to school collaboration and cross LA working may occur in a move away from the current wider regional model.

This is a far-reaching statement, the importance of which cannot be underestimated. The language and assertions made within Prof Dylan Jones letter are strong, making direct reference to “concerns about quality of support”. This represents a direct evaluation of the performance of our workforce in GwE, and it is not one that we accept, and it is also not one that we believe should have been placed in the public domain in this way.

Whilst members recognise that education and school improvement is necessarily an evolving process, indeed many of us have been through various cycles of change, this is not an example of positive change management by the Minister. We question both the motivations and methodology of the ‘Middle Tier’ review and the subsequent communication of its findings.

We believe that the statement from the Minister has left the system in disarray. Having had their work publicly judged, our members are left unsure about their future, made even worse given the current information vacuum.

Our members within the regional consortia are particularly frustrated and disappointed that there has been no formal consultation with stakeholders about the recommendations. In addition, there was no advance indication that such a far-reaching statement was to be released publicly on the afternoon in question. In fact, many of our members were working within schools that afternoon and they were informed of the intention to move away from the regional model through teachers and school leaders. This is completely unacceptable and extremely unprofessional and has caused severe distress to many of them.

As a result, we are asking you to call in and scrutinise the Ministerial Statement to:

- Establish that the original Terms of Reference of the review have been adhered to.
- Understand the methodology and veracity of the evidence gathered.
- Understand the rationale for changing the timelines of the review mid-way through.
- Understand the implication of the recommendations.
- Investigate how confident we can be that proposed arrangements will provide better support for schools.
- Find out if an impact assessment has been undertaken to assess the potential impact of these changes on areas such as the Welsh Language, equality, work load, finance etc.
- Investigate how much this significant change in policy will cost in difficult budgetary times as there is no financial information available – this should include staff redundancy costs and closing down liabilities for current arrangements for LAs and set up costs for any new arrangements. This should also include the financial cost to release school staff to address the recommendations proposed.
- Seek to understand the contradictions in the Chief Inspector finding in this year’s Annual Report and findings of the Middle Tier Review, especially around schools’ ability to self-evaluate and effectively plan for improvement.
- Seek clarity on the rationale to accelerate the findings of this review which seems to date back to mid-December (rather than the March 2024 date initially agreed for publication).
- Evaluate the extra workload on schools and Headteachers in particular to implement the first recommendation regarding collaboration, joint working and school to school improvement.
- Understand how the third recommendation will allow Local Authorities to undertake their statutory responsibilities.
- Seek clarification and understand the veracity of the evidence base used to give the committee confidence that schools are best placed to self-regulate their own improvement.

Our members would like you to robustly scrutinise the evidence base so that you can be confident that any changes that are recommended will result in a sustainable school improvement model which will be cost efficient and improve on the current arrangements.

We can assure you that our workforce has the best interests of learners at its heart. We are committed to school improvement. We are committed to supporting schools and learners; working collaboratively and with compassion in support of the National Mission. We will not however have our professionalism, expertise, experience, and commitment cast aside in such a careless manner.

Yours Sincerely

Adam Flanders & Jane Lancaster
Prospect Officers Education & Childrens services.



The home education charity
educationotherwise.org

Wales Home Education: Changing Relationships



Different and Equal

Home Education Wales: Changing Relationships

Parents home educating in Wales have traditionally reported their local authorities to be supportive and positive. Relationships have been mutually respectful for many years, in most areas, whilst complaints made to Education Otherwise and support groups about local authority officer practice in Wales have been significantly fewer per capita than in England. However, parents and local authorities alike have expressed concern in respect of how changing government policies have affected the nature of those relationships.

As far back as 2010, Welsh Ministers and civil servants were mooting introduction of close monitoring of home educated children and the possibility of mandatory meetings. Parents were alarmed by this sea shift of approach and raised concerns about unwarranted interference in their families and privacy, lack of understanding of individual approaches to education, stigmatisation of home educating families and the effect which any change in legislation and guidance could have not only on their whole educational approach, but also on their children.

On 12th May 2023 the Welsh Government issued new Elective Home Education Guidance¹ about which home educating families expressed significant reservations, specifically the emphasis placed on local authorities meeting and talking to children. Education Otherwise acted on behalf of its members and service users to challenge this guidance and on 12th August 2023 the Welsh Government agreed to amend the guidance to make clear that each case must be considered on an individual basis; a crucial point for families.

Six months on from the introduction of the new guidance, this report examines how home educating cohorts have changed and how parents have experienced their relationships with their local authorities under the new regime.

Wendy Charles-Warner
Education Otherwise
February 2024

¹ Welsh Government (2023) 'Elective Home Education Guidance' Document number 289/2023 [Online] available from <https://www.gov.wales/elective-home-education-guidance> Amended to 292/2023

Executive summary

Both parents and local authority staff were hopeful that new home education guidance published in Wales in May 2023 would work well for children and support positive relationships. Home educating families were surveyed in June 2023 and again in January to February 2024 in order to ascertain what, if any effect the guidance has had on relationships between parents and local authority staff.

Findings are concerning with relationships appearing to be damaged.

- In June 2023 only 7% of parents described their relationship with their local authority as negative or very negative. In 2024 that figure had risen to 17%.
- In 2023 51% described their relationship with their local authority as positive or very positive. In 2024 that figure had fallen to 42%.
- Parents who previously did not previously meet the local authority officer reported now doing so in 3.6% of cases. However, 6.4% who had previously met with their local officer now do not do so.
- There is a clear north south divide with relationships between parents and local authorities in the north described as the same or improved and parents in 13 of 15 local authorities in the south reporting worsened relationships.
- Many parents reported individual officers on the ground as using positive practice and blamed Welsh Government and senior management for damaging relationships.
- New guidance appears to have had an iatrogenic effect on both relationships and form of engagement between home educating families and local authorities.

Recommendations:

Welsh Government improve its offer in schools for children with mental health issues and ALN.

Welsh Government review guidance to make clear that only in cases where there is reasonable cause for concern should face to face oversight be strengthened.

Home educating families should report local positive practice in order to encourage less positive regions to emulate that practice.



The background

Home education is a legal choice within the United Kingdom and parents can choose to home educate at any point. It is the duty of the parent to ensure that the child receives a suitable education:

Education is the duty of the parent: Education Act 1996 s7

The parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable:

(a) to his age, ability and aptitude and

(b) to any special educational needs (in the case of a child who is in the area of a local authority in England) or additional learning needs (in the case of a child who is in the area of a local authority in Wales) he may have, either by regular attendance at school or otherwise.*

Local Authorities have a duty to make arrangements to identify children who are not receiving suitable education:

(EA) 436A Duty to make arrangements to identify children not receiving education

(1) A local authority must make arrangements to enable them to establish (so far as it is possible to do so) the identities of children in their area who are of compulsory school age but—

(a) are not registered pupils at a school, and

(b) are not receiving suitable education otherwise than at a school.

(2) In exercising their functions under this section a local authority must have regard to any guidance given from time to time by the Secretary of State.

(3) In this Chapter, "suitable education", in relation to a child, means efficient full-time education suitable to his age, ability and aptitude and to any special educational needs he may have (in the case of a local authority in England) or suitable to the child's age, ability and aptitude and to any additional learning needs the child may have (in the case of a local authority in Wales).**

There is no set definition of suitable education in legislation, but education is considered to be suitable:

'if it primarily equips a child for life within the community of which he is a member rather than the way of life in the country as a whole, as long as it does not foreclose



EDUCATION OTHERWISE

*the child's option in later years to adopt some other form of life if he wishes to do so.*²

A local authority should serve a notice on a parent, under the Education Act 1996 s437 if 'it appears' that a child's home education is not suitable, requiring the parent to satisfy it of suitability. Should the parent fail to satisfy the local authority following service of an Education Act 1996 s437 notice, the local authority should serve the parent with a School Attendance Order.

Longstanding legal precedent³ has found that a local authority may make an enquiry of a parent in order to ascertain whether or not its duty under the Education Act 1996 s437 is triggered:

'Where an authority has a duty to take action in particular circumstances, it also has a duty to be alert in order to detect the possibility that those circumstances exist...The most obvious step to take is to ask the parents for information. Of course such a request is not the same as a notice under section 37(1) of the Education Act 1944 and the parents will be under no duty to comply. However, it would be sensible for them to do so.'

It is against this background that Education Otherwise has worked with Welsh Government officials and with local authority staff, in order to support and maintain positive relationships between those staff and home educating families. In fact, our 'Kit Award' for excellence, awarded to local authority home education staff for excellent practice, is based on a former Welsh local authority officer who was inspirational in repairing broken relationships in his region and developing positive relationships which worked well for all stakeholders.

Home education is frequently misunderstood and maligned, including by public bodies and officials. This is the case amongst a minority of officials in Wales, but that minority has at times been vocal in denigrating home education and calling for tight controls. In 2011 the then Children's Commissioner for Wales, started to use her position to press the Welsh Government into introducing mandatory meetings between home educated children and local authority staff, citing home education as a safeguarding concern⁴. This notwithstanding that reputable research conducted in Wales and the United Kingdom as a whole, makes clear that home education is not a safeguarding risk.

² R v Secretary of State for Education and Science ex parte Talmud Torah Machzikei Hadass School Trust. QBD, CO/422/84

³ Phillips v Brown 1980, QBD NO 424/78

⁴ Sally Holland in correspondence with Welsh ministers, copies disclosed through Freedom of information requests.

Proposals were put forward for new home education guidance which would have changed the landscape of how home education is assessed in Wales. As a result, home educating families in Wales were deeply concerned at what they considered to be untrue and insulting suggestions about their care of their children and the move to invade their privacy on the basis of fallacious claims of abuse.

In 2017 similar proposals to those of 2011 were consulted on by Welsh Government. These proposals for new guidance were considered by home educating families to be draconian and parents were passionately opposed to them being implemented. A consultation response was issued by Welsh Government on 31st January 2022, but which appears to have been withdrawn from public access shortly thereafter.

New home education guidance was published on 12th May 2023⁵. Education Otherwise acted on behalf of its members and service users to challenge this guidance and on 12th August 2023 Welsh Government agreed to amend the guidance to make clear that each case must be considered on an individual basis, a crucial amendment for families.

Meanwhile, the Children’s Commissioner for Wales, Ms Rocio Cifuentes convened a joint meeting with Welsh Government civil servants in June 2023 during which service leads responsible for home education policy confirmed that the guidance *“Does not impose mandatory meetings on parents and children”*.

Purpose of the EHE guidance

If a child is home educated, there is an obligation on parents to cause their child to receive an 'efficient' and 'suitable' full-time education (**section 7 of the Education Act 1996**).

The guidance is to support local authorities in their duties under **section 436A of the Education Act 1996** – which requires them to make arrangements to establish the identities of children in their area who are of compulsory school age who are not registered learners at a school and are not receiving suitable education otherwise than at a school

<p>The guidance does:</p> <ul style="list-style-type: none"> ✓ Recognises that parents can choose to home educate their children and respects their views and philosophies ✓ Allow flexibility for home-educating families ✓ Provide additional support for home-educated children and their families ✓ Recognise that home educated children are not at greater risk of safeguarding issues than those educated at school ✓ Uphold children’s rights under UNCRC and give them an opportunity to have their say ✓ Support LAs in carrying out statutory duties 	<p>The guidance does NOT:</p> <ul style="list-style-type: none"> ✗ Prescribe teaching and learning for EHE children ✗ Impose mandatory meetings on parents and children ✗ Monitor safeguarding ✗ Hold EHE to a different standard to maintained education
--	--

Figure 1: Slide taken from June 2023 Welsh Government meeting.

During that meeting, parents sought confirmation that adverse inference would not be drawn if they declined meetings with local authority staff. No response was

⁵ Welsh Government (2023) 'Elective Home Education Guidance' Document number 289/2023 [Online] available from <https://www.gov.wales/elective-home-education-guidance> Amended to 292/2023



forthcoming. Home educating parents were not reassured by Welsh Government statements in respect of the intent and implementation of the guidance.

The Welsh Minister for Education, Jeremy Miles, unequivocally assured home educating families that he wanted to change the narrative away from conflating home education with safeguarding risk and toward * more supportive and less adversarial relationships⁶. We also know from conversations with local authority staff, that engagement between home educating families and local authority education staff was rising in Wales and that this rise was primarily based on the hard work and willingness of local authority staff to foster those crucial, positive relationships.

Home educated children are part of: *'A highly engaged and visible community, with children attending a large variety of groups and venues, many of which would not be available to those outside the community.'*⁷ We also know that home educated children are *'healthier, happier and more virtuous than public school graduates.'*⁸ Home education is a choice which is made, by the majority of home educating parents, in the best interests of their children. Those parents want to have mutually respectful and trusting relationships with local authority staff responsible for home education.

In 2023, both home educating families and local authority staff were awaiting new guidance in the hope that it would work well for children and support positive relationships. That guidance was published in May 2023 and it is against this background that home educating families were surveyed in June 2023 and again in January to February 2024 in order to ascertain whether parents' concerns over the published guidance⁹ have affected relationships between them and their local authority.

Method

In June 2023, a survey was undertaken of home educating families in Wales, in order to ascertain a base level for their relationships with their local authorities at that point. The survey was conducted on an anonymous basis through a third party provider site with duplicated submissions not available. Surveys were circulated through online peer support groups for home educating families in Wales. A total of 372 individual

⁶ For example, during meetings with stakeholders, including Education Otherwise.

⁷ Alburey, J. (2021) 'How societally visible and engaged are the children of home educating parents who access online home education support groups?'. Derby University. Author's extract available at: <https://www.educationotherwise.org/engagement-and-visibility-of-home-educated-children/>

⁸ Case, B. and Chen, Y (2021) 'What Home-Schoolers Are Doing Right' [Online] Available from: <https://www.wsj.com/articles/home-schoolers-schooling-are-doing-right-education-parents-bartholet-harvard-parenting-11636577345>

⁹ Welsh Government (2023) 'Elective Home Education Guidance' Document number 289/2023 [Online] available from <https://www.gov.wales/elective-home-education-guidance> Amended to 292/2023

submissions was received, all of which were unspoiled. Responses covered all of the 22 local authorities in Wales.

A further survey was undertaken using the same approach as detailed above, in order to ask respondents about their relationship with their local authority, in late January and February 2024. A total of 283 individual submissions was received, all of which were unspoiled.

A poll was circulated through online peer support groups for home educating families in Wales in February 2024. Parents were asked to give details of their interaction with their local authority when asked for information about their child's education and whether that had changed since publication of the new guidance. A total of 471 individual responses was received, all of which were unspoiled.

Results 2023

In describing their overall relationship with their local authority, it was notable that only 7% of respondents described their relationship as negative or very negative with 46% describing the relationship as positive or very positive and a further 46% as neither good nor bad (figures rounded and may not be 100%).

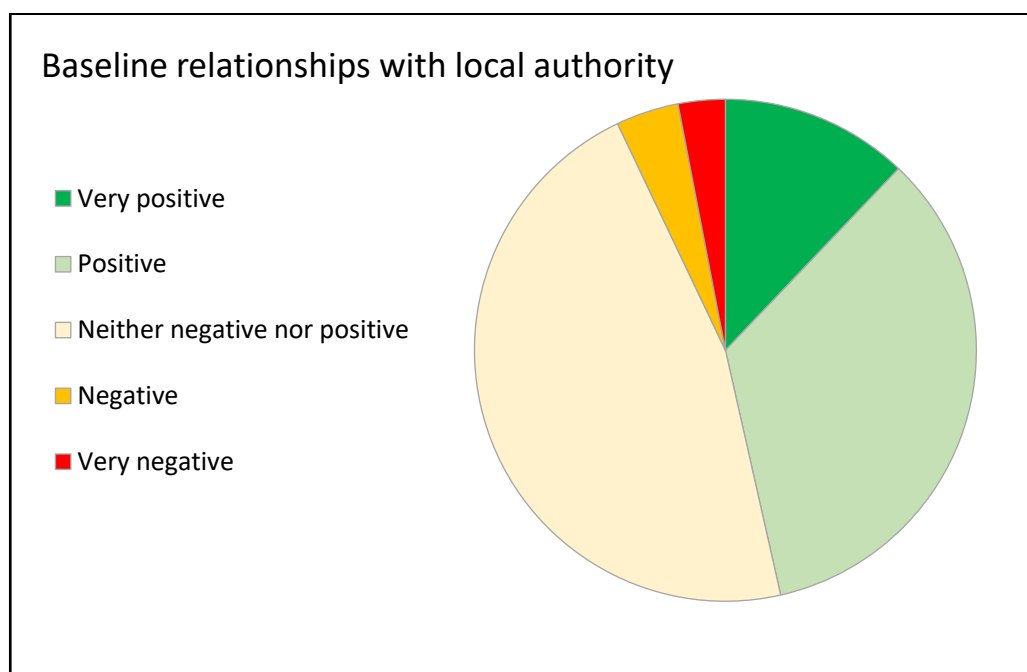


Figure 2: Home educating parents' relationship with local authorities June 2023.

Parents were asked how they felt that the guidance would affect their relationship with their local authority, if at all. Only slightly over 1% of respondents felt that their relationship with the local authority would improve, either a little or greatly. A total of 84% felt that their relationship would worsen, with 63% feeling that the relationship

would worsen greatly. The remaining 15% of respondents felt that their relationship would not change.

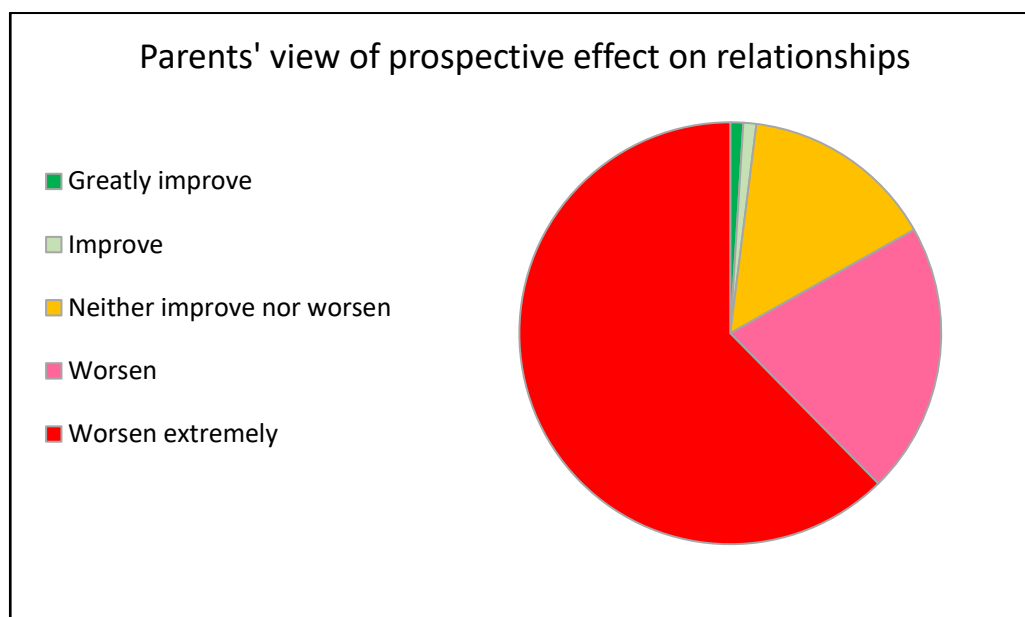


Figure 3: Parents' views of how new guidance would affect their relationships with their local authorities.

This was the question which attracted most comment from respondents, with all of those responding expressing concern about the content of the guidance and how it could damage their relationships with their local authorities:

'They will make it uncomfortable in the extreme. I'll make sure that I keep to the bare minimum and express my and my daughter's upset at this invasion of our privacy and family life.'

'These guidelines make me greatly fear contact from my local education office.'

'I believe this guidance will mean we are already at odds and give no chance for an amiable relationship now they're being enforced.'

'I don't know what to expect and this is what makes it scary. If the education officer responds reasonably and takes seriously why my children can't meet her, it could possibly improve our relationship. But if she ignored it all, yes, it would severely damage our relationship. Either way, I'd never trust her or be at ease permanently.'

'These new requirements will make me even less likely to engage with them.'

'If at some point in the future I feel the need to have a relationship, I want it to be at my request and not forced upon me by this 'guidance' which comes across very much as state control. This is not how a democratic society is supposed to work!'

'The LA offered no help when we sought it and we were abandoned when we needed support - I have zero interest in meeting them and my son has no desire to have any contact with them.'

'Changing the EHE officer's role to one of policing rather than support undermines the relationship.'

'I would be wary of meeting them. It very much depends on how we are treated and whether they act inside the law or have unreasonable expectations which would lead to mistrust'.

'I think overall relationships will be more problematic.'

'I know that I am providing the best education for my autistic child at a level that my child can cope with. I know that I am preparing my child for adulthood in ways my child can cope with. Interference by the LA will result in stress and anxiety for my child and will be wholly detrimental to my child's progress. I do not envisage that a relationship with an education officer will be good in any way for either me or my child.'

Respondents expressed concern about a requirement in the guidance for 'professionals' who come across a home educated child, to notify the relevant local authority, specifically within truancy sweeps, although concern about medical professionals routinely referring children was also cited. A full 90% of parents reported finding this concerning, with some referring to the lack of legal basis for police officers to require or share home educated children's data.

'I'm utterly disgusted that they think involving law abiding children in truancy sweeps is in any way a good way to engage. It would stress and upset my son and quite probably set him back years.'

'Police powers in respect of truancy patrols derive from the Crime and Disorder Act 1998 s16 (3). This power only applies to children of compulsory school age who are registered at school. It does not apply to home educated children, as they are not registered at, or absent from a school. I cannot understand Welsh Government trying to misrepresent the law.'

'I am really put off using NHS services. You should be able to trust doctors, not be worrying that they will report you just because you home educate'.

Respondents in 79% of cases were unhappy or very unhappy with the implied requirement in the guidance to meet the education officer.

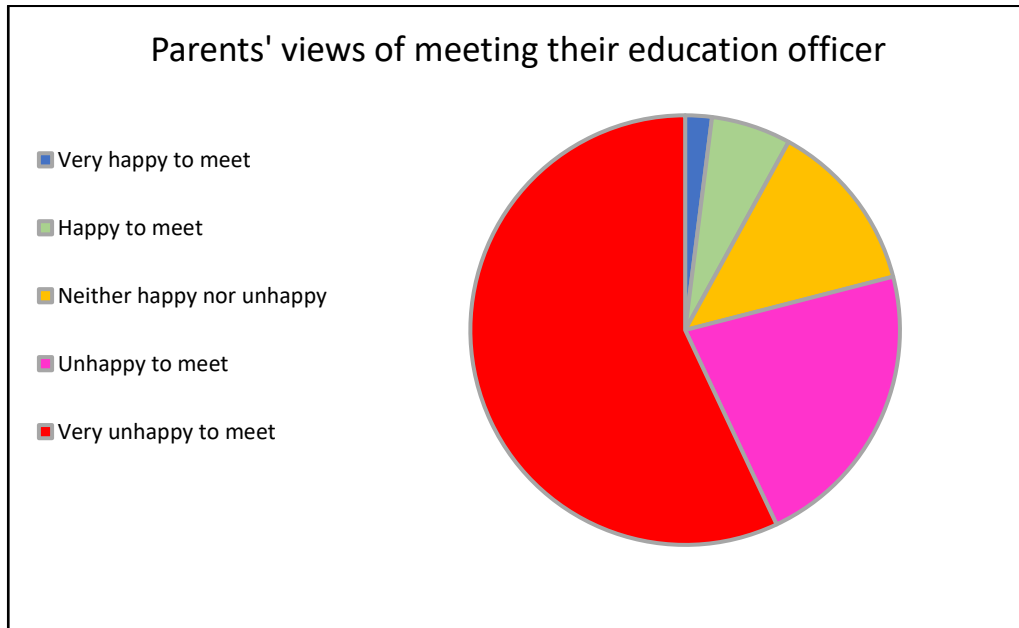


Figure 4: Parent's view of meeting their local authority officer

Respondents in 85% of cases were similarly unhappy about a perceived requirement to provide copies of work. The theme was no less in respect of children being required to meet with local authority officers with 89% being unhappy or very unhappy with this requirement.

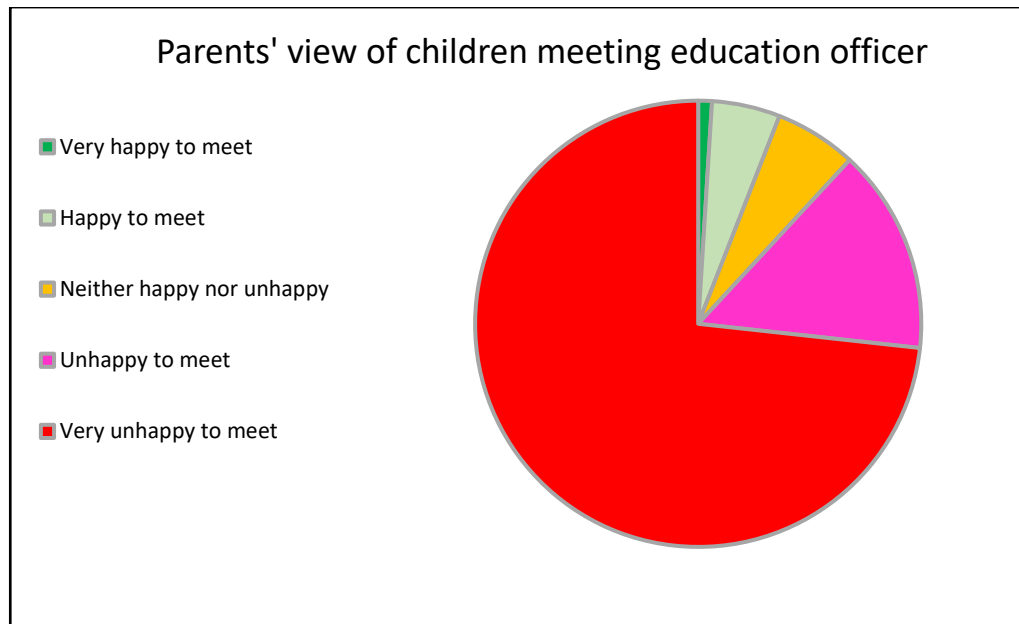


Figure 5: Parent's view of children meeting their local authority officer

'I used to meet the education officer on my own without children. I am not happy to be forced for my children to have to be seen if they don't want to do that.'

'How can anyone who does not know my child get any useful information from one meeting. He might be out of sorts that day or even scared of a strange adult asking him questions.'

'The whole idea is cruel, children should not feel as if a stranger can judge them and turn their lives upside down if they do not get it right.'

Respondents were asked to what extent they felt that the new guidance would benefit children's educational outcomes with only 1% stating that they felt that children's educational outcomes would benefit, 21% neutral and 78% believing that the guidance would damage their children's educational outcome.

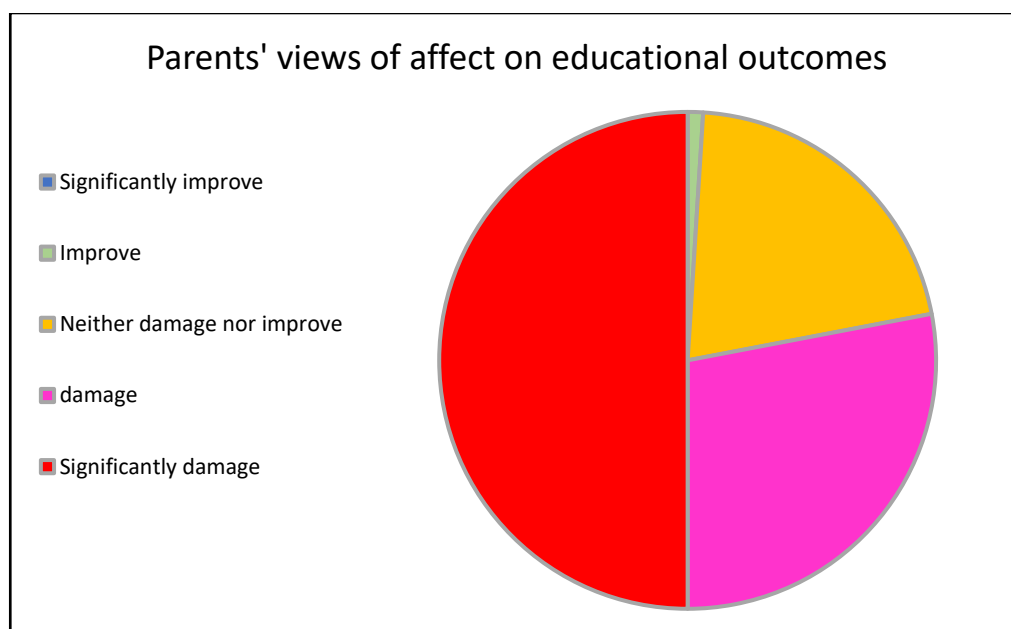


Figure 6: Parent's view of effect on educational outcomes.

'We may have to reduce contact to protect other families. We have been working with the LA as a home ed group so families know where they can access community.'

'This "guidance" (state bullying) will be very detrimental because we will constantly be second-guessing whether what we are doing is "good enough" for the dictatorial WG authorities. We know it's absolutely right for my daughter but what if they disagree, even though they know nothing about her?'

'I do not believe the WG when they state that the purpose to these new guidelines is to improve educational outcomes. I believe this is a lie. I believe it is



EDUCATION OTHERWISE

purely about control, and I am extremely unhappy about these changes on this basis.'

'The guidance will be detrimental to my child's mental health.'

'Will put pressure on me and them and lose the amazing natural approach we have.'

'I do believe it will have a significantly negative impact on future interactions with authority figures.'

'All it will do is waste time for all concerned.'

'Why has the Welsh government come to the conclusion that such heavy handed intrusion is necessary and proportionate?'

'My child is not yet CSA and because of this, I intend to be unknown'.

'I will be avoiding giving other professionals my children's data in case of future sharing'.

Results 2024

In January and February 2024, a survey was undertaken of families in order to ascertain their view of how or if their relationships with their local authority had changed since implementation of new guidance in May 2023. This survey was simplified to gauge changes in relations over the previous time period and made no reference to guidance content. A total of 346 responses was received of which 63 were referring to respondents' views of Additional Learning Needs (ALN) provision. These were excluded, leaving 283 responses with all regions being represented.

The number of responses referring to difficulties with accessing support for children with ALN, confirms findings from our concurrent research examining the basis on which parents choose to home educate their children¹⁰. Home Education Trends: Changing Cohorts found a stark divide in parents' reasons for choosing home education, with a majority doing so due to lack of support for children's ALN and mental health within the school system. This is beyond the scope of this report.

The majority of survey respondents in both the 2023 and 2024 surveys described their relationship with their local authority as neutral. However, responses to the 2024 survey indicated an overall reduction in parents' views of their local authority with

¹⁰ Publication due February 2024 'Home Education Trends: Changing Cohorts.'

decreases in those reporting relationships as very positive, positive or neutral and increases in those reporting negative or very negative relationships.

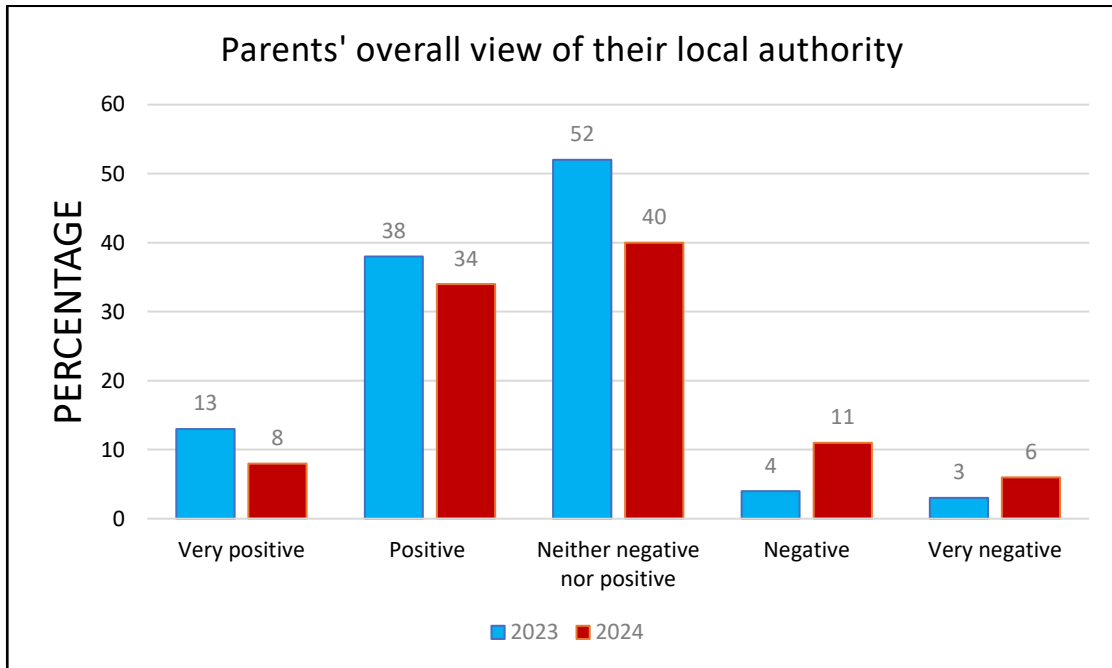


Figure 7: Parents relationship with their local authority 2023 and 2024.

The national overview does not tell the full story as regional analysis demonstrates a stark north south divide in parents' overall views:

'My LA is very polite, not overstepping, offers help connecting with other education and health professionals who may be helpful to my autistic son. Knows her job'. (North)

'They don't seem to want cordial relations with us anymore'. (South)

'Overall I think XXXXXX have been excellent so far and have acted how I would expect an LA to behave'. (North)

'Support is offered if you want it. LA organise HE activities'. (North)

'I keep them at arms length'. (South)

'The XXXXX officer is incredibly helpful to be honest. It is higher management that cause problems by not letting her do her job properly'. (South)

'XXXXXX has door-stopped some families including for a child under compulsory school age'. (South)

'How the LA is employing people who don't understand their own policy is baffling'. (Mid)

'Consistent incompetence'. (South)

'They have been wonderful'. (North)

Respondents were asked to report their view of their local authority in three separate categories, requests for information, communications and overall performance in respect to home education. Only 0.6% of those responses gave negative replies in respect of local authorities in north Wales.

In the 2024 survey, Respondents were asked to state whether their overall view of their local authority's practice had improved greatly, improved, remained the same, decreased or decreased greatly since 2023. Again, a stark north south divide was apparent, all of the northern local authorities seeing positive changes or no change and almost all of the southern local authorities seeing an overall decrease in parents' view of their practice. One southern authority received positive feedback and one neutral.

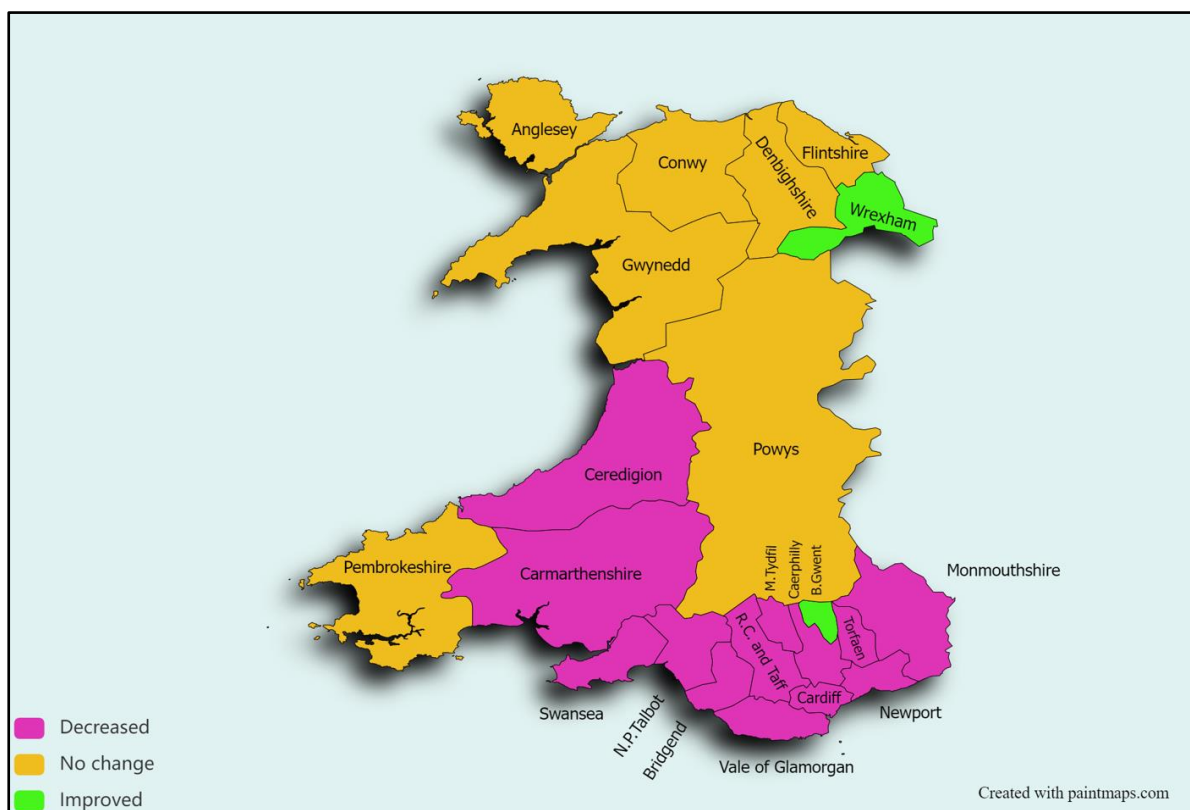


Figure 8: Parents' reports of changes in their overall view of local authority practice

Changing relationships

The third survey in the series informing this report asked parents to confirm how they interact with their local authority. Responses were received from 471 individuals representing all local authorities in Wales.

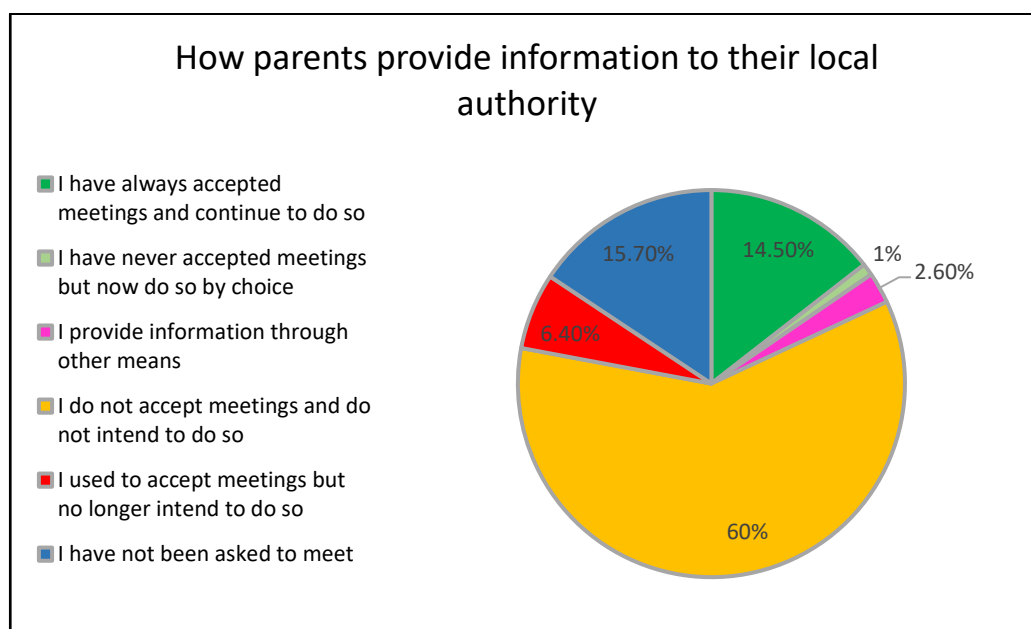


Figure 9: How parents provide information to their local authority.

The majority of parents (60%) report that they provide information through means other than meeting with their local authority. This can be through telephone discussion, written report or other means.

A total of 3.6% of parents reported that they will now accept meetings either by choice or because they feel forced to do so. Approaching twice this number, 6.4% reported that whilst they used to accept meetings with their local authority they no longer intend to do so. When analysed by region, those respondents stating an intention no longer to meet with their local authority are almost exclusively resident in the south of Wales.

'My LA has always been fantastic and we have met every year unfortunately from what I've seen and heard from others in the area they are now pushing for things they are not entitled to so I'm considering not meeting with them this time'. Parent in south

'The XXXXXX home ed officer is XXXXXX, she is lovely and very pro home ed, we have annual meetings at home with her and they are wonderful experiences' (Parent in north)



Conclusions

This research examines changing relationships between home educating families with a view to monitoring how those relationships have been affected by guidance issued in 2023. Respondents referred to changes in local authority practice, perceived changes in that practice or local reports of changes in practice as being the basis for their changing opinions. Some respondents clarified that they did not attribute those changes to individual education officers but to Welsh Government guidance changes and implementation of those changes by 'management'.

Stakeholders from all sectors report being of the view that all children should be receiving a suitable education and the majority of home educating families accept, whether reluctantly or positively, that local authorities have a role to play in achieving that aim. However, home educating families and local authority officers working on the ground with families, need to maintain positive and constructive relationships in order to achieve that aim. Without mutual respect and mutual trust, parents do not feel safe to seek support from their local authority and local authority staff cannot offer support in individual cases where needed.

Parents' views of local authorities have worsened in most local authorities in South Wales with those worsening views being reflected in reduced face to face engagement and increased negativity toward local authorities. Families in North Wales report that their relationships with their local authority are positive and have not worsened.

Packages of support provided during covid and for the short term afterward, raised positive engagement between home educating families and local authorities and Welsh Government could have taken the opportunity to 'ride the wave' of that situation by issuing guidance which provided balance and was acceptable to parents and local authority alike. Unfortunately, it chose to tip the balance toward increasing surveillance of families and this is reported as being an unduly intrusive, unacceptable and unwelcome¹¹ experience.

It appears clear that the Welsh Government believes that greater control of and greater involvement in home educating families' lives is important to protect children's rights to a suitable education. However, the evidence suggests that acting on that basis has an iatrogenic effect which, rather than increasing oversight of children, results in reduced engagement and lower levels of oversight of those children. This reduction in engagement comes at the same time as numbers of home educating children are rising, driven primarily by parents' lack of trust in the school system.

¹¹ Extensive feedback by parents to Education Otherwise through support services.



Recommendations

Welsh Government should look to its school system and improve its offer for children with ALN and mental health issues. By doing so, more parents will elect to use schools for their children's education, reducing Government concerns in respect of rising numbers of those coming to home education when that is not a positive choice.

Welsh Government should amend its guidance to make clear that only in cases where there is reasonable cause for concern should face to face oversight be pursued and strengthened. A clear message to those parents doing a good, or good enough, job would empower local authority staff to commit their resources where they are truly needed. This would in turn, empower parents to develop mutually trusting relationships with local authorities.

Home educating families in local authority areas where home education officers are engaging positively and respectfully should ensure that their voices are heard and report local positive practice in order to encourage less positive regions to emulate that practice.

W. Charles-Warner
February 2024

Agenda Item 7.6



Jayne Bryant MS
Children, Young People and Education
Committee
By email only

From: Martyn Jones JP DL, Wales
Committee Interim Chair

Our ref: 20240307Bryant

Thursday 07 March 2024

Dear Jane Bryant,

Violence against women and girls

I am writing to bring your attention to our comprehensive report, published today, analysing the UK and Welsh Governments' performance upholding the Istanbul Convention. In particular, we would like to highlight some of its recommendations relevant to the Welsh Government. We have enclosed the report for your consideration.

The Istanbul Convention

As you know, the UK Government ratified the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence ('the Istanbul Convention') in July 2022. We welcomed this important step. As such, the UK and Welsh Governments are now bound by international law to protect women and girls from violence. This includes prevention activities, prosecuting those responsible, and safeguarding survivors.

Our report has been submitted to support the Council of Europe experts on violence against women and girls' ('GREVIO') own evaluation of the

implementation of the Convention.

As an A-status National Human Rights Institution, we have provided our independent analysis on compliance with the Convention, and recommendations for change, to support GREVIO's assessment, including by meeting with the experts in January 2024. We are pleased to share our report with you today, which reflects this programme of work.

Based on our analysis, we welcome both governments' ambitious targets to improve women and girls' safety, and their focus on driving improvements. However, there still work to do to make these targets a reality for women and girls. We outline some of our recommendations here.

Measuring progress

To facilitate improvements on women and girls' safety, we recommend that the Welsh Government publish new indicators to measure progress implementing its current Violence against women, domestic abuse and sexual violence strategy without delay. As the Welsh Government did not publish any comprehensive information on progress against its 2019 indicators, we consider it a priority that the Welsh Government adopts a greater focus on delivery and transparency.

Support for child victims of violence

Our report considers girls' experience of violence and expresses our concerns about the lack of specialist therapeutic support available to child victims of violence. We note the Independent Inquiry into Child Sexual Abuse (IICSA)'s

Arndale House, The Arndale Centre
Manchester, M4 3AQ

[equalityhumanrights.com](https://www.equalityhumanrights.com)



recommendation that the UK and Welsh governments introduce a guarantee that child victims of sexual abuse will be offered specialist and accredited therapeutic support. This has not been actioned, despite research showing that early interventions are effective at reducing the impact of child sexual abuse and preventing significant mental health problems in later life.

The role of schools

Our report also discusses the important role of schools and educational curricula in preventing violence against women and girls in Wales. It describes evidence of the impact of sexism and prejudicial attitudes in schools.

We welcome the Welsh Government's recently published peer-on-peer sexual harassment action plan but note that timeframes have not been allocated to actions.

We would be happy to meet to discuss these issues further, and invite you to consider our report, and its recommendations for change, carefully.

Yours sincerely,

Martyn Jones JP DL

Wales Committee Interim Chair

Equality and Human Rights Commission |

Arndale House, The Arndale Centre
Manchester, M4 3AQ

equalityhumanrights.com

Agenda Item 7.7

Senedd Cymru

Bae Caerdydd, Caerdydd, CF99 1SN
SeneddPlant@senedd.cymru
senedd.cymru/SeneddPlant
0300 200 6565

Welsh Parliament

Cardiff Bay, Cardiff, CF99 1SN
SeneddChildren@senedd.wales
senedd.wales/SeneddChildren
0300 200 6565

Y Pwyllgor Plant, Pobl Ifanc ac Addysg

Children, Young People and Education Committee

Andrew RT Davies MS

Member of the Welsh Parliament for South Wales Central

11 March 2024

Re: CAFCASS

Dear Andrew,

Thank you for your letter dated 23 February about Cafcass Cymru, which we discussed during our meeting on 28 February.

We have not undertaken a review of Cafcass Cymru during this Senedd. Whilst we recognise its important role in promoting the voices of children and young people within the family court setting, we currently have no plans to do so. However, as you may know, we recently published a report on services for care experienced children and young people. The report considers the family court, and notes concerns about staffing shortages at local authorities and at Cafcass Cymru, which were reported to us by President of the Family Division Sir Andrew McFarlane. You and your constituent may find the 'The Family Court' section starting at paragraph 123 particularly relevant to your concerns. Cafcass Cymru also provided us with comprehensive written evidence to support our inquiry, which, again, you may find useful.

In 2012, the Children and Young People Committee of the Fourth Assembly carried out a short inquiry into Cafcass Cymru which touches on the concerns you raised in your letter (although I appreciate that the situation is likely to have changed considerably since then).

I will, of course, keep you informed of any relevant future work we undertake.

I have copied in the Chair of the Health and Social Care Committee for his information.

Yours sincerely,



Jayne Bryant MS
Chair

Cc. Russell George MS
Chair of the Health and Social Care Committee

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English



Agenda Item 7.8

**Y Pwyllgor Plant, Pobl Ifanc
ac Addysg**

**Children, Young People
and Education Committee**

Julie Morgan MS
Deputy Minister for Social Services
11 March 2024

Senedd Cymru

Bae Caerdydd, Caerdydd, CF99 1SN
SeneddPlant@senedd.cymru
senedd.cymru/SeneddPlant
0300 200 6565

Welsh Parliament

Cardiff Bay, Cardiff, CF99 1SN
SeneddChildren@senedd.wales
senedd.wales/SeneddChildren
0300 200 6565

Newport City Council to treat care experience as a protected characteristic

Dear Julie,

As you are aware, Newport City Council has recently become the first council in Wales and the 75th council in the UK to vote to give care experienced people greater recognition when designing policies and services. The motion passed on 23 January 2024, and commits the Council to:

- assess through Equality Impact Assessments the impact on people with care experience of any future decision, services and policies made and adopted by the Council;
- include care experience in the publication and review of Equality Objectives and the annual publication of information relating to people who share a protected characteristic in services and employment, as part of its delivery of the Public Sector Equality Duty;
- continue to proactively seeking out and listening to the voices of care experienced people when developing new policies based on their views; and
- call on all other bodies to treat care experience as a protected characteristic until such time as it may be introduced by legislation.¹

In light of the increasing number of councils across the UK that are voting to formally recognise the numerous and significant barriers that many care experienced people face, I would be very grateful for your response to the following questions:

1. What are your views on the motion passed by Newport City Council?
2. In passing its motion, Newport City Council has taken steps to reduce the stigma and discrimination that care experienced people face above and beyond being a signatory to

¹ Newport City Council, 'Agenda Council - Tuesday, 23rd January, 2024 5.00 pm'

the Welsh Government's Corporate Parenting Charter. Does the Welsh Government believe that the voluntary Corporate Parenting Charter alone is sufficient to eradicate the stigma that care experienced people face?²

3. The Council motion explicitly references our Committee's recommendation that the Welsh Government lobby for care experience to become a protected characteristic under the Equality Act 2010. The Welsh Government rejected that recommendation. Will the Welsh Government reconsider its response if other Welsh councils join Newport in taking action "to treat care experience as a protected characteristic until such time as it may be introduced by legislation"?

I would appreciate your response no later than 30 April.

Yours sincerely,



Jayne Bryant MS
Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English

² As set out in the Welsh Government's response to our report. See: Welsh Government, ['Written Response by the Welsh Government to the report of the Children, Young People and Education Committee report entitled "If not now, then when? Radical reform for care-experienced children and young people"'](#), 05/07/23

Agenda Item 7.9

**Y Pwyllgor Plant, Pobl Ifanc
ac Addysg**

**Children, Young People
and Education Committee**

Councillor Jane Mudd
Council Leader, Newport City Council

11 March 2024

Senedd Cymru

Bae Caerdydd, Caerdydd, CF99 1SN
SeneddPlant@senedd.cymru
senedd.cymru/SeneddPlant
0300 200 6565

Welsh Parliament

Cardiff Bay, Cardiff, CF99 1SN
SeneddChildren@senedd.wales
senedd.wales/SeneddChildren
0300 200 6565

The Newport City Council motion to treat care experience as a protected characteristic

Dear Jane,

As you know, the Senedd's Children, Young People and Education Committee carried out a comprehensive [inquiry into services for care experienced children and young people](#). During that inquiry, we heard that amending the Equality Act 2010 to include experience of care as a protected characteristic would be an effective way to reduce the stigma and discrimination that many care experience people face. Our [report](#) recommended that the Welsh Government should lobby the UK Government to amend section 4 the Equality Act 2010 to add 'care experience' as a protected characteristic.

In light of this, the Committee is very interested in the recent decision by Newport City Council to make care experience a protected characteristic with the aim of designing policies and services to reflect the specific circumstances they face.¹

To help us better understand what the Council motion will mean for care experienced children and young people, we would appreciate any information you are able to provide us about:

- how, and when, the motion approved by the Council will be implemented;
- the amended equality impact assessment process;
- the ways by which the Council engages with care experienced people to inform its decision making;

¹ Newport City Council, [Agenda, Council - Tuesday, 23rd January, 2024 5.00 pm](#)

- whether you believe that other councils across Wales will follow Newport City Council's lead by taking steps to give care experienced people greater recognition when designing policies and services; and
- anything else you believe it would be useful for us to know to understand what the motion means for care experienced children and young people.

This information will be helpful for us as a Committee as we continue to press for the truly radical reform that care experienced children and young people deserve.

I would be grateful for your response no later than 30 April so that we can consider it as part of our ongoing work in this area.

Yours sincerely,



Jayne Bryant MS
Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English



Ms Amanda Wilkinson
Director, Universities Wales

Jayne Bryant MS
Chair, Children, Young People and Education Committee
Senedd Cymru

12 March 2024

Dear Jayne Bryant MS

We are writing to you as Chair of the Children, Young People and Education Committee to express concerns about the level of participation of Welsh young people (Welsh-domiciled) in higher education.

UCAS' reporting on application and entry rates to higher education across the UK shows that for Welsh domiciled students the rates are worse than in England and the UK more broadly, where comparisons can be made. We would like to draw the committee's attention to this data and are happy to work alongside the Committee wherever needed to identify the issue, possible causes and solutions.

Higher Education provides benefits for the individual in terms of lifelong well-being as well as boosting the economy and providing a workforce fit for the future. Projections show that 400,000 extra graduates will be needed to meet demand in Wales by 2035, with 11m extra graduates needed across the UK.

Welsh performance in comparison to the rest of the UK

The percentage of Welsh domiciled 18 year olds entering higher education in 2023/24 was 29.9%, meanwhile in London that percentage is 49.5%. That is the outlier, but students from NI enter at 40.2% and in the South East of England, it's 38.5%. The only part of England with a lower rate than Wales is the North East of England at 28.9%. Scotland is not directly comparable due to their cap on student numbers and different qualifications system.

Index of Multiple Deprivation (IMD) and regional disparities in entry rates

In the UK overall, those in IMD category Quintile 1 (the most deprived) enter at a rate of 26% whereas in Wales it's 18.9%. Young men in Quintile 1 fare even worse, entering at 21.2% in the UK but only at 14.9% in Wales. Within Wales, there is regional disparity as Q1 students from South Wales are more likely to access HE than those in Mid or North Wales. For example, Q1 students provide 22% of the market in South Wales East, but only 11% of the market in North Wales.

Cross-border flows

The data reveals that students from England are increasingly choosing to study in Wales. In 2019, fewer than 10,000 students chose to move from England to Wales, in 2023 this number was more than 12,000. This has partly masked the participation challenges among Welsh domiciled young people. The number of those from Wales who participate in HE in either England or Wales institutions has dropped since 2019.

Institutions in Wales already invest significant time and effort into outreach programmes in local schools and colleges, and evidently Wales is an attractive place for students to come and study (as evidenced by Wales being a net beneficiary of the cross-border flow).

Possible causes

There is no definitive data. Cultural factors may play a part, particularly messaging on the value of higher education from government and media. It is likely that those from the most disadvantaged backgrounds are the most susceptible to this messaging as they are unlikely to have family members with direct experience of higher education.

Policy asks

We would like to understand better what the cause(s) may be in order to help deliver a brighter future for our young people. Destination data for 16-17 year olds is currently patchy and provides limited answers. More research in this area would be welcome. As the concept of tertiary education develops in Wales, ensuring that we understand the journeys of our young people will be ever more important to ensure we tackle the pressing participation challenges we already face.

In bringing this to the attention of the Children, Young People and Education Committee we hope to highlight the seriousness of the issue and its implications. Universities Wales would welcome the opportunity to engage with you further in exploring how this challenge might be addressed.



Amanda Wilkinson

Director, Universities Wales

Jeremy Miles AS/MS
Gweinidog y Gymraeg ac Addysg
Minister for Education and Welsh Language



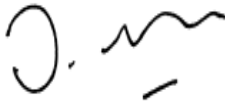
Llywodraeth Cymru
Welsh Government

Jayne Bryant MS
Chair
Children, Young People and Education
Committee Welsh Parliament
Ty Hywel
Cardiff Bay
CF99 1SN

13 March 2024

Dear Jayne,

In my letter of 30 August, I committed to bring the ALNCo Task and Finish Report to the attention of the Committee. I made a [Written Statement](#) upon publication of the [report](#) in February. I hope committee members find this information to be of interest.



Jeremy Miles AS/MS
Gweinidog y Gymraeg ac Addysg
Minister for Education and Welsh Language

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

Gohebiaeth.Jeremy.Miles@llyw.cymru
Correspondence.Jeremy.Miles@gov.wales

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Agenda Item 7.12

Lee Waters AS/MS
Y Dirprwy Weinidog Newid Hinsawdd
Deputy Minister for Climate Change



Llywodraeth Cymru
Welsh Government

Jayne Bryant
Chair
Children, Young People and Education Committee

SeneddChildren@senedd.wales

14 Mawrth 2024

Dear Jayne,

Further to our response to the Committee's letter on Learner Travel in December 2023, please find attached the Learner Travel Recommendations Report for you to share with the committee.

This Report sets out a series of recommendations to help improve the consistency, quality and safety of learner travel provision across Wales, following an internal analysis and evaluation exercise undertaken between January – September 2023.

We believe the recommendations set out in Report will provide a renewed focus on how we approach the journey to school; to look afresh at the responsibility on us all – children, young people, parents and carers, schools, FE institutions, local authorities and us as Ministers – and the collective role we play in ensuring that our learners develop the skills and confidence to travel to their place of learning in a safe, sustainable and affordable way.

The report recommends a comprehensive update to the statutory guidance documents which outlines the roles and responsibilities of all those involved in learner travel. The guidance will be enhanced to provide a framework for delivering a socially just, environmentally and financially sustainable school travel offer that is learner-focussed and highlights best practice from Wales, and beyond.

By taking forward the Report's recommendations we have an opportunity to ensure that our commitments and policy aspirations on active travel, public transport networks – both bus and rail, alongside our ambitious targets on modal shift can be aligned and integrated in to the learner travel agenda.

By working with in partnership with key delivery partners to redefine, refresh and restructure our learner travel frameworks and infrastructure we believe that together we can foster a socially, environmentally and sustainably culture of responsible travel to school.

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

Gohebiaeth.Lee.Waters@llyw.cymru
Correspondence.Lee.Waters@gov.wales

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Lee', is centered within a light gray rectangular box.

Lee Waters AS/MS

Y Dirprwy Weinidog Newid Hinsawdd
Deputy Minister for Climate Change

Learner Travel in Wales
Analysis and Evaluation - Recommendations Report
December 2023

Background

1. Following the review undertaken in 2021 a further internal analysis and evaluation exercise to consider the Learner Travel (Wales) Measure has been undertaken by officials between February -September 2023.
2. This exercise collated information from survey responses from 14 out of the 22 local authorities and 8 FE colleges; officials reviewed evidence submitted for the 2021 review. We also met with representatives from the offices of the Children's Commissioner for Wales, the Welsh Language Commissioner, local authority Directors of Education and Transport officials, and representatives from Church in Wales and the Catholic Church. The analysis and evaluation exercise also considered Senedd debates, oral and written questions and Committee reports; it reviewed all correspondence, including petitions, received since the previous review was undertaken as well as considering over 80 UK, and international research papers looking at innovative school transport provision.
3. Additionally, Young Wales¹ undertook a consultation exercise with children and young people across Wales to ascertain their views on the All-Wales Travel Behaviour Code enabling around 70 learners from 6 schools to provide invaluable comment and insight in to their experiences of travelling to school.
4. Officials engaged with the Welsh Youth Parliament's work on Sustainable Travel that was taking place at the same time of the review. The recommendations in this paper have taken into consideration the findings and recommendations of the WYP report, *Sustainable Ways*.

Key findings and recommendations

5. This analysis and evaluation exercise has concluded that given the fundamental reform that Welsh Government are planning for the structure of the bus industry, and with the Welsh Government facing significant challenges around budget pressures there should be no immediate amendment to the legislation which underpins Learner Travel in Wales². Costs for local authorities' current statutory responsibilities have increased significantly due to a range of issues including increased fuel prices, driver shortages and operator availability and therefore any changes would require significant Welsh Government investment that, currently, can not be afforded.

¹ Young Wales is a Children in Wales initiative that amplifies and supports the voices of children and young people across Wales to be heard, listened to and have influence in decisions that affect their lives; underpinned by the UNCRC and the Children and Young People's National Participation Standards.

² Learner Travel (Wales) Measure 2008

6. The analysis and evaluation exercise makes a number of recommendations that provides the framework to improving the consistency, quality and safety of learner travel provision across Wales and will help to address a number of the issues raised by key stakeholders and delivery partners.

Recommendation 1 - Update Learner Travel: Statutory Provision and Operational Guidance document to align with legislative changes; promote and strengthen collective responsibility across local government, schools, parents and learners; and improve consistency of delivery across Wales

7. The review concludes that immediate work should start on updating the statutory guidance documents which support the operational delivery of travel and transport arrangements for our learners across Wales, namely the Learner Travel: Statutory Provision and Operational Guidance (2014), and the All Wales Travel Behaviour Code (2018).
8. The guidance documents should be updated to align with legislative changes that have taken place since their respective publication dates and to align with the transport hierarchy as set out in Llwybr Newydd, and Welsh Government's aspirations around Net Zero.
9. The update to the guidance documents will help address many of the issues raised in the previous review³ (which are all still relevant) and reiterated in the findings of this current review. This will include updating and clearly defining roles and responsibilities for all involved in school travel, to support a more consistent approach to learner travel provision across Wales. The guidance will be developed to provide a framework for delivering a socially just, environmentally and financially sustainable school travel offer that is learner-focussed and highlights best practice from Wales, and beyond.

Recommendation 2 – Commission a piece of work to update the All-Wales Travel Behaviour Code, resources for schools and update to accompanying statutory guidance

10. As part of this analysis and evaluation exercise, Young Wales hosted workshops with 69 children from 6 schools across Wales. This consultation exercise provided invaluable insights into the thoughts and feelings of children and young people about travelling to school and how the All-Wales Travel Behaviour Code can be updated to be more relevant, accessible and embedded within the school lives of children and young people. The consultation highlighted the need to raise the profile of this important document and associated resources; only 2 out of the 69 children had heard of the Code. The children and young people suggested some innovative solutions to improve this and to ensure that travel and transport to school is embedded within the school community.

³ [Learner Travel \(Wales\) Measure \(2008\) review 2021 | GOV.WALES](#)

11. It is therefore recommended that the budget allocated for the Learner Travel Measure Review is used to support a programme of work to cocreate with children and young people a refocussed Travel Behaviour Code to embed a sense of ownership and responsibility within schools and communities to ensure the key messages reflect the feedback from the early consultation exercise and the opportunities presented by the transport hierarchy.
12. As part of this work-stream transport and education officials will explore options to work with active travel and education delivery partners to codesign curriculum and communication resource packages for use by schools, governing bodies, local authorities and bus operators to support consistent implementation and delivery of the Code across Wales and ensuring relevance to all modes of transportation.
13. Additionally officials will work with children, young people, local authorities, schools and other key stakeholders to ensure that the accompanying statutory guidance is updated to clearly define roles, responsibilities and ensure children and young people know where and how they can inform, influence and access support on all school travel issues.

Recommendation 3 – Promote best practice, resources and further collaboration across local authorities

14. The review highlighted some excellent practice that is taking place across Wales to diversify the range of travel options for children and young people, promoting the use of more tailored, flexible and innovative solutions to encourage walking, cycling and the use of public transport.
15. The review concludes that using the well-established networks such as ATCO, WLGA and Transport for Wales platforms, more can be done to share some of this best practice and some of the excellent resources developed.
16. For example, Monmouthshire County Council (MCC) offer Personal Travel Budgets (PTB) to some families and have developed best practice policies and templates to support their use. PTBs allow parents/ carers to make their own flexible travel arrangements to school/ college rather than travelling on a vehicle provided by the local authority. PTBs are calculated based on the distance between home and school/ college for the exact number of days the child attends school and takes account of a child's current travel requirement. If the local authority calculates that a PTB would be more cost effective than them directly contracting the transport provision, a PTB is provided to parents/ guardians of children who are eligible for transport to school. Promotion of carefully agreed PTBs to attract take up could contribute to modest but important financial savings and contribute to the development of independence and in many cases promote the better interaction of parent and school at daily drop and pick up, and provide opportunities for LAs and families to consider alternative solutions away from expensive door to door transport. The policies and templates developed by MCC have been shared with

some local authorities for them to consider implementing the policy but there is no formal, consistent mechanism to ensure such resources, and lessons learned, can be captured and disseminated across the authorities.

17. The review concludes that officials should work with delivery partners to identify a suitable coherent and consistent governance structure and platform to promote such initiatives and support the sharing of best practice resources, as well as best practice transport/ travel contracts and resources for local authorities, schools and colleges.

Recommendation 4 – Explore options to develop a match-funded grant programme to seed-fund independent travel training

18. Initiatives such as the use of independent travel training to ensure that all our young people have the skills to use public transport confidently and independently giving them skills for life should be promoted and supported further by the Welsh Government.

19. In Cardiff independent travel training was initially seed funded by Welsh Government and WLGA in 2008/09. The Council has developed the programme over the past decade to become a self-funding service that provides suitable individuals with 1-2-1, and group training to be able to use the public transport network to access their places of learning and also provides them with the lifelong skill opening up more social and long term employment opportunities. By developing the service in-house the Council has been able to tailor and adapt the intervention whilst developing local expertise that could and should be exemplified. Local authority colleagues in Rhondda Cynon Taff and Neath Port Talbot have also recognised the benefits of such a programme and although they are currently in much earlier stages of development they are working closely with colleagues in Cardiff to learn from their experience.

20. The review concludes that this type of invest to save model used to deploy Independent Travel Training should be promoted to local authorities and if appropriate funding can be sourced a match-funding grant scheme should be accessible to support local authorities to develop and support such a programme if the required transport infrastructure allows; or encourage alternative solutions which maximise Welsh Government's current investment in Road Safety programmes across the local authorities.

Recommendation 5 – Increase opportunities for active travel and use of public transport network

21. In line with the Welsh Government's transport hierarchy set out in Llwybr Newydd, this evaluation and analysis exercise recommends that Welsh Government, local authorities, Transport for Wales and other delivery partners maximise the opportunities for our learners to active travel or use public transport to access their place of learning.

22. The Welsh Government is due to procure a new Active Journeys programme and continues to fund Eco Schools; programmes such as these provide an opportunity to ensure schools, learners and communities receive tailored support, resources and training required to provide the governance and environmental infrastructure to encourage more active journeys and use of public transport to schools and colleges. Officials will continue to work cross-governmentally to maximise the opportunities presented by such interventions.
23. To increase use of public transport, our learners require access to a good public transport network. Monmouthshire County Council have undertaken an extensive exercise, working closely with local bus operators to amend timetables to be able to increase the number of young people travelling on public transport routes to their places of learning – increasing skills, and confidence of the young people whilst securing routes for wider members of the community.
24. The implementation of a franchised network provides the opportunity to ensure that schools and colleges are taken in to consideration when planning regional bus networks. It is therefore recommended that as part of the preparatory work for the implementation of the Bus Bill, Transport for Wales ensure that the network development work that they are undertaking includes our learning establishments, schools and FE colleges as well as universities. This will maximise opportunities of a franchised network to encourage more children and young people to use our public transport networks.
25. The review also highlighted opportunities for increased use of the rail network to support children and young people access their place of learning. The review identified an area in Flintshire where, with some collaborative working between Transport for Wales, local authority transport and active travel teams supported by Welsh Government, rail links could potentially be opened up for school children, as well as the broader community. Whilst developing the skills of our future generations to be safe, confident and capable individuals who see public transport as the key to accessing the services they require, identifying and implementing changes such as this could save the local authority significant resources,. It is therefore recommended that Transport for Wales work in partnership with Flintshire to explore the barriers and opportunities to develop this rail link for use by learners. This case study could be used as a pilot project for how opportunities in local authorities could be identified and lessons learned for maximising all our public transport links.

Recommendations

26. The recommendations have been developed to align with current legislative commitments and financial constraints. The actions set out will be overseen by a cross-departmental working group to ensure full engagement with the range of policy colleagues with an interest in this cross portfolio issue including transport, education, Welsh language, health and rural affairs.

27. Successful delivery of change will be dependent on a collaborative effort including, local authorities, schools, bus and rail operators, Transport for Wales, families and children and young people themselves. It is fundamental that all these partners work together to provide the framework and support to ensure that our learners understand their rights, as well as their responsibilities to develop the skills and confidence to get to school safely and sustainably. The cross departmental group will therefore develop an appropriate governance structure and timetable for delivery to fulfil these next steps.

- Recommendation 1: Update Learner Travel: Statutory Provision and Operational Guidance document to align with legislative changes; promote and strengthen collective responsibility across local government, schools, parents and learners; and improve consistency of delivery across Wales
- Recommendation 2: Commission a piece of work to update the All-Wales Travel Behaviour Code, resources for schools and update to accompanying statutory guidance
- Recommendation 3: Promote best practice, resources and collaboration across local authorities
- Recommendation 4: Explore options to develop a match-funded grant programme to seed-fund independent travel training
- Recommendation 5 Increase opportunities for active travel and use of public transport network

Agenda Item 7.13

Jeremy Miles AS/MS
Gweinidog y Gymraeg ac Addysg
Minister for Education and Welsh Language

Ein cyf/Our ref: MA/JMEWL/0733/24



Llywodraeth Cymru
Welsh Government

Jayne Bryant MS
Chair, Children, Young People and Education Committee
Welsh Parliament
Cardiff Bay
Cardiff
CF99 1SN
SeneddChildren@senedd.wales

14 March 2024

Dear Jayne

Follow up from CYPE Committee General Scrutiny session

Thank you for your letter of 6 March, following my attendance at the Children, Young People and Education Committee on 28 February 2024. I am pleased to provide the additional information requested by you and Committee Members below.

Provide further information on the attainment gap between pupils eligible for free school meals and other pupils, including why you believe the data published by the Welsh Government cannot be used to make comparisons between years

Annexes 1 and 2 provide further detail on changes since 2015 which make historical comparisons between years difficult.

Look further at the Seren Network data in relation to those pupils who may not continue on the programme, to identify if there are any trends in relation to their subsequent performance and engagement with their learning

In 2016, the Seren Network started to work with schools in pockets of Wales to provide information and guidance to its most able learners on applying for Oxbridge. The programme has evolved to cover the whole of Wales, providing support on a national, regional and area basis to all learners identified by their schools as the most able, regardless of socioeconomic background. The Seren Academy has approx. 32,000 learners from Y8-13 fulfilling their potential by progressing to, and succeeding at, the most selective universities in the UK and internationally.

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

Gohebiaeth.Jeremy.Miles@llyw.cymru
Correspondence.Jeremy.Miles@gov.wales

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

An online portal was launched in 2022 to register our learners to understand demographics, engage and track progress. We are now scoping membership with the Higher Education Access Tracker (HEAT) which will provide the data to analyse any trends and long-term impacts of The Seren Academy.

Provide further information on how take up of Welsh A-Level can be encouraged and increased, in particular in relation to the teaching and the content of the syllabus

Welsh Government has been working with schools, colleges, universities, the education consortia, Coleg Cymraeg Cenedlaethol, Qualifications Wales, the WJEC, CYDAG and the Urdd to address the challenge of increasing the number of learners studying Welsh at A Level, in order to feed university Welsh departments and the workforce of the future.

A total of £145k has been made available annually since 2019, with £125k allocated to Coleg Cymraeg Cenedlaethol to lead on various projects and £20k retained by Welsh Government to fund marketing campaigns.

The key projects that have been implemented by the Coleg are:

- grants to support the provision of Welsh at AS/A level in secondary schools and further education colleges;
- an internship scheme in Welsh departments in universities to help promote the subject;
- creating digital materials to support the teaching of Welsh; and
- a mentoring scheme with learners in years 9 and 10.

In order to understand the impact of these projects, the Coleg Cymraeg Cenedlaethol commissioned an independent evaluation and the final report will be published by the Coleg in due course.

In addition to the promotional work, the Welsh in Education Strategic Plans (WESPs) are central to the growth of Welsh-medium education, and one of the key factors in achieving our ambition of reaching a million Welsh speakers.

Outcome 4 of the WESPs requires local authorities to set a target and outline how they will increase the number and percentage of learners in Year 10 and above in its maintained secondary schools who are studying for qualifications in Welsh as a subject and other subjects through the medium of Welsh. As part of this outcome local authorities should set out how they are working with schools to ensure that the Welsh language is offered as an A level subject, and how they are supporting schools to maintain smaller class sizes if required in order to secure the subject.

We have received WESPs annual review reports from all local authorities. The number and percentage of learners studying Welsh as a first language is mixed across Wales, however, the reports show us that decisive action has been taken by the majority of local authorities to lay firm foundations for progress during the lifespan of the WESPs.

When designing new Made-for-Wales GCSEs, Qualifications Wales carefully considered progression to the current range of AS and A levels. Qualifications Wales will be commencing a review of A levels this year, in light of the introduction of new GCSEs. Any changes resulting from the review will be in place for first teaching from 2027. One of the considerations they will be making relates to the range of Welsh language qualifications that will be made available to support the teaching and learning of Welsh for learners aged 16 and above. This will include consideration, for example, of the appropriate titling and

structure of Welsh language A levels. They will also maintain a focus on incorporating engaging and relevant content and assessment, as they have already done for new GCSEs. Throughout the review Qualifications Wales will continue to work closely with both Welsh Government and WJEC, as well as a range of stakeholders and experts.

Provide information on the research undertaken, and guidance issued, regarding how schools could provide digital, remote teaching and learning should the need for this arise again in the future

Since October 2020, The Welsh Government has undertaken a systematic assessment of the impact of lockdowns and recovery programmes on learners. The findings so far published, provide evidence of the impact of our approaches and reinforce the need to provide ongoing, additional support to those in greatest need.

- [Effect of COVID-19 on learners survey: results summary | GOV.WALES](#)
- [Evaluation of the Recruit, Recover and Raise Standards \(RRRS\) Programme | GOV.WALES](#)
- [Evaluation of the Childcare Offer for Wales: year 5 | GOV.WALES](#)
- [Post-16 COVID-19 recovery funding evaluation: April 2022 to March 2023 | GOV.WALES](#)

Schools continue to operate in a challenging context and are managing the ongoing impacts of the Covid-19 pandemic. These include persistent and high levels of absenteeism; challenging behaviour in classrooms; and mental health and wellbeing issues. Our successful Covid Recovery programme, 'Recruit, Recover and Raise Standards', was due to be tapered as the post-pandemic effects lessen, however, in acknowledgement of the continuing detrimental impacts to our learners across Wales, we are protecting this funding to continue to support our schools through our new School Standards Grant.

Learning Continuity Guidance was published in November 2022 to provide schools with additional support in planning for any future disruptions to education and to ensure that the impact on the learning and well-being of children and young people is minimised.

Schools in Wales are now well-positioned to implement blended learning strategies in the event of the need for remote learning and teaching via access to the comprehensive tools and support available through the Hwb platform. With access to a wide range of digital teaching and learning resources, collaboration tools, training, and technical support, practitioners and learners can seamlessly transition to digital and remote learning and teaching. Hwb ensures access to digital resources for all learners, promoting inclusive learning environments, enabling schools to effectively deliver blended learning experiences that support learner engagement, outcomes, and well-being in the event of a school closure.

Through Hwb, the digital learning platform for Wales, learners and practitioners from maintained schools and settings can access various online learning tools such as Microsoft Teams in Microsoft Office 365 and Google Meet in Google for Education. These applications through Hwb can offer an interactive experience and a chance to collaborate and engage in a safe and accessible way.

To ensure that our schools are prepared we have published [learning continuity guidance](#) to support them with contingency plans to reduce the impact of any disruption by using blended and hybrid methods to support learners. To complement the guidance, we launched a [Live lessons](#) area on Hwb. This area, along with the [Live-streaming and video-](#)

conferencing: safeguarding principles and practice, helps with delivering live lessons that are safe and secure.

Confirm when you anticipate issuing the strengthened guidance on Learner Travel

We will shortly open a formal consultation process following the publication in March 2024 of the Learner Travel Recommendations Report. This will involve working closely with key delivery partners and stakeholders to strengthen the Learner Travel guidance.

Consider further how the work of the Attendance Taskforce can be reported back to the Senedd and / or Committee

I will update the Senedd and Committee during the summer term on the progress and future of the National Attendance Taskforce.

Share the e-sgol participation data

e-sgol was launched in Wales in 2018 and is based on the Scottish e-sgoil project.

e-sgol is a blended learning initiative to provide online teaching and learning opportunities using direct, real-time and interactive methods. Using the range of tools and services available through Hwb, the project has enabled students from different schools to access digital teaching opportunities from qualified and experienced teachers.

The e-sgol project offers post-14 and post-16 pupils equal opportunities schools by providing opportunities to study courses that would not otherwise be available to them.

e-sgol was trialled in Ceredigion during 2018-19. The pilot was expanded in the second year (2019-20) to include provision in schools in Powys and in Carmarthenshire.

Participation in the e-sgol project is voluntary, however the scheme has been growing year on year and has now expanded to all regions of Wales. The table below shows the development of the project.

Academic Year	Numbers		
	Schools	Courses	Pupils
2018/19	3	4	43
2019/20	14	20	121
2020/21	24	40	282
2021/22	28	43	358
2022/23	31	52	484
2023/24	42	56	584

Looking towards September 2024, so far six schools have confirmed they will be joining the project.

In terms of measuring the success of the courses run through e-sgol, the table below shows a comparison of 'A' level results from August 2023

'A' Level results		
August 2023	e-sgol	Wales
Grade	%	%
A *	15.2	13.5
A* - A	38.0	34
A* - C	79.4	78.9
A* - E	95.9	97.5

The Carlam Cymru Course revision sessions continue to be offered under the banner of e-sgol. During 2022/23, 151 Carlam sessions were delivered by 50 teachers in 13 GCSE subjects, 9 AS subjects and 8 A Level subjects. Since the Carlam courses started in 2021 the scheme has produced 965 videos of the revision sessions, available on the e-sgol website, and have now received a total of 60,245 'views'.

Share, when available, Public Health Wales' work on the whole-school approach

Embedding the whole school approach to mental health and wellbeing is a key priority. We will provide more information on this, and on the work Public Health Wales are doing, as and when this becomes available. It is also something we would be happy to return to in future discussions with the Committee.

You referred to the "granular detail" the Welsh Government has about performance of the school system in Wales and that you had decided to publish this on an annual basis. Could you confirm whether you were referring to the aggregated data you published in November on pupils' personalised assessments and that equivalent versions of this is what will be published annually?

I can confirm I was referring to the more granular detail provided in the statistical release published in November 2023, which showed patterns of attainment in reading and numeracy, based on national-level, anonymised data from the personalised assessments.

Having a common understanding of national trends in Wales is an important foundation to inform our policies and actions to boost learners' achievement in literacy and numeracy, which are key to children's development across the curriculum.

We will also be publishing a fuller report in May which will show demographic differences based on gender, and eligibility for free school meals. This more detailed report will form the basis for future reports published annually.

Of course, while more granular than PISA – given the report is based on years 2 to 9, rather than one year group – it is important to note that this is information on just one aspect of our school system: attainment in reading and numeracy. The reports will eventually form part of a wider range of national-level information on learner achievement covering the breadth of Curriculum for Wales, along with numerous other sources of evidence that provide us with a fuller picture of the school system, including Estyn's reports.

Throughout all our recent work, there have been very clear messages from both schools and local authorities that they do not have capacity to take on any additional work. In this context, we would welcome your views on how any changes to current regional working will take into account these broader capacity and resourcing issues. Also, for those areas where regional working is the preference of schools and local authorities, will they be able to continue with arrangements, if they are shown to be working effectively?

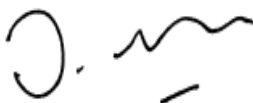
While I recognise the real and pressing capacity issues facing schools, our approach has been shaped by the feedback from schools and local authorities that has emerged from the review process. School-to-school and cluster working is seen as the most important element of support and the majority of school leaders think this should be the foundation for the school improvement system moving forward. School leaders and a majority of LAs also want to see a greater focus on partnership working between school leaders and their local authority and partnerships between more than one LA, and with a move away from a wider regional model of support.

In moving to this next phase of the work I have outlined that we will use this phase to explore how the system can best be supported at three levels: local, supra-local and national. This will include consideration of how we transition to any new arrangements and how we ensure the capacity and capability to support a new way of working is put in place.

I have been clear in the expectation that all local authorities will be in partnership with at least one other, for capacity and capability reasons and to promote system leadership in a self-improving system under any new arrangements. I have also been clear that these partnerships should be voluntary and meet the needs of schools and local authorities. The Welsh Government is not mandating the configuration of future partnerships, but we will be defining the roles and responsibilities to be fulfilled and ensuring proposals match these. The National Coherence Group will oversee the proposals and ensure that they have coherence at a national level.

The review has signalled that a clear majority of LAs themselves are in favour of exploring a move away from current arrangements for regional support or have already moved away from it to partnerships which allow more localised approaches. We are therefore seeking to enable that move to a system which is better fit for the future.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'J. Miles', with a stylized flourish.

Jeremy Miles AS/MS
Gweinidog y Gymraeg ac Addysg
Minister for Education and Welsh Language

Annex 1 - Provide further information on the attainment gap between pupils eligible for free school meals and other pupils, including why you believe the data published by the Welsh Government cannot be used to make comparisons between years

I agreed to respond to you with further detail around the attainment gap and the policy changes that were introduced in the years prior to the pandemic that need to be considered when looking at GCSE outcomes for learners.

The past ten years have seen a steady stream of changes in both the qualifications space and the way in which we have reported on them, influencing entry patterns amongst our learners. Added to that, FSM eligibility criteria has been in flux with the rollout of Universal Credit since April 2017 and the subsequent introduction of an earned income threshold in 2019 impacting on some learners' eligibility. This has meant that it has not been simple to make historical comparisons, and that the data needs to be understood within the context of those changes that have taken place across this timeline.

GCSEs and school performance measures

From 2015 to 2019 there were multiple changes to GCSE design and the way in which we report on outcomes for our Key Stage 4 (KS4) learners, following the 2012 [Review of Qualifications for 14-19 year-olds in Wales](#) and in line with enabling objective 4 of [Education Wales: Our National Mission](#). Amongst these were limits to the volume of non-GCSE qualifications that could contribute towards the measures and the specifying of qualifications that could count towards our literacy, numeracy and science components. Alongside this, we introduced the policy to only count the first award of a qualification for a learner to encourage entries only when learners were ready. A fuller summary of these changes can be found at annex 2.

We can see clear changes in entry patterns as these reporting changes were introduced. In particular, we saw a large increase in entries for a science GCSE amongst learners eligible for Free School Meals (eFSM) between 2016 and 2018, which must be noted when reflecting on any year-on-year changes in attainment gap, both for this subject area and overall.

When we look at any data during the pandemic, as well as in this most recent reporting year, we must also consider the varying changes in examination arrangements across the period in response to the pandemic. Summer 2023 signalled the next step on the Welsh qualification system's journey back to pre-pandemic assessment arrangements, whilst also maintaining support for learners, schools and colleges with advance information and a supportive approach to grading. Whilst we continue to interrogate these examination results to understand differences in outcomes across different learner groups, the variation in impact of the pandemic circumstances on individuals, and the variability of this impact across schools must be borne in mind.

As you will be aware, we are seeking to understand educational standards by considering the broader picture of educational outcomes for learners and data that captures the range of achievements of our learners. The move away from threshold

measures to points scores in 2019 was an initial step towards this aim, by removing a disproportionate focus on the grade C/D boundary for GCSE and encouraging a drive to secure better outcomes for all learners. If we consider the patterns in attainment gap across a range of measures then we see differences in trends. For some of these measures, we see a narrowing of the gap prior to the pandemic.

Nonetheless, the gap persists across the range of measures and we continue to address that. Our commitment to invest in the [Pupil Development Grant](#) (PDG) is an example of this – a key resource for schools / settings to raise the attainment of children and young people from low-income households aged 3-16. Updated [PDG guidance](#) was published in 2023, and despite a reduction in eFSM learners, the budget of £127.8m has been protected for 2024-25.

Attainment gap data

I have included here a range of data to provide you with a fuller picture of differences in levels of attainment for eFSM learners and all other learners prior to the pandemic. I've included Key Stage 3 data for additional context.

Key Stage 3 – Core Subject Indicator (CSI) – Gap in % achieving

Year	CSI
2015	22.2
2016	20.4
2017	20.2
2018	19.5
2019	19.9

Here we see a reduction in the gap between these learner groups at the end of Key Stage 3.

Key Stage 4 legacy headline measures - legacy measures (no longer reported)

KS4 legacy measures (no longer reported) - Gap in % achieving

	Level 1 threshold (5 x GCSEs at grades A*-G or equivalent)	Level 2 threshold (5 x GCSEs at grades A*-C or equivalent) including English/ Welsh and Mathematics
2006/07	18.1	29.6
2007/08	19.5	30.1
2008/09	17.1	31.9
2009/10	15.7	34.0
2010/11	14.9	33.8
2011/12	12.1	33.2
2012/13	10.6	32.7
2013/14	9.5	33.8
2014/15	8.1	32.4

2015/16	6.2	31.3
2016/17	8.9	32.1
2017/18	9.1	32.3
2018/19	9.4	32.2

Here we see a marked decrease since 2006 until 2016, with a subsequent smaller increase towards 2019 for the Level 1 threshold, and relative stability over time for the Level 2 threshold including English/ Welsh and Mathematics.

KS4 Higher level attainment – Gap in % achieving

	5 x GCSEs at grades A*-A or equivalent
2016/17	14.9
2017/18	15.6
2018/19	16.2

For this higher grade threshold we see an increase in the attainment gap prior to the pandemic.

KS4 Interim measures introduced in 2019 (back calculated for earlier years where possible)

KS4 interim measures - Gap in the average points score

	Literacy Point Score	Numeracy Point Score	Science Point Score	Skills Challenge Certificate Point Score	Capped 9 (interim measure version – 2019 only available)
2016/17	9.1	9.9	8.8	9.8	-
2017/18	8.4	9.7	11.4	9.6	-
2018/19	8.9	10.2	11.6	9.6	77.3

We can see a mix of increases and decreases in the gap across these measures.

GCSEs only at cumulative grades

GCSEs all subjects - Gap in % achieving

	A*-A	A*-C	A*-G
2015/16	14.6	24.9	2.6
2016/17	14.8	27.2	4.4
2017/18	14.6	27.9	5.2
2018/19	14.8	28.1	5.7

Here we see increases in all grade groups, but most pronounced at A*-C.

In addition to these tables above, we are able to see similar variation of trends as we examine attainment gaps at a subject level for GCSEs. I would be happy to provide you with this additional set of data if you require.

Annex 2

2015-2019 timeline on KS4 performance measures

2015

- Individual indicators for mathematics, English and Welsh language introduced.

2016

- A cap introduced to the GCSE equivalence size of qualifications. Non-GCSEs could no longer be equivalent to more than two GCSEs (other than AS and A levels).
- Move from measuring awards attained by all pupils aged 15 at the beginning of the academic year to Year 11 pupils in maintained schools that are recorded on a school's roll in the January annual school census (PLASC).
- Individual indicators for mathematics – numeracy and mathematics introduced

2017

- Parameters for Guided Learning Hours as an indication of a qualification's size were updated, resulting in a reduction of GCSE equivalence for some qualifications.
- Some skills qualifications no longer hold value for KS4 measures.
- Legacy English or Welsh language or literature qualifications no longer hold value for KS4 measures where a pupil has also been entered for a new Wales specification version for the subject.
- Legacy mathematics qualifications no longer hold value for KS4 measures where a pupil has also been entered for a new Wales specification version for the subject.
- CSI no longer reported
- Capped Points Score revised becoming the 'Capped 9', with five subject specific slots out of the nine in total.
- Cap on total volume of non-GCSE qualifications that can contribute is applied to *threshold measures*, i.e. Level 1, Level 2 and Level 2 inclusive. No more than 2 GCSE equivalence of non-GCSE qualifications in total can contribute towards these measures.
- New requirements implemented for literacy indicators and specified literacy components of measures (i.e. the Level 2 inclusive and the Capped 9): only the new Wales specification English language or Welsh language GCSEs could contribute.

- New requirements implemented for numeracy indicators and specified numeracy components of measures (i.e. the Level 2 inclusive and the Capped 9): only the new Wales specification Mathematics - numeracy or Mathematics GCSEs could contribute.

2018

- Welsh Baccalaureate measures introduced
- New requirements implemented for science indicators and specified science components of measures (i.e. the Level 2 inclusive and the Capped 9): only GCSEs in science can contribute.

2019

- Interim KS4 measures introduced with a move towards points scores and a phasing out of legacy threshold measures
- Only the first awarding of a complete qualification will count.
- 'Capped 9' being revised, reduced to three subject specific slots out of the nine in total. See annex B for year on year changes.
- Updated requirements for literacy indicators and specified literacy components of measures with English literature or Welsh literature GCSEs able to contribute.