

Children, Young People and Education Committee

Meeting Venue:

Committee Room 1 – Senedd

Meeting date:

Thursday, 17 July 2014

Meeting time:

09.00

Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales



For further information please contact:

Marc Wyn Jones

Committee Clerk

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Agenda

1 Introductions, apologies and substitutions (09.00)

2 Inquiry into Child and Adolescent Mental Health – Evidence session 5 (09.00 – 09.45) (Pages 1 – 31)

Mark Drakeford – Minister for Health and Social Services

Dr Sarah Watkins – Senior Medical Officer

Jo Jordan – Director of Corporate Services & Partnerships

3 Papers to note

Additional information from Higher Education Wales following the meeting in 25 June (Pages 32 – 34)

CYPE(4)-20-14 – Paper to note 1

Letter from the Minister for Skills and Education – appointment of interim CEO to Qualifications Wales (Pages 35 – 38)

CYPE(4)-20-14 – Paper to note 2

4 Motion under Standing Order 17.42 to resolve to exclude the public from the meeting for the following business:

Item 5, 6 and 7

5 Inquiry into Child and Adolescent Mental Health Services – Consideration of key issues (09.45 – 10.15) (Page 39)

CYPE(4)-20-14 – Private paper 3

6 Higher Education (Wales) Bill – Consideration of key issues (10.15 – 11.00) (Pages 40 – 61)

CYPE(4)-20-14 – Private paper 4

7 Financial Education and Inclusion (Wales) Bill – Approach to stage 1 (11.00 – 11.30)

CYPE(4)-20-14 – Private paper 5

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Agenda Item 3.1



c/o Sarah Bartlett, Deputy Clerk
 Children & Young People Committee
 Legislation Office
 National Assembly for Wales
 Cardiff Bay, CF99 1NA.

7 July 2014

Dear Sarah

HE (Wales) Bill – quality assurance for part-time provision

As requested further to our witness session on 25 June 2014, we provide a note in this letter on the quality assurance arrangements in the Bill as they apply in respect of part-time students and provision. Please note that this sets out our current understanding of the Bill, but the Committee may be better placed than us to clarify and confirm any issues requiring strict legal advice or interpretation.

Quality assurance arrangements

Currently, under s.70 of the Further and Higher Education Act 1992, the Higher Education Funding Council for Wales (HEFCW) has a duty to secure that provision is made for assessing the quality of education provided in institutions for whose activities they provide, or are considering providing, financial support. We understand that the Bill, subject to full implementation, will change the current quality assurance arrangements as follows:

- The Bill will change the Further and Higher Education Act 1992 so that the current duty to assess quality of education under s.70 would only apply to the Higher Education Funding Council for England (Schedule Part 1, clause 2).
- Instead, the Bill will provide a new duty for HEFCW to assess the quality of education provided by a 'regulated institution' (i.e. an institution with an approved fee plan) (s.17).
- It is not currently clear how the Welsh Government intends to provide quality assurance in respect of providers whose courses are designated on a case-by-case basis or other unregulated providers. In absence of further legislation, however, HEFCW would not have a

duty to assess the quality of education of these institutions even if it funds or considers funding them.

Implications for part-time providers

What does the Bill mean for quality assurance arrangements in relation to institutions in Wales who provide part-time higher education? As confirmed in the Explanatory Memorandum (para. 112):

- If an institution does become a regulated institution with an approved fee and access plan, HEFCW would have a duty to assess the quality of all education provided by or on behalf of that institution including part-time provision. This would be subject to two main exceptions:
 - a) HEFCW's duty would not apply to courses provided by an external provider under arrangements with a regulated institution that were made before HEFCW's new duty commences (s.17(4)). We note that the majority of franchised out provision in Wales is currently part-time.
 - b) As discussed in Committee, HEFCW's duty would no longer extend to part-time (or any other) provision outside Wales unless it is part of a course that is provided principally in Wales (s.17(2)).
- However, if an institution does not become a regulated institution, HEFCW would not be under a statutory duty to assess the quality of education provided by that institution (or on its behalf) even if HEFCW provides it with funding.

Becoming a regulated institution depends on successful application for an approved fee and access plan which sets fee limits in relation to qualifying courses and is subject to general provisions. The Bill has been designed to allow undergraduate part-time courses to be brought within the scope of the fee and access plans, subject to fee regulation being introduced (Explanatory Memorandum, para. 75), but we understand it is not the Welsh Government's intention to do so immediately. Postgraduate part-time (and full-time) courses are expressly excluded (s.7(6)) from the list of 'qualifying courses'.

The unique position of The Open University, as a provider of part-time higher education only and operating across all four nations of the United Kingdom, is reflected in the Bill.

As raised in our response, the Bill raises potential issues relating to the quality assurance arrangements for part-time and other specialist providers whose courses may not come under fee plan arrangements. The Explanatory Memorandum states that, where the provider offers courses on a part-time only basis, HEFCW could maintain quality assessment arrangements through terms and conditions of funding 'because HEFCW will continue to pay some recurrent funding to institutions for part-time courses for the foreseeable future' (para. 112). However, we note that:

- HEFCW would be under no statutory duty to do so.
- The new duties and powers in relation to quality assurance would not apply. HEFCW's regulation would be reliant on the terms and extent of grant funding, despite the Welsh Government seeing the need to avoid this as being a major reason for introducing the Bill (see Explanatory Memorandum para.51).
- This could lead to divergence of quality assurance arrangements in the sector for different institutions offering part-time higher education in Wales.

Finally, we note that the Bill itself does not alter student support arrangements for part-time students and courses (or any other students). In absence of further regulations, we presume that the existing student support arrangements (pursuant to s.22 of the Teaching and Higher Education Act 1998) would continue to apply, irrespective of whether an institution is a 'regulated institution' or not. The Explanatory Memorandum confirms that, 'for the time being' any institutions which offer part-time courses only would not need to have a fee and access plan in force in order for their courses to be automatically designated for the purposes of student support (para. 75).

Yours sincerely

Ben Arnold
Policy Adviser

Huw Lewis AC / AM
Y Gweinidog Addysg a Sgiliau
Minister for Education and Skills



Llywodraeth Cymru
Welsh Government

Ann Jones AM
Chair of the Children's Group
People and Education Committee
National Assembly for Wales

Ann.Jones.Wales.gov.uk

July 2014

Dear Ann,

The creation of Qualifications Wales as an independent expert body will underpin the reforms to qualifications in Wales that are now well underway. Drawing on experience and best practice in setting up new organisations, we have discussed previously the advantages of appointing an interim CEO to Qualifications Wales ahead of the body being formally established. An early appointment will ensure that there is strong and consistent leadership from the outset and that Qualifications Wales is well positioned to shape the future qualifications landscape for Wales. Appointing an interim CEO now means that we can continue to deliver improvements at pace and ensure that Qualifications Wales will be highly effective from day one.

You will be aware that we began the recruitment process earlier this year and I am now writing to inform you of the outcome of that process. Following an open competition and a rigorous selection process, the Permanent Secretary of the Welsh Government has appointed Philip Blaker as Chief Executive (interim) of Qualifications Wales. I enclose a copy of the embargoed press release.

As you are aware the circumstances mean that the appointment has initially been made into the civil service. Once Qualifications Wales is legally established I will be able to confirm the public appointment of Philip as its CEO.

I am looking forward to sharing ideas with Philip over the coming months, and I would encourage you to invite him to meet with your committee in due course.

ours sincerely

A handwritten signature in cursive script, appearing to read 'Huw Lewis'.

Huw Lewis AC / AM

Gweinidog Addysg a Sgiliau
Minister for Education and Skills

Monday 7 July 2014

New head of Qualifications Wales announced

Following an open competition, chaired by a Civil Service Commissioner, Philip Blaker has today been named as the new head of Qualifications Wales.

From September 2015 Qualifications Wales will be responsible for the regulation and quality assurance of qualifications in Wales. In time, the new arms length body independent from government will award most GCSEs, A levels and the revised Welsh Bacculaureate.

The decision to establish a new regulatory and awarding body for Wales followed the independent Review of Qualifications for 14 to 19-year-olds.

The independent Review was commissioned to consider how the Welsh Government can achieve the vision of qualifications that are rigorous, valued and meet the needs of our young people and the Welsh economy.

Currently Director of Operations at Universities and Colleges Admissions Service (UCAS) Mr Blaker will take up his new position in the autumn, initially with the Welsh Government before moving to Qualifications Wales when it is established as a statutory body.

Making the appointment Owen Evans, Director General Department for Education and Skills, said: "I'd like to congratulate Philip on his new role. He brings with him a raft of experience in the UK qualifications system which I'm sure will be a huge benefit in this role."

Welcoming the appointment Education and Skills Minister Huw Lewis said: "We want a robust, rigorous and respected qualifications system here in Wales. Qualifications Wales is the body that is going to have the regulatory and awarding powers to make that happen.

"If Qualifications Wales is to be successful and effective it needs strong leadership from the start. I'm therefore delighted we have someone of Philip's calibre to ensure

this new body is a resounding success. I wish him well and look forward to working with him in the future.”

Notes

A copy of Philip Blaker’s biography is attached below:

As Interim Director of Operations Philip is accountable for the day-to-day delivery of UCAS’ admissions services, including the processing of applications, collection of course data and verification services.

He joined UCAS in November 2011, having previously worked with the organisation as a management consultant.

Philip’s career has been focused on the delivery of large scale complex operations, and before becoming a consultant with PwC he had a background in the delivery of national assessments and examinations. Philip was Director of Test Operations with the Qualifications and Curriculum Development Agency and part of the senior management team with examinations board AQA.

Philip has postgraduate qualifications in business management and is a qualified project and programme manager.

The appointment is, initially, a Civil Service appointment until such time as Qualifications Wales is established as a statutory body (September 2015).

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Agenda Item 6

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

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