

# Agenda – Children, Young People and Education Committee

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Meeting Venue: <b>Video Conference via Zoom</b>	For further information contact: <b>Llinos Madeley</b> Committee Clerk 0300 200 6565 <a href="mailto:SeneddCYPE@senedd.wales">SeneddCYPE@senedd.wales</a>
Meeting date: 15 October 2020	
Meeting time: 09.15	

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In accordance with Standing Order 34.19, the Chair has determined that the public are excluded from the Committee's meeting in order to protect public health. This meeting will be broadcast live on [www.senedd.tv](http://www.senedd.tv).

- 1 Introductions, apologies, substitutions and declarations of interest**  
(09.15)
  
- 2 Curriculum and Assessment (Wales) Bill – evidence session 10 with faith group, Wales Association of Standing Advisory Councils on Religious Education and National Panel for Religious Education representatives**  
(09.15 – 10.15) (Pages 1 – 75)  
Angela Keller, Adviser for Wales – Catholic Education Service  
Elizabeth Thomas, Provincial Director of Education – Church in Wales  
Paula Webber, Executive Officer – Wales Association of Standing Advisory Councils on Religious Education (WASACRE)  
Libby Jones, Chair – National Panel for Religious Education (NAPfRE)  
  
Attached Documents:  
Research Brief



Legal Briefing on the Bill's 'RSE' and 'RVE' provisions

CYPE(5)-24-20 – Paper 1 – Catholic Education Service

CYPE(5)-24-20 – Paper 2 – Church in Wales

CYPE(5)-24-20 – Paper 3 – Wales Association of Standing Advisory Councils on Religious Education (WASACRE)

CYPE(5)-24-20 – Paper 4 – National Panel for Religious Education (NAPfRE)

## **Break**

(10.15 – 10.35)

### **3 Curriculum and Assessment (Wales) Bill – evidence session 11 with non-religious group representatives**

(10.35 – 11.35)

(Pages 76 – 97)

Dr Ruth Wareham, Education Campaigns Manager – Humanists UK

Kathy Riddick, Wales Humanists Coordinator– Humanists UK

Alastair Lichten, Head of Education and Schools – National Secular Society

Attached Documents:

CYPE(5)-24-20 – Paper 5 – Wales Humanists

CYPE(5)-24-20 – Paper 6 – National Secular Society

### **4 Papers to note**

(11.35)

**Bangor University's response had not been received at the time papers for this meeting were published (12.10.20)**

#### **4.1 Letter from Cardiff and Vale College to the Chair of the Children, Young People and Education Committee regarding the arrangements to support students in light of COVID-19**

(Page 98)

Attached Documents:

CYPE(5)-24-20 – Paper to note 1

**4.2 Letter from Wrexham Glyndwr University to the Chair of the Children, Young People and Education Committee regarding the arrangements to support students in light of COVID-19**

(Pages 99 – 102)

Attached Documents:

CYPE(5)-24-20 – Paper to note 2

**4.3 Letter from Cardiff Metropolitan University to the Chair of the Children, Young People and Education Committee regarding the arrangements to support students in light of COVID-19**

(Pages 103 – 106)

Attached Documents:

CYPE(5)-24-20 – Paper to note 3

**4.4 Letter from the University of Wales Trinity Saint David to the Chair of the Children, Young People and Education Committee regarding the arrangements to support students in light of COVID-19**

(Pages 107 – 110)

Attached Documents:

CYPE(5)-24-20 – Paper to note 4

**4.5 Letter from the University of South Wales to the Chair of the Children, Young People and Education Committee regarding the arrangements to support students in light of COVID-19**

(Pages 111 – 114)

Attached Documents:

CYPE(5)-24-20 – Paper to note 5

**4.6 Letter from Swansea University to the Chair of the Children, Young People and Education Committee regarding the arrangements to support students in light of COVID-19**

(Pages 115 – 121)

Attached Documents:

CYPE(5)-24-20 – Paper to note 6

**4.7 Letter from Cardiff University to the Chair of the Children, Young People and Education Committee regarding the arrangements to support students in light of COVID-19**

(Pages 122 – 125)

Attached Documents:

CYPE(5)-24-20 – Paper to note 7

**4.8 Letter from Aberystwyth University to Chair of the Children, Young People and Education Committee regarding the arrangements to support students in light of COVID-19**

(Pages 126 – 127)

Attached Documents:

CYPE(5)-24-20 – Paper to note 8

**4.9 Letter from the Qualifications Wales to the Chair of the Children, Young People and Education Committee following the Committee meeting on 17 September**

(Pages 128 – 134)

Attached Documents:

CYPE(5)-24-20 – Paper to note 9

**4.10 Letter from the Chair of the Public Accounts Committee to the Chair of the Children, Young People and Education Committee highlighting concerns raised in its inquiry into COVID-19**

(Pages 135 – 145)

Attached Documents:

CYPE(5)-24-20 – Paper to note 10

**5 Motion under Standing Order 17.42(ix) to resolve to exclude the public for the remainder of the meeting**

(11.35)

**6 Curriculum and Assessment (Wales) Bill: consideration of the evidence**

(11.35 – 11.45)

**7 Curriculum and Assessment (Wales) Bill: presentation of the analysis of written evidence**

(11.45 – 12.15)

(Page 146)

Attached Documents:

CYPE(5)-24-20 – Private paper

**8 Consideration of the Committee's forward work programme**

(12.15 – 12.30)

(Pages 147 – 154)

Attached Documents:

CYPE(5)-24-20 – Private paper

Document is Restricted

Document is Restricted

## Consultation on the Curriculum and Assessment (Wales) Bill

Evidence submitted to the [Children, Young People and Education Committee](#) for Stage 1 scrutiny of the Curriculum and Assessment (Wales) Bill.

### About you

Organisation: The Catholic Education Service

## 1. The Bill's general principles

### 1.1 Do you support the principles of the [Curriculum and Assessment \(Wales\) Bill](#)?

Partly

### 1.2 Please outline your reasons for your answer to question 1.1

*(we would be grateful if you could keep your answer to around 1500 words)*

The Catholic Education Service

The Catholic Education Service ('CES') exists to represent the collective view of the Catholic Church on matters of National education policy. The Catholic Church provides 87 schools across Wales, educating 28,491 pupils and employing 2,626 staff. Catholic schools offer a distinctive, education and formation of the whole person within a moral framework for the good of Welsh society. Our schools welcome pupils from all backgrounds and are an important factor in ensuring real choice for parents. Catholic schools are the most diverse in the country ethnically, linguistically and culturally. This is partly due to the diverse and universal nature of the Catholic faith, and partly due to our schools' popularity with parents of all faiths and none. Catholic schools are also religiously diverse, with almost half (46%) of our pupils come from families outside the Catholic community who have chosen a Catholic education. Of those pupils, about 16% are from other (non-Christian) faiths and about one-third have no faith. Our schools also take higher proportions of children from the poorest and most disadvantaged neighbourhoods than other schools.

The Catholic faith has been an integral part of Welsh culture, language and story since about the third century, and today the Catholic community is the largest religious minority



in Wales, making up just over 5% of the population. The Catholic community faced brutal persecution in Wales in 16th-18th centuries, but rebuilt its infrastructure of schools and churches from the 19th century, when it made the education of the poor and disadvantaged its first priority. The last of the major legal disabilities imposed on Catholics were repealed in 1926, and discrimination against Catholics on the basis of their religion was made illegal in 2006. Catholic schools today are high-performing and are popular with parents from all backgrounds. True to their origins, Catholic schools continue to give a high priority to providing excellent education to those from the poorest and most disadvantaged backgrounds.

#### Support for the new Curriculum

We have always supported the implementation of a broad and balanced curriculum that is purpose led. We agree that learner progression should be the principal focus, and that this should be supported by assessment. The curriculum must be suitable for pupils or children of differing ages, abilities and aptitudes. We agree that the curriculum must make provision for teaching and learning that encompasses the AoLEs and addresses the mandatory elements. We agree with the establishment of a broad set of duties where practitioners are given the freedom to use their professionalism and creativity to create a curriculum that connects meaningfully to the local community and the experiences of the learners.

#### Support for the Rights of Parents

We believe that parents are the primary and principal educators of their children, and that the role of the State, the Churches and other organisations is to support parents in that responsibility, whether by providing schools or otherwise, and not to usurp them. This position is supported by the European Convention on Human Rights (ECHR) and reflected in section 7 and 9 of the Education Act 1996. In relation to the delicate subjects of Religious Education and Sex education, this is further reflected in parents' rights to withdraw their children (Education Act 1996 s.405 and School Standards and Framework Act 1998 s.71(1)). This Bill attacks this fundamental principle by proposing the removal of the right of withdrawal (Schedule 2, paragraphs 20 and 36).

#### Religious Education as the Foundation for Formation in Values, Virtues and Ethics

All schools currently have the obligation under the Human Rights Act 1998 and case law to teach RE in an objective, critical and pluralistic manner. Schools also have the freedom to teach RE as a rigorous academic subject at the heart of the curriculum, in a way that both it and the whole curriculum support the whole school's formation of pupils in values, virtues

and ethics. Catholic schools already do all of these things, and do them well. The proposed change of the name of the curriculum subject from Religious Education to Religion, Values and Ethics potentially undermines that freedom and could lead to a position where schools are encouraged to view the instilling of values and ethics as something to be compartmentalised within a single subject area, rather than being the wider responsibility of the whole curriculum supported by the whole school.

#### The Balanced Nature of the Current (1944) Arrangements

The Education Act 1996 embodies the delicate and balanced arrangements for the provision of RE in different types of schools which date back to the 1944 Education Act and have worked smoothly in practice. Alongside the parental right of withdrawal, except in cases where it would be unreasonable:

- schools without a religious character provide RE in accordance with the locally agreed syllabus, but parents can request alternative (denominational) RE which can be arranged (without any expense being incurred by the school);
- voluntary controlled and foundation schools with a religious character provide RE in accordance with the locally agreed syllabus, but parents can opt for RE in accordance with the school's denomination; and
- voluntary aided schools with a religious character provide RE in accordance with the school's denomination, but parents can opt for RE in accordance with the locally agreed syllabus.

These arrangements successfully balance the rights of parents and pupils with different beliefs, and the rights of schools provided by different communities in a way which does not create insurmountable practical obstacles or unreasonable expense. The proposals in the Bill destroy this delicate balance in favour of an unequal framework which unjustifiably discriminates against parents with religious convictions in non-denominational schools and against voluntary aided schools in designing their curriculum. It threatens to be unworkable and create huge additional expense for certain types of schools.

The proposal (in Schedule 2, paragraph 4 of the Bill) that voluntary-aided schools with a religious character should be the only ones required to teach in accordance with the agreed syllabus alongside its existing syllabus where a parent requests it, fails to recognise the professionalism of staff in Church schools and fails to acknowledge the context of the Catholic community.

The proposal (in Schedule 2, paragraph 2 of the Bill) That parents in non-denominational schools can no longer request RVE in accordance with their own religious or philosophical convictions discriminates unjustifiably against those with strong convictions whose children are unable to attend a Church school (or whose community does not provide schools). We oppose the ending of this further parental right, as we oppose the removal of the wider right of parents to withdraw their children from RE and RSE.

#### The Requirement for Pluralistic RE

Catholic schools offer a distinctive and coherent Catholic Religious Education. This teaches pupils about the Catholic Faith, fosters an awareness of the tenets of other faiths, and engages in dialogue with non-religious interpretations of the human person and history. Catholic schools commit at least 10% of curriculum time to this rigorous academic subject which is at the core of, and related to, the whole curriculum. As required both by the teachings of the Church and by law, it is taught in an objective, critical and pluralistic manner. The amount of time dedicated to the subject ensures pupils are religiously literate: for example, as well as the depth of Catholic RE, pupils in Catholic schools will typically spend more time studying other faiths than in other types of school. The approach of Catholic schools to RE could not in any way be characterised as 'indoctrination' as some commentators have sought to imply.

All schools are already required by law to teach RE in a way which is pluralistic, and all schools, including Catholic schools already comply with this requirement. If in future any school were to breach this requirement, there are legal remedies available to parents and to the government, which include court proceedings and the existing direction making powers under the Education Acts.

Not only is the legislation in the Bill not necessary, it actually decouples the law from the ECHR caselaw by adding an additional requirement which only protects those philosophical convictions recognised by the Convention if they are 'non-religious' (whatever that is held to mean). This brings a new, unwelcome and unnecessary element of uncertainty for schools and SACREs in designing their curricula.

#### Religious Freedom

The Catholic Church agreed to be part of the State education system 173 years ago, on the basis that it would retain its hard-won freedom from State interference in Catholic RE. The proposed changes set out in the Bill breach this long standing commitment, and are unacceptable. Clause 66 of the Bill gives power for Ministers to issue statutory guidance to schools on all aspects of RVE, without excluding denominational RE, and Schedule 2,

paragraph 10(2) extends the functions of SACREs for the first time to include advising on denominational RE, including Catholic RE. SACREs have never had any advisory functions in relation to denominational RE. These provisions usurp the proper role of denominational religious authority (in our case the Diocesan Bishop) to be the determiner of denominational religious education. We greatly value and support the work of SACREs in setting an appropriate local framework for non-denominational RE, but neither they nor the Government have the competence to give guidance on Church teachings, and we do not believe that SACREs wish to be given such a power.

Learning from Best Practice in Relationships and Sexuality Education (RSE)

The Catholic Church is the only National body to have developed a comprehensive and holistic RSE curriculum for ages 3 to 19, which is publicly available, and which has been in place in Catholic schools for some years. We are keen to share the huge amount of good practice taking place in our schools for the benefit of all pupils. However, we are extremely concerned about the proposal (set out in Schedule 2, paragraph 18 of the Bill) to repeal s.403 of the Education Act 1996 which currently provides for sex education to include moral considerations and the value of family life, that pupils learn the nature of marriage and its importance for family life, and that they are protected from inappropriate teaching and materials, having regard to their age and religious and cultural backgrounds. We see no justification for simply removing these important safeguards.

Regulation-Making Powers

We have concerns about the wide powers given to Ministers to amend the curriculum in the future.

### **1.3 Do you think there is a need for legislation to deliver what this Bill is trying to achieve?**

*(we would be grateful if you could keep your answer to around 500 words)*

There is a need for legislation to implement the new curriculum. However, there is no need for that legislation to disturb the existing balanced and equitable settlement in relation to the delivery of different types of RE, nor any need to remove long-standing rights of parents which have a very long track-record of working extremely well. Likewise, there is no need for legislation to compel schools to comply with the ECHR and its caselaw when this is already a legal requirement under the Human Rights Act 1998 and with which all schools currently already comply.

The proposed legislation treats schools with a religious character differently to schools without a religious character. It discriminates unfairly against such schools and families who want their children educated in conformity with their own religious and philosophical convictions (unless those convictions are 'non-religious' philosophical convictions).

VA schools with a religious character will have an additional burden in having to provide two parallel curricula, potentially at considerable additional cost. There is no provision, as in the existing legislation, for the alternative curriculum to be provided by the local authority, particularly in circumstances where it would be impossible, unlawful or unreasonable for the school to provide it.

The current legislation takes into account the fact that in many schools with a religious character the Trust Deed which established the school contains specific requirements about the provision of RE. To require the Governing Body to provide agreed syllabus RE in a Catholic school is likely to place the Governing Body in breach of its legal duty to comply with the requirements of the Trust Deed.

The changes to legislation extend the functions of Government Ministers and SACREs to include advising (or issuing guidance) in relation to denominational RE, including Catholic RE. This is an extremely significant change with serious ramifications. This usurps the proper role of denominational religious authority (in our case the Diocesan Bishop) to be the determiner of denominational religious education.

The right of parents, to request withdrawal from RE has been in place in legislation for many years. This right, and the underpinning requirements of the legislation about the provision of RE are very finely judged providing an appropriate balance between ensuring that this essential part of the curriculum is delivered, and allowing a 'conscience clause' for parents where they might have genuine concerns to ensure that their children are provided with RE in accordance with their own religious beliefs or philosophical convictions.

Having the right to withdraw clearly does not mean that it will be exercised, but provides the opportunity for important dialogue with parents.

The proposed amendments to the section 403 of the Education Act 1996 remove important protections for all children. The law currently provides for pupils to learn the nature of marriage and its importance for family life and the bringing up of children, and ensures that they are protected from teaching and materials which are inappropriate having regard to their age and religious and cultural background. The Bill repeals these provisions without any replacing them with any equivalent safeguards. The current legislation enables Church schools to continue to provide sex education, but to do so in a

way that places it within the teachings of the relevant Church. The Catholic church is very clear that the provision of sex education is vital for the development and protection of young people, and it is provided in accordance with a national RSE curriculum 3-19. However, it is also important for the Church to be able to continue to provide important moral background. The existing protections enable that to happen and we would urge that they are retained.

Cl. 25 provides that regulations may specify further requirements for pupils over 14 and may specify what provision must or must not be in a curriculum and may be by reference to courses of study. This does not exclude requirements relating to RE.

Any future Welsh Government could specify content and teaching of Catholic RE for pupils above the age of 14 which is contrary to the schools' Trust Deeds and which is unlawful for them to teach.

## **2. The Bill's implementation**

### **2.1 Do you have any comments about any potential barriers to implementing the Bill? If no, go to question 3.1**

*(we would be grateful if you could keep your answer to around 500 words)*

The unprecedented challenges presented by the world pandemic will have an inevitable impact on the implementation of the Bill. The current climate has added additional work and strain onto teaching staff, school leaders, Directors of Education and Welsh Government officials. There is insufficient capacity in the system at all levels of the education sector to effectively engage with the historic changes this legislation will seek to bring.

The timetable for the new Curriculum for Wales has not been altered but the time available for staff to prepare for its implementation has been eroded. The CES is aware that head teachers and senior leaders have been under considerable strain throughout this period already and many teaching and support staff are reporting increased anxiety about returning to school. In the current emergency situation the focus of staff will be on negotiating the return to school, wellbeing and catch-up. Preparation for the new curriculum and the professional learning required will not be a primary concern for schools and may be seen as an additional burden.

Staff availability in schools may be a major barrier to the Bill's implementation as the situation will remain volatile as the second wave of the disease progresses. Schools may have to manage staff and school resources which support remote learning whilst delivering teaching in class at the same time.

The ongoing emergency situation presents professional learning challenges for schools. As the Covid-19 situation progresses, staff will have to continue to develop their knowledge and skills with regards to blended learning approaches. This is essential if schools are to facilitate effective catch-up for students and mitigate the effects of future lockdowns, and will have a significant impact on the time available for the increased level of professional learning, planning and preparation time required for the successful implementation of the Bill.

The additional workload that will be associated with the planning and preparation for the new curriculum may become an issue with teaching unions and therefore a potential barrier.

The requirement for the governing bodies of VA schools (including all Catholic schools) to provide RE in accordance with the agreed syllabus will prove to be an additional barrier for the Bill's implementation within the context of our schools. In a Catholic school this requirement of the Bill is likely to place the Governing Body in breach of its legal duty to comply with the requirements of the Trust Deed. Schools with a religious character will have to provide two parallel curricula, potentially at considerable cost to the school.

Opposition from parents may provide a barrier to the implementation of the Bill. In this Bill, those with strong religious or philosophical convictions whose children are unable to attend a Church school (or whose community does not provide schools) will lose the right to request RE which is in accordance with their religious convictions. Also, the removal of the parental right of withdrawal from RSE was highlighted as a concern by some parents who contributed to the consultation on the draft Curriculum for Wales 2022 as summarised in the Wavehill Report. This is likely to lead to an increase in unrest among parents, with unfortunate consequences of protests and increases in removal of children from school and greater home education.

## **2.2 Do you think the Bill takes account of these potential barriers?**

*(we would be grateful if you could keep your answer to around 500 words)*

The Bill does not take these barriers into account. The timeframe for the passage of the Bill has remained unaltered despite the extraordinary demands placed upon schools and governing bodies as a result of the Covid 19 pandemic.

There is no account taken of the level of planning and preparation required in order for head teachers to meet their statutory duty to implement and publish a curriculum for their school. There is no indication of the potential impact on the opportunities for the professional learning required over the next two years in order to implement fully the duties imposed on head teachers and governing bodies.

Trust in the legislative process has certainly been damaged by the lack of engagement and involvement so far of the State's partners in delivering education to the nation. Repeated assurances over a number of years that Catholic schools' ability to continue to teach Catholic RE would not be threatened have been undermined by the contents of the Bill. The unprecedented letter of concern sent to the First Minister signed by every single one of our head teachers has effectively been ignored.

The Regulatory Impact Assessment (RIA) has provided insufficiently robust data to analyse and monetise the requirements of schools to develop the AOLE's. The school-based evidence in the RIA have been taken from the feedback of 14 of the 15 Innovation schools. Despite the fact that it is highly likely that these schools have had a high level of engagement with preparations for the new curriculum, the RIA reports variation in the feedback regarding workload and resources required.

In addition, the Bill has been published before the distribution of draft statutory guidance for the implementation of the mandatory elements of the curriculum.

The Bill has been published prior to the closure of the consultation on RVE and takes no account of the concerns raised during the consultation and the worries expressed by the head teachers and governors of Church schools.

The draft Bill was published without any consultation on its content, and there were no opportunities for dialogue about the legal framework that has been adopted to implement the new curriculum. The contents of the Bill have certainly not been 'co-constructed'.

VA schools with a religious character will have an additional burden in having to provide two parallel curricula, potentially at considerable additional cost. There is no provision, as in the existing legislation, for the alternative curriculum to be provided by the local authority, particularly in circumstances where it would be impossible, unlawful or unreasonable for the school to provide it.



The Bill has failed to respond to consultation responses and removes the right for parents to withdraw their children from RE/RSE.

### **3. Unintended consequences**

#### **3.1 Do you think there are there any unintended consequences arising from the Bill? If no, go to question 4.1**

(we would be grateful if you could keep your answer to around 500 words)

There appear to be a number of unintended consequences which threaten to have a significant impact upon Church schools (and particularly Catholic schools).

Changes to existing legislation in the Bill threaten to usurp the proper role of denominational religious authority (in our case the Diocesan Bishop) to determine the content of denominational religious education.

The current legislation takes into account the fact that in many schools with a religious character the Trust Deed which established the school contains specific requirements about the provision of RE. To require the Governing Body to provide agreed syllabus RE in a Catholic school is likely to place the Governing Body in breach of its legal duty to comply with its Trust Deed.

The changes to the legislation in the Bill extend the functions of Ministers and SACREs to include giving guidance and advising in relation to denominational RE.

The Welsh Government could specify content and teaching of Catholic RE for pupils above the age of 14. The Welsh Government could require pupils in Catholic schools to engage in courses of study which do not meet the requirements of the Catholic Bishops.

The Bill discriminates unfairly against such schools and against families who want their children educated in conformity with their own religious and philosophical convictions.

A child of faith in a school without a religious character will not be able to access RE which is in conformity with their religious beliefs. However, a child from a family without the religious belief of the school they are attending will be able to access alternative RE which is in accordance with the agreed syllabus. There is no rationale as to why different treatment of those of faith is warranted.

Schools with a religious character will have an additional burden in having to provide two parallel curricula, potentially at considerable cost to the school. There is no provision, as in the existing legislation, for the alternative curriculum to be provided by the local authority, particularly in circumstances where it would be unreasonable for the school to provide it.

The Bill creates a negative perception of Catholic schools

The proposals create the false impression that the arrangement for the dual curricula is required because RE in Catholic schools is not balanced in its content and manner of teaching as non-denominational RE. As already explained, this is an untrue and unjustifiable slur on the professionalism of teachers in our schools.

The Bill fails to recognise the integrity of RE in Catholic schools as a rigorous academic subject.

The removal of the parental right to withdraw from RE/RSE may have a negative impact on the partnership with parents and schools.

The right to withdraw provides a safety net for those who may have genuine concerns to ensure that their children are provided with RE in accordance with their own religious beliefs or philosophical convictions.

The right to withdraw facilitates a positive dialogue between parents and schools and helps to ensure that this rarely happens. Without the right to withdraw it would be a concern that there would be an increase in the number of students who are withdrawn from schools to be home educated because of their parents' discontent with the removal of their rights under the new arrangements.

## **4. Financial implications**

**4.1 Do you have any comments on the financial implications of the Bill (as set out in Part 2 of the [Explanatory Memorandum](#))? If no, go to question 5.1**

*(we would be grateful if you could keep your answer to around 500 words)*

It is a grave concern that it is very difficult to assess the financial implications of the Bill especially as the country faces the financial strictures of a recession as a result of the Covid 19 pandemic. There are a number of key issues concerning the RIA:

The small sample of schools used in the RIA do not provide robust enough data to analyse the impact on all schools across the country.

There is considerable variation in the feedback from this small sample of schools regarding the impact of getting up to speed with the new curriculum.

The evidence to quantify benefits is not available.

The RIA does not reflect information on costs from a number of strategic delivery partners due to Covid 19.

The CES was unable to contribute to the RIA because detailed information on the impact of the Bill on Catholic Schools was not forthcoming from officials or Ministers. Most of the additional costs touched on in this answer derive from provisions in the Bill which had not been revealed to or discussed with us at the time the RIA was carried out.

There are however a number of financial implications for schools which have been touched upon in the RIA;

1. The financial resources required for the investment in time for the design and implementation of the new curriculum.
2. The release of staff for curriculum development and professional learning requirements and the ensuing costs of supply cover.
3. The financial resources requires to facilitate collaboration across schools.
4. The potential increase in fees for new qualifications.
5. The financial resources required to develop the digital infrastructure to overcome the problems caused by restrictions in working patterns a result of Covid 19.
6. In the longer term, the emphasis on experiential learning will have budgetary implications.
7. VA schools will have the additional financial burden of resourcing the preparation and delivery of 2 separate RE curricula. This is a financial cost that is not borne by other schools.
8. If the agreed syllabus is incompatible with the school's Trust Deed, the agreed syllabus will not be able to be taught on schools' premises. There will then be the additional costs of the securing of suitable premises elsewhere, transporting children and staff to and from

the alternative premises, and the added disruption that will add to the organisation of the school, and the resulting loss of curriculum time.

## 5. Powers to make subordinate legislation

**5.1 Do you have any comments on the appropriateness of the powers in the Bill for Welsh Ministers to make subordinate legislation (as set out in Chapter 5 of Part 1 of the [Explanatory Memorandum](#)). If no, go to question 6.1.**

*(we would be grateful if you could keep your answer to around 500 words)*

At various points in the Bill powers are provided for Welsh Ministers to amend primary legislation through regulation:

- (i) Cl 5 provides for regulations to amend s.3 which includes RVE as a mandatory element of the curriculum. This would allow for a future government to remove RVE as a mandatory element of the curriculum or make changes that would impact on RE without the appropriate scrutiny and opportunity for challenge by the Senedd;
- (ii) Cl 25 provides that regulations may specify further requirements for pupils over 14 and may specify that provision must or must not be in a curriculum and may be by reference to courses of study. It does not exclude requirements relating to RE which would allow for future government to impose requirements that would impact on denominational RE;
- (iii) Cl 70(1) provides that regulations may make supplementary, incidental or consequential provisions, or transitory or saving provisions that Welsh Ministers think necessary or appropriate. Cl 70(2) provides that the regulations may modify this Act or any other enactment. This provides quite wide ranging powers for changes to be made to provisions across education legislation, which might have implications for RVE and RSE in Catholic schools without the appropriate scrutiny and opportunity for challenge by the Senedd;
- (iv) Cl 71 provides that Regulations under ss. 5 or 33 (BUT NOT 25 and 70) are subject to affirmative resolution.

This raises a number of concerns:

1. The ability of the Welsh Government to make changes to legislation, including to primary legislation, through regulation is extremely concerning. It would allow for RVE to be removed as a mandatory element of the curriculum and for other important changes to be made that would impact on the provision of RE.
2. For Catholic schools, RE is at the core of the core curriculum. Any proposed changes to RE would be of such significance that may well impact on the ability of Catholic schools to remain Catholic. Therefore, any proposed changes which would have such a fundamental impact on the existing dual system that has been in place since 1944 need to be taken forward in a transparent way that is open to appropriate levels of scrutiny and challenge at Senedd level.
3. For other schools also, RE is vital to ensuring that all pupils, whichever school they attend, become religiously literate – something which is becoming increasingly important in an increasingly diverse and multi-cultural Wales and to understand the wider world.

## **6. Other considerations**

### **6.1 Do you have any other points you wish to raise about this Bill?**

*(we would be grateful if you could keep your answer to around 1000 words)*

#### Support for the Rights of Parents

We urge the Welsh Government to take a holistic view of parental engagement, for it is when parents feel they are excluded from educational decision-making that they are most likely to voice their discontent or exercise their right to withdraw entirely from State education. The preservation of parental choice in education is essential for maintaining parental trust in the Welsh Government, particularly from minority faith communities with strong and legitimate beliefs about religious and moral issues as they affect the sanctity of family life.

The removal the right of withdrawal is an erosion of parental rights and represents a regressive step in the trust and relationship between parents and the State, and parents and schools. It may be that the removal of the right of withdrawal is being suggested merely as a matter of convenience due to the integrated nature of the new curriculum. This is not a sound basis or reason for making such a fundamental change to legislation which will have the effect of removing a parent's right to exercise a conscientious objection

whereby they can ensure that the education that their children are receiving in the school they are attending is suitable. We fear that removing these rights will spark protests from groups of parents and stimulate an unfortunate increase in families wishing to home educate their children.

The parental right of withdrawal is the embodiment of an essential principle which incentivises a constructive dialogue between schools and parents. In 2019 hardly any pupils were withdrawn from RE in Catholic schools in Wales, and none from RSE. In the light of the diverse nature of Catholic schools (see above), we see this as a mark of success rather than as an excuse to remove this right or evidence that the right is no longer necessary or useful to parents. It is because of the constructive dialogue between schools and parents that very few parents of children in Catholic schools seek to exercise their rights of withdrawal. On the rare occasions where parents may consider doing so Catholic school leaders encourage parents to discuss with them the reasons why they want to exercise their right and then a constructive dialogue takes place during which parents' fears and/or objections are allayed and a common way forward is agreed. It is this open and honest discussion that leads to the very small numbers of ultimate withdrawals. The existence of the right of withdrawal enables these open and honest discussions to take place and sensitive issues to be resolved. Without the right of withdrawal, no conversation would be started and relationships between parents and schools may be irreparably damaged.

We support the implementation of the United Nations Convention on the Rights of the Child (UNCRC). However, the UNCRC primarily concerns the State in its interactions with the child (Article 3(1)), not the interactions between children and their parents. Therefore, unless the welfare of the child is at risk, parents remain the primary judges of what is in the best interests of their child. This accords with our position that parents are the primary educators of their children. Further, within the right to education under Article 2, Protocol 1 of the ECHR parents are entitled to have their religious and philosophical convictions respected in relation to the education of their children. The Welsh Government appears to have concluded in the consultation document that the rights of parents will be appropriately respected even if the right of withdrawal is removed, but in our view this cannot be the case.

Religious Education as the Foundation for Formation in Values, Virtues and Ethics

We disagree with the change of name to Religion, Values and Ethics, a view echoed by a large number of responses to the previous consultation on access to the full curriculum. According to the Welsh Government's Access to the Full Curriculum consultation analysis

(January 2020), the “suggestions made for changing the name of Religious Education in the new curriculum were not widely supported. The use of the term ‘ethics’ caused confusion for many”. In spite of this user feedback, the Welsh Government has adopted the term Religion, Values and Ethics. . In our schools, values and ethics are instilled in pupils by the whole school: whilst RE as a curriculum subject contributes to this, it is not the exclusive preserve of any part of the curriculum.

#### Replacing the Balanced Provisions of the Current (1944) Arrangements with Unequal Ones

The proposed legislation treats schools with a religious character in a different way to schools without a religious character. It discriminates unfairly against such schools, and against families of faith who want their children educated in conformity with their own religious and philosophical convictions. Essentially a child of faith in a school without a religious character may not be able to access RE which is in conformity with their religious beliefs. However, a child from a family without the religious belief of the school they are attending will be able to access alternative RE which is in accordance with the agreed syllabus. There is no rationale as to why different (and detrimental) treatment of those of faith is justified.

VA schools with a religious character will have an additional burden in having to provide two parallel curricula, potentially at considerable additional cost. There is no provision, as in the existing legislation, for the alternative curriculum to be provided by the local authority, particularly in circumstances where it would be impossible, unlawful or unreasonable for the school to provide it.

The current legislation was clearly drafted taking into account the fact that in many schools with a religious character the Trust Deed which established the school contains specific requirements about the provision of RE. To require the Governing Body to provide agreed syllabus RE in a Catholic school is likely to place the Governing Body in breach of its legal duty to comply with the requirements of the Trust Deed.

The drafting of the legislation highlights the different treatment afforded to VA schools. Whereas all other types of schools must simply have regard to the agreed syllabus, VA schools must provide RE on request in accordance with the agreed syllabus. The expectation should be that all schools will be treated equitably rather than some schools being treated less favourably on the basis of faith.

We disagree with the proposal requiring only voluntary aided schools with a religious character to provide RE in accordance with the agreed syllabus. The Welsh Government’s position will be that voluntary aided schools (including all Catholic schools) will be the only

schools in Wales to be obliged to teach RE in accordance with, rather than having regard to, an agreed syllabus. This is unfair and unjustified.

### The Requirement for Pluralistic RE

We contest the need to add additional statutory requirements to Religious Education on top of the existing case law which already provides for the treatment of religious and non-religious beliefs that are philosophical convictions. RE in Catholic schools already complies with the legal requirements set out in case law to teach RE which is balanced in its content and manner of teaching. RE in Catholic schools already engages with a range of religions and philosophical convictions.

The proposed changes to the legislation provide that any reference to philosophical convictions is to philosophical convictions within the meaning of Art. 2 Protocol 1 of the European Convention on Human Rights. This is not a problem as it reflects existing case law. However, the proposed provisions relating to the RE syllabus refer to a requirement that they have to include non-religious philosophical convictions, which is different. This would appear to limit the requirement as it appears not to include any philosophical convictions encompassed in case law, but only those that are non-religious. There does not seem to be any justification for this approach.

### Religious Freedom

The proposals in the Bill to extend the functions of Ministers to issue statutory guidance on denominational RE and SACREs to advise on denominational RE, including Catholic RE, usurp the proper role of the denominational religious authority (in our case the Diocesan Bishop) to be the determiner of denominational religious education. We greatly value and support the work of SACREs in setting an appropriate local framework for non-denominational RE, but neither they nor the Government have the competence to give guidance on Church teachings, and we do not believe that SACREs wish to be given such a power. This proposal breaches the very basis upon which the Catholic Church agreed to be part of the State education system 173 years ago, and is unacceptable.

The Bill allows the Welsh Government to strengthen its role over locally agreed syllabi and we are concerned that this may undermine the autonomy of locally agreed syllabi and the role of SACREs/ASCs. We are concerned about the content and quality of statutory guidance, both immediately and in future iterations.

### Learning from Best Practice in Relationships and Sexuality Education (RSE)



We do not believe that any Catholic schools have been called upon to share their good practice in RSE, despite having experience of delivering the only national 3-19 RSE curriculum to a diverse pupil body of 28,491 pupils without a single parent exercising their right of withdrawal. We are alarmed about the repeal of the protections currently set out s.403 without their replacement with equivalent protections. Evidence has consistently shown that family structures make a difference to the outcomes for children and, in particular, the important role marriage plays in improving those outcomes. The recent report by the Centre for Social Justice (Family Structure Still Matters, August 2020) highlights this evidence, and why the impact is greater on the poorest families. The removal of the requirement that pupils are protected against inappropriate teaching materials is also cause for alarm, as there are no proposals in the Bill to enact equivalent protections.

### Regulation-Making Powers

Clause 5 of the Bill allows Ministers to amend the lists of subjects in clause 3. This includes, for example, the listing of RVE and RSE as mandatory subject. As the Bill stands, therefore, a future government would be able to remove these subjects from the list of mandatory subjects without going through the full scrutiny of the Bill process. We do not believe there is justification for this approach.

Clause 25 of the Bill provides that regulations may specify further requirements for pupils over 14 and may specify what provision must or must not be in a curriculum and may be by reference to courses of study. This does not exclude requirements relating to RE. This extends the powers of the Welsh Government to specify requirements of the content and teaching of RE generally, ousting the role of the SACRE.

It also means that the Welsh Government could specify content and teaching of Catholic RE for pupils above the age of 14. The Welsh Government could require pupils in Catholic schools to engage in courses of study which do not meet the requirements of the denominational religious authority (in our case the Diocesan Bishop). The Welsh Government will be able to introduce these requirements by regulation, which means that the changes would be made without the opportunity for appropriate scrutiny and opportunity for challenge.

Government lawyers rely on the proposition that, despite the clear words of the Bill, some of these possibilities would be forbidden by public law constraints. However, even if this were true, it would rely on a third party bringing an expensive judicial review challenge against the Government, and that can hardly be guaranteed.



## Consultation on the Curriculum and Assessment (Wales) Bill

Evidence submitted to the [Children, Young People and Education Committee](#) for Stage 1 scrutiny of the Curriculum and Assessment (Wales) Bill.

### About you

Organisation: The Church in Wales

## 1. The Bill's general principles

### 1.1 Do you support the principles of the [Curriculum and Assessment \(Wales\) Bill](#)?

Yes

### 1.2 Please outline your reasons for your answer to question 1.1

*(we would be grateful if you could keep your answer to around 1500 words)*

There is a real need for change. The National Curriculum is outdated and is no longer preparing children and young people for the demands of society and work in the 21st century. It is content heavy and does not naturally allow learners to apply their learning in other contexts.

The Church in Wales educates children and young people in both primary and secondary settings as well as through the medium of both Welsh and English. It has responsibility for some 146 schools with nearly 27,000 children in its care. It is committed to promoting a broad and balanced pluralistic education that allows children and young people to grow and flourish. The principles of the Bill in developing a purpose driven curriculum resonates with the ethos and culture of Church in Wales schools.

We support the forward-looking, pupil-centred and practitioner-led approach that is proposed and with it, the introduction of a less prescriptive curriculum. It is pleasing to see the levels of autonomy being given to practitioners in almost every aspect of the Bill. Although, as noted below, there are specific exemptions about which we have concerns.

We support the retention of the “spiritual, moral, cultural, mental and physical development of pupils and preparing them for the opportunities, responsibilities and experiences of later life” in legislation and acknowledge that these are subsumed within the Four Purposes. However, it would be helpful if the retention of this were more clearly recognised in supporting documentation.

The use of statutory guidance for the AOLEs and wider skills rather than legislation for the detail of the curriculum will allow for greater flexibility and will ensure that the education system is more agile in responding to national needs. However, we agree that the cross-curricular responsibilities should underpin any curriculum, so it is appropriate that these are statutory to the age of 16.

The inclusion of Religion, Values and Ethics as a mandatory part of the curriculum, within the Humanities AoLE is also welcomed. However, we have some specific concerns, which are referenced in questions 3 and 6 below.

The opportunity for children and young people to study developmentally appropriate RSE is welcomed, particularly if the emphasis is on the importance of mutually loving and respectful relationships where all are valued and understand their own self-worth. The requirement of the Bill that Welsh Government publishes a Code for RSE together with supporting guidance will offer much needed clarity for practitioners, parents and the wider community.

### **1.3 Do you think there is a need for legislation to deliver what this Bill is trying to achieve?**

*(we would be grateful if you could keep your answer to around 500 words)*

Yes

The scale of the changes proposed by the Bill is such that there will only be real clarity if this is driven by legislation. There is also a need to practically amend existing legislation.

In a curriculum where schools have the autonomy to design a curriculum best suited to their learners, there might potentially be significant variation. It is important therefore that the Bill places duties on schools to fulfil the aims of the curriculum. The development of Codes for the Statements of What Matter, Progression, and RSE is important and will ensure some consistency of experience for all learners.

## 2. The Bill's implementation

### 2.1 Do you have any comments about any potential barriers to implementing the Bill? If no, go to question 3.1

*(we would be grateful if you could keep your answer to around 500 words)*

#### Professional learning

There needs to be a sustained approach to professional learning if there is to be a teaching profession who are driven by a deep understanding of pedagogy and subject knowledge as well as research-engaged, well informed and learning from excellence elsewhere. This is acknowledged in the Regulatory Impact Assessment however, little mention is given to the evaluation and quality control of the proposed professional learning or indeed the need for equality of access for all practitioners through the medium of both Welsh and English and regardless of geographical location.

This is particularly relevant for professional learning associated with RVE and RSE. Although there is an acknowledgement that there will be professional learning needs associated with the RVE guidance issued by Welsh Ministers and it is implied (9.58) that this professional learning will be included in the £24m funding allocation. There are, however, capacity issues in relation to RVE as there are very few specialist RE advisers currently working within the Welsh education system. This is not addressed in the RIA. Given the shift in emphasis of the subject, it is also likely that there will be significant numbers of teachers entering the profession who have little or no understanding of world religions and non-religious worldviews, which will require additional professional learning unless this is addressed by ITE providers.

Pioneer schools have had a significant lead time to become accustomed to the purpose and proposed structure of the new curriculum. However, non-pioneer schools have not had this level of exposure yet, will need as much time as possible to prepare for the new curriculum.

Impact of Covid-19 and strain this puts on schools. Some consideration should be given to the impact that the pandemic has had on the wider education system and particularly schools and the scale of the disruption that it has caused to their day to day functions. Much as the benefits of the new curriculum and its emphasis on mandatory cross-curricular skills and the needs of learners in their local context are clear, insufficient attention has been given to the detrimental impact of lockdown, the current need for practitioners to focus on the wellbeing of learners and the continued future uncertainties

related to the pandemic in the Regulatory Impact Assessment. It is significant that several key documents have not been published as a result of the pandemic (8.65) and comprehensive consultation with stakeholders (8.34/8.35) has not been concluded. Some strategic delivery partners have been unable to provide detailed information for this stage of scrutiny as a result of the pandemic (8.187).

## **2.2 Do you think the Bill takes account of these potential barriers?**

*(we would be grateful if you could keep your answer to around 500 words)*

The Regulatory Impact Assessment and other supporting documentation does reference some of the issues raised above, but it does not appear that the Bill has been amended to take account of these potential barriers. Indeed, even where the supporting documentation has identified issues with for example, sample sizes being too small to be valid, these figures have continued to form the basis of costings.

Similarly, even though the impact of the pandemic has been acknowledged (as noted above), the time scales for delivery as laid out in the Bill remain unchanged.

## **3. Unintended consequences**

### **3.1 Do you think there are there any unintended consequences arising from the Bill? If no, go to question 4.1**

*(we would be grateful if you could keep your answer to around 500 words)*

The proposed changes to RVE constitute a significant issue for Church in Wales schools and have the potential to put VA schools in breach of their trust deeds, which might impact on the lawfulness of state education being provided from these sites. Several of our VA church school sites are held on trusts which require that all religious education provided must not conflict with the tenets of the Church in Wales. If VA church schools are required to offer two curricula for religious education, it seems likely one of those two curricula may conflict with those tenets.

In addition, it will be difficult to deliver a dual approach in an integrated curriculum as well as almost impossible to have two groups of learners working to two different syllabi in the

same classroom. This approach is likely to make the subject a cause of division rather than a vehicle to develop empathy and tolerance.

The development of two curricula for religious education also has implications for teacher workload. At a time when Welsh Government is doing much to address the well-being of the work force and assessing how workload and bureaucracy may be reduced, the expectation that voluntary aided schools of a religious character have to devise, publish and potentially deliver two curricula for RVE appears to be contrary to this work. It will add additional workload on leaders, governors and practitioners and appears to be setting them apart from all other schools. The development of the curriculum to date has been predicated on the assertion that practitioners at all levels should be treated as professionals and given autonomy in developing the curriculum. The proposals relating to voluntary aided schools of a religious character is not affording practitioners such autonomy, indeed it appears that Head teachers of these schools cannot be trusted.

Innovation schools were not asked about the impact of requirements relating to the Humanities AOLE (8.264), therefore there has been a failure to assess the impact on voluntary aided schools of a religious character having to develop, publish, provide relevant professional learning and deliver two curricula for RVE. Furthermore (8.307) of the RIA states that Innovation schools did not expect that changes to RVE would have an impact on their schools, yet out of this already incredibly small and statistically invalid sample, there is no indication of how many schools of a religious character this includes and therefore issues relating to them have not been fully addressed. In addition, the discussions with Innovation schools occurred in November 2019, prior to the publication of the RVE consultation so there would appear to be a clear underestimation of the impact of the proposed changes to RVE.

It should also be noted that neither the RSE nor RVE guidance have as yet been published, so other than general assumptions, none of those who were involved in the RIA assessment can fully comment on the implications of the RSE Code and RVE Guidance.

Negative impact on religious education as a subject.

We fully support the assertion that RVE should encompass both religious and non-religious beliefs however, we do not agree with the definition of philosophical convictions as defined by the ECHR. The list of possible philosophical convictions referenced in the Appendix includes some convictions, which are not normally associated with religion or indeed religious education. Such a lengthy list of philosophical convictions risks diluting the subject and undermining its academic rigour. It will be difficult to balance religious and

non-religious worldviews and may lead to the subject reflecting narrowly secular views with little regard for religion.

The Church in Wales believes that good religious education should be pluralistic in the sense that it should develop a deep respect for all faiths and none. There is the danger that without a clear definition, 'pluralistic' religious education is little more than a default secular framework, that is deeply disrespectful of the many faiths, which exist in Wales today. Indeed, there is very little regard to what children and young people need in order to have both the confidence and capacity to navigate the religious views and customs, which inform our society. It is not just about "respecting" different faiths but how we equip them to know what constitutes healthy religious belief and practice and what does not. An exclusively secular approach to pluralism in RVE would not prepare children and young people to become ethically informed citizens of Wales and the world, which is deeply multifaith in character.

## 4. Financial implications

### 4.1 Do you have any comments on the financial implications of the Bill (as set out in Part 2 of the [Explanatory Memorandum](#))? If no, go to question 5.1

*(we would be grateful if you could keep your answer to around 500 words)*

The scale of the proposed changes outlined in the Bill will inevitably have significant funding implications for schools and other strategic delivery partners.

The costs of both resourcing the Curriculum for Wales and the professional learning to support practitioners have been acknowledged in the Regulatory Impact Assessment. However, the use of a very small number of Innovation schools who are already involved in the process to assess these costs (whilst acknowledged by Welsh Government, page 54) cannot possibly form a secure base from which to project system-wide costs. In some instances, responses were received from as few as four schools and even these, show significant variation in proposed costs.

No consideration has been given to the financial impact on schools of a religious character, whose budgets are determined by pupil numbers in the same way as every other school, of the requirement to develop two curricula for Religion Values and Ethics and the additional staffing, resourcing and professional learning costs associated with it.



## 5. Powers to make subordinate legislation

**5.1 Do you have any comments on the appropriateness of the powers in the Bill for Welsh Ministers to make subordinate legislation (as set out in Chapter 5 of Part 1 of the [Explanatory Memorandum](#)). If no, go to question 6.1.**

*(we would be grateful if you could keep your answer to around 500 words)*

Yes

It is understandable that the Bill proposes future structures to ensure that the Curriculum will be future proofed and will not become outdated and will keep pace with changes in society.

While it is reasonable to acknowledge that WG is not able to foresee every future eventuality and adaptation that the Curriculum may require, and given that it is possible to make subordinate legislation more quickly than to enact primary legislation, this would appear to be an agile solution. It is however of considerable concern.

Is it possible to be sure of the quality of the scrutiny any subordinate legislation may receive? Members of the Senedd are not experts in education. The Curriculum has been co-constructed over a number of years with experts and practitioners, this would not be the case with subordinate legislation.

Subordinate legislation has its place when deciding matters that are unlikely to generate debate or disagreement. However, certain aspects of the Curriculum have already engendered considerable debate, namely RVE, the proposed changes to SACREs and RSE. Indeed, a Faith/BAME group has been established specifically to ensure open debate and public scrutiny of curriculum developments in RVE and RSE.

There is the potential for Members of the Senedd to have disproportionate influence over subordinate legislation as scrutiny committees such as CYPE can only raise concerns over proposed changes. The need for challenge to proposed amendments to take place within a twenty-day timeframe also limits the opportunity for any committee to gather the necessary evidence to robustly challenge issues.

If subordinate legislation is to be used, the Curriculum Bill should include a clear definition and outline of scope of when it will be appropriate to use sub-ordinate legislation. Clear procedures for how subordinate legislation should be used should also be laid down, for example a statutory duty to consult on changes, which may be controversial. (RSE and

RVE). In addition, greater clarity should also be included in the Bill of how the Senedd will supervise the subordinate legislation.

## **6. Other considerations**

### **6.1 Do you have any other points you wish to raise about this Bill?**

*(we would be grateful if you could keep your answer to around 1000 words)*

The introduction of the absolute right of parents to request the Agreed Syllabus rather than the current qualified right that they have now is at odds with the removal of parents' rights to request an alternative religious education. This raises equality issues in the treatment of Church in Wales schools as, on the grounds of religion, it is setting voluntary-aided schools very clearly apart from all other schools, where no such absolute right exists.

In addition to the points made in question 3 above, we are also concerned with the negative impact on SACREs and local determination/democracy. There has, as yet, been no consultation with SACREs on the most recent version of the supporting framework for RVE. This lack of consultation is surprising as this would ordinarily be part of a SACRE's remit.

There is a real concern that the use of the term philosophical convictions will impact upon the membership of SACREs and the formation of Agreed Syllabus Conferences, it may also impact on the representation of Christian or other faiths on SACREs. Point 9.6 of Schedule 1 of the Bill is suggesting that new groups will be created on SACREs for those who hold philosophical convictions rather than places be made available within existing groups.

The practical implications of introducing new groups into SACRE (while attempting to be equitable) may have an unintended impact on the rights of representation for the Christian denominations and other religions and their denominations, for example in the voting process.

The Bill amends the membership, title and role of SACREs, yet there has been limited consultation on this, and we are yet to see the outcomes of this consultation. Furthermore, we believe that this is not a curriculum issue and the issues raised should be addressed through different legislation.



## Consultation on the Curriculum and Assessment (Wales) Bill

Evidence submitted to the [Children, Young People and Education Committee](#) for Stage 1 scrutiny of the Curriculum and Assessment (Wales) Bill.

### About you

Organisation: Welsh Association of SACREs

### 1. The Bill's general principles

#### 1.1 Do you support the principles of the [Curriculum and Assessment \(Wales\) Bill](#)?

Yes

#### 1.2 Please outline your reasons for your answer to question 1.1

*(we would be grateful if you could keep your answer to around 1500 words)*

The WASACRE Executive Committee, working on behalf of the 22 SACREs in Wales, has worked closely with the National Advisory Panel for Religious Education in order to draft this response. Some of the points in this response, therefore, agree with those within the response from the NAPfRE.

Yes. WASACRE agrees that the following key principles for developing legislation to support the new curriculum and assessment arrangements are appropriate and the Executive Committee fully supports them:

- Helping all learners to embody the four purposes;
- All children and young people, including those with severe, profound or multiple learning difficulties, are entitled a high-quality, broad and balanced education throughout the period of statutory education;
- Promoting learner progression; and
- Encouraging stimulating and engaging teaching and learning, which supports learners to make connections across different aspects of their learning.

However, Executive Committee do have some concerns as outlined below.

The Executive Committee agrees that these principles should be the driving force of this curriculum in order to ensure that ALL learners receive equal opportunity in having the highest quality education in Wales. It is vital for the spiritual, moral, cultural, mental and physical development of all learners to be considered, and provided for in all school level curriculum design. The legislation for this is still in effect and through the four purposes can be achieved. However, the Executive Committee feels that SMCMP development should be more explicit in the curriculum guidance rather than just implicit in the four purposes. For example, there is no mention of SMCMP in Chapter 2 or Chapter 3 under 'General Implementation Requirements', and the only mention of it that we can find is in Chapter 4, Part 5 under Post-Compulsory Education in Maintained Schools. The Executive Committee feels that this could cause confusion and risks some schools not embedding meaningful opportunities for SMCMP development within their individual school curriculum.

The majority of the Executive Committee supports areas of learning and experience and the new approach of "What Matters" which they feel will support learners to make connections across different aspects of their learning. However, the Executive Committee feels strongly that RE (RVE) should not be lost within this approach, and providing appropriate and specialised professional learning will be a key factor in ensuring this does not happen.

### **1.3 Do you think there is a need for legislation to deliver what this Bill is trying to achieve?**

*(we would be grateful if you could keep your answer to around 500 words)*

Yes. Otherwise existing legislation will be out of synch with certain aspects of the Curriculum for Wales (2022) approach. However, not all suggested changes are required or appropriate, for example:

- The change of name from RE to Religion, Values and Ethics (RVE);
- The change of SACREs to SACs;
- There are mixed views within WASACRE about VA schools being obliged to offer two RE (RVE) curriculums;

- The broad and vague description of “philosophical convictions” needs further clarification. This is a term used in law, and is not a subject specific term. It has been used here in an incorrect manner. Philosophical beliefs, worldviews or convictions can be both religious and non-religious. We suggest using the term “non-religious worldviews” or “non-religious beliefs”.

Curriculum and Assessment (Wales) Bill Chapter 4, Part 5, section 62 states:

Teaching and learning provided under this section—

(a) must reflect the fact that the religious traditions in Great Britain are mainly Christian, while taking account of the teaching and practices of the other principal Religions represented in Great Britain, and

(b) must also reflect the fact that a range of non-religious philosophical convictions are held in Great Britain.

The Executive Committee has questioned whether this should be ‘Wales and the wider world’ rather than ‘Great Britain’ to reflect the wording of the Curriculum for Wales guidance? This whole section needs to be future proofed to take account of the evolving nature of religion and worldviews in Wales and the wider world, so that this legislation is not outdated from the outset. It is vital that the principal religions in Wales are taken account of in teaching and learning as well as other religions and worldviews within local areas, to support community cohesion. Whilst it is necessary to consider changing the wording, this will need very careful attention so as to avoid unnecessary risk of any negative impact going forward. WASACRE is more than willing to discuss this further with Welsh Government.

## **2. The Bill’s implementation**

### **2.1 Do you have any comments about any potential barriers to implementing the Bill? If no, go to question 3.1**

*(we would be grateful if you could keep your answer to around 500 words)*

The new name for the subject (RVE) is misleading and unhelpful. It does not adequately describe the scope of the subject nor reflect the rigorous, academic nature of the subject. The Explanatory Memorandum (9.65 and 9.66) refers to professional bodies representing schools of a religious character and other bodies who do not support this name. In addition, most other organisations representing Religious Education throughout Wales, the wider UK and Europe also strongly object to this proposed name, as does WASACRE.

Parents losing their right to withdraw their child/ren from RE (RVE) has the potential to cause unnecessary conflict in some schools. Welsh Government needs to raise awareness amongst the public of this change in national legislation and also to plan and implement support for schools who may face challenges.

Imposing on VA schools in particular the duty to provide two curriculums for RE (RVE) will have significant budget and staffing implications for the schools and LAs.

The addition of a separate 'aa' group on Committee A of SACREs will create problems and division. We consider new groups to be unnecessary and divisive. For example, potential conflict may between existing and new groups regarding voting rights.

Funding for professional learning has been reduced this year which is very disappointing and could be disastrous for RE (RVE).

## **2.2 Do you think the Bill takes account of these potential barriers?**

*(we would be grateful if you could keep your answer to around 500 words)*

No.

In the case of the new name (page 152 of the explanatory memorandum) it states that RVE reflects the proper scope of the subject. This is not true at all. The name is misleading and not in line with current UK and European thinking or direction of travel with regard to RE.

In the case of not including the parental right to withdraw across the board in all types of schools, despite the attempt to avoid conflict by imposing on schools with a religious character the duty to offer two RE (RVE) curriculums, the Executive Committee feels that some parents will still have issue with this.

In the case of VA schools having to offer two RE (RVE) curriculums, this will create excess workload and could disrupt the culture and ethos of those schools with a religious character, which in turn could have disastrous consequences including some that may affect the health and wellbeing of learners and staff. Schools with a religious character should, by their very nature, be different. There are varying views held within WASACRE on this issue.

In the case of having 'new groups' on SACRE, with possible voting rights there is the potential for groups representing a minority in the local community have an equal vote as those groups which represent the majority of the community, this will create inequality and could cause conflict between the members of group A and group (aa). This proposal needs to be looked at very carefully to ensure fairness and balance.

In the Explanatory Memorandum p.150-151 the impact assessment advocates the need for Professional Learning for both RE (RVE) "To ensure a positive impact and to address concerns raised in the responses on the need for high quality RVE and RSE provision we are heavily investing in professional learning." Funding for professional learning on RE (RVE) should not to be 'lost' within a humanities curriculum. The Executive Committee is concerned that this point will not be addressed given that the finances set aside for PL can be used flexibly by schools, and there has been no ringfencing of money for RE (RVE). There must be direction from Welsh Government on the need for this specialist PL and how the money is to be spent. Given the nature of RE (RVE) is essential that this PL is delivered by specialists and not just lost in the generic training provided on the curriculum. It is essential that all RE (RVE) meets the statutory requirements of the law and without PL this is very much at risk. It is vital that appropriate and specialised PL for RE (RVE) is provided/available for schools in order to ensure that RE teaching and learning is of the highest quality, stimulating and engaging.

### **3. Unintended consequences**

#### **3.1 Do you think there are there any unintended consequences arising from the Bill? If no, go to question 4.1**

(we would be grateful if you could keep your answer to around 500 words)

Yes. Teachers and parents misinterpreting the scope of the subject due to the new name, which could lead to inappropriate teaching and learning at best, and illegal teaching and learning at worst. E.g. indoctrination of a teacher's own perception of the 'right' values and



ethics. This could lead to legal challenges against the non inclusion of the right to withdraw.

Some parents may also choose to home school due to the removal of the right to withdraw in schools.

Extra budget implications on schools and LAs due to having to offer two curriculums in VA schools.

Changing the law to require Agreed Syllabus Conferences to have regard to curriculum guidance could undermine local democracy (elected members on SACRE and ASCs).

## **4. Financial implications**

**4.1 Do you have any comments on the financial implications of the Bill (as set out in Part 2 of the [Explanatory Memorandum](#))? If no, go to question 5.1**

*(we would be grateful if you could keep your answer to around 500 words)*

The Executive Committee is concerned that funding has been reduced significantly due to Covid -19 restrictions on education in Wales and that this may have a negative impact on professional learning for RE (RVE) going forward. It is vital that specialist PL for RE (RVE) is provided for schools in order to ensure that RE (RVE) teaching and learning is high quality, stimulating and engaging, that it meets the statutory requirements in law, and to ensure that RE is not lost within an integrated curriculum.

## **5. Powers to make subordinate legislation**

**5.1 Do you have any comments on the appropriateness of the powers in the Bill for Welsh Ministers to make subordinate legislation (as set out in Chapter 5 of Part 1 of the [Explanatory Memorandum](#)). If no, go to question 6.1.**

*(we would be grateful if you could keep your answer to around 500 words)*

Table 5.1 section 5.

Powers for Welsh Ministers (WMs) to make Regulations to add, remove or revise the identified areas of learning and experience, mandatory elements and cross-curricular skills.

5.2 The Welsh Government will consult on the content of the subordinate legislation where it is considered appropriate to do so.

These powers outlined above pose a risk to RE (RVE) in that it could be removed as a mandatory element of the curriculum in future, without consultation. The Executive Committee feels strongly that there should be different levels of scrutiny for different changes. For example, if a word needs amending to reflect new or current practice it would be appropriate to do this without consultation. However, removing a mandatory element of the curriculum must always be consulted upon, regardless of whether the Welsh Government consider it to be appropriate to do so or not.

Is the specific legislation for RE (RVE) and SACRE classed as "subordinate legislation"? If so, what further impact might this power have on such legislation?

## **6. Other considerations**

### **6.1 Do you have any other points you wish to raise about this Bill?**

*(we would be grateful if you could keep your answer to around 1000 words)*

Welsh Government has stated in the Explanatory Memorandum that "There will be a need for continued close working with all schools, in particular faith schools which are able to provide learning in line with the tenets of their religion (providing it is pluralistic), to ensure the learning

offered in RSE and RE is pluralistic and non-discriminatory."

Who will carry out this close working? Who will advise schools? There is a need for both specialist Professional Learning and continued advisory support for RE (RVE) (and not for this reason alone). WG, LAs, SACREs, regional consortia, WASACRE, NAPfRE, CiW, CES, and other relevant bodies need to work collaboratively so that all learners in Wales receive their entitlement to the best possible RE (RVE) within the Humanities curriculum.

It is concerning that the Bill is going through the Senedd before SACREs have had sight of the RE (RVE) supporting framework and the detail it will provide on the implementation of the legislative changes for RE.



## Consultation on the Curriculum and Assessment (Wales) Bill

Evidence submitted to the [Children, Young People and Education Committee](#) for Stage 1 scrutiny of the Curriculum and Assessment (Wales) Bill.

### About you

Organisation: National Advisory Panel for Religious Education Wales (NAPfRE)

## 1. The Bill's general principles

### 1.1 Do you support the principles of the [Curriculum and Assessment \(Wales\) Bill](#)?

Yes

### 1.2 Please outline your reasons for your answer to question 1.1

*(we would be grateful if you could keep your answer to around 1500 words)*

Yes, NAPfRE agrees that the following key principles for developing legislation to support the new curriculum and assessment arrangements are appropriate and the panel fully supports them:

- Helping all learners to embody the four purposes;
- All children and young people, including those with severe, profound or multiple learning difficulties, are entitled to a high-quality broad and balanced education throughout the period of statutory education;
- Promoting learner progression; and
- Encouraging stimulating and engaging teaching and learning, which supports learners to make connections across different aspects of their learning.

However, the panel does have some concerns, outlined below.

The panel agrees that these principles should be the driving force of this curriculum in order to ensure that ALL learners receive equal opportunity to the highest quality education in Wales. It is vital for the spiritual, moral, cultural, mental and physical

development of all learners to be considered and provided for in all school level curriculum design. The legislation for this is still in effect and through the four purposes can be achieved. However, the panel feels that SMCMP development should be more explicit in the curriculum guidance.

For example, there is no mention of SMCMP in Chapter 2 or Chapter 3 of the Bill, under 'General Implementation Requirements', and the only mention of it that we can find is in Chapter 4, Part 5 of the Bill, under 'Post-Compulsory Education in Maintained Schools'. The panel feels that this could cause confusion and risks some schools not embedding meaningful opportunities for SMCMP development within their individual school curriculum.

The majority of the panel supports areas of learning and experience and the new approach of what matters which they feel will support learners to make connections across different aspects of their learning. However, the panel feels strongly that RE (RVE) should not be lost within this approach, and providing appropriate and specialised professional learning will be a key factor to ensure this does not happen.

### **1.3 Do you think there is a need for legislation to deliver what this Bill is trying to achieve?**

*(we would be grateful if you could keep your answer to around 500 words)*

Yes. Existing legislation would be out of synch with certain aspects of the Curriculum for Wales (2022) approach. However, the panel feel that some of the changes to legislation need further consideration, for example:

1. The change of name from RE to Religion, Values and Ethics (RVE);
2. The change of SACREs to SACs;
3. Imposing on VA schools a duty to offer two RVE curriculums; and
4. The broad and vague description of philosophical convictions;

In addition to these aspects of the legislation that have already been amended, some members of NAPfRE feel strongly that the following section of the Curriculum and Assessment (Wales) Bill is considered.

Chapter 4, Part 5, section 62 and Schedule 2 states:

Teaching and learning provided under this section—

(a) must reflect the fact that the religious traditions in Great Britain are mainly Christian, while taking account of the teaching and practices of the other principal Religions represented in Great Britain, and

(b) must also reflect the fact that a range of non-religious philosophical convictions are held in Great Britain.

The panel has questioned whether this should be 'Wales' rather than 'Great Britain' in order to better reflect the new curriculum approach? If not 'Wales', then perhaps 'United Kingdom' would be more appropriate (if historically accurate and not problematic), as 'Great Britain' sounds very colonial. This whole section should be future proofed to take account of the evolving nature of religion and worldviews in Wales and the wider world, so that this legislation is not outdated from the outset.

It is vital that the principal religions in Wales are taken account of in teaching and learning, as well as other religions and worldviews within local areas, to support community cohesion. Whilst it is necessary to consider changing the wording, this will need very careful attention so as to avoid unnecessary risk of any negative impact going forward.

## **2. The Bill's implementation**

### **2.1 Do you have any comments about any potential barriers to implementing the Bill? If no, go to question 3.1**

*(we would be grateful if you could keep your answer to around 500 words)*

The new name for the subject, 'RVE' is misleading and unhelpful. It does not adequately describe the scope of the subject or reflect the rigorous, academic nature of the subject.

Parents losing their right to withdraw their child/ren from RE (RVE) could cause unnecessary conflict in schools.

Imposing on VA schools in particular, the duty to provide two curriculums for RVE will have significant budget and staffing implications for the schools and LAs.

Potential conflict between existing and new groups on SACRE regarding voting rights.

Funding for professional learning has been reduced this year which is very disappointing and could be disastrous for RVE.

## **2.2 Do you think the Bill takes account of these potential barriers?**

*(we would be grateful if you could keep your answer to around 500 words)*

No.

In the case of the new name (page 152 of the explanatory memorandum) it states that 'RVE' reflects the proper scope of the subject. This is not true at all. The name is misleading and not in line with current UK and international thinking or direction of travel with regard to RE.

In the case of not including the parental right to withdraw across the board in all types of schools, despite the attempt to avoid conflict by imposing on schools with a religious character the duty to offer two RE (RVE) curriculums, the panel feels that some parents will still have issue with this.

In the case of VA schools having to offer two RE (RVE) curriculums, this will create excess workload and could disrupt the culture and ethos of those schools with a religious character, which could have disastrous consequences, including some that may affect the health and wellbeing of learners and staff. Schools with a religious character should, by their very nature, be different. There are varying views on what solutions could be offered on this issue from the panel.

In the case of having 'new groups' on SACRE with possible voting rights which would be disproportionate to their local representation, this will create inequality and could cause conflict between the members of group (a) and the new group (aa). This needs to be looked at very carefully to ensure fairness and balance.

In the case of reduced funding for professional learning, in order for RE (RVE) not to be 'lost' within a humanities curriculum, PL is key. It is essential for all RE (RVE) to meet the statutory requirements in law and without PL this is very much at risk. It is vital that appropriate and specialised PL for RE (RVE) is provided/available for schools in order to ensure that RE (RVE) teaching and learning is high quality, stimulating and engaging.

### 3. Unintended consequences

#### 3.1 Do you think there are there any unintended consequences arising from the Bill? If no, go to question 4.1

(we would be grateful if you could keep your answer to around 500 words)

An unintended consequence could well be that teachers and parents will misinterpret the scope of the subject due to the new name, which could lead to inappropriate teaching and learning at best, and illegal teaching and learning at worst. E.g. indoctrination of a teacher's own perception of the 'right' values and ethics. This could lead to legal challenges against the non inclusion of the right to withdraw.

Some parents may also choose to home school due to the removal of the right to withdraw in some schools.

Extra budget implications on schools and LAs due to having to offer two RE (RVE) curriculums in VA schools.

Changing the law to require Agreed Syllabus Conferences to have regard to curriculum guidance could undermine local democracy (elected members on SACRE and ASCs).

### 4. Financial implications

#### 4.1 Do you have any comments on the financial implications of the Bill (as set out in Part 2 of the [Explanatory Memorandum](#))? If no, go to question 5.1

(we would be grateful if you could keep your answer to around 500 words)

NAPfRE members are concerned that funding has been reduced significantly due to covid - 19 restrictions on education in Wales and that this may have a negative impact on professional learning for RE (RVE) going forward. It is vital that specialist PL for RE (RVE) is provided for schools in order to ensure that RE (RVE) teaching and learning is high quality, stimulating and engaging, that it meets the statutory requirements in law, and to ensure that RE (RVE) is not lost within an integrated curriculum.



## 5. Powers to make subordinate legislation

**5.1 Do you have any comments on the appropriateness of the powers in the Bill for Welsh Ministers to make subordinate legislation (as set out in Chapter 5 of Part 1 of the [Explanatory Memorandum](#)). If no, go to question 6.1.**

*(we would be grateful if you could keep your answer to around 500 words)*

Table 5.1 section 5.

Powers for Welsh Ministers (WMs) to make Regulations to add, remove or revise the identified areas of learning and experience, mandatory elements and cross-curricular skills.

5.2 The Welsh Government will consult on the content of the subordinate legislation where it is considered appropriate to do so.

These powers outlined above pose a risk to RE (RVE) and other subjects in that they could be removed as a mandatory elements of the curriculum in future, without consultation.

NAPfRE members feel strongly that there should be different levels of scrutiny for different changes. For example, if a word needs amending to reflect new or current practice it would be appropriate to do this without consultation. However, removing a mandatory element of the curriculum must always be consulted upon, regardless of whether the Welsh Government considers it to be appropriate to do so, or not.

Is the specific legislation for RE and SACRE classed as subordinate legislation? If so, what further impact might this power have on this legislation?

## 6. Other considerations

**6.1 Do you have any other points you wish to raise about this Bill?**

*(we would be grateful if you could keep your answer to around 1000 words)*

Some of the NAPfRE panel are concerned that from an exam point of view, if schools are free to teach a wide variety of religious and non religious perspectives throughout the learning journey, including at progression step 5, that examiners would not have the expertise to mark all responses, and the mark scheme would then have to include such a wide range of indicative content, that it would be vast and unmanageable. This needs careful consideration.



# Agenda Item 3

CAW176 Wales Humanists

## Consultation on the Curriculum and Assessment (Wales) Bill

Evidence submitted to the [Children, Young People and Education Committee](#) for Stage 1 scrutiny of the Curriculum and Assessment (Wales) Bill.

### About you

Organisation: Wales Humanists

### 1. The Bill's general principles

#### 1.1 Do you support the principles of the [Curriculum and Assessment \(Wales\) Bill](#)?

Yes

#### 1.2 Please outline your reasons for your answer to question 1.1

*(we would be grateful if you could keep your answer to around 1500 words)*

We strongly agree with the underlying principles of the ambitious new Curriculum for Wales which, once implemented, we believe will be the most inclusive curriculum in the UK. In our view, this will particularly be the case with respect to religious education (or Religion, Values, and Ethics as it is set to be renamed). But this advance in inclusivity will be further achieved by provisions which will guarantee all learners aged 3 - 16 access to comprehensive relationships and sexuality education (RSE).

We fully support the four purposes of the curriculum, which display an explicit commitment to equality and human rights that, as is clear from the curriculum guidance that accompanies the Bill, permeates each area of learning and experience (AoLE). We also support the 'what matters' structure within each AoLE and agree with the Government that these statements setting out the fundamental building blocks of curriculum content should be enshrined in legislation.

As noted in the explanatory memorandum, the Bill is designed to ensure that the legislative framework relating to the curriculum adequately facilitates all learners in Wales to 'embody the four purposes' and receive the 'high-quality broad and balanced education' to which they are entitled throughout the course of their statutory education.

This laudable aim would be impossible under the current legal arrangements, which the Government is correct to say are 'no longer fit for purpose'.

Religion, Values, and Ethics:

The inclusion of humanism:

One of the most important improvements the new Bill proposes to make involves clarifying that the newly titled subject Religion, Values, and Ethics must be fully inclusive of non-religious worldviews like humanism. At present, both the subject name and the wording of the law underpinning it refer solely to 'religion' and 'religions', whereas human rights law has established that this should be read as 'religion or belief'.

Here it is important to note that the proposed changes do not involve a substantive change to the law. In fact, the Human Rights Act 1998 (following the European Convention on Human Rights) already dictates that humanism must be treated equally to religions, and the judgment in the only domestic case law on the issue found that a curriculum which systematically excluded the teaching of humanism would fail to meet the legal standard of being 'objective, critical, and pluralistic' (See *R (Fox) v Secretary of State for Education* (2015)).

The Bill's clarification of the requirement to include non-religious perspectives in RVE is made even more pertinent by the fact that, along with the rest of Britain, Wales is becoming increasingly non-religious. The most recent British Social Attitudes Survey suggests that 52% of British and 57% of Welsh adults belong to no religion (see

### **1.3 Do you think there is a need for legislation to deliver what this Bill is trying to achieve?**

*(we would be grateful if you could keep your answer to around 500 words)*

Yes

Religion, Values, and Ethics:

As noted in our response to question 1.2, the key provisions requiring Religion, Values, and Ethics to cover religious and non-religious beliefs equally in the syllabus, and include humanist representatives on ASCs and SACREs do not represent a substantive change to the law. However, owing to the religion-centric language of the current legal framework, humanists have been systematically excluded from participating in SACREs and ASCs, and

humanism has been erroneously left out of the RE curriculum. In order to ensure that this does not happen in future, it is, therefore, vitally important that the wording of the law is clarified to make it completely clear that, in line with the Human Rights Act, non-religious perspectives and those who hold them must be treated equally.

We believe that the ideal state of affairs with respect to the introduction of the new, inclusive RVE curriculum would be for it to be compulsory in all schools irrespective of their religious character. This would ensure that, as per the vision of the Religious Education Council for England and Wales, every learner in Wales would receive 'a personally inspiring and academically rigorous education in religious and non-religious worldviews.'

However, short of that, we support the proposal to require that voluntary aided schools teach RVE according to the agreed syllabus when parents demand it. Legally speaking, the Government's decision to abolish the parental right to withdraw from RVE across all schools, including faith schools, necessitates that the law is amended to ensure that the freedom of religion or belief of families whose beliefs do not cohere with the religion of the school is protected through the offer of such an alternative. For this reason, as set out in the Bill, schools should not be able to refuse this when requested.

This change will represent a marked improvement on the current situation whereby parents who do not share the faith of the school their child attends are compelled to choose between exposing their child to a potentially indoctrinatory faith-based approach to RE or exercising their right to withdraw altogether, risking isolation from peers as well as depriving their child of a vital aspect of their education.

Relationships and sexuality education:

The changes to the law proposed by the Bill are also necessary to ensure that children in Wales have equal access to the comprehensive relationships and sex education to which they are entitled. This is particularly the case with respect to the abolition of the parental right to withdraw which, at present, systematically denies some of the most vulnerable children and young people their right to receive impartial information that, in some cases, could be life-saving. It is alarming to think that, under the present legislation, an abusive parent may simply exercise the right to withdraw a child from RSE and, by so doing, prevent them from receiving any safeguarding education.

It is also of great importance that the content of RSE is made statutory through the RSE Code. To see why this is the case, one need only look at how the statutory guidance in England has been interpreted. There, provisions saying RSE must take the religious background of pupils into account and that this might mean the provision of a

'differentiated curriculum' have been weaponised by those opposing the subject. This includes the well-known cases of protesters outside schools in Birmingham claiming that Muslim children should not be taught about LGBT people, but also religious schools using these faith-based 'carve-outs' to attempt to avoid their duty to teach the subject altogether (see ).

RSE will only be effective if the content, not simply the broad subject area, is enshrined in legislation, guaranteeing a broad and balanced curriculum for all pupils regardless of religion or belief.

## **2. The Bill's implementation**

### **2.1 Do you have any comments about any potential barriers to implementing the Bill? If no, go to question 3.1**

*(we would be grateful if you could keep your answer to around 500 words)*

NB: We do not believe that the Bill takes account of the barriers highlighted in this response. For this reason, we have used this question to suggest solutions to these issues which are split between box 2.1 and box 2.2.

The proposal to replace the right to withdraw from RVE with a right to demand the subject in line with the locally agreed syllabus in voluntary aided faith schools marks a significant step towards giving most learners in Wales access to fully inclusive lessons about religions and humanism. There are nevertheless some ways in which the proposals should be improved and/or further clarified if they are to achieve this:

Process for demanding agreed syllabus RVE:

Since the right to demand RVE in accordance with the agreed syllabus will serve as a vital protection for the freedom of religion or belief for families whose children attend voluntary aided schools, the Welsh Government must establish a process to ensure that parents are regularly informed of their rights in this regard (e.g. at the start of every academic year or at the point any new pupil joins the school). Ideally, VA schools should be required to explicitly ask parents to select the type of R(V)E they prefer, rather than simply defaulting to faith-based RE unless told otherwise. This will help to ensure that all parents make the choice that they think is right for their children, and would prevent children feeling singled out when their parents make this choice. It is hard to see what grounds faith providers would have for legitimately objecting to it, given that it is only allowing for what parents

and pupils want. Rather, faith schools should be happy to ensure regular and open communication with parents confirming their and their children's rights.

Failing this, VA schools should at the very least be required to make it known to all parents that another option is available, and reference to the right to demand agreed syllabus RVE should feature in every school's published policy for the subject.

Right to demand agreed syllabus RVE for older pupils:

From Year 10 onwards, pupils themselves should be granted the power to request inclusive RVE in-line with the locally agreed syllabus. As already noted with respect to voluntary controlled schools, this would better respect the rights of children and young people and fits more closely with the requirement for policy decisions to take proper account of the UNCRC than either the current or proposed arrangements. What's more, given that children are currently expected to exercise a degree of choice over what they will be taught in years 10 and 11 when they select their GCSE options at the end of year 9, there is a clear point at which it would be reasonable to begin to offer this alternative.

## **2.2 Do you think the Bill takes account of these potential barriers?**

*(we would be grateful if you could keep your answer to around 500 words)*

NB: We do not believe that the Bill takes account of the barriers highlighted in this response. For this reason, we have used this question to suggest solutions to these issues which are split between box 2.1 and box 2.2.

Teacher training, recruitment, and dismissal

Since RVE that follows the agreed syllabus will be a significant change to teachers in voluntary aided schools, it is vital that they are properly trained to understand the key differences between the faith-based approach and that taken when teaching the agreed syllabus. Any failure to take these differences seriously could lead to breaches of the right to freedom of religion or belief of learners and their families as outlined above. For this reason, Welsh Government should, at the very least, produce additional guidance outlining these differences, the basic features of non-confessional RVE, and the legal ramifications of failing to meet the standard of being sufficiently objective, critical, and pluralistic, alongside a clear explanation of what this will mean in practice.

At present, VA faith schools are legally permitted to give preference 'in connection with the appointment, remuneration or promotion of teachers... whose religious opinions are in accordance with the tenets of the religion'. They can do this for all teachers.

Faith is often seen as a particularly important requirement for RE teachers. However, when the right to demand agreed syllabus RVE is introduced, it will be necessary for at least some of the teachers in every VA faith school to be able to teach using the more objective approach adopted by the agreed syllabus. There should, therefore, be a requirement for every school to retain a suitable number of teachers who are willing and able to teach in this way. This could mirror the current requirement for reserved teachers in VC schools. Although, if the requirement for VC faith schools to teach faith-based RVE on demand were to be removed, as it legitimately could be, then it would be appropriate to remove the provision in that context and only provide for a proportion of reserved agreed syllabus teachers in VA schools.

The current law allows VA faith schools to terminate the employment of a teacher if 'any conduct on his part... [is deemed] incompatible with the precepts, or with the upholding of the tenets, of the religion or religious denomination' of the school. Because of this, it will be necessary for the new law to reflect the fact that such schools will need to employ teachers who teach RVE which is not faith-based and to clarify that teaching RVE in an objective manner does not constitute a violation of this provision. Otherwise there is a serious risk that some VA schools could work against the intent of the law simply by refusing to employ suitable teachers for teaching agreed syllabus RVE. This is a particular concern given the recorded objections of Catholic headteachers to this requirement (). As they are presently set out in the Bill, the arrangements represent a clear conflict of interest, between what the church wants and what the law allows, that is open to abuse.

#### Inspection and monitoring

Currently, RE in VA schools is inspected by a denominational body chosen by the governors. Since those responsible for inspecting faith-based RE cannot be guaranteed to have the requisite skills or expertise for inspecting inclusive RVE, and may misunderstand the requirement to provide RVE which is objective, critical, and pluralistic, we think it is crucial that, where the provision is in operation, it is inspected by Estyn. When inspecting VA schools, Estyn should also be expected to consider the extent to which schools are adequately and transparently making parents and, if our suggestion is adopted, older children aware of this option (e.g. through the explicit opt-in process highlighted above), and making sure there is appropriate staff provision for inclusive RVE.



To ensure issues relating to effective provision of agreed syllabus RVE in VA faith (and indeed other) schools are tackled at an early stage, the Welsh Government should consider setting up an early intervention service that is able to offer advice and guidance to parents on these matters, as well as inform schools when and how their practice is likely to be unlawful. There may also be a role for SACREs in providing guidance, as well as helping to monitor and address any issues that arise with respect to the provision of adequately pluralistic RVE. However, to avoid the need for legal challenges in this area the Government will need to establish a process that seeks to compel (rather than merely advise) schools that fail to adequately respect the legal rights of their pupils and their families.

These additional points represent important safeguards on the provision of agreed syllabus RVE in VA faith schools. As we know these schools would likely prefer for all pupils to participate in a faith-based version of the subject that does not include non-religious perspectives on an equal footing with religions (the Catholic Education Service have claimed that the inclusion of non-religious worldviews in the subject will mean it is not as intellectually rigorous and constitutes 'dumbing down' (see )), it is imperative that this potential conflict of interest is independently monitored; otherwise, it will hamper the right of children and their families to access lessons that are adequately objective, critical, and pluralistic.

### **3. Unintended consequences**

#### **3.1 Do you think there are there any unintended consequences arising from the Bill? If no, go to question 4.1**

(we would be grateful if you could keep your answer to around 500 words)

Collective worship:

Despite the UN Committee's recommendation that the requirement be repealed, schools in Wales are still legally mandated to carry out a daily act of collective worship that is 'wholly or mainly of a broadly Christian character'.

Although schools can opt to have worship that aligns with an alternative faith, they are not permitted to opt out of delivering worship altogether. Parents have a legal right to withdraw their children from collective worship, and, since 2006, sixth-form pupils have been permitted to withdraw themselves from these sessions. However, withdrawal can be a difficult process that isolates children from their classmates.

Children who have been removed from worship are rarely given a meaningful alternative of equal educational value during the time their peers are attending worship. Indeed, in 2019 two non-religious parents, xxx and xxxxxxx xxxxxx (supported by Humanists UK), took a legal challenge against their children's school in England because it refused to provide just such an alternative ().

When the Trust that runs the school eventually backed down and the xxxxxxxx won permission to have their case heard at the High Court, the school agreed to provide an inclusive alternative to the xxxxxx children and any other withdrawn children whose parents wished them to receive it.

As the law is identical in England and Wales, this logically ought to mean that similar arrangements are possible at other schools in both countries. However, most parents who would like to see a meaningful alternative to collective worship in their child's school won't be in a position to mount time-consuming legal proceedings. What's more, such action may risk alienating the family from the school. For this reason, this is clearly not the most desirable means by which to ensure that children get the kind of non-discriminatory provision to which they are entitled under Article 2 of the UNCRC. Instead, this aim would be far better met by a change to the law.

Unfortunately, however, the Welsh Government has said that it won't take action on the issue of collective worship in the current Senedd term. This is despite the fact that the continuation of statutory Christian worship contradicts much of the rationale for the new curriculum, particularly the requirement to ensure that children and young people develop into ethical citizens of Wales and the world. Given that, in other respects, this is likely to be the most inclusive curriculum in the UK, this undermines its purpose and risks diminishing the impact of the important changes this innovative curriculum seeks to make.

Seemingly, the decision not to take action on the issue was motivated by the view that the Government must prioritise the changes to the curriculum over ostensibly less important changes to collective worship. However, here it is worth noting that this separation of the curriculum from what happens in other aspects of the school day is largely artificial. For pupils, worship delivered by teachers in a school environment is very likely to be experienced in a similar way to a lesson, making the fact this form of spiritual, moral, social, and cultural development is inconsistent with the proposed changes in the wider curriculum all the more difficult to defend.

Creationism and pseudoscience:

We understand that the Curriculum for Wales is predicated on the idea that teachers should be granted the flexibility to design the curriculum they provide around the needs of their pupils. However, in order to ensure that learners get full access to a broad and balanced curriculum, it is nevertheless necessary to stipulate a range of non-negotiable, basic content that all learners must receive, as well as an outline of what progression looks like in each curriculum area. It is for this reason that we strongly support the decision to establish statutory codes for the what matters statements and curriculum progression.

In our view, one area where this is particularly important is the teaching of science. When the new curriculum was published, we voiced concern that the Science and Technology AoLE did not appear to require the teaching of evolution in primary schools and, owing to a lack of any explicit prohibition on the teaching of pseudoscience, could allow the teaching of theories such as intelligent design or creationism to be taught as evidence-based. We found this especially worrying given that the move from discrete subjects to 'Areas of Learning and Experience' seems likely to encourage cross-disciplinary teaching that could include the merging of lessons on religion with science.

The proposal for a What Matters Code that will make the what matters statements – including a statement on living things that refers to the impact of natural selection on diversity of life – statutory has somewhat assuaged our concerns in this regard.

Nevertheless, the fact that evolution is not explicitly mentioned in the progression steps of the curriculum until progression step 5 (which should ordinarily coincide with the final stages of secondary school) still gives us pause, as does the failure to expressly rule out the teaching pseudoscience, which could easily corrupt teaching elsewhere in the curriculum, particularly RSE.

Here it is worth mentioning that, in England, academies and free schools are prohibited from teaching unevidenced theories such as creationism as science by a clause in their funding agreements preventing them from allowing 'any view or theory to be taught as evidence-based if it is contrary to established scientific or historical evidence and explanations.' This clause applies to all subjects. The UK Government has also clarified that in its view, the duty on all state schools to teach a 'broad curriculum' also means that this requirement is in force in other types of school. In our view, the Bill could easily include a similar declaration and thus close down any opportunity for unscrupulous providers to use curriculum flexibility as a means by which to introduce unsupported theories into the classroom.

## 4. Financial implications

**4.1 Do you have any comments on the financial implications of the Bill (as set out in Part 2 of the [Explanatory Memorandum](#))? If no, go to question 5.1**

*(we would be grateful if you could keep your answer to around 500 words)*

No comment, falls outside of our policy remit.

## 5. Powers to make subordinate legislation

**5.1 Do you have any comments on the appropriateness of the powers in the Bill for Welsh Ministers to make subordinate legislation (as set out in Chapter 5 of Part 1 of the [Explanatory Memorandum](#)). If no, go to question 6.1.**

*(we would be grateful if you could keep your answer to around 500 words)*

In our view, it is appropriate that Welsh Ministers are able to make changes to areas of the curriculum such as the What Matters Code and the RSE Code should, in future, the current provisions need adjusting because they are unfit for purpose. Nevertheless, it is vital that such changes are subject to appropriate oversight from the Senedd and that the codes are devised with a view to the majority of any later changes to the curriculum occurring at the level of statutory guidance.

## 6. Other considerations

**6.1 Do you have any other points you wish to raise about this Bill?**

*(we would be grateful if you could keep your answer to around 1000 words)*

Summary of key points:

Religion, Values, and Ethics:

It is vital that religion, values, and ethics (RVE) should encompass both religious and non-religious beliefs that are philosophical convictions (in line with the European Convention on Human Rights) as described in the consultation document;

Non religious worldviews form an integral part of any objective, pluralistic and critical curriculum and any claim that the 'introduction' of non-religious worldviews into religious education will serve to 'dilute' or 'dumb down' the subject, ignores the fact that:

- a) the law already stipulates that this should be the case and the changes only seek to clarify this fact;
- b) humanism and humanist beliefs are well-represented in Wales and thus worthy of recognition through the curriculum;
- c) humanism is a cogent, well-developed worldview with a significant and rigorous body of literature underpinning it that is suitable for teaching in schools.

As the only non-religious worldview that meets this standard and is common in Wales, in effect the proposal to include non-religious worldviews that are philosophical convictions means the inclusion of humanism alongside religions;

We largely support the proposals outlined in the consultation document, particularly the parental right to demand RVE according to the agreed syllabus in VA but suggest some key improvements. These are as follows:

- a) Grant older pupils in faith schools (year 10 and 11) the power to opt-in to RVE taught according to the agreed syllabus to fully respect their rights to freedom of religion or belief;
- b) Ensure that inclusive RVE taught according to the locally agreed syllabus is inspected by Estyn rather than denominational bodies;
- c) Remove the right to request denominational R(V)E in VC schools;
- d) Remove the requirement for up to a fifth of teachers in VC schools to be appointed on the basis of their 'fitness and competence' to teach faith-based RE;
- e) Ensure that teachers in all schools, but particularly those in schools with a religious character, understand the difference between objective, critical, objective RVE and that taught from a faith perspective, as well as the legal ramifications of not taking this difference seriously. Welsh Government should consider publishing guidance on this issue;

f) Require that a suitable number of 'reserved' teachers in VA schools are trained to teach pluralistic RVE, and remove the legal provision that allows such teachers to be selected, remunerated, promoted, or dismissed according to faith;

g) Require that VA schools with a faith character provide parents with an explicit choice between faith-based and agreed syllabus RVE, or at the very least, fully inform parents (and older children) of their right to demand the subject in accordance with the agreed syllabus. This should be done through school policy documents, the school website, and parents should be provided with regular reminders every academic year/ when new pupils join the school;

h) Estyn to inspect requirements (e), (f) and (g) as part of their inspection regime in VA schools.

Collective worship:

Owing to the fact that the imposition of compulsory Christian worship undermines the rationale for the new curriculum, steps should be taken to replace this legal requirement with a requirement to hold inclusive assemblies designed to foster the spiritual, moral, social, and cultural development of pupils from all backgrounds.

RSE:

As set out in the Bill, the parental right to withdraw children from RSE should be removed. The proposed RSE Code must make statutory the basic content of the subject for all pupils in all schools irrespective of background or belief, and should be fully LGBT inclusive.

Science, evolution and the prevention of pseudoscience:

The content of the What Matters Statements should be made statutory by the What Matters Code. However, the Government should also explicitly prohibit the teaching of pseudoscientific theories such as creationism or intelligent design as evidence-based or scientific.



## Consultation on the Curriculum and Assessment (Wales) Bill

Evidence submitted to the [Children, Young People and Education Committee](#) for Stage 1 scrutiny of the Curriculum and Assessment (Wales) Bill.

### About you

Organisation: National Secular Society

## 1. The Bill's general principles

### 1.1 Do you support the principles of the [Curriculum and Assessment \(Wales\) Bill](#)?

Yes

### 1.2 Please outline your reasons for your answer to question 1.1

*(we would be grateful if you could keep your answer to around 1500 words)*

The National Secular Society has been actively engaged in discussions regarding the new curriculum. We have submitted constructive responses to all consultations the surrounding the new curriculum project, including:

- Legislative proposals for religion, values and ethics in the Curriculum for Wales Framework

( <https://www.secularism.org.uk/uploads/nss-response-to-rve-legislative-proposals.pdf?v=1595865301> )

- Ensuring access to the full curriculum

( <https://www.secularism.org.uk/uploads/ensuring-access-to-the-full-curriculum-nss-consultation-response-4.pdf> )

- A transformational curriculum – proposals for a new legislative framework

( <https://www.secularism.org.uk/uploads/a-transformational-curriculum-proposals-for-a-new-legislative-framework---nss-response.pdf> )



- Draft guidance on relationships and sexuality education

( <https://www.secularism.org.uk/uploads/draft-guidance-on-relationships-and-sexuality-education---nss-response.pdf> )

Our main areas of interest have been in reforming religious education (RE/RVE) and relationships and sexuality education (RSE), as these are the areas where religious privilege has most impinged on the rights of Welsh pupils and families in education.

Religion, values and ethics (RVE)

We welcome efforts to make this subject area broader and more pluralistic, particularly by including greater emphasis on the non-religious beliefs and other philosophical convictions held by the majority of Welsh citizens. This is essential for pupils to “engage with, and appreciate, the pluralistic society in which they live”.

We are grateful that the government has moved away from the limiting language of including only beliefs that are “analogous to religion”. The standard of protected philosophical convictions as developed through human rights case law is clearly more appropriate.

However, we are disappointed that the language in Section 375 of the Bill continues to frame religion and Christianity in particular as the default. We are disappointed that the more inclusive language regarding the diversity of beliefs in Wales proposed at earlier stages has been compromised on.

The objections noted in the explanatory notes by some faith groups to the name change “to reflect a broader scope” highlight the need for strong inclusive language to address those seeking to continue the marginalisation of non-religious beliefs and identities within the subject.

We welcome the explicit acknowledgment of the importance of pupils learning about secularism – which is accurately, albeit limitedly, defined as “the principle of keeping religion separate from civic and state matters.”

It is our long-standing contention that the system of SACREs and ASCs is educationally inappropriate. We believe that a national agreed syllabus developed by educational experts with regard to statutory guidance is necessary to liberate the subject from special interest groups; what Reforming Religious Education: Power and Knowledge in a Worldviews Curriculum (an anthology of academics and practitioners) have called “producer communities”.

However, while the system of SACREs and agreed syllabus conferences continues, we welcome the requirement that they must have regard to statutory guidance as this may address some of the inequities and inconsistencies between locally agreed syllabi.

We welcome the government's efforts to introduce reforms that can deliver an RVE syllabus and system that is genuinely pluralistic and balanced in nature – one that guarantees all children across Wales access to a religious and ethical education fit for the 21st century and that shows Wales leading the way across the UK when it comes to the teaching of RVE.

We deeply regret that by permitting faith schools to continue to use the subject to promote their particular religious outlook through the denominational syllabus, many pupils in Wales will continue to be denied access to genuinely non-partisan and balanced education about the full range of religious and non-religious worldviews. We believe this should be the right of every child, irrespective of the type of school they attend.

If the ambition is for every child to have universal entitlement to a broad and balanced curriculum, we believe implementing a duty on all schools to teach an objective, critical, and pluralistic RVE syllabus, without exception, must be the starting point.

We therefore urge you to extend the duty to teach pluralistic RVE in accordance with the agreed syllabus to all schools, regardless of religious designations.

Schools with a religious character should not be prevented from offering additional and voluntary extracurricular provision in accordance with the tenets of their faith where demand exists.

We cannot emphasise enough that schools cannot be regarded as homogenous faith communities. The evidence is clear that families largely do not choose faith schools based on their religious ethos, and do not necessarily wish to opt into a religious community by virtue of their school choice.

#### Relationships and sexuality education (RSE)

The National Secular Society has strongly supported the Welsh government's intention to make RSE statutory and embedded in a rights-based approach. Experience has shown that while many schools deliver outstanding RSE making the subject statutory is the only way to ensure consistency and quality across-the-board.

The change from SRE to RSE is positive because the stress is on the range of human interactions and relationships, rather than just romantic or sexual relationships. The change

from sex to sexuality is also positive because it emphasises a more personal and less clinical focus more relevant to each individual pupil.

There is an extremely broad base of support across the education, youth and equality sectors for making RSE a statutory and compulsory part of the curriculum. In particular the UN Committee on the Rights of the Child have noted with concern that: "Relationships and sexuality education is not mandatory in all schools, its contents and quality varies depending on the school, and LGBT children do not have access to accurate information on their sexuality."

( <https://www.secularism.org.uk/news/2016/06/un-childrens-rights-committee-calls-on-uk-to-abolish-compulsory-worship-in-schools> )

The provision for RSE in this Bill will enable the Welsh government to meet its obligations under the Convention on the Rights of the Child to: "Ensure that meaningful sexual and reproductive health education is part of the mandatory school curriculum for all schools, including academies, special schools and youth detention centres, in all areas of the State party. Such education should provide age-appropriate information on: confidential sexual and reproductive health-care services; contraceptives; prevention of sexual abuse or exploitation, including sexual bullying; available support in cases of such abuse and exploitation; and sexuality, including that of LGBT children."

### **1.3 Do you think there is a need for legislation to deliver what this Bill is trying to achieve?**

*(we would be grateful if you could keep your answer to around 500 words)*

Yes.

We believe it is agreed by almost all stakeholders that legislative changes are needed to deliver the wide-ranging aims of the curriculum reform project. Much of the legislation surrounding the curriculum dates from before devolution. A curriculum for Wales in the 21st-century requires legislation crafted in Wales, by its elected representatives in this century.

## 2. The Bill's implementation

### 2.1 Do you have any comments about any potential barriers to implementing the Bill? If no, go to question 3.1

*(we would be grateful if you could keep your answer to around 500 words)*

#### Religion, values and ethics (RVE)

While many of the proposals related to RVE and RSE enjoy widespread support across faith and belief communities, there is significant opposition from some faith lobby groups. In particular the Catholic Education Service are campaigning to reverse the proposed reforms on RVE, because of their opposition to pluralistic and critical approaches to religious education, which they feel undermine faith schools 'ethos.

( <https://www.secularism.org.uk/news/2020/07/nss-urges-ministers-to-reject-catholic-leaders-pleading-over-re> )

It is true that the need to provide for both denominational and pluralistic RVE options will place an additional burden on faith schools. This though is a problem entirely of their own making. The concession allowing them to continue teaching a denominational RVE option is a result of their own intransigence and unreasonable objection to the government's original and long-standing commitment to make RVE critical and pluralistic in all schools. If the CES objects to any additional complexity for faith schools, then the obvious solution is to bring in RVE in line with the proposed pluralistic option in all schools in Wales. Where appropriate, confessional RVE could be offered as a strictly voluntary extra-curricular activity.

The proposal to remove the right to withdraw faces potential legal barriers. Without a right to withdraw the delivery of RVE will be liable to legal challenge where it is not genuinely "objective, critical, and pluralistic". The right of withdrawal currently exists to protect parents' and children's rights under Article 9 of European Convention on Human Rights (ECHR), which provides a right to freedom of thought, conscience and religion. There is a large body of human rights case law that suggests that scrapping this right will be unlawful.

#### Relationships and sexuality education (RSE)

The introduction of statutory RSE in England and Scotland has unfortunately led to high profile campaigns over the last two years, coordinated largely by conservative religious opponents to RSE, with a particular focus on anti-LGBT rhetoric and encouraging parents

to withdraw. Thankfully there have not been similar disruptions in Wales. However, the government should remain alive to this possibility, and be prepared to bring out additional guidance if necessary. It is important to robustly address misinformation and ensure that any such campaigns do not undermine the welfare of pupils or teachers.

## **2.2 Do you think the Bill takes account of these potential barriers?**

*(we would be grateful if you could keep your answer to around 500 words)*

-

## **3. Unintended consequences**

### **3.1 Do you think there are there any unintended consequences arising from the Bill? If no, go to question 4.1**

*(we would be grateful if you could keep your answer to around 500 words)*

Religion, values and ethics (RVE)

The option to request pluralistic RVE in schools with a religious character will be a positive development for many parents who feel their parental rights and their children's rights are compromised or infringed by the teaching of denominational religious education. In our experience, the vast majority of parents, even those who feel they must withdraw from their school's RE, are keen for their children to learn about a diversity of religions and beliefs, provided this is delivered in an impartial manner.

However, making pluralistic RVE an option rather than standard raises significant issues. This will introduce a dual system regarding the teaching of RVE across Wales which will result in a divisive approach to how the subject is taught.

Faith schools running two RVE syllabi in parallel, one objective and one confessional, will also introduce additional burdens on schools and create confusion for parents, pupils, and teachers. It should however be recognised that this burden will be entirely of their own making by refusing to adopt a pluralistic model and disregarding the independent rights of pupils.

Faith schools in Wales vary widely in terms of how 'robustly' they promote their religious ethos. There is a real possibility that some schools will pressure parents to 'choose' the denominational RVE 'option' – or at least deter them from opting for the pluralistic model.

We are therefore concerned that parents may feel uncomfortable about requesting a model of RE different to the one supported by the school. The pluralistic model should be proactively offered to all parents, and not only offered upon request. Otherwise, there is a real risk that the agreed pluralistic RVE option may be under resourced and stigmatised.

This is exacerbated by the fact that faith schools will only have to develop the alternative syllabus if requested by parents, creating an additional incentive for them to discourage requests. At the very least, there should be a duty on faith schools to develop the pluralistic option and to make it of equal worth.

Relationships and sexuality education (RSE)

The aims of this bill and the curriculum reform are seriously undermined by continuing to allow faith schools to teach RSE through a religious ethos. In our report *Unsafe Sex Education: The risk of letting religious schools teach within the tenets of their faith*, (Welsh appendix), we found that all secondary faith schools in Wales with a policy taught RSE in accordance with a faith ethos. Such euphemistic language often provides cover for schools preaching shame based and discriminatory attitudes and distorting or withholding information about LGBT people, contraceptives and abortion.

( <https://www.secularism.org.uk/uploads/unsafe-sex-education-welsh-faith-schools-may-2018.pdf> )

The bill should either (ideally) do away with this provision, or more clearly define it in order to ensure that it is not used to undermine inclusive, comprehensive, accurate and rights based RSE.

## **4. Financial implications**

**4.1 Do you have any comments on the financial implications of the Bill (as set out in Part 2 of the [Explanatory Memorandum](#))? If no, go to question 5.1**

*(we would be grateful if you could keep your answer to around 500 words)*

-

## **5. Powers to make subordinate legislation**

**5.1 Do you have any comments on the appropriateness of the powers in the Bill for Welsh Ministers to make subordinate legislation (as set out in Chapter 5 of Part 1 of the [Explanatory Memorandum](#)). If no, go to question 6.1.**

*(we would be grateful if you could keep your answer to around 500 words)*

-

## **6. Other considerations**

**6.1 Do you have any other points you wish to raise about this Bill?**

*(we would be grateful if you could keep your answer to around 1000 words)*

-





# Agenda Item 4.1

## CYPE(5)-24-20 - Paper to note 1

Received by email – 06/10/20

Dear Lynne

Please find Cardiff and Vale College's response to each of the CYPE Committee's questions around support for HE students during the Covid-19 pandemic. Please note that all of our current students studying on HE programmes at CAVC are enrolled on courses franchised by one of our partner universities and are local to the region. All franchised courses follow the relevant University regulations and guidance and all franchised students have access to the University support services in addition to the College's student support facility. All students and staff attending HE courses at the College socially distance and/or wear appropriate PPE whilst on campus.

- We do not have residential accommodation for our HE students as they all have permanent homes within the region
- As we do not provide accommodation for students we will not be in a situation where we will need to provide food or medicines in the event of groups of students self-isolating. We do, however, provide a Counselling service which franchised HE students can access.
- Students requiring funds due to hardship are identified at application stage, through Student Finance Wales applications and through tutor referral. Hardship funds are created through the Fee and Access Plan.
- The College's Risk Assessment and Campus specific Safe Systems of Work are communicated to all students and weekly updates are communicated via the website and Student Portal. Advice and guidance for all students in the event of Covid symptoms and procedures for self isolation and testing are communicated weekly via the college's website, newsletter and through the College's CAVC TV weekly programme.
- As Vice Principal, I am a member of Cardiff and Vale Public Services Board and sit on the recently formed PHW Incident Management Team for HE and FE. Our Director of Communications sits on the IMT Communications Sub-Group. We have a small number of testing kits for staff and students on site.

I hope the above is useful to the Committee. Obviously, as an FE college with a small number of franchised HE students permanently resident in the region and no Halls of Residence, the nature of our HE student experience and the profile of our typical HE student is very different to that of our University partners.

# Agenda Item 4.2

CYPE(5)-24-20 - Paper to note 2

6 October 2020:



## Arrangements to support students in light of COVID 19

- **the COVID-19 measures you have taken in relation to your own accommodation, and how you have worked with Purpose Built Student Accommodation (PBSAs) and private landlords (NB please refer to arrangements for both term and vacation periods);**

At Wrexham Glyndwr University ( WGU) we have produced our own Guidance document for students called 'Keeping our Accommodation Covid-19 Secure'. This guidance has been produced to outline the measures taken by the University in relation to Wrexham Student Village Halls of Residence/Corbishley Hall and it is updated regularly in order to reflect any changes made by the Welsh Government. The guidance document was included in the Residents Handbook and is published on the website . We have also produced a Community Responsibility Agreement which Students are asked to commit to. It forms part of the Residents induction, plus copies are included in the Residents Handbook and on website.

A few examples of the Covid 19 Secure measures that we have implemented include:-

- Students have been allocated into flats and each flat is classed as a 'household'. Notices are displayed advising residents they are not able to mix 'households'.
- Corbishley Hall (Northop Campus) is shared accommodation so the whole building is 1 household (17 residents).
- Students are made aware of the definition of Households in the online induction and Residents Handbook.
- Hand Sanitisers have been placed in the entrances to each block, office, laundrette and bike store.
- Social Distancing and face covering signage is in place.
- Protect your household notices are displayed on notice boards in the main entrance and the entrance to each flat.
- An increased cleaning regime is in place to ensure high touch points are regularly cleaned and we have access to a Fogging machine to sanitise areas were there have been potential positive cases.
- Our Arrival weekend schedule was extended over 3 weeks to incorporate social distance requirements.
- Clear guidance has been produced regarding how students need to book a test if they have symptoms.

Wrexham Glyndwr University have worked closely with Wrexham County Borough Council and Public Health Wales and are part of a Wrexham Prevention and Surveillance Group. This group meets weekly to enable the effective implementation of the regional Prevention and Response Plan at a county level and to ensure that the Council and our key local partners are in a state of readiness for response in enforcement action, and to clusters, incidents and outbreaks, as needed.

Wrexham Glyndwr University have no formal agreements in place with any PBSA's or Private landlords in the Wrexham area.

- **how you intend to support – or have been supporting – all students (on and off-campus) who have needed to self-isolate, including how you would support large numbers self-isolating at the same time in a dignified manner (i.e. the provision of food and drink that meets dietary requirements, medicine, mental health support and other essentials);**

Within our 'Making our Accommodation Covid Secure document' there is guidance on what students need to do if they need to quarantine or self-isolate.

Students self-isolating will be provided with contact details for online facilities to make arrangements for food, medicine and other necessities. Self-isolating students are advised to stay in a well-ventilated room with a window to the outside that can be opened. The Residential and Campus Life team will arrange for the food delivery to be taken and left outside the flat door.

Clean bed linen will also be provided with a clear bag for the dirty linen which will be collected once per week. Washing detergent is provide for hand washing. The Residential and Campus Life team / International Office provide students with a handbook that will list useful contact details of the various support services available during their stay, including access to 24/7 mental health support line.

We are currently looking at implementing a 'community volunteer' scheme which will assist in ensuring students who are self-isolating are provided with support for shopping, collection of medicines, etc and to make regular calls to the student as part of a 'welfare check' arrangement. (Phone or Microsoft Teams)

WGU works very closely with its Students' Union and together we are continually promoting events and other support services via social media and weekly newsletter.

- **the provision you have in place for identifying and addressing student hardship;**

The Funding and Money Advice Team are part of the student support team and they help to identify and address student hardship. They do this through regular promotion of their services, offering money advice and guidance appointments and by issuing funds to support emergencies and hardship. We also have good relationships with local charities and food banks which again will support students in crisis.

- **your approach to working with students on COVID-19 measures and actions, including self-isolation;**

Wrexham Glyndwr University has implemented a new Active Learning Framework (ALF) for the academic year 20/21 as part of our approach to learning and teaching in a Covid secure way. ALF will support flexible learning that makes best use of spaces on campus together with digitally-enabled learning opportunities, designed to be accessed anytime, anywhere as appropriate.

Teaching for all students in semester one will be a blended mix of online and face-to-face teaching and each programme area has been communicating with their cohorts on how this will work and what can be expected.

The University has also established a Student Advisory Group (SAG) which is made up of students from across all disciplines and all levels on a voluntary basis. The Group was established as part of the Gold command structure implemented back in March 2020. The SAG allows the students to voice their opinions on potential decisions, explore any impacts on their learning experience and to also share feedback with the appropriate Gold Command sub groups (Operational or Academic)

WGU, working with its Students' Union, has also produced a Covid Secure video which has been shared via social media channels and it is also published on our website: <https://www.glyndwr.ac.uk/en/WelcomeWeek/>

Protocols and Campus guidelines have been put in place for students – as well as staff and visitors – to follow on campus and all students are being encouraged to follow public health guidance at all times, whether on campus or not.

A Corporate Communications plan has been established to ensure key messages are rolled out to students in a constant and controlled manner. The University uses a multi-channel approach as part of its communications strategy as well as working collaboratively with the Students' Union and their communications team.

- **how you are working and integrating with the public health and civil contingencies machinery within your local authorities and local resilience fora (to include confirmation of whether you have on-campus testing facilities for students);**

Wrexham Glyndwr University is part of the Wrexham Prevention and Surveillance Group, which includes representatives from the following agencies/institutions:-

Public Protection  
Internal TTP Lead  
Environmental Health  
Trading Standards & Licensing  
Education  
Economy  
Social Care  
Housing  
Public Health (Health Board)  
North Wales Police  
Coleg Cambria  
Glyndwr University

This group meets weekly to enable the effective implementation of the regional Prevention and Response Plan at a county level and to ensure that the Council and key local partners are in a state of readiness for response in enforcement action, and to clusters, incidents and outbreaks, as needed.

The Director of Operations and the Senior Safety, Health and Environment Officer also have fortnightly meetings with a representative from the local TTP team in order to keep abreast of developments and cases.

Wrexham Glyndwr University currently do not have an on campus testing facility as the Wrexham Maelor hospital community testing centre is just a 4 minute walk away. WGU also has limited numbers of students staying in halls of residence (150) and therefore the demand is likely to be considerably less compared to the likes of Swansea and Cardiff.

- **how you have engaged – and are engaging – with the local population, in particular where you have campuses in rural local authorities;**

Wrexham Glyndwr University is very much a community University and therefore engaging and reassuring our local population is very important to us and is a key part of our communications strategy.

Engagement has been primarily through the following activities:-

- Regular press releases and media coverage about the Covid secure measures being implemented within the University

- Attendance at local forums including the Civic leadership groups, Public Service Boards, Regional Emergency planning, etc
- Involvement in supporting the Covid 19 crisis including research activities, Nursing students supporting the front line NHS and Volunteering.

In addition, through our new co created civic mission we are committed to enabling collective action to end social inequality across the region, with partners across all sectors and the communities we serve.

- As part of the Public Service Boards (PSB's) in Wrexham and Flintshire we have facilitated and enabled all partners to join the two PSB's and agree 4 collective priority themes to build Community resilience (part of the regional recovery programme across the region) focused on Poverty and inequality, environment, children and young people and mental health and wellbeing. We are actively working with all partners and supporting with a framework to enable whole systems working and build the community resilience plans including engaging directly with communities, through our new Public Service Lab.
  - We are leading with partners working with 3 communities, those people who live and work in 3 areas in Wrexham and Flintshire including the schools, funded by the Transformation fund to listen and understand peoples narratives and ensure we shape public services to meet the needs of our communities
  - We are progressing our approach with the National ACE's Hub to become the first Trauma Informed and ACE's (TrACE) University and working with partners across all sectors to develop trauma informed communities across the region.
  - In partnership with Betsi Cadwaladr University Health Board we are leading the Community of Practice for Social Prescribing, a key focus for this is engaging all practitioners across the region in the Test Trace Protect strategy. Our next event is focus on the Protect element and how we how we can build protective factors within ourselves and the communities we serve.
- **any recommendations you believe the Committee could helpfully make to the Welsh Government to improve support for universities, staff and students.**

The ability to source Home Testing kits has been very difficult. Apparently only Schools and FE Colleges are able to access Home testing kits via the Government websites. If Universities were able to have a supply of kits readily available to issue to students (particularly residential students), then this would ensure the University could act swiftly in getting students tested and avoid the potential for outbreaks within the community.

# Agenda Item 4.3

## CYPE(5)-24-20 - Paper to note 3

### Response to the Children, Young People and Education Committee, Welsh Parliament

#### Cardiff Metropolitan University – arrangements to support students in light of Covid 19

*Covid-19 measures we have taken in relation to our own accommodation, and how we have worked with Purpose Built Student Accommodation (PBSAs) and private landlords (including arrangements for both term and vacation periods)*

1.1 The University's Accommodation team contributed to the development of the Welsh Government's guidance for HE Accommodation. The following procedures are based on this guidance, along with revised local risk assessments, taking into account Covid-19.

1.2 We developed procedures and guidance for the safe re-opening of our buildings (having not been used for a number of weeks). This includes:

- Statutory testing (although this was continued where possible)
- Water testing - Key risk Legionella. All systems flushed and disinfected where required
- Safe restart of all primary systems: Heating & hot water systems, tested prior to restart
- Cleaning: enhanced cleaning undertaken throughout all properties

1.3 Each property has been assessed and the appropriate social distancing signage and advisory signage installed. General COVID-19 information and guidance will be placed in each household area.

1.4 We have taken a staged approach to communication about Accommodation services to both students and their families:

- **Reassure** – provided information highlighting the key areas of change for all prospective students
- **Engage** – developed a document to highlight the specific changes to our normal procedures, and how we will continue to support our students; updated our on-line Halls Induction to include Covid guidance. (All students must complete this induction prior to moving in); developed a new 'Arrivals' video to explain in advance our procedures for moving in; moved our Halls Manager 'Welcome Briefing' to an online version, which will include a tour of the main residential campus facilities
- **Compliance** – monitoring adherence to and effectiveness of procedures and working practices for our community.

1.5 We will be reserving rooms within our smaller residential properties to support late / International arrivals. These students will be required to self-isolate, symptom free, for 2 weeks prior to joining an established household.

1.6 Cleaning and Maintenance services have been revised to ensure the safety of our staff and students at all times. These will include the use of PPE at all times. Cleaning services will prioritise enhanced cleaning of communal areas rather than individual household areas.

1.7 First Aid training has been updated for all staff and Wardens, and will be delivered safely, maintaining social distance wherever possible, and / or the use of appropriate PPE. We are exploring the introduction of a telephone triage service to limit necessary face to face contact.

1.8 We have developed a system for residents to notify us of any guest that will be visiting the household. This will support a coordinated response by the University.

1.9 The University has a well-established programme of social activities for its Residential students. We feel this programme, along with other opportunities, will be an important part in supporting the general wellbeing of our students and contribute to positive behaviour, particularly when 'normal' student social activities will not be available (ie nightclubs, etc). Our events programme has been revised to a mainly online delivery model; although we will aim to safely deliver some outdoor activities (those that can maintain a 2m distance).

1.10 We are following Welsh Government guidance for management of any reported symptoms or confirmed cases. This information was provided to all students on their arrival. These arrangements will feed into the University's corporate oversight 'Hub' for Covid responses. The Accommodation team will provide support to any self-isolating household, ie food boxes, medicines, etc. These students will also be encouraged to engage in the various channels of online support provided by our Student Services and Res Life team.

1.11 If students say they wish to be released from their contracts, we are allowing this for a period, however we are asking them about their reasons and putting them in contact with Student Services to ensure that any welfare issues are being addressed. It is not unusual for students to become homesick in the first few weeks of university and there are always retention issues at this point; we are trying to ascertain whether students might want to leave because they are nervous, concerned about the behaviour of others, feel the online component of their studies does not require them to be in Cardiff all the time, or they are missing home. If they want to leave we are aiming to work with them so that they do not need to leave their academic course if possible.

1.12 With regards to private landlords and PBSAs, we mainly deal with Unite (our nomination properties) who are mirroring our approach when students self-isolate with the exception of providing food boxes. At the moment they are not considering releasing students from their contracts if they wish to leave. We have been in touch with the landlords on our Landlord Register – some are in regular contact with their tenants but really are not providing support services. A small number are being flexible with contracts whilst others will be holding students to their contracts as they feel that unlike any other businesses they have had no support and many have mortgages to pay – they have quoted that students will still be receiving their loans/ grants.

*How we intend to support – or have been supporting – all students (on and off-campus) who have needed to self-isolate, including how we would support large numbers self-isolating at the same time in a dignified manner (i.e. the provision of food and drink that meets dietary requirements, medicine, mental health support and other essentials)*

2.1 We are communicating with all students in private residences via our student communication channels with detail of how to access the necessary resources. All first year students will have proactive communications from a student 'buddy' checking on how they are coping - with specific questions asked around self-isolating and support.

2.2 In our own residences, we currently have 4 flats that are self-isolating - 3 are pending tests and 1 is as a result of track and trace contacting them as they have been in contact with someone who has tested positive. We have plans in place to support the students with basic food provisions, catered students having meal delivered to their flats, regular phone calls, delivery of medications,

bedding packs if needed for clean linen. We are pulling together a team in case we have to upscale the response so we can continue to support all of the students who may have to self-isolate in Cardiff Met halls. We are also in close contact with Student Services for any mental health or wellbeing support our students may need and we are increasing our virtual res life programme so there are activities available. We are incorporating any SU activities into our calendars and promoting those to ensure a wide range of activities/events are available along with Met Sport activities for those not self-isolating.

#### *The provision we have in place for identifying and addressing student hardship*

3.1 Any student can come forward and identify that they are struggling financially. They will usually first be directed to an appointment with a student money adviser, and if they are in urgent immediate need, will be issued with a voucher for groceries, and may receive a same-day payment of up to £300 to meet essential expenditure. If the student is resident in our Halls, or with our nominated partner (Unite Students), then steps will also be taken to avoid any fines for late payment of rent. If the need is more significant and long-standing, then a student can apply for a grant of up to £1500 to cover a shortfall in essential expenditure. This grant typically takes longer to assess and award as a higher level of evidence is required. Typically, awards are between £500-800. Where there are concerns about spending patterns or money management, the student will also be advised to attend a budgeting appointment where further advice can be given. Where suitable, students may also be supported to secure part-time work to supplement their student funding.

3.2 We do not know at this stage how severely the pandemic will affect students' income or ability to manage their money. We are keeping our processes under review, and will adapt them if necessary to try to support students to cope with their essential costs.

#### *Our approach to working with students on COVID-19 measures and actions, including self-isolation*

4.1 In addition to actions mentioned above, we have developed a new student intranet site – MetCentral – as the single source of truth for students with regards to our policies and the current situation at the University. We will augment this with communication via social media as well as direct student communications.

4.2 We have also created a Covid Hub, which will act as a single point of contact to co-ordinate our response to cases and suspected outbreaks, as well as manage reporting.

#### *How we are working and integrating with the public health and civil contingencies machinery within local authorities and local resilience fora (to include confirmation of whether we have on-campus testing facilities for students)*

5.1 Staff at the University have been working with colleagues in Public Health Wales, South Wales Police, the local Public Health Board, and the Cardiff and the Vale Incident Management Team to ensure there is co-ordination between our activities at the University and what is happening in the local area. We are also working with the other local universities to co-ordinate efforts where possible as well as developing joint communications for our communities and for students.

5.2 We do not have testing facilities on campus, but are working with Public Health Wales to facilitate speedy testing of staff and students to help manage outbreaks.



*How we have engaged – and are engaging – with the local population, in particular where we have campuses in rural local authorities*

6.1 We have written to all community groups, local councillors and Members of the Senedd setting out our Covid plans, and how we have made the campuses and accommodation safe. We are intending on writing to the local residents near our campuses setting out our policy on student behaviour. We have provided social media content for community groups to inform/disseminate plans. We will continue to do this.

*Any recommendations we believe the Committee could helpfully make to the Welsh Government to improve support for universities, staff and students*

7.1 One thing we are learning is the speed that students are able to get home testing kits – it can take considerable time, meaning the whole flat is self-isolating; if home testing was faster and students could get a faster negative result, they would not need to continue isolating. We still have the Health Board form to complete but it would be very helpful if we could have a “stock” of kits to speed up the process. The testing centres, including the new one at Museum Place, are too far for the students to walk from Plas Gwyn or Cyncoed so we will rely on home testing kits for some time to come, especially for those who are really unwell with symptoms.

7.2 We are still not clear how we will get information from Public Health Wales in a timely fashion on positive cases. This is vital for us to secure a quick student wellbeing response via our Student Services.

7.3 We are already aware of students who have graduated with no real possibility of a job in their area, and this is likely to happen again in 2021. Lifelong learning support from government would be welcomed to help support those particularly in disadvantaged areas.

7.4 Universities that find themselves having to undertake mass Covid-19 isolation will need support; this will be discussed with the Cardiff and the Vale IMT but it will be important for the area that this is appropriately supported by local authorities, otherwise compliance could be low.

7.5 It would be helpful to understand whether frontline educational staff will be considered a priority in the vaccine programme, after NHS workers and vulnerable groups.

## CYPE(5)-24-20 – Paper to note 4

### Response from University of Wales Trinity Saint David

▪ The COVID-19 measures you have taken in relation to your own accommodation, and how you have worked with Purpose Built Student Accommodation (PBSAs) and private landlords (NB please refer to arrangements for both term and vacation periods);

#### UWTSD Accommodation

The University treats individual flats as households, and where permissible, students to form household bubbles with up to two other flats. This is currently not permitted given the 'Rule of six'. These household bubbles will be agreed by all members of the bubbles and list will be kept by accommodation services when the restrictions allow us to offer this. Visitors/overnight guests from outside the bubble are not allowed to enter the flat. There are outdoor spaces for students to safely socialise while maintaining social distancing. These are indicated to students on arrival.

Mandatory safety and Covid-awareness resources (e.g. video, unit on Moodle) were included as part of induction and welcome; a pulse survey held two weeks following induction checked the level of awareness amongst students to see whether additional campaigns were needed. Changes to advice and guidance for residential students are communicated via posters in kitchens, and communal areas and updates on changes to advice or guidance are communicated via email, Social Media, the Student Bulletin and the Hwb (our single point of contact for students).

All flats were provided with an initial cleaning pack, and it is the flat's responsibility to ensure the kitchen, communal and personal areas are kept clean. Site Operatives attend each flat once a week to conduct compliance checks and whilst there will check on the cleanliness of the kitchen and communal areas and report any issues to the Accommodation Team. At induction, students were able to opt into a weekly welfare check with Operation staff and many have taken up this offer.

Students have been given detailed guidance in relation to mid-term / reading week and vacation periods and the arrangements outlined above are in place both during and outside term. Clear expectations in relation to behaviour are outlined in our new Student Code of Conduct which includes a specific section covering Covid-19. The Student Code of Conduct was created with the Students' Union with a focus on supporting the university and local community.

#### Non-UWTSD Accommodation

We have worked with Purpose Built Student Accommodation providers (e.g. Student Roost in Swansea) in relation to a support agreement. We support these students in the same way that we would a student in private rented accommodation with the added layer of liaison with the provider. We continue to enhance this relationship in order that the provider has means to use the University's Code of Conduct Policy should there be a specific issue with a UWTSD student.

For our students in non-UWTSD accommodation, we provide bespoke advice, guidance and support depending on the individual's circumstances. The process begins with an initial call to provide guidance and to understand the support needs of the student. We offer advice on how to get food and shopping while isolating, how to access medical prescriptions, and information about our hardship fund. We may also organise regular online or phone catch up sessions to check in if appropriate to do so.

We are developing a volunteering scheme in place to enable staff and students to offer practical support in a safe and responsible manner to those who need it (e.g. picking up a 'click and collect' food order on behalf of someone who is self-isolating).

Our Student Code of Conduct covers explicitly behaviour in the community and the University proactively works together with other education providers (e.g. Swansea University) and the police in relation to any breaches in the community.

**▪ How you intend to support – or have been supporting – all students (on and off-campus) who have needed to self-isolate, including how you would support large numbers self-isolating at the same time in a dignified manner (i.e. the provision of food and drink that meets dietary requirements, medicine, mental health support and other essentials);**

- All students have also been sent information re key things to do (including emergency contact, GP registration, mobile phone number for emergency alerts, self-reporting form)
- Our 24/7 student self-reporting system updates key staff at least daily (8am) on the number of students self-isolating and/or symptomatic, with further updates if needed during the day. If a student tests positive, immediate contact is made with key staff so that students can be fully supported from the start.
- We have also communicated key messages to parents (video, family bulletin) so that parents are reassured about the care and support from the University.

**Students on Campus at UWTSO**

- Dedicated student communication has been sent out to residential students outlining what support the University will be able to provide in case students need to self-isolate, this covers provision of food, medication, laundry (provision of additional linen and towels), post and deliveries, rubbish, welfare and support needs etc.
- International students that were required to self-isolate in addition been fully supported by staff from our International unit.
- When residential students are asked to self-isolate or inform us that they are self-isolating, each household is contacted via Microsoft Teams to identify support needs at the beginning of the isolation period and a contact schedule is agreed to ensure that we check their practical needs as well as their wellbeing. This includes checking for any dietary needs.
- Students with repeat prescription needs are advised of local pharmacy delivery services.
- Spaces have been provided for students who become symptomatic while on campus and who cannot immediately return safely to their residence, so that they can isolate safely until arrangements for them to return to their residence have been made.
- All students have access to a 24/7 online support platform (TogetherAll) in addition to the support provided by Student Services.
- A dedicated student communication has been sent out to students in private halls of residences and with private landlords outlining what support the University will be able to provide them in case they need to self-isolate. The University is working on developing a volunteer framework to enhance support for the needs of those students

**▪ The provision you have in place for identifying and addressing student hardship.**

- A small committee meets regularly to assess all applications to the hardship fund which is available to all students. Advice for managing money is available to students through Student Services.

**▪ Your approach to working with students on COVID-19 measures and actions, including self-isolation;**

- The University works closely with the SU in creating communications and in deciding measures. The SU has been fully integrated within the University's decision and intervention framework.

- As outlined above the University is working with the SU in setting up a volunteer framework to support students in self-isolation, especially those in private accommodation.
- The University is working in partnership with the SU in relation to a student project in relation to blended learning. This project was started during induction and entails focused work with student representatives. to create resources for students on how to make the most of the blended learning experience. The university and SU met with QAA and explained this project, which they have asked for us to share a case study for it to be highlighted as best practice to other institutions.
- The Students' Union is also supporting the university in advertising its wellbeing services through several short videos. This shared approach exemplifies our commitment to student wellbeing, especially during COVID-19
- Planning for the new academic year included a Welcome & Induction Project Group. This group focused on delivering a welcome to students to explain what changes were being made for their safety. The SU was a major part of this project providing ongoing feedback of what student expectations were and how to respond to these expectations with appropriate safety measures.

▪ **How you are working and integrating with the public health and civil contingencies machinery within your local authorities and local resilience fora (to include confirmation of whether you have on-campus testing facilities for students);**

- The Registrar and Provosts have been engaging with the two Health Boards, Hywel Dda and ABMU, which serve the University's principal campuses located in Lampeter, Carmarthen, and Swansea. This engagement has focused on local TTP arrangements as well as information on accessing other key related services, such as mental health support.
- In addition, there has been positive and very helpful engagement with Public Health Wales in Aberystwyth, Carmarthen, and Swansea.
- The University has also established links with the three local Authorities in order to support the TTP service.
- The Lampeter and Carmarthen campuses have been reviewed by Environmental Health and the University's plans and practical arrangements on site have been commended.
- The University is an active participant in the regional planning and communications for a, such as the Dyfed Powys Regional Recovery Group.
- The University does not have any plans for local testing facilities and is following PHW advice and guidance, which discourages blanket asymptomatic testing. The University has confirmed that it will make facilities available if PHW and the NHS need to establish further testing sites, and especially in Lampeter.

▪ **How you have engaged – and are engaging – with the local population, in particular where you have campuses in rural local authorities;**

The Vice-Chancellor and campus Provosts have been engaging with local authority leaders. Colleagues including the campus Provosts are represented on local groups including local resilience forums and communications cells. We have held meetings with our local authority officers to ensure a coordinated approach and to ensure that they are fully aware of the measures that we have taken to safeguard local communities. We have also communicated with county and town councillors, local MS and MP to outline our arrangements for the return of students to campus and published messages aimed at the local communities (e.g. on our website, videos, local press). We have an online breaches of conduct form that allows members of the local community to report any behaviour in the community that they are concerned about.

**- Any recommendations you believe the Committee could helpfully make to the Welsh Government to improve support for universities, staff and students.**

Positive message about students in the community and the value students bring. The image created by the media currently focuses very much on breaches of conduct by students. Most students are adhering fully to the measures, are studying within a challenging context, and contribute positively to society in a number of ways.

There are exemptions made in England for British Universities and Colleges Sport (BUCS) Return to Play in relation to the 'Rule of 6', however these exemptions are yet to be available in Wales. To ensure that our students are fully able to partake in activities that enhance their wellbeing a similar exemption for student activity would be welcomed.

We would suggest that further consideration should be given to asymptomatic 'reassurance' testing, and especially for students returning home or back to campus after returning home. We believe that this could be managed within the context of PHW reservations, i.e. that it could discourage compliance with the Covid core management guidelines, by emphasising that this is no substitute for adherence to the guidelines and rules. This could reassure local communities. And if we are doing this to respond to international requirements for national returning home, then why are we not doing it for UK citizens? It would also be consistent with current considerations regarding an extension of quarantine regulations.

# Agenda Item 4.5

CYPE(5)-24-20 - Paper to note 5

University of  
South Wales  
Prifysgol  
De Cymru

Professor Julie E Lydon, Vice-Chancellor  
Yr Athro Julie E Lydon, Is-Ganghellor

7<sup>th</sup> October 2020

Ms. Lynne Neagle  
Chair  
Children, Young People and Education Committee  
Welsh Parliament

Dear Ms Neagle,

## **Arrangements to support students in light of COVID-19**

Thank you for your letter of the 29<sup>th</sup> September in which information was requested in relation to the steps being taken by universities to support students studying in Wales.

The university carefully planned the delivery of higher education in the academic year 2020/21 and has in place a detailed management plan which sets out our approach to the management of safety, risk, our delivery and support. The plan is provided with this letter and contains details on our operating models and risk assessment processes and plans.

In relation to the specific questions raised in your letter the following provides a summary of our approach or activities.

### **The COVID-19 measures you have taken in relation to your own accommodation, and how you have worked with Purpose Built Student Accommodation (PBSAs) and private landlords (NB please refer to arrangements for both term and vacation periods)**

USW halls of residence welcomed students throughout September over an extended period to stagger safe arrivals, reducing numbers onsite and in residential areas. Flats with a shared kitchen are classed as households and information to students around this has been provided in welcome packs along with email messages about regulations and expectations of standards of behaviour in collaboration with the police liaison officer.

Separate accommodation blocks for international students arriving and needing to self-isolate have been allocated on a short term arrangement and supported with a 'soft-landing' catered option. Flats have been filled to 50% occupancy (3 rather than 6) which we believe will help with the management of any Covid 19 cases during the quarantine period. International students have been provided with advice through direct communication and via our [webpages](#). This advice includes advice before they leave for the UK, when they arrive in the UK and advice for self-isolation. Students have received regular welfare calls during the quarantine period.

USW continues to work productively with private providers, Unite in Cardiff and Campus Living Villages (CLV) in Newport, who are sharing information with students about how they will be helping them to keep safe. CLV have implemented measures to support USW students arriving from abroad, accommodating early arrivals free of charge.

Also, if a student has to self-isolate whilst in their accommodation (at any point) they can text the 24 hour contact centre who will call the student to offer support with shopping/refuse removal/collecting medication along with guidance around testing requirements and other government guidelines. Unite have a number of measures in place to manage students safely which align with the Universities minimum requirements and can be viewed [here](#).

We have recognised that the first few weeks of new household groups forming mixed may produce a number of specific challenges in relation managing Covid-19 safe behaviours. Initiatives to develop responsible student self-management for students in USW halls include:

- An online mandatory welcome talk outlining expectations and sanctions for students who put themselves and others at risk
- Students are issued with a [site user guide](#) that summarises all restrictions, guidelines and regulations
- Live Q&A sessions accessed by parents and students. The questions posed have been around bubbles in halls; how the intake will be managed safely; what measures have been put in place to keep students safe on campus; what happens if a student becomes unwell with Covid-19.

*How we intend to support – or have been supporting – all students (on and off-campus) who have needed to self-isolate, including how you would support large numbers self-isolating at the same time in a dignified manner (i.e. the provision of food and drink that meets dietary requirements, medicine, mental health support and other essentials)*

A prominent feature of messaging to students is the link to the [USW Track and Trace](#) information providing details on what to do if they develop symptoms or test positive for Covid-19.

A daily meeting led by the PVC for Research and Student Experience and attended by Professional Service leads, Human Resource and Faculty Chief Operating Officers considers the reported numbers of individuals with positive Covid-19 diagnosis, immediate support interventions and any patterns of contagion to inform conversations with relevant TTP authorities and report to HEFCW/Welsh Government.

Currently students in halls have a catered option involving delivery of meals. In addition, there are self-catering packs available to purchase which are delivered and these include options for various dietary requirements and preferences.

*The provision we have in place for identifying and addressing student hardship*

Student hardship has, and is likely to continue, to be exacerbated by the Covid-19 pandemic. A fund has been allocated to support student hardship. Remote appointments are available and there is a telephone enquiry service every weekday morning.

Digital hardship is being addressed with a multifaceted approach with options including:

- Purchasing a discounted laptop / desktop / monitor or tablet
- Application to a digital hardship fund for students who need financial assistance to purchase required IT equipment

- Short term & longer term loan equipment

*Our approach to working with students on COVID-19 measures and actions, including self-isolation*

The University and the Student Union have worked in partnership to develop and provide information to new and returning students to be clear on the opportunities and expectations for engagement, on and off-site. A comprehensive communication schedule has, and continues to send frequent, all student emails, target messages to new arrivals, regular Newsletters for international students and update [web information](#) with the latest information. Our [website](#) contains a range of information and FAQs for students. Communications from course teams have kept students informed about what to expect around the delivery of their courses and provide reassurance and point of contact for questions. In addition, a dedicated mailbox was established to supplement the enquiry service for students with questions specifically relating to the Covid-19 pandemic.

*How we are working and integrating with the public health and civil contingencies machinery within your local authorities and local resilience fora (to include confirmation of whether you have on-campus testing facilities for students)*

*How we have engaged – and are engaging – with the local population, in particular where you have campuses in rural local authorities*

The University is connected to a range of partner organisations and is involved in Welsh Government groups in terms of informing the advice provided to Higher Education Providers in Wales. Our Executive Team link to Universities Wales, HEFCW, Universities UK and the University Alliance where information and good practice is shared and discussed. Each of our faculties and professional support areas, are also well networked with their sectors, including Professional & Statutory Bodies and other Universities in Wales and the UK and are actively sharing good practice. The University has also formed part of the [Advance HE Creating Socially Distanced Campuses and Education Project](#). The University has also issued periodic updates to our key stakeholders and partners, such as our political stakeholders, to keep them informed of our operations and plans.

In addition we are linked to and regular meet with local councils, local health boards, Public Health Wales and other relevant organisations.

Throughout the summer USW was represented on the HE partnership group in Cardiff involving SW Police and local council. This continues to be an active forum for discussion on managing student behaviour through which the collaborative initiative of the Student Behaviour Contracts was agreed to address Covid-19 regulation breaches in the community. USW is represented on the Cardiff and Vale Incident Management Team HE/FE Subgroup which is currently meeting weekly to consider IMT process and escalation thresholds along with specific interventions.

*Recommendations we believe the Committee could helpfully make to the Welsh Government to improve support for universities, staff and students.*

The University has been pleased with the range of guidance available and appreciates that the challenge is a changing one. Our request would be a swifter communication of change and consultation on guidance to ensure that we can all work together to support learners in Wales at this challenging time. One of the largest challenges is



the negative publicity about students in Wales and possible transfer of infection and a message that notes that Universities in Wales are working in partnership with the Welsh Government and Public Health Wales on keeping people as safe as possible would be advantageous. For future consideration we would wish the Welsh Government to consider the impact on tomorrow's graduates who will be instrumental in post pandemic recovery.

I trust that the above information, with the accompanying management plan, assures the Welsh Parliament of the University's plans for the support of its students during the Covid-19 pandemic. If you have any further queries or areas that require further clarification, please do not hesitate to contact me.

Yours sincerely



Prof. Julie Lydon  
Vice Chancellor

**Arrangements to support students in light of COVID-19**  
***Submission to Senedd's Children, Young People and Education (CYPE) Committee***

On behalf of Swansea University, we would like to thank the Chair and members of the CYPE Committee for providing us with the opportunity to detail our ongoing efforts to support our students during this period.

The health, wellbeing and safety of our students, along with that of our staff and our local community, have been the focus of our operational planning and response since the outbreak of COVID-19 in March 2020. Our University has invested significant resource to ensure that our students continue to receive access to high quality teaching and learning provision, within a safe and COVID-secure environment. In acknowledgement of the challenges presented by ongoing public health measures, we have prioritised student welfare through our existing and enhanced student support mechanisms.

We are also mindful of our responsibilities within our local community, both in terms of modelling acceptable and safe behaviour, and reinforcing the safety regulations and restrictions currently in place within our region. We have worked closely and effectively with public authorities and relevant bodies to enable the appropriate and timely sharing of information, and have sought to adopt a spirit of transparency with both our University community and the general public.

In relation to the specific points raised by the Committee, we are pleased to outline the following:

- 1. The COVID-19 measures you have taken in relation to your own accommodation, and how you have worked with Purpose Built Student Accommodation (PBSAs) and private landlords (NB please refer to arrangements for both term and vacation periods);**
  - a. We issued detailed communications to students before arrivals commenced, highlighting safety requirements, expectations in terms of behaviour and the support mechanisms currently in place for students via our student support teams;
  - b. All accommodation blocks, buildings and flats were risk assessed prior to student arrivals;
  - c. The arrivals period was extended to ensure adherence to social distancing and safety measures;
  - d. We have installed clear signposting, via posters and other media, within accommodation blocks to inform students of guidelines, social distancing and hygiene measures in place;
  - e. A quarantine block has been established for any international students arriving from quarantine-designated countries, with immediate needs supported through the provision of essential food packs, free bedding and kitchen packs in advance of arrival;
  - f. We have implemented processes to ensure ongoing access to food/provision purchasing on both of our campuses (please see Appendix 1: Catering Service Plan: Oct-Dec 2020)
  - g. We have established direct links between the primary PBSAs and our University welfare and support mechanisms;
  - h. We have maintained a direct link with City and County of Swansea Council Housing and Environment colleagues, for issues relating to the private rental sector;
  - i. We continue to liaise with our counterparts in University of Wales, Trinity St David in relation to accommodation within the community;
  - j. For University-owned accommodation, planning is underway to prepare for the possibility of Christmas lockdown measures. We continue to liaise with PBSAs although to date have not received information on their own planning.

**2. How you intend to support – or have been supporting – all students (on and off-campus) who have needed to self-isolate, including how you would support large numbers self-isolating at the same time in a dignified manner (i.e. the provision of food and drink that meets dietary requirements, medicine, mental health support and other essentials);**

**On campus**

- a. All students are required to inform the University via our MyUniHub (Academic Services) address of all changes to circumstances, including self-isolation or COVID positive post-test;
- b. For all campus students, upon notification of a self-isolation requirement from Test Trace Protect, a gratis 3-day food hamper is initially provided by the University;
- c. Our Chief Operating Officer, Director of Student Services and Director of Academic Services are meeting remotely with students self-isolating in flats, to discuss welfare and highlight the support available to them;
- d. Support is in place for click and collect deliveries from external organisations;
- e. Our Catering Services' COVID Isolation Plan is in place for multiple scenarios and scales. The plan enables the standing up of kitchen facilities on both campuses to deliver a menu of meals into student residences, in the event of a significant lockdown or mass-isolation of halls of residence.

**Off campus, private rented accommodation**

- f. Plans are in place to support students within private rented accommodation, including a student volunteer scheme via the HEFCW-funded CONNECT Programme, our Discovery Volunteering Service, and the City and Council of Swansea Local Area Coordinator network and Street Champion Scheme;
- g. No specific support has been requested from this community at this time;
- h. Regular check-ins and interventions are being delivered to support welfare needs. All households impacted by self-isolation requirements are proactively contacted and offered support;
- i. Students in local accommodation are not currently experiencing issues with shopping deliveries and are able to request assistance from the University via MyUniSupport should it be required.
- j. To note, at present it would not be possible for the University to deliver up to 20,000 meals three times a day into accommodation, should it become necessary.

**Welfare/ Wellbeing Support**

- a. MyUniHub (Academic Services) is the main point of contact for initial pastoral support queries, with further escalation to centralised specialist teams as required. This is in line with our pre-COVID processes;
- b. Academic College Student Experience Teams have access to the database of self-isolating students and are supporting with academic and low-level pastoral challenges, with escalation to central student support services where required. Again, this is in line with our pre-COVID processes;
- c. All centralised student support continues to be delivered online (as from March 2020) via Zoom appointments, phone calls and email.
- d. An additional £170,000 has already been ring-fenced for mental health and welfare support in the 2020/21 academic year, and we have experienced an increase in referrals of 16% thus far. To note, demand for mental health and welfare support has been increasing by c.30-50% year on year since records began, and we therefore expect the 16% growth in demand experienced to date to further increase.

3. **The provision you have in place for identifying and addressing student hardship;**
  - a. We have made a £70,000 investment into our Digital Hardship Fund, to support the purchase of Loan Laptops for students;
  - b. We have also increased our investment into the Student Hardship Fund since March. Grants and support are delivered via our [Money@CampusLife](#) Team.
  
4. **Your approach to working with students on COVID-19 measures and actions, including self-isolation;**
  - a. We have issued comprehensive pre-arrival comms and follow-up comms to students regarding current guidelines, and regularly update our FAQs for students and parents, available on the [MyUniHub webpage](#);
  - b. Students are required to inform the University via the MyUniHub email address, of all changes of circumstances including self-isolating or COVID positive post-test (see guidelines [here](#)). This service is working very well and has even enabled us to identify positive cases within the University population which, to date, have still have not been notified by TTP in England;
  - c. Incoming information on positive cases from TTP and Public Health Wales is relayed to MyUniSupport, who then contact students proactively to ensure self-isolation guidance is followed and to offer support;
  - d. Upon notification of a positive test result, we have been able to put flats and floors on campus, when necessary, into isolation within 45 minutes and deliver essential supplies shortly afterwards.
  
5. **How you are working and integrating with the public health and civil contingencies machinery within your local authorities and local resilience fora (to include confirmation of whether you have on-campus testing facilities for students)**
  - a. Our Director of Student Services is the designated Single Point of Contact for local and regional TTP teams and Public Health Wales;
  - b. Our Chief Operating Officer and our Director of Student Services meet regularly with the Director of Public Health Swansea Bay University Health Board, as well as senior officials from the City and County of Swansea and Neath Port Talbot Councils;
  - c. The Director of Student Services hold regular meetings with City and County of Swansea and Neath Port Talbot Councils' Housing and Environment Directorates, along with local official representatives;
  - d. To note, the University does not have on-campus testing facilities at this time and will be guided by Public Health Wales and Local TTP as to when a need may arise. In June 2020, we held discussions with Swansea Bay University Health Board regarding the potential for the University to run its own proactive/reactive test scheme. We were very clearly advised this would not be supported by the Health Board, due to poor effectiveness as a control function and a number of other risks. There are also concerns from the Health Board in relation to the placing of a testing site within the University, as this could result in potentially COVID-positive people from the local community accessing our densely-populated campuses.
  
6. **How you have engaged – and are engaging – with the local population, in particular where you have campuses in rural local authorities;**
  - a. Our Director of Student Services meets regularly with local elected representatives, who report back directly to the local community via community Facebook and social media groups;
  - b. The Director of Student Services also actively engages with local community Facebook/social media groups, to address community issues and concerns;

- c. Our Students Services Community Liaison Team, in conjunction with South Wales Police Campus Police Officers, conduct walkarounds of the local communities on a weekly basis, calling in on local and student residents;
- d. We issue regular updates in paid-for editorial pages in Evening Post and Wales Online;
- e. Our University Communications Team, along with our Student Communications Team, post regular updates on social media platforms, directly into community resources;
- f. Where there are alleged issues with noise or potential breaches on campus or in the local community, students in that household are warned by the Director of Student Services that future infractions will lead to disciplinary action.
- g. Where further infractions occur, households are required to attend a disciplinary meeting with the Registrar where they will be subject to formal disciplinary action. At this point, students are informed that any further cause to contact them in relation to COVID breaches or anti-social behaviour will result in immediate suspension or other higher penalties, up to and including possible removal from the University.
- h. Students are also encouraged to immediately make amends with any affected neighbours and all have been proactively keen to do so thus far;
- i. The University has been transparent with its own staff, students and the local community regarding positive results and what steps are being taken. At Swansea University, we are being open and candid and are able to demonstrate that, at the present time, infection levels are considerably lower than within the local area environs and also at a number of other universities.

**7. Any recommendations you believe the Committee could helpfully make to the Welsh Government to improve support for universities, staff and students.**

- a. A specific and significant issue we are currently facing at Swansea University is in relation to cross-campus access restrictions, and the attendant impact on student health and wellbeing:
- b. Our Singleton Park campus is situated within the Swansea Health Protection Area, while our Bay Campus lies just within the boundaries of the Neath Port Talbot HPA. Although student travel between the two HPAs and campuses is permitted for educational purposes (such as to attend in-person teaching on site), we have been advised by the relevant Local Authorities that travel between the two sites for the purposes of accessing sports facilities is not permissible under the regulations, except where the student in question is classed as an elite sportsperson.
- c. Our Singleton Park campus houses the vast majority of our sports facilities and societies, and these facilities are a key reason that many of our students opt to study with us. For students currently housed within our Bay Campus accommodation, this lack of access to our Singleton facilities means that students' expectations are not being met and we are concerned about the deleterious effect of this restriction upon the physical and mental wellbeing of students residing on our Bay Campus site.
- d. We have liaised with relevant local authorities, who have confirmed that they are unable to derogate from this regulation at local level. We have since raised the issue with the First Minister's office for further guidance.
- e. Any possible mitigation for this rule would provide significant positive impact for students based on our Bay Campus and would ensure that we are able to support their health and wellbeing, while continuing to reinforce and adhere to the public safety measures currently in place.

We hope that the above is helpful to the Committee and we are willing to provide any further detail required at this stage. We also note the Committee's request to receive further updates on developments as appropriate.

**Appendix One: Catering and Services Plan: Oct-Dec 2020**

Service overview

The following services are currently in operation. To note, these do not include emergency provision in response to a major lockdown of accommodation, for which separate provision exists:

**Singleton Campus**

Outlet	Service description	Opening times
Callaghan's	<ul style="list-style-type: none"> <li>▪ Hot beverages; Starbucks branded</li> <li>▪ Pre-packaged food               <ul style="list-style-type: none"> <li>○ Homemade sandwiches, Cake selection, Crisps, Cold Drinks</li> </ul> </li> </ul>	Mon - Fri 08:00 – 18:00
The Kitchen (Formerly Fusion)	<ul style="list-style-type: none"> <li>▪ Hot food counter serving breakfast and lunch (up to 5 options per day)</li> </ul>	Mon - Fri 08:00 – 18:00
The Kitchen – Click and Collect (Refectory, Fulton House)	<ul style="list-style-type: none"> <li>▪ New Click and Collect service serving breakfast and lunch (30+ options everyday)</li> </ul>	Mon - Fri 08:00 – 15:00
Costcutter	<ul style="list-style-type: none"> <li>▪ General groceries – Fresh, chilled and frozen.</li> <li>▪ Hot food – Pasties etc.</li> </ul>	Mon – Fri 08:00 – 18:00 Sat & Sun. 10:00- 15:00
Root <i>(Students' Union to review provision 9<sup>th</sup> October)</i>	<ul style="list-style-type: none"> <li>▪ Vegan, vegetarian and healthy food options.</li> </ul>	Mon – Fri 10:00 -15:00

Welsh National Pool	<ul style="list-style-type: none"> <li>▪ Hot beverages - Starbucks branded.</li> <li>▪ Homemade sandwiches, cakes selection, crisps, confectionary, cold drinks</li> </ul>	Mon-Fri 09:00 – 15:00
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**Bay Campus**

Outlet	Service description	Opening times
Costa @ The College	<ul style="list-style-type: none"> <li>▪ Hot beverages - Costa branded. <ul style="list-style-type: none"> <li>○ Homemade sandwiches</li> <li>○ Cake selection, Crisps, Cold drinks</li> </ul> </li> </ul>	Mon - Fri 08:00 – 18:00
The Kitchen – Click and Collect (@The Core)	<ul style="list-style-type: none"> <li>▪ New Click and collect service serving breakfast and lunch (30+ options everyday)</li> </ul>	Mon - Fri 08:00 – 15:00
Tesco	<ul style="list-style-type: none"> <li>▪ General groceries – fresh, chilled and frozen</li> </ul>	Mon - Fri

Notes on current operation

- At present, service utilisation is poor. Outlets are trading at -99%+ when compared to the same period last year. Once Click and Collect services are fully launched, we anticipate increased uptake. At this point it may be prudent to consider the closure of hot food counters currently in operation due to extremely low uptake. This will be reviewed between 7<sup>th</sup>-9<sup>th</sup> October.
- Should overall service utilisation in Callaghan’s & Costa@The College not improve over the week ahead then a consolidation of outlets would release staff resource which could be focussed into supporting other service amendments.
- Both Root and Welsh National Pool will be reviewed by 9<sup>th</sup> October to assess the need for service, based on current trading patterns.



# Agenda Item 4.7

CYPE(5)-24-20 - Paper to note 7



Vice-Chancellor's Office  
Swyddfa'r Is-Ganghellor

Lynne Neagle MS,  
Chair, Children, Young People & Education Committee,  
Senedd Cymru,  
Cardiff Bay  
CF99 1NA

7 October 2020

Ref: CR/

Dear Ms Neagle,

Thank you for your letter of 29 September requesting a range of information to inform the Committee's ongoing scrutiny of the steps being taken to manage the impact of COVID-19 on children and young people, including students in further and higher education. Cardiff University's answers to your specific questions are included overleaf; I would also strongly urge Committee Members to look at the [guide we have produced for students](#) setting out how we will keep them safe on campus amidst the risks of COVID-19.

As always, if you or Members of your Committee have any queries relating to the work of Cardiff University, please do not hesitate to contact me.

Yours sincerely,

Professor Colin Riordan  
Vice-Chancellor

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Requested information	Response
<p>The COVID-19 measures taken in relation to our own accommodation, and how we have worked with Purpose Built Student Accommodation (PBSAs) and private landlords (NB, please refer to arrangements for both term and vacation periods).</p>	<p>Accommodation owned and managed by Cardiff University is primarily used to accommodate new first year undergraduates and postgraduates.</p> <p>Throughout the pandemic, our professional student support services remain accessible to all our students wherever they live, including those who do not live in Cardiff. We moved services to remote working rapidly in March 2020 and continue to operate in this way with good levels of student engagement.</p> <p>We have continued to offer all our students access to Talk Campus. This is a social networking site which offers a safe place to talk anonymously about anything without judgement. Talk Campus is monitored by a professional team as well as student peers who will talk about common issues with each other.</p> <p>In the early stages of the pandemic, during March to June 2020, we released students from their accommodation contracts with us on request and refunded rent accordingly. We liaised with PBSA providers in the city to encourage similar approaches; and sought to ensure they were raising awareness of our student support services.</p> <p>We introduced a temporary student service where 200 staff from across Cardiff University volunteered to check in with students who remained in Cardiff during this period. This was a basic welfare check-in to ensure those students were well, and to refer them to professional support if required.</p> <p>During the summer vacation we made available a Zoom drop-in session, 'Click and Connect' where students could drop-in to a Zoom session where a member of student support staff would be present.</p> <p>In readiness for the new academic year, we introduced an online orientation platform which provides information on support and services across Cardiff University to students before they arrive. This includes specific information for students about COVID-19 safety. This has a completion rate of about 78% and rising. It remains accessible to students who have completed it so they can refer back to it.</p> <p>To help prevent students in residences becoming isolated, we have introduced a larger Residence Life student peer support team. This team is accessible remotely, using a newly acquired online platform. This allows us to deliver a range of social and interactive activities remotely which we can adjust easily based on interest and demand. As of 1 October 2020, over 4,500 individual students (the vast majority of our residents) have engaged with the platform with evidence of sustained and repeat interest.</p>
<p>How we intend to support – or have been supporting – all students (on and off-campus) who have needed to self-isolate, including how we would support large numbers self-isolating at the same time in a dignified manner (i.e. the provision of food and drink that meets dietary requirements, medicine, mental health support and other essentials).</p>	<p>For students living in Cardiff University halls of residence, the student and their household will be able to access and support on offer through our <a href="#">Residences Life Programme</a>. Any specific issues can be directed to Hall Managers also.</p> <p>We have established a simple reporting process for any student who needs to self-isolate:</p> <ol style="list-style-type: none"> <li>1. COVID symptoms;</li> <li>2. A positive or inconclusive result from the Cardiff University Screening Service that requires a confirmatory NHT Test;</li> <li>3. A positive NHS Test;</li> <li>4. Been identified as a close contact of someone with COVID-19; or</li> <li>5. Been identified as living in a household of someone in 1-3 above.</li> </ol> <p>This triggers a range of communications from us to the student providing advice, information and support:</p> <ul style="list-style-type: none"> <li>• <b>Auto-email:</b> On submission of the report students will receive an email relevant to their circumstance that provides advice on what they need to do, relevant Welsh Government guidance, assurance on who will check in with them, advice on food deliveries and referral to sources of advice and support.</li> <li>• <b>University Residence Team:</b> If the student lives in Cardiff University Halls of Residence, the Residence Team will write to those they live with to advise them that they also need to self-isolate. The Residence Team will then send a follow up email to the household to provide practical advice and information relevant to their period of self-isolation.</li> <li>• <b>Student Support and Wellbeing</b> will undertake a welfare check by either phone or email and will follow up as necessary. If they live in our Residences this will be done by our professional Residence Life student support staff. If they live in the private sector,</li> </ul>

	<p>including PBSAs, a professional wellbeing practitioner will contact the student. During the welfare check-in calls the staff caller has access to a full set of information to help inform the student who is self-isolating about what they need to do to act in compliance with social distancing during their self-isolation. This includes specific information on shared living in Halls of Residence. This information is also included in the email communication triggered by the declaration.</p> <ul style="list-style-type: none"> <li>• <b>Trace, Test and Protect Service</b> will check in with all those who are self-isolating on a daily basis via text or telephone. They are able to refer any students of concern to Student Support and Wellbeing.</li> <li>• <b>Food delivery:</b> We are promoting the fact that online supermarket and meal deliveries are readily available in Cardiff. However, we recognise the impact of the pandemic means that it can be hard to get a delivery slot from the major supermarkets, so we have set up 'Marketplace', a new Cardiff University grocery delivery for students who live in our residences. They will be able to order basic groceries (e.g. pasta), healthcare (e.g. toothpaste), fresh meat, fruit and vegetables. Students can also order hot meals for delivery to a Cardiff University Residence (or to collect from one of our Restaurants if they are not self-isolating). Students will be able to order online and pay via an app by 1pm for next day delivery. Access to Marketplace opened on 4 October delivering Monday to Friday. We are exploring the possibility of linking hardship awards through the app (if this is of benefit to the student).</li> <li>• <b>Quarantine:</b> Where students have arrived in September with a quarantine requirement, Cardiff University has funded and supplied bedding and food essential packs which were in students' rooms on arrival. These packs included food and drink sensitive to dietary requirements.</li> <li>• <b>Online advice and guidance 24/7:</b> Additional advice and guidance is also available to all our students on our intranet and via our new Student Connect service which includes an online question and answer functionality. The release of this new function was brought forward in part because of the pandemic. This is bot powered and therefore available 24/7 with staff moderation during the working day.</li> </ul>
<p>The provision in place for identifying and addressing student hardship.</p>	<p>We have an established approach to student financial support. This has been adapted to circumstances of remote working brought about by the pandemic. Our financial support is prominently advertised across our student intranet and in our new online orientation platform for new students.</p> <p>We make available a discretionary hardship award fund, advertised as our 'Financial Assistance Programme', of £550K per annum. This is managed alongside a range of other financial awards. It is part of the commitments set out in our annual Fee and Access Plan.</p> <p>Access to the fund is means-tested and is managed as part of our integrated Student Advice and Money Service. This also includes money management advice, budgeting and other support in relation to funding. The service offers appointments and daily drop-ins. This is all available online with no requirement any face to face or physical contact through the application process, means-testing and payment processing which can all take place remotely.</p> <p>During the period from March to August 2020 we spent around £80K on COVID-19 related student hardship funding, including digital poverty assistance. This was largely to help students from widening access backgrounds. We continue to assist students from the fund to issues around digital poverty.</p> <p>We are currently exploring ways to enhance our approach to assisting students from lower income backgrounds with issues around access to IT hardware, particularly laptops.</p>
<p>Our approach to working with students on COVID-19 measures and actions, including self-isolation.</p>	<p>We adjusted our governance arrangements at the outset of our pandemic response to include Student Union representation in our COVID Task Force (IMT Gold command) and Student Life Group which has overseen decision making around the key elements of blended online and face to face education and student experience.</p> <p>Our professional student support staff have worked with the Student Union officers to ensure their 'welcome volunteers' have access to PPE (funded by the university) and knowledge of our support services for referral purposes.</p> <p>In partnership with the Student Union, we are developing a function where students who are self-isolating will be able to join for a support and listening online drop-in. This will be led by a trained student volunteer who has links back to our professional student support services if required.</p>

	<p>This is in addition to our existing <a href="#">Residences Life Programme</a> which aims to build a sense of community amongst new students in our halls of residence and help with the transition to university life described above.</p> <p>We have sustained our close working relationship with the elected officer team and senior leadership of the Student Union to support the changes they have made to the full range of their commercial and welfare services. This includes in support of any contact tracing that may be required by the Test, Trace and Protect Service.</p>
<p>How we are working and integrating with the public health and civil contingencies machinery within our local authorities and local resilience fora (to include confirmation of whether we have on-campus testing facilities for students).</p>	<p>We are working closely with Public Health Wales and Cardiff's Test Trace and Protect team. The Academic Registrar meets the TTP Lead for Cardiff and Vale twice a week and is the HE representative on the Cardiff and Vale Incident Management Team, also meeting twice a week and coordinates with other Cardiff HEIs via the weekly HE/FE Sub-Group. The Head of Communications is a member of the HE Communication sub-group. The Academic Registrar is attending the Welsh Government Civil Contingency Meeting on 7 October.</p> <p>Details of Cardiff University's COVID-19 screening service are <a href="#">available on our website</a> where we explain to students how they can access a test and what support is available. In essence, all students and staff who are asymptomatic will have the opportunity to take a saliva antigen test after arriving on campus. The test is free and entirely voluntary. Students are encouraged to book an appointment by e-mail using a dedicated web portal.</p>
<p>How we have engaged – and are engaging – with the local population.</p>	<p>The Vice Chancellor of Cardiff University has written to local residents in areas of Cathays, Plasnewydd and Gabalfa wards in Cardiff where student population density is highest to set out key messages, including:</p> <ul style="list-style-type: none"> <li>• A reassurance that the health and wellbeing of staff, students and our neighbouring communities is Cardiff University's top priority;</li> <li>• Reiterating the protective measures Cardiff University are undertaking to keep the campus COVID-secure;</li> <li>• Reiterating the importance of our staff and students observing Welsh Government and Public Health Wales guidance;</li> <li>• Setting out how residents with any concerns over the conduct of students can contact Cardiff University's COVID incident reporting email and telephone line, and that issues will be considered by our Student Conduct Panel which will meet on a weekly basis;</li> <li>• Setting out our "Community Commitment" – a pledge for our staff and students to read, follow and support Cardiff University and government guidance and to take personal responsibility for ensuring that the places where they live, work and study are as safe as they can be.</li> </ul> <p>The letter is being printed and delivered currently (during w/c 5 October).</p> <p>Furthermore, the Vice-Chancellors of the three Cardiff-based universities issued a <a href="#">joint statement</a> on 16 September, welcoming students back to the city and setting out safety measures on campus – but also emphasising that students are part of the city's wider community and should help protect that community by following relevant PHW and Welsh Government guidance at all times.</p>
<p>Any recommendations we believe the Committee could helpfully make to the Welsh Government to improve support for universities, staff and students.</p>	<p>We welcome the additional funding that is proposed (HEFCW Circular W20/29HE) to be made available in 2020/21 by HEFCW for wellbeing and health in HE. However, the impact of COVID on student mental health and wellbeing will stretch well beyond the 2020/21 academic year and sustained increased funding for HEIs to meet increased demand will be important. This should recognise the increasing pressure on HE providers from a student population that is evidencing a considerable growth in demand and expectation for mental health support. It should encourage other agencies, including NHS Wales, to work in partnership with HEIs to ensure that support is provided in an appropriate and timely way, especially to students in crisis.</p> <p>There are two specific concerns for students as a result of the economic impact of the pandemic we would like to address. Firstly, opportunities for part-time work for students have reduced significantly. This is likely to have a greater impact on students from lower income backgrounds. We would welcome any move to enhance access to part time employment for students. Secondly, it is likely employers will be likely to offer less paid work experience placements for students impacting employability and skills development. Again, we would welcome an opportunity to participate in the establishment of programmes to mitigate this growing concern.</p>

# Agenda Item 4.8

## CYPE(5)-24-20 - Paper to note 8



### SENEDD RESPONSE FROM ABERYSTWYTH UNIVERSITY – 7 OCTOBER 2020

- **the COVID-19 measures you have taken in relation to your own accommodation, and how you have worked with Purpose Built Student Accommodation (PBSAs) and private landlords (NB please refer to arrangements for both term and vacation periods);**

*We have ensured full and detailed safety measures across our own accommodation and frequent communications with our students about safe behaviours. Many of our accommodation blocks are relatively small which makes it easier to self-isolate groups of students without affecting large cohorts of learners. Students have the option of remaining in our accommodation across normal holiday periods if they prefer. Further details are noted below:*

- *Arrangements for students moving in with us was extended over a much longer period than usual, to allow for social distancing and self-isolating*
  - *Specific arrangements have been made for international students arriving from countries and regions identified by Welsh Government as having high rates of infection to self-isolate for 14 days – Accommodation is provided free of charge and includes a welcome pack of food and toiletries, bed linen, towels and one hot meal per day. This provision is for students living in AU managed accommodation and private landlords.*
  - *Students were provided with clear communications to ensure that social distancing guidelines were adhered to during the process of moving their belongings into buildings.*
  - *The University issued a clear instruction to UK students that they should not travel to Aberystwyth if they are self-isolating or have symptoms.*
  - *Students were advised to maintain social distancing, within their new households, for the initial period of moving in together.*
  - *All kitchens and bathrooms in AU accommodation have a cleaning 'starter' pack, to remind students of the importance of keeping these areas sanitised.*
  - *The University has introduced a click & collect service for COVID tests and food supplies, for those students who have been advised to self-isolate.*
  - *A 12hr helpdesk has been set up to assist students with queries on COVID related issues.*
  - *The University is collaborating with the local authority housing department, to ensure private landlords, are kept informed and reminded of their duty of care, to their tenants during this pandemic.*
- **how you intend to support – or have been supporting – all students (on and off-campus) who have needed to self-isolate, including how you would support large numbers self-isolating at the same time in a dignified manner (i.e. the provision of food and drink that meets dietary requirements, medicine, mental health support and other essentials);**

*We already have small clusters of students both in University and private accommodation who need to self-isolate. We have ensured they have access to both shopping and hot food delivered to them safely. All these students receive welfare checks to ensure they have any medicines they need and support their mental health needs. In very exceptional circumstances, and in agreement with PH Wales, we would allow them to return home temporarily.*

- **the provision you have in place for identifying and addressing student hardship;**

*Students who find themselves in short or long term hardship can make an application to the University's Hardship Fund. We also support students by providing food vouchers in appropriate circumstances.*

- **your approach to working with students on COVID-19 measures and actions, including self-isolation;**

*All our students are regularly reminded of the steps to take if they display COVID symptoms. We have a 7 day a week helpline and a fast workflow that enables students to be tested quickly (including recently the installation of a mobile testing unit close to campus), We know the process works well as we have had many reported cases that have been tested negative. Where we are advised of symptoms we [proactively work with the students and their household to achieve self isolation whilst they are awaiting test results*

- **how you are working and integrating with the public health and civil contingencies machinery within your local authorities and local resilience fora (to include confirmation of whether you have on-campus testing facilities for students);**

*We are part of a joint Incident Management Team (IMT) with the health board, County Council, police, and PH Wales. We meet daily and the IMT reports to Welsh Government. We are using the IMT test and trace data and local intelligence to make informed decisions and take appropriate actions. The IMT have commended our extensive steps to make our campus safe for teaching/research and have detailed information on our teaching plans for blended learning. This ensures we only have a portion of the student cohort on campus at any one time. So far our joint actions have kept cases in limited clusters. Additional testing facilities for the town have been provided by PH Wales at a location close to our campus*

# Agenda Item 4.9



CYPE(5)-24-20 - Paper to note 9

By email

Lynne Neagle MS  
Chair  
Children, Young People and Education Committee

7 October 2020

Dear Lynne,

Thank you for your correspondence dated 23<sup>rd</sup> September requesting responses to supplementary questions that were not covered at our recent appearance at the Committee to discuss the General Principles of the Curriculum and Assessment (Wales) bill.

We have now had time to consider these questions fully and our answers to them are provided in the annex attached to this letter.

Yours sincerely

Philip Blaker  
Chief Executive

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## Annex

### **QW Response to CYPE Committee's Supplementary on the Curriculum and Assessment Bill.**

#### **1. RELIGION, VALUES AND ETHICS**

The Bill's provisions in relation to Religion, Values and Ethics (RVE) mean that there are likely to be two different versions of RVE taught in schools across Wales. Community schools and other schools without a religious character will be required to teach RVE having regard to the Agreed Syllabus. Voluntary controlled schools with a religious character will be required to teach RVE having regard to the Agreed Syllabus unless a parent requests their child receives RVE in line with the trust deeds of the school or tenets of the school's faith (i.e. denominational RVE). Voluntary aided schools with a religious character will by default teach denominational RVE unless a parent requests their child receive RVE that accords with the Agreed Syllabus.

- ***What implications does the likely provision of more than one form of RVE have for qualifications in this discipline?***

#### **QW Response:**

This is something we will want to consider carefully with stakeholders when we come to later stages of consultation on the specific design of individual qualifications.

As for other areas of the curriculum, when considering the future design of qualifications in this area, we will look at how qualifications can be designed to offer schools and learners flexibility in how they approach the content and context they study.

When reforming the current GCSE Religious Studies qualifications we consulted and engaged widely on design proposals to ensure the qualification met the needs of learners in different schools and settings. The result was a specification that combines mandatory and optional elements to offer many different routes through the qualification. This means that a single qualification offers learners and centres a course that is coherent and that balances knowledge of core beliefs, teachings and practices of at least two religions, with an understanding of how they can be applied to philosophical and ethical themes. Our experience of developing the requirements for the current GCSE suggests that through careful collaboration it is possible to develop national qualifications in this area that allow sufficient flexibility to meet different local needs.



While we will of course want to ensure the reasonable needs of all learners are met, it is worth noting that the curriculum, national and local, is distinct from qualifications. Not every detailed aspect of a school's curriculum will necessarily be reflected in a qualification. As with much of the work that lies ahead on qualifications and the curriculum, the key will be to work with stakeholders to get the balance right.

## 2. WELSH LANGUAGE

The Bill establishes a single learning continuum of learning Welsh in all schools, replacing the current distinction between Welsh first language and Welsh second language.

- ***How will qualifications in Welsh align with the different stages that learners are likely to be on along the single continuum for Welsh?***
- ***Will there be a single qualification in Welsh or will there still be a need for two levels of qualification depending on the learner's proficiency in Welsh?***

### **QW Response:**

When it comes to agreeing an appropriate range of qualifications to support Welsh language learning, there are several challenges and opportunities to consider. We have discussed these in more detail in [our advice to the Minister for Education](#)<sup>1</sup> earlier this year.

Given the broad range of language development that the continuum covers, it is likely that more than one qualification will be necessary to enable fair and proportionate assessment of learners who are at different stages of progression. We envisage that any Welsh language qualifications would clearly link to a single continuum of learning and move away from the current distinction between Welsh first language and Welsh second language.

This is an area of the curriculum on which it will be particularly important for us to work with stakeholders to help develop our proposals so that we get as much information as possible about what changes are likely to mean in practice.

We will be seeking views on proposals for qualification to support the continuum for learning Welsh in our next round of consultation. Over coming weeks, we will engage with a range of stakeholders to identify possible proposals for consultation.

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<sup>1</sup> <https://qualificationswales.org/english/qualified-for-the-future/phase-1---shaping-our-approach/>

In approaching this work, we recognise the need to:

- Sustain and build on the attainment and proficiency achieved in current qualifications, including the recently reformed Welsh Second Language GCSE that was awarded for the first time in 2019.
- Ensure the qualifications available meet the needs of all learners and support them to become confident Welsh speakers by 16.
- Make clear how language qualifications relate to the curriculum, to each other and to post-16 pathways.
- Encourage learners to work towards suitably demanding and ambitious qualifications based on their existing progress and proficiency.
- Consider the resources and teaching capability that will be available to schools as they introduce the new curriculum.

We will also need to consider whether to make changes all at once or in stages. It may be for example that the level of demand of some qualifications will need to be kept under review in line with progress towards achieving the Welsh Government's *Cymraeg 2050* strategy.

### **3. PLANNING FOR QUALIFICATIONS MORE BROADLY**

Your written evidence states that the development and publication of the new Curriculum for Wales has been a 'catalyst' for you to look at how qualifications for 14 to 16 year olds will need to change. This, you explain, is in order to meet the new curriculum's aims and purposes and respond to future needs. You also outline the work you have undertaken to date on consulting on the high-level approach to shaping future qualifications, and work that is yet to come.

In oral evidence, you said that the engagement undertaken so far suggests there is preference for qualifications to continue to be structured mainly around subject disciplines, rather than having individual qualifications that are seeking to cover the whole of an Area of Learning and Experience (AoLE). However, you also suggested there may be opportunities to develop more holistic and integrated qualifications to sit alongside those that are subject-specific.

- ***Are you able to share any further detail, at this stage, on your thinking about how the new GCSEs will look in practice, and give an indication of what any future consultation will consider***

***(e.g. will it outline the options which should be available to young people, or will it be focused on the philosophy underpinning the approach)?***

## **QW Response:**

In our next consultation we will propose the range of GCSE and other approved qualifications that should be available for centres to choose from when determining which courses to offer to their learners. This will focus on the main, 'made-for-Wales' qualifications that should be available. Once the main qualifications are agreed we will be able to start looking in more detail at what other, less bespoke qualifications that centres could also be able to choose from.

In developing our proposals, we are looking at the qualifications that will be necessary to support the main areas of the curriculum. We will also be asking about the qualifications that may be required in other subject, including practical and work-based areas, in which qualifications may be required.

We will not be looking at this stage to agree the detailed content and assessment of individual qualifications. That work will be done once we have agreed on the overall range of qualifications that will be required.

Our proposals will carefully consider what range of qualifications could best support the curriculum's areas of learning and experience and its key elements. In the main we will propose that the main GCSE should continue to include many of the subjects that are currently available, rather than moving to much broader qualifications that seek to cover whole areas of learning and experience. We will also be suggesting some possible changes to subjects, to introduce some new ones and to combine existing ones. We will also identify potential opportunities for developing more integrated qualifications. In our consultation we will explain the thinking behind our proposals. A key consideration is to offer schools and learners the greatest possible flexibility to choose different combinations of qualifications to support broad and balanced curriculum experiences.

It is important to stress that the biggest potential for changes is not in the range of qualifications that learners can choose from, but in how each qualification is assessed. The overall proposed range of subjects may not look radically different to the current one, but this could still lead to some significant changes in how individual qualifications are designed and assessed.

We will expect the next generation of qualifications to:

- support learners to realise the four purposes
- give learners and centres more flexibility to shape the content they study
- encourage learners to make links across different aspects of the curriculum
- assess learners using a variety of different assessment methods

- make more use of digital technology to support more engaging and relevant assessment and learning.

Once we have agreed the range of qualifications that should be available, we will then move on to consult on the proposed design and assessment of individual qualifications, starting in autumn 2021.

#### **4. Digital assessment**

During the meeting on 17 September, in relation to assessment, you stated:

“There are a number of things that we would like to progress. These are things that we were already thinking about, but maybe they should be accelerated in the thinking. Simple things like digital assessment—online assessment through tests that are delivered on screen, can be delivered remotely, can be delivered in schools, can be delivered on demand, so that you don't have the logistical issues of trying to get 200 young people into a room with computers at the same time— are all things that we're starting to think about in a more concerted way. And they're things that we'll be looking to consult on next year.”

- ***Can you provide more detail on your thinking to date about the role of digital assessment under the future curriculum, and an indication of how it might feature in arrangements for the awarding of qualifications in 2021 (for example as part of the response to the disruption caused by COVID-19)?***

#### **QW Response:**

Qualifications to support the new curriculum are likely to be awarded for the first time in 2027. Given the pace at which digital technology is changing many aspects of day-to-day life, including teaching and learning, it is right that we consider how this might affect qualifications.

Following our next consultation, we will start to look at the detailed design and assessment of individual qualifications. As we do so we will actively look for how more digitally enabled assessment could benefit learners, centres and the whole qualifications system. These could include more positive experience of, and engagement with, teaching, learning and assessment for learners, or increased resilience, efficiency and manageability in the delivery of qualifications and assessments.

As we told the committee, when introducing any changes to the mode of assessment, there will always be a range of factors that must be considered, including:

- Manageability for schools and centres
- Delivery risk for awarding bodies
- Accessibility for all learners

In agreeing a way forward, a balance must be struck that is forward-thinking, while at the same time pragmatic and achievable.

Because of the potential benefits it could bring, our general position is to encourage and facilitate greater use of digitally enabled assessment in future qualifications. We will engage with stakeholders to explore what this could look like in practice. For example, should we aim to make digital assessment mandatory from the start, or optional to begin with? We have been looking around the world to learn from other countries that are moving to more digital assessment. For example, New Zealand has set a long-term aim for all school-leaving exams to be on-screen, but are currently in a phased transition period when learners can choose between doing a digital version or a pen-and-paper exam.

To ensure that potential benefits are realised and adverse impacts avoided, we will consider the specific changes needed at individual qualification level, through active engagement with learners, providers and awarding bodies.

As far as 2021 is concerned, we are currently working with a range of stakeholders to develop and consider a range of different possible approaches to awarding qualifications in 2021. While there are some limited instances where digital assessment could potentially play a part, we do not see it offering a solution to the immediate challenge of agreeing arrangements for 2021. A rapid and widespread shift to digital assessments would present significant delivery risks and challenges to an already difficult and uncertain situation.

CYPE(5)-24-20 - Paper to note 10

Senedd Cymru

**Y Pwyllgor Cyfrifon Cyhoeddus**

Welsh Parliament

**Public Accounts Committee**

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Lynne Neagle MS – Chair, Children, Young People and Education Committee

John Griffiths MS – Chair, Equalities, Local Government and Communities Committee

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7 October 2020

Dear Lynne and John

## **Inquiry into COVID-19 and its impact on matters relating to the Public Accounts Committee's remit**

As part of the Committee's work looking at the impact of Covid-19 on matters relating to our remit, we held an evidence session with the Welsh Government on 3 August, specifically considering education issues. Following that session, I wrote to the Director General seeking clarification on a number of issues and the detailed response was considered in Committee on 28 September.

Members were content with the response, appreciating that issues have moved on within this sector since we took our evidence.

However, we are concerned with a number of issues, as set out below.

### Broadband at permanent Traveller sites

A number of local authorities have permanent Traveller sites with no broadband connections. We are concerned about what action the Welsh Government is taking to ensure local authorities prioritise broadband connections for these sites (detailed on page 3 of the letter).

### Absence of permanent Gypsy and Traveller sites

The response makes it clear that not all local authorities have a permanent Gypsy & Traveller site. Members raised concerns that the implications of this are that local



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authorities are not fulfilling their responsibilities as contained in the Planning Act, which requires all local authorities to have such a site.

Low response rate to service provision to Gypsy and Traveller sites

The letter refers to a survey undertaken in 2018 which asked every local authority with authorised socially-tenanted Gypsy and Traveller sites about the provision of a wide range of services, including access to basic services such as water, electricity and gas. This survey included fixed telephone and internet services.

We were disappointed to see that only 6 local authorities responded. We therefore fear that only half of the permanent sites have any form of internet access at all. This is of particular concern not only given the wider implications of this for the rights of Gypsy & Traveller communities, but also given that Gypsy & Traveller children are amongst the lowest performing groups of children in Wales.

I have shared the response with you both, alongside our concerns, and ask that you consider the issues and keep under review as part of your Committee's work.

Yours sincerely,



**Nick Ramsay MS**  
Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg / We welcome correspondence in Welsh or English.



**Tracey Burke**

Cyfarwyddwr Cyffredinol / Director General

Y Grŵp Addysg a Gwasanaethau Cyhoeddus  
Education and Public Services Group



Llywodraeth Cymru  
Welsh Government

Nick Ramsay MS  
Chair  
Public Accounts Committee  
Senedd Cymru  
Cardiff Bay  
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08 September 2020

Dear Mr Ramsay,

Following my attendance at Public Accounts Committee on 3 August, and your subsequent follow up letter of 11 August, please find enclosed my response to the points raised.

Please let me know if the Committee would like further information or clarification.

Yours sincerely

Tracey Burke



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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.



**Public Accounts Committee meeting  
3 August 2020  
Follow-up Actions**

- 1) The most recent figures on the take up, by local authority, of the extra funding available as part of the ‘Stay Safe. Stay Learning’ programme, (to support digitally excluded learners during the current pandemic) to ensure traveller sites are equipped with broadband.**

As part of our ‘Stay safe. Stay learning’ programme, support for digitally excluded learners in maintained schools was mobilised through the wider Hwb EdTech programme.

The Minister for Education committed up to £3 million to support digitally excluded learners in maintained schools where there was no existing provision in place from their school or local authority. Working with their schools, local authorities utilised the funding to provide digitally excluded learners with repurposed school devices and 4G MiFi connectivity where required. Based on the demand identified by schools and local authorities, there have been 10,848 MiFi devices and 9,717 software licences funded by the Welsh Government and deployed across Wales. A high level breakdown of that take up by local authority is available as follows:

<b>LA</b>	<b>MiFi Provision</b>	<b>Software Licences</b>
Blaenau Gwent	100	1000
Bridgend	310	559
Caerphilly	842	800
Cardiff	2500	-
Carmarthen	300	750
Ceredigion	115	-
Conwy	226	123
Denbigh	125	-
Flintshire	165	-
Gwynedd	170	-
Isle of Anglesey	125	240
Merthyr	250	-
Monmouth	200	300
Newport	1300	800
Neath Port Talbot	200	1094
Pembrokeshire	300	-
Powys	600	700
Rhondda Cynon Taf	1400	1400

Swansea	500	65
Torfaen	560	1356
Vale of Glamorgan	350	230
Wrexham	210	300
Totals	10848	9717

The process has been managed by the local authorities and schools themselves and local authorities have engaged with their schools to identify digitally excluded learners. Therefore, we do not hold centrally recorded information for this specific intervention in terms of the onward distribution to families, children and young people and in the case of your specific question, traveller sites. However, I set out below the specific actions we have been taking in regard to traveller sites and connectivity including during the COVID-19 pandemic, working with a Gypsy, Roma and Traveller stakeholder group drawn from Local Authority and third sector service providers.

**2) Details of which local authorities had permanent traveller sites with no [Broadband] connections and what action the Welsh Government is undertaking to ensure local authorities prioritise broadband connections for these sites.**

Not every local authority has a permanent traveller site and the number of sites and pitches can fluctuate over time. In 2018, we asked every local authority with Authorised Socially-rented Gypsy and Traveller sites about the provision of a wide range of services, including access to basic services such as water, electricity and gas. This survey included fixed telephone and internet services. This was not meant as a monitoring exercise, more as an opportunity to identify effective practice or potential gaps in provision. Local authorities responded within that context.

Responses were received from six local authorities covering eight sites and 164 pitches. No response was received from eight local authorities with sites, covering 14 sites and 239 pitches. Five of the respondent local authorities to this survey had taken action to provide phone/internet lines for residents.

The funding of fixed lines within sites is an eligible cost under the Welsh Government Gypsy and Traveller Capital Sites Grant. Over the past four years we have encouraged local authorities to develop and submit projects for the funding to support a range of initiatives, including the provision of broadband. As part of the funding we expect local authorities to evidence engagement with residents. Unfortunately the take up has not been as high as we would have hoped.

Since the *Designing Gypsy and Traveller Sites* guidance was last revised in 2015, many more services have become digital-first or digital-only and access to the internet is becoming part of essential services for citizens. We are aware that not all sites have good mobile data signals, available Wi-Fi, or broadband at the level of individual pitches.

During the COVID-19 pandemic, we convened a Gypsy, Roma and Traveller stakeholder group drawn from Local Authority and third sector service providers. Stakeholders reported a range of issues around access to basic utilities, deliveries and access to services. A number of stakeholders reported significant issues with registering for and accessing services online. The inability to do so had an impact on education, obtaining benefits, seeking employment and accessing essential health messages.

In response to these concerns, officials commenced additional detailed mapping work on local authority sites to understand the provision of essential services to residents on sites and officials have written again to all local authorities in Wales to invite them to submit funding applications for projects that focus on overcoming infrastructure barriers to internet access, at up to 100% of eligible costs.

As with the exercise undertaken in 2018, our current information gathering on services available on sites faces considerable challenges on obtaining complete, consistent and clear information that would support targeted interventions. Of the current 402 local authority pitches across Wales, 19% are known to have “poor access”, 25% may have some access (which may include good mobile data signal) and 19% may have “good” access, which may include infrastructure needed for broadband. For 37% of pitches, we have insufficient information to understand if or how residents might access the internet.

Taking account the challenges and lessons learned from the 2018 information gathering exercise we are working more closely with local authorities to identify what forms of internet access, including high-speed mobile data, site-wide Wi-Fi, fixed telephone/broadband lines are present at each site and what gaps in essential infrastructure and/or barriers to uptake exist.

In addition, beginning in September, the Gypsy Traveller Forum – the Welsh Local Authority Gypsy and Traveller service provider network is planning a task and finish group to share good practice and develop strategies to re-engage Gypsy and Traveller learners and their families in education post lockdown.

### **3) How is the Welsh Government supporting schools in taking forward the requirements set out in the additional guidance bearing in mind the speed with which this guidance will need to be implemented?**

Throughout the summer, Officials have engaged with all key stakeholders, including trade unions, Directors of Education, head teachers and transport operators on [the operational guidance](#) for the autumn.

Recognising schools would need time to plan for learners returning, the Minister for Education provided schools with additional time at the start of the term to plan and prepare for all pupils to return on 14<sup>th</sup> September, this decision was made reflecting on the views of key stakeholders. We have continued to work closely with trade unions the profession and local authorities and the feedback received has been that schools have been working hard to develop their plans to enable the return of all

learners in the autumn. Schools have started to welcome learners back and all schools have arrangements in place for the return of all learners by 14 September.

We have shared live examples of the work some of our schools have done to prepare through social media. We have also worked closely with Estyn to provide further examples of how schools are preparing for the start of term. These are all accessible via Estyn's website.

Over the summer we have taken forward a reassurance campaign which has provided various material to parents, schools and local authorities. Responses received from local authority Directors of Education and comments from parents assure us that these have been positively received.

#### **4) Will the Welsh Government be providing any further guidance on the operation of schools in the autumn schools?**

- **Clarification on exactly what social distancing means in the context of primary schools – Does the guidance issued in July apply to primary schools?**

As part of the 21 day review of lockdown restrictions, the First Minister recently took the decision to relax the position on children under 11 having to maintain a 2 metres distance from each other or from adults. However, this does not mean that they are no longer subject to other restrictions on minimising contacts. It is simply a realistic balance of risk for those who live with and care for these children, who routinely are likely to need physical contact as part of everyday care. This age group must still observe the social restrictions on meeting other family groups or wider gatherings, and it is still up to parents to assess and evaluate the risks of their children's family and social contacts. It is still important to continue with staggered start times for example to minimise the mixing of parents for example at the school gate.

Consistent groups help reduce the risk of transmission by limiting the number of learners and staff in contact with each other to only those within the group. It is accepted that learners and especially the youngest learners, may not be able to socially distance from staff or from each other and consistent groups provide an additional protective measure. Maintaining distinct contact groups that do not mix makes it quicker and easier, in the event of a positive case, to identify those who may need to self-isolate and to keep that number as low as possible.

The use of small contact groups brings a number of educational and operational challenges which restricts the normal operation of schools. This is the case in both primary and secondary schools, but is particularly difficult in secondary schools. However, given the decrease in the prevalence of COVID-19 and the plan for the autumn term for the resumption of the full range of curriculum subjects, schools may need to change the emphasis on contact groups, increasing the size of the groups, but staying within their system of controls and building into their risk-assessments.

The latest updated guidance published on 2 September remains current and we currently have no plans to change our operational guidance in relation to the advice

for this specific age group. However, if the evidence changes, we will revisit our guidance and update as appropriate. The guidance already makes clear that minimising contacts and mixing between people reduces transmission of COVID-19. It also recognises that for younger learners the emphasis will be on separating groups as it is accepted that learners and especially the youngest learners cannot socially distance from staff or from each other and consistent groups provide an additional protective measure. Maintaining distinct contact groups that do not mix makes it quicker and easier, in the event of a positive case, to identify those who may need to self-isolate and to keep that number as low as possible.

**- Clarification on Free School Meal / school breakfast club / afterschool club provision from September.**

Continuing social distancing requirements and limited space for food preparation, serving and eating will result in varied school catering provision during the autumn term. Discussions with local authority catering leads indicate that some local authorities intend to provide more or less a full service with hot meals (although with simplified menus, adaptations to take account of the need for social distancing, staggered meal-times and sometimes delivery of meals to classrooms), whilst other local authorities have indicated that they will not be resuming their catering operations, at least during the first few weeks of term. Where local authorities are not able to provide pupils with a meal in school, the alternative provision for pupils who are in receipt of free school meals will vary. We understand that at least one local authority plans to deliver food parcels to pupils' home addresses, whilst others are considering cash and voucher payments in lieu or packed lunches.

The Welsh Government made an additional £40million available to local authorities to ensure provision of free school meals right through the school summer holidays until 31 August 2020. A further £1.28million has also been made available for the same purpose during the first two weeks of the autumn term whilst some schools are operating a staggered return to school. After that, local authorities will be expected to fund all free school meal provision from existing budgets.

Our operational guidance for schools states that local authorities, working with their schools, must consider resuming free breakfast schemes in primary schools and should consider resuming any other breakfast and after school provision, whether this is provision offered by the school or run out of the school by a private provider.

Where a primary school ran a free school breakfast scheme prior to the COVID 19 outbreak, they are still under a legal duty to provide the free school breakfast scheme at the start of the new school term. Local authorities, as well as school governing bodies and head teachers must have regard to the statutory guidance when considering whether to re-open free breakfast schemes in primary schools. We would expect that as schools should be open to all pupils full-time from the beginning of September breakfast clubs should operate as normal, unless it would be unreasonable for them to do so. It is not possible to say what will or will not be unreasonable in any particular situation and local authorities will consider a range of factors, including:

- demand for the provision of free breakfast in the maintained school;
- availability/suitability of a venue to undertake the provision of free breakfast;
- availability/suitability of facilities within the maintained school to provide the provision;
- availability / suitability of staff to supervise the breakfast provision.

Local authorities will also need to consider the health and safety of pupils and staff and social distancing requirements.

**5) We are concerned that in the current climate, schools that are not performing well will need to have been assessed and improvements made in a more-timely manner to minimise detriment to pupils. Even though you stated a wealth of good practice has been prepared and shared through other means, there remains the challenge of encouraging schools to take that practice up. Are you able to reassure us that underperforming schools will be addressed?**

I acknowledged the challenge the pandemic brought to facilitating and enabling continuity of learning. As we go into September, we plan to state clearly our expectation that schools do all they can to ensure continuity of learning under future conditions of disruption. As part of wider operational and risk-management guidance that is being issued, schools will be expected to set out in their plans pupils' entitlement to contact and support, the frequency and duration of teaching and learning sessions, and the amount of time pupils are expected to spend in independent study. Schools' plans will be scrutinised by their regional consortia and Local Authorities, and monitored as part of the work Estyn do in the coming year.

Schools will also be expected to set out the curriculum that will be available to learners involved in the [Recruit, Recover, Raise Standards](#) programme and the general curriculum available to all learners in the case of disruption to normal operation.

Where schools do not provide appropriate plans or do not deliver the requirements of the *Recruit, Recover, Raise Standards* programme they will be supported by their regional consortia and Local Authorities to address any issues. We will work with local authorities on the protocols to identify and address underperformance and with regional consortia on their provision of monitoring, support and Professional Learning as appropriate to the needs of the school.

Local authorities have now received the grants and the school-level allocations, as part of the additional £29 million provided for the recruitment of extra teachers and teaching assistants. We are working with the Education Workforce Council, regional consortia and local authorities to get the recruitment programme up and running. Whilst we expect schools to be focused on the day-to-day business of operating under changed conditions for a couple of weeks, we then want to see recruitment as a priority for head teachers and local authorities.

**6) Childcare settings - What is the Welsh Government doing to assess the requirement for these to be operational again by September as parents need assurances that childcare will be available.**

Since my attendance at Committee there have been a number of developments in relation to the provision of and funding for childcare services in Wales.

On 4 August, the Deputy Minister for Health and Social Services announced that provision under the Childcare Offer for Wales would be restarting from September. Local authorities began processing applications from 10 August. We know access to the funded childcare under the Offer is key to supporting both working families and to providing childcare settings with certainty on demand and funding. Alongside this, we published updated guidance for childcare settings on 5 August enabling them to further increase their operations.

The updated guidance takes account of the latest scientific evidence regarding the transmission of the virus amongst children, and the announcements regarding social distancing for children under 11. We have removed the restriction on contact group sizes in light of this, and there is an explicit reference in there to the operation of wrap around and out of school childcare.

On 12 August we also announced the Childcare Provider Grant which will provide funding to those childcare settings which have been unable to access the wider coronavirus support schemes. This opened for applications on 24 August, with a condition that grant recipients are open and providing childcare in September. We are also undertaking a health-check survey of the childcare sector to get a better understanding of their current operations, their plans for the autumn and any issues or concerns they have about the coming months. This survey is now closed and headline results are expected in the next week.

We will be working with the education and childcare sectors to ensure as many of these settings open as possible and to support them into the future. The latest figures show that of the 3,615 childcare settings registered in March 2020 (before the pandemic), 73% are currently open.

# Agenda Item 7

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

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