

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: NAHT Cymru

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)

NAHT shares the Welsh Government's desire for curriculum reform. Indeed, we were heavily involved in the evidence that fed into Professor Graham Donaldson's review and in shaping the recommendations in Successful Futures. When it was announced that all 68 recommendations of that review were to be accepted in June 2015, we stated: "Successful Futures' provides permission for the profession to take the lead and is the blueprint that should now shape the work of all interested parties – schools, LAs, Regional Consortia, Estyn and the Welsh Government".

The high-level vision of the new curriculum, as expressed in 'Successful Futures,' will mean a huge cultural shift for the profession especially those employed in Wales post 1988 will only have worked with the National Curriculum. Having said that, we believe that the four founding principles of the bill (outlined within) mirror the desire of the profession to breathe new life into the education system in Wales.

NAHT supports the view that curriculum reform is a vehicle for raising educational standards, but fundamentally for school leaders it means that they will be able to prepare children for the world we live in. To that extent we support the principles of the bill, namely the four purposes for the curriculum for the following reasons:

Ambitious, capable learners, ready to learn throughout their lives – NAHT recognises that school is about putting the foundations down, the basis by which children start to learn and instil the ethos that learning is for life and continued learning is part of the life experience

Enterprising, creative contributors, ready to play a full part in life and work – This element will ensure that young people leave school and are ready to not just be part of the working environment but help shape what that will look like for themselves and others. It is not enough to prepare young people to go into existing roles and places of work, we must encourage and nurture the next generation to develop and create new industries and technology that does not yet exist in order to ensure to protect and grow our society and economy in Wales and beyond.

Ethical, informed citizens of Wales and the world – This element will have a significant impact on developing and supporting young people's ability to build their own identities, values and social conscious. NAHT supports the view that schools have a moral obligation to provide a safe and nurturing environment for young people to express their view but more importantly to give them the information they need to inform those views.

Healthy, confident individuals, ready to lead fulfilling lives as valued members of society – NAHT recognises the importance of the health and well-being of young people and how it is intrinsically linked to educational attainment. Through our conversations with government and stakeholders such as NSPCC, Women's Aid, the Children's Commissioner for Wales, we are pleased this thread will run through the new curriculum and the vital role it will play is supporting young people through their schooling and beyond.

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)

NAHT supports the need for legislation to deliver what the Bill is trying to achieve. We recognise that legislation is a tool to require something to be carried out but also to regulate and evaluate that activity. We believe that the Bill is such a culture shift from the current curriculum that legislating will ensure consistency across Wales; give the significance of such a change the credibility it deserves and will also support the implementation of certain elements of the Bill that will be more challenging to schools.

For example, schools would be subject to significant challenge in certain areas given the vision for RSE/RVE and legislation gives educators the support they need.

The framework for the new curriculum is grounded in a commitment to research-based practice. This element needs to be reinforced within the legislation to ensure that other factors do not steer schools' own development off track and revert to old ways of working.

Another area worth noting which is not mentioned significantly within the bill is the need for a collaborative response. In recent discussions with the Welsh Government, it was announced that a consultative process is currently taking place on 'wider sector involvement' which aims to address what the wider education sector, including Local Authorities, Consortia and Estyn is going to do to support the development and delivery of the new curriculum. We have submitted feedback previously that we were concerned that the responsibility for curriculum delivery was all going to fall to school leaders and NAHT is pleased this seems to have been taken onboard.

In a much broader sense, legislation also gives clarity to all stakeholders and despite there being a clear desire among the profession to deliver what the Bill wishes to achieve without the need to legislate, there is always the danger that those who do not share that vision will not comply.

NAHT is of the view that it is important to strike the right balance when it comes to primary legislation. Too much detail in primary legislation can have unintended consequences and prohibit the vision for curriculum reform which is to allow an approach that is driven by purposes rather than content and allow schools the flexibility to deliver a local curriculum according to the needs of their pupils. If the primary legislation is too specific, school leaders will be unable to deliver it in the desired way. The approach taken with the Bill seems to strike that balance, providing a national framework for schools to work from but still allowing freedom to meet local needs.

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)

Barriers to implementing the Bill include:

Funding – The Bill summary outlines the significant financial implications of the Bill and the cost is based on a survey of the 15 Innovation schools. This is not representative of the 1,500 schools across Wales and does not consider the complexities associated with the allocation of school funding.

Training/quality assurance – Financial implications aside, there will need to be significant professional development in place to enable schools to teach the new curriculum. Concerns around training also extend to what is available and who is going to provide it. Currently, the pressure of an often limited training resource available for many schools, the range and type of professional learning on offer and the sheer scale of policy change for schools to manage and implement, has resulted in a very mixed picture in terms of the interface with effective professional learning for the education workforce.

Communication – NAHT has previously given evidence to the CYPE to support the concern that schools who were not involved in the pioneer programme were struggling to understand how work in the pioneer schools is going to feed into their own work and impact upon the Wales-wide policy change that will be required.

Accountability and assessment – Fears that unless the accountability and assessment structure is developed alongside the new curriculum, it would prove difficult to design without knowing the expectations of assessment that would eventually underpin the new curriculum.

Public perception – Anecdotal feedback from parents suggest that there is little or no understanding of what the new curriculum will mean for children across Wales. Adopting a new way of working without the support of parents will be difficult.

Supporting guidance/framework – It is, at this stage, difficult to comment on whether the statutory code for 'What Matters', Progression Code and RSE

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)

Funding – The bill acknowledges that between 41% and 71% of the total costs are estimated to fall to schools and states that this is based on a survey of Innovation Schools and therefore is not representative of the 1,500 schools throughout Wales. As a result of

this uncertainty the Welsh Government includes a +/-50% range on the costs that is has estimated for schools.

In addition, when Innovation Schools estimated their costs at the end of 2019, they were working of the draft version of the Curriculum we published for feedback in April 2019. The version we published in January 2020 represents a significant development from the version they were working off and basing their costs on.

As well as substantially simplifying the content and significantly refining the descriptions of learning, the Curriculum for Wales now includes extensive guidance on 'designing your curriculum'. This was absent in the draft version and so Innovation Schools were planning and basing costs on having to work that process out for themselves - whereas there is now clear guidance (which, in part, has been based on Pioneer and Innovation school experiences) to help take schools through the design process at curriculum and AoLE level.

Training/quality assurance – As outlined in the EM/RIA for the Bill, practitioners and leaders are already thinking differently about their professional learning and the Welsh Government is ensuring that there is appropriate support for schools to enable them to make this step-change.

Not all professional development will be delivered by external 'suppliers' or organisations, there is a lot schools and practitioners can and will be doing to explore and realise the curriculum in their own schools - working together collaborating and sharing practice which is something NAHT advocates among school leaders. This include using the experiences gained by Pioneer schools as part of the development process. Alongside the work of schools however there is a wide range of support from regional consortia, HEIs and lead schools who can support the system as we move forward.

A number of actions are being taken as part of the National Approach to Professional Learning to ensure education practitioners are supported.

Other examples of support include: launch of a cross-regional programme to help schools plan for short, medium and long term professional learning for the new curriculum; introduction of an additional professional learning INSET day for 3 years from 2020-2022; launch of the Professional Learning Journey (PLJ) Model to complement the new INSET day, providing a route map for schools to plan for the new curriculum and beyond.

In relation to quality assurance of professional learning, processes are in place for regions to work collaboratively to ensure national provision is of the requisite quality, and for our leadership programmes, there is also the role of the NAEL in endorsing provision. Estyn

and the schools themselves also play a part in quality assurance through their own evaluation arrangements and sharing examples of best practice.

Communication – The Welsh Government maintains that Pioneer schools have been at the heart of these reforms and that information on how these schools have and continue to contribute to supporting across the system is provided through a wide range of approaches. In addition to case studies and articles on the Curriculum for Wales blog, details have been provided alongside the national publication of curriculum guidance, as well as head-teacher conferences, regional professional learning events, and through local and/or subject related school-to-school networks.

Public perception - The Welsh Government is planning to engage more directly with parents on the new curriculum over the next few years as schools work towards realising the new Curriculum for Wales. The government will continue its communication strategy via schools as a preferred method by parents but as a result of COVID-19 parents have become more interested in education policy and what their children are learning so officials will be looking at more direct engagement and communications with parents.

Accountability and assessment – NAHT still has reservations with this element of the Bill, having already set out concerns above.

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)

In 2011, Wales became the first country in the UK to make the United Nations Convention on the Rights of the Child (UNCRC) part of its domestic law. Welsh Government, and the people of Wales, should be rightly proud of this commitment to the rights of the child.

In considering the new curriculum, NAHT believes that the UNCRC provides a clear mandate to Welsh Government and to education in Wales.

In the context of full access to RE and RSE lessons in the new curriculum, it is relevant to note specific, relevant sections within the United Nations Convention on the Rights of the Child.

However, despite supporting this position and the principles that support it within the Bill, there will be unintended consequences for schools.

There are a significant number of concerns being raised by faith and other stakeholder groups on the removal of the parents right to withdraw their child from sex education. NAHT welcomes the approach taken by Welsh Government to make that decision on a national scale, however it will be down to individual schools to implement. There must be clear support given to schools to deal with these situations.

This work cannot be left to schools to develop in isolation, or there will be the very real risk that variability, inconsistency and a wider lack of information for parent groups and wider stakeholders, could understandably, create suspicion and anxiety. This would, in turn, risk misinformation, rumour and speculation to undermine the core purpose of ensuring full access to the full curriculum.

NAHT acknowledges that the Welsh Government has set up an RSE working group of which NAHT occupies one of the stakeholder seats. Despite being in its infancy, the aim of the group is to discuss the RSE code and key aims and hopes the work of the group will help mitigate against the concerns raised.

Also note point raised in 1.3 RE legislation.

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)

Please see response to 2.1/2.2 above.

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)

The Welsh Government must ensure that any subordinate legislation relating to the RSE code is robust enough to support teachers in delivering what is a controversial topic. NAHT believes it is appropriate for the code to be constructed as part of subordinate legislation because this will allow consistency across Wales and an opportunity for greater consultation with the profession.

Any subordinate legislation must be published alongside primary legislation as far as is possible to ensure that schools are not beginning their plans with only partial information.

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)

NAHT believes that there are two fundamental elements to the success of the new curriculum:

The sea change it requires from a profession who have largely grown up as national curriculum learners, a curriculum which didn't encourage Independence or self direction. A culture needs to be created where we build a capacity for risk taking and continual research which will be a significant change in direction from a body of young teachers whose current preference may be a more regimented task and finish approach.

The need for personal and continuous development underpinning each and every next step. This is more than making sure opportunities are available but changing understanding, that this is now very much personal responsibility.

Any legislation and supporting framework needs to part of the approach but a key piece of the puzzle is going to be creating a culture within education to embrace this new way of working and that is something that must be allowed to evolve over time. All stakeholders have a part to play in developing that culture.

