

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

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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)

My name is Max Richard Ashton. I am a PhD candidate based in Cardiff University's School of Social Sciences. My research project is funded by the Economic and Social Research Council (ESRC)'s Wales Doctoral Training Partnership and is concerned with mapping teacher learning and professional development across the progression of Wales' new Relationships and Sexuality Education (RSE) curriculum. My project is supervised by Professor EJ Renold, who chaired the Sex and Relationships Education (SRE) Expert Panel established to inform the development of Wales' new RSE curriculum in 2017, and co-authored two reports on their findings alongside Dr Ester McGeeney (Renold and McGeeney 2017a, 2017b).

Between November 2019 and March 2020, I conducted ethnographic research alongside several interviews with teachers based throughout South Wales who provide SRE and/or will be providing RSE in primary, secondary, and special school contexts. This research was conducted across a suite of professional learning programme (PLP) sessions led by Professor Renold and Dr McGeeney (for a more detailed account of this process, see Renold, Ashton and McGeeney, forthcoming; Renold, McGeeney and Ashton 2020). The research sought to partially address a number of lacunas in knowledge about Welsh SRE,

namely: "What SRE is currently provided in Welsh schools, how it is delivered, in what contexts and with what aims / objectives", "The quality of the SRE experience for students and teachers" and "The quality of professional training for in-service...teachers...involved in delivering SRE" (Renold and McGeeney 2017a, p. 19).

I have opted to engage with this consultation because I believe I am well-positioned to provide an evidenced view on Wales' Curriculum and Assessment (Wales) Bill (henceforth, 'the Bill') informed by international and empirical academic research on sexuality education, alongside my own early research findings. I believe that my findings can inform and support the Bill; specifically, its intention to establish a statutory code for Welsh RSE (Explanatory Memorandum (henceforth, 'EM') Section 3.54), and its acknowledgement that "professional learning will be required in order for teachers to gain the knowledge and confidence to embed relationships and sexuality education within their teaching" (EM, Section 8.298).

As a PhD candidate building expertise in RSE, I do not consider myself qualified to offer consultation on the principles of the Bill in its entirety. This evidence form seeks to address specific components of the Bill's Explanatory Memorandum (EM) which pertain to SRE/RSE in Wales – these components will be clearly signposted throughout my response. Additionally, any references utilised throughout are listed in Box 6.1.

I am broadly in agreement with the principles of the Bill relating to RSE; especially its intention to "improve the profile, quality and consistency" of the subject (EM, Section 3.53) and its acknowledgement that "professional learning will be required in order for teachers to gain the knowledge and confidence to embed relationships and sexuality education within their teaching" (EM, Section 8.298). However, I have some concerns that neither the provisions surrounding professional learning for teachers who provide RSE; or the purpose and contents of the RSE core learning code (EM, Sections 3.68 – 3.72) are sufficiently clarified in the Bill's current iteration.

I) On the Bill's acknowledgement of the importance of professional learning for RSE providers:

As a researcher engaging with the re-development of RSE in Wales, it is heartening to see a direct acknowledgement of the importance of professional learning for effective RSE provision within the Bill. Whilst the state of professional training for SRE providers in Wales was explicitly noted as a research gap requiring urgent address by the SRE Expert Panel (Renold and McGeeney 2017a, p. 19) recent research in United Kingdom (UK) and international contexts has frequently highlighted a lack of training as a barrier to best

practice in SRE/RSE, both as a component of initial teacher education and for in-service teachers (See Dewhurst et al 2014; Byrne et al 2015; Ollis 2016; Pound et al 2017).

Consequently, acknowledgements that both professional learning (EM, Section 8.298) and contextually relevant, fit-for-purpose resources to support providers of RSE in Wales (EM, Section 8.299) will be crucial to the instatement of the new Welsh national curriculum are encouraging commitments from Welsh Government, and are in line with international research evidence.

However, the substantive commitments to improving professional learning and resources for Welsh RSE providers currently outlined within the Bill remain very vague. EM Sections 8.296 – 8.300 state that innovation schools have so far been unable to set out the numbers of staff who will require training in RSE, and the quantity of training they will require. They also state that statutory guidance will be developed using a 'co-construction' approach, without providing any details on how this process will take place (in my view, providing a link to a cabinet statement which does not explain the nature of the co-construction process does not constitute an appropriate level of clarity) or whom it will involve. And finally, they state that extant Welsh RSE resources will be audited and replaced with new resources if necessary, without setting out a process, timescale, or estimated costing for this audit.

The lack of detail the Bill provides in this area; an area which remains absolutely crucial if Wales is to instate a meaningful RSE curriculum which adequately addresses the needs of children and young people; is deeply concerning. As the Minister for Education has repeatedly stated during the process of preparing for a new Welsh curriculum, the ambitious plans that Welsh Government have set out for RSE going forwards will require "careful and sensitive implementation" (Welsh Government 2020a). It is my view that unless the provisions set out within the Bill around teacher training and resources for RSE are further clarified and expanded, ensuring that high quality RSE provision is consistently available to all Welsh children and young people will prove very challenging.

Some of my own research findings can inform upon the current state of Welsh practitioner training and RSE resources. Between October 2019 and March 2020, I worked with twelve RSE providers who work across primary, secondary, and special school contexts in South Wales. These teachers had all independently signed up to attend a PLP led by EJ Renold and Ester McGeeney whilst attending an RSE-focused practitioner's conference in summer 2019, and subsequently should not be taken to constitute a representative sample of Welsh RSE providers. However, considering the low level of baseline knowledge about RSE provision currently available in Wales, the data I will address within this consultation

remains valuable in providing a glimpse of the current state of RSE as the induction date for the new Welsh curriculum approaches.

The level of experience in RSE provision possessed by participating teachers varied significantly, from those with several years of experience to those preparing to move into roles relating to RSE in the near future. However, a key commonality between all participants was little to no formal training in RSE provision throughout their careers as teachers. No participating teacher had covered SRE/RSE provision during their initial teacher education, and for most participants, the PLP constituted their first formal in-service training relating to RSE. Whilst some teachers cited access to varieties of informal training – one common example is teachers' attendance at RSE sessions led by external organisations who are visiting their schools in order to learn new techniques, methods, and knowledge pertaining to RSE provision – most had never been offered training in RSE provision in their school contexts. Additionally, most were well aware of barriers to accessing in-service training in RSE.

Several examples of barriers cited during PLP sessions included the cost of 'day release' to attend training programmes, the cost of hiring substitute teachers during training, the challenge of offsetting release from school to attend training sessions against various other time commitments such as teaching, meetings and other forms of professional development, and the perception amongst members of school Senior Leadership that RSE is not a priority for students, and therefore not worthy of staff professional development. Notably, these are all barriers previously identified in international research on SRE/RSE (see Dewhirst et al 2014; Pound et al 2017). Many participating teachers disclosed that only the PLP's funding provision, which allocated each participating school a small budget, was able to confirm their attendance; whilst this funding was originally intended to support participants during the process of auditing RSE in their schools, several participants only secured release to attend the programme through using the fund to cover the costs of supply teachers in their absence.

Teachers attending the PLP reported diverse levels of engagement with and access to RSE resources across all three sectors. Early on in the programme, participants were asked to record some areas of their RSE provision they wanted help to improve, in order to aid the organisers to support their professional development efficiently; one of the most cited areas was 'finding appropriate RSE resources'. Many teachers reported low levels of confidence in their ability to find and access RSE resources appropriate to their school context, with some of this group sharing concerns that the resources currently used in their

schools are outdated, but unsure how to confirm this suspicion and, if necessary, how to find more appropriate resources.

The challenge of resource access was most severely felt by participating Special context schoolteachers, who reported significant challenges in finding resources catering to children and young people with diverse levels of ability and complex learning needs. These teachers discussed at length the additional challenges and time pressures they faced when taking resources aimed at mainstream Primary and Secondary settings and adapting them to suit the needs of classes across their schools.

Despite this array of challenges, over the course of the initial two training days of the PLP, many (though not all) teachers reported increased confidence in their abilities as RSE providers and their ability to locate appropriate resources. This finding is encouraging, as it suggests that only limited training (if thoroughly designed, small-scale and expert-led) may be necessary to improve practitioner confidence in RSE provision.

In summary, I welcome the Bill's stance on additional training and resource provision for Welsh RSE providers but retain additional concerns about the lack of clarity the Bill's EM provides on how these necessary assets for RSE provision will actually be audited and instated. The Bill's acknowledgement of the need for training and possible need for new resources are supported by my early research findings, which additionally suggest that relatively small amounts of training might make significant differences to practitioner confidence when properly delivered. However, without additional clarity on the methods, providers, duration and cost of practitioner training in RSE, and a detailed explanation of the process, participants in, scope, and costs of new resource development, I remain concerned that the information provided in the Bill might come to represent an empty gesture on the part of the Welsh Government.

II) On the Bill's intention to set out a Relationships and Sexuality Education Core Learning Code (henceforth 'the Code'):

I believe that the Bill should provide further clarity on the purpose of the RSE Code (EM Sections 3.68-3.72). The contents of the Code (or 'core learning') appear fit for purpose and intersect intuitively with the information set out in the Hwb's Relationships and Sexuality Education guidance (Welsh Government 2020b). However, the relationship between the Code and other examples of RSE policy literature published by Welsh Government is unclear from the information provided within the Bill's EM. Specifically:

i) Welsh Government's pre-existing commitment to Statutory RSE (Welsh Government 2020c).

ii) Welsh Government's most recently published draft Guidance on relationships and sexuality education in schools (Welsh Government 2019).

In the Bill's current iteration, the Code's purpose is vague; EM Section 3.72 states "it is intended that [the Code] be explicit in relation to RSE in order to support and reassure teachers, parents/carers and learners that the curriculum will be appropriate". However, at no point does the Bill actually provide a comprehensive and explicit register of the content that the Code will include. Detail provided is limited to the six headings previously set out in RSE guidance available on the Hwb (Welsh Government 2020b). It is my view that fostering a commitment to explicitness in the contents of the Code without providing any indication what the contents of the Code will actually comprise is neither supportive, or likely to reassure teachers, parents, carers, and/or learners. In this, the Bill's current framing of the Code constitutes just one example of a propensity in recent publications on RSE by Welsh Government towards highly ambitious planning, but very little provision of practical detail that will help teachers to design school curricula. This tendency was frequently noted by PLP participants, who regularly sought help to interpret the policy and guidance currently available from Welsh Government on RSE provision under the new curriculum arrangements.

Consequently, it is my recommendation that the Bill commits to clearly setting out the role and contents of the RSE Code, in order to ensure that the Code functions as intended, and does not further complicate the process of designing and producing new RSE curricula for teachers in Welsh schools.

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)

I firmly believe that there is a need for statutory legislation to set out a clear legal and policy framework for delivering the contents of the Bill. I broadly endorse the principles of the Bill relating to RSE, especially its intentions to improve the "profile, quality and consistency" of RSE, and to acknowledge the necessity of clear, up-to-date professional learning for RSE-providing teachers. The need for clear statutory legislation in RSE was previously noted by the SRE Expert Panel, who warned that "without...legislative change SRE will remain a low priority for schools, be narrowly conceived, and children and young people's rights, needs, questions and concerns are not sought or met and where sex,

gender, sexuality and relationship inequalities and inequities remain unchallenged and endure” (Renold and McGeeney, 2017a p.10).

In addition to supporting the rights of children and young people to good health and education on health and wellbeing, in line with Welsh Government’s commitments to the UNCRC (See UNCRC n.d., p. 8) and own Programme for Children and Young People (See Welsh Government 2015, p. 35) ensuring statutory RSE in Wales will go some way towards raising the status of the subject in the wider context of school curricula. Highlighting the importance of RSE for children and young people’s lives may additionally work towards ameliorating a range of issues RSE-providing teachers must frequently navigate, including a lack of training in RSE during initial teacher education, and difficulty finding and accessing appropriate professional learning programmes in RSE (whilst limited research evidence currently exists in the Welsh context, Box 1.2, Section I provides international and local research evidence pertaining to these issues).

In short, if statutory legislation is not enshrined regarding RSE, the current state of Welsh RSE is likely to continue. Writing in 2017 on the findings of the SRE Expert Panel, Renold and McGeeney noted that Wales’ 2010 non-statutory SRE guidance “has led to wide variation in the quantity and quality of SRE that children and young people receive...the success of SRE too often rests on the interests and enthusiasm of individual teachers or school leaders with SRE/PSE responsibilities” (2017a, p. 6). Their reports subsequently recommended that RSE be made statutory “from Foundation Phase to compulsory school leaving age” (ibid., p. 10).

Consequently, in order to improve the quality and consistency of Welsh RSE in order to better meet the needs of children and young people, it is my view that statutory legislation around RSE must be implemented to ensure the aims of the Bill can be met across Wales.

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 Bill and associated EM’s current lack of clarity regarding a range of inclusions also constitute potential barriers to implementation. Specifically (See Box 1.2 for further detail):

I) The 'core learning' defined by the RSE Code and how it blends with or differs from Welsh Government's statutory RSE guidance (Welsh Government 2019) and existing commitment to statutory RSE (Welsh Government 2020c) (EM, Sections 3.68-3.72).

II) The as-yet-unknown costs for teachers' professional learning, and the development of new resources to support RSE providers on the Hwb (EM, Sections 8.297, 8.299).

III) The process of 'co-construction' supporting the creation of the RSE Code and accompanying statutory guidance, and whether or how this will involve children and young people, alongside both internal and external educators with expertise in RSE provision (EM, Section 8.298).

Unless these areas of indistinction are properly addressed, it remains uncertain whether the Bill's implementation will actually advance the changes to RSE it intends. As discussed in Box 1.2, a frequent challenge identified by teachers participating in the PLP was difficulty interpreting educational policy around RSE. It is my view that unless further specification is added to these areas, the Bill will not provide sufficient clarity to enable RSE-providing teachers to provide consistent and high-quality RSE in schools across Wales.

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)

I) The Bill does not currently specify the 'core learning' defined by the RSE Code beyond the scope of the headings previously set out in RSE guidance available on the Hwb (Welsh Government 2020b), and this lack of detail is not accounted for as a barrier. It is additionally unclear how this core learning is similar to and/or differs from the forthcoming statutory RSE guidance (Welsh Government 2019) and Welsh Government's previously existing commitment to statutory Welsh RSE (Welsh Government 2020c).

II) The Bill acknowledges that the costs of resource development and/or teachers' professional development in RSE are currently unknown but does not specifically account for them as barriers. This is particularly concerning as previous research evidence has noted wide variation in the quality and quantity of RSE provided in Wales (Renold and McGeeney 2017a), which suggests an associated variation in the amount of training that RSE-providing teachers are likely to require to undertake their role competently and confidently. Whilst findings from the PLP suggest that small amounts of training can make

significant differences to teachers' confidence and ability in RSE provision, without estimating the costs for teacher training in RSE across Wales, it is difficult to see how Welsh Government can realistically commit to these improvements. It additionally bears considering that RSE is one of five 'cross-cutting themes' intended for incorporation across the new Welsh curriculum (Welsh Government 2020b); significant numbers of school staff will thus be involved in RSE provision at some level, suggesting the need for widespread professional development and resource access.

III) The Bill currently provides no detail on what the process of curricular 'co-construction' will entail, who will contribute towards it, and whether this process will foreground the voices of children, young people, and/or those with professional expertise in RSE. These issues are not accounted for as potential barriers to implementation. Article 12 of the UNCRC (Unicef, n.d.), and Core Aims 1 to 5 of the Programme for Children and Young People (Welsh Government 2015) set out commitments to meaningfully considering the views of children and young people in legislation intended to affect them, suggesting this is a significant oversight. Additionally, substantial numbers of children and young people across Wales have already been engaged in the process of co-constructing new curricular arrangements together with teachers at both Pioneer and standard schools – Renold and McGeeney's PLP has thus far engaged over 1200 children across Primary, Secondary and Special sectors in South Wales (See the submission by Professor EJ Renold). There is an additional lack of detail regarding the involvement of those with expertise in RSE, and their involvement in the co-constructive process.

In order to effectively address its aims, it is my view that the Bill must address these potential barriers to ensure that teachers are effectively supported to provide high-quality RSE across Wales.

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)

I believe that unintended consequences arising from the Bill for Welsh RSE are entirely possible, unless more clarity and detail regarding the 'RSE code', teacher professional development, resource provision and the 'co-construction process' is provided. Without a

realistic, properly costed commitment to improving professional learning and auditing and replacing resources, RSE provision is likely to remain uneven, with 'best practice' predicated upon the "the interests and enthusiasm of individual teachers or school leaders with SRE/PSE responsibilities" (Renold and McGeeney 2017a, p. 6). Without providing more detail upon the 'co-construction' process, it is unclear whether the Bill will meet Welsh commitments to the UNCRC and/or the Seven Core Aims for children and young people, and whether or not ongoing reforms to RSE will be expert-led.

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)

In its current state, the bill lacks crucial detail regarding the potential costs of:

- I) auditing and redeveloping RSE resources for the Hwb.
- II) Funding professional development for Welsh teachers involved with RSE provision.

In this, the Bill also fails to acknowledge the advice of Wales' SRE Expert Panel, who in 2017 recommended that all Welsh schools employ "a dedicated SRE lead with protected hours and access to resources and guidance to co-ordinate a whole school approach to SRE" (Renold and McGeeney 2017a, p. 17).

International research evidence illuminates the value of teacher training for instilling confidence and ensuring best practice in RSE provision (see Pound et al 2017). Evidence from the PLP revealed that many RSE teachers in Wales have received little or no training in RSE provision both during their initial teacher education, and during their professional development. However, many participating teachers have subsequently been able to map out their professional development needs, which, given that innovation schools have thus far been unable to set out the numbers or costs of staff requiring additional training in RSE (EM, Section 8.297), constitutes a resource currently underutilised by Welsh Government (See Renold, McGeeney and Ashton 2020).

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)

Please see Boxes 1.2, 2.1, 2.2 and 3.1 for comments regarding the current fitness of the RSE Code set out within the Bill's EM.

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)

I have no further comments regarding the Bill. A list of references which inform this submission is provided below:

Byrne, J., Shepherd, J., Dewhurst, S., Pickett, K., Speller, V., Roderick, P., Grace, M., and Almond, P. 2015. Pre-service teacher training in health and well-being in England: the state of the nation. *European Journal of Teacher Education*, 38(2), pp. 217-233.

Dewhurst, S., Pickett, K. Speller, V., Shepherd, J., Byrne, J., Almond, P., Grace, M. Hartwell, D., Roderick, P. 2014. Are trainee teachers being adequately prepared to promote the health and well-being of school children? A survey of current practice. *Journal of Public Health* 36(3), pp. 467 –475.

Ollis, D. 2016. 'I felt like I was watching porn': The reality of preparing pre-service teachers to teach about sexual pleasure. *Sex Education* 16(3), pp. 308-323.

Pound, P., Langford, R., and Campbell, R. 2017. What do young people think about their school-based sex and relationship education? A qualitative synthesis of young people's views and experiences. *BMJ Open* 6(9), pp. 1-14.

Renold, E., and McGeeney, E. 2017a. The Future of the Sex and Relationships Education Curriculum in Wales. ORCA. [Online] Available at: <https://orca.cf.ac.uk/107649/1/The-future-of-the-sex-and-relationships-education-curriculum-in-wales-en.pdf> [Accessed 18/09/20].

Renold, E., and McGeeney, E. 2017b. Informing the Future of the Sex and Relationships Education Curriculum in Wales. Cardiff University. ISBN 978-1-908469-12-0. [Online] Available at: https://www.cardiff.ac.uk/__data/assets/pdf_file/0016/1030606/informing-the-future-of-the-sex-and-relationships-education-curriculum-in-wales-web.pdf [Accessed 18/09/20].

Renold, EJ., McGeeney, E., and Ashton, M. 2020. CRUSH: Transforming Relationships and Sexuality Education. Cardiff: Cardiff University. [Online] Available at: <http://agendaonline.co.uk/crush/> [Accessed 18/09/20].

Renold, EJ., Ashton, M. R., and McGeeney, E. Forthcoming. What if? Becoming responsible with the making and mattering of new relationships and sexuality education curriculum. Accepted to Professional Development in Education.

Unicef. N.d. A summary of the UN convention on the rights of the child. [Online] Available at: [https://downloads.unicef.org.uk/wp-content/uploads/2019/10/UNCRC_summary-1_1.pdf?_adal_sd=www.unicef.org.uk.1601378695522&_adal_ca=so%3DGoogle%26me%3Dorganic%26ca%3D\(not%2520set\)%26co%3D\(not%2520set\)%26ke%3D\(not%2520set\).1601378695522&_adal_cw=1601298287106.1601378695522&_adal_id=7e65684f-0eee-4286-9c62-e5f636a0d81f.1601298287.3.1601378654.1601298287.562e35f0-dc0a-4d95-809a-4c655e7b7d55.1601378695522&_ga=2.198035247.1608445643.1601298287-1501045222.1601298287](https://downloads.unicef.org.uk/wp-content/uploads/2019/10/UNCRC_summary-1_1.pdf?_adal_sd=www.unicef.org.uk.1601378695522&_adal_ca=so%3DGoogle%26me%3Dorganic%26ca%3D(not%2520set)%26co%3D(not%2520set)%26ke%3D(not%2520set).1601378695522&_adal_cw=1601298287106.1601378695522&_adal_id=7e65684f-0eee-4286-9c62-e5f636a0d81f.1601298287.3.1601378654.1601298287.562e35f0-dc0a-4d95-809a-4c655e7b7d55.1601378695522&_ga=2.198035247.1608445643.1601298287-1501045222.1601298287) [Accessed 29/09/20].

Welsh Government. 2015. Programme for Children and Young People. Comprehensive version – Core Aims 1 to 7. [Online] Available at: <https://gov.wales/sites/default/files/publications/2019-06/seven-core-aims-for-children-and-young-people.pdf> [Accessed 29/09/20].

Welsh Government. 2019. Relationships and Sexuality Education in schools. Guidance. [Online] Available at: <https://gov.wales/sites/default/files/consultations/2019-02/relationships-and-sexuality-education-in-schools-guidance.pdf> [Accessed 29/09/20].

Welsh Government 2020a. Written Statement: Ensuring Access to the Full Curriculum. Cabinet Statement. [Online] Available at: <https://gov.wales/written-statement-ensuring-access-full-curriculum> [Accessed 29/09/20].

Welsh Government. 2020b. Cross-cutting themes for designing your curriculum. Hwb. [Online] Available at: <https://hwb.gov.wales/curriculum-for-wales/designing-your-curriculum/cross-cutting-themes-for-designing-your-curriculum> [Accessed 18/09/20].

Welsh Government. 2020c. Children in Wales will have universal access to the full curriculum. Press Release. [Online] Available at: <https://gov.wales/children-wales-will-have-universal-access-full-curriculum> [Accessed 29/09/20].

