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Llywodraeth Cymru
Welsh Government

Jayne Bryant MS
Chair
Children, Young People and Education Committee
Senedd Cymru
Ty Hywel
Cardiff Bay
Cardiff
CF99 1NA

14 March 2022

Dear Jayne

Tertiary Education and Research (Wales) Bill

I would like to thank the Children, Young People and Education Committee for their scrutiny of the Tertiary Education and Research (Wales) Bill during Stage 1 and for the report which was published on 4 March 2022.

In the report there was a recommendation which sought further information ahead of the general principles debate, for the ease of the Committee I have set out my response to this recommendation below.

In recommendation 23, the Committee requested that I outline how the Welsh Government would manage any changes to the role and function of Estyn in relation to the Bill's provisions.

The roles and functions of Her Majesty's Chief Inspector of Education and Training in Wales (Estyn) are set out in primary legislation, as set out below, and I confirm there are no plans to further amend these roles and functions. Should that become necessary in the future Welsh Ministers would be expected to undertake public consultation and follow due process including the making of the relevant primary legislation.

The Education Act 2005 makes provision for Her Majesty to appoint a person to the office of Her Majesty's Chief Inspector of Education and Training in Wales ("the Chief Inspector"), by way of Order in Council. The Welsh Ministers are responsible for funding the Chief Inspector in accordance with section 104 of the Government of Wales Act 1998.

Under the Education Act 2005 the Chief Inspector has a duty to keep the Welsh Ministers informed about the quality of education in schools in Wales and may also advise on

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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.

matters connected with schools, or a particular school, in Wales. Similarly, under the Learning and Skills Act 2000 (the "2000 Act"), the Chief Inspector can advise the Welsh Ministers on matters relating to the quality of education or training that they fund for learners aged over 16.

The Bill, which amends the 2000 Act and the Education Act 2005, specifies that the Commission must provide such funding to the Chief Inspector as it considers appropriate for the exercise of the Chief Inspector's functions, so far as the functions relate to education or training that is funded or otherwise secured by the Commission. This approach ensures that the Commission is able to execute its statutory duties in relation to ensuring post 16 education and training is of a high quality and meet its overarching strategic duty to promote continuous improvement in the quality of tertiary education in Wales.

I will respond to the remaining recommendations at both the general principles debate and through a further letter which I intend to send to the Committee following that debate.

I hope this letter is helpful in providing further information to the Committee on these issue and I look forward to continuing to work with Members as the Bill progresses through the Senedd process.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Jeremy Miles', with a stylized flourish at the end.

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