



Cynulliad Cenedlaethol Cymru **The National Assembly for Wales**

Y Pwyllgor Plant a Phobl Ifanc **The Children and Young People Committee**

Dydd Iau, 13 Mehefin 2013
Thursday, 13 June 2013

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Cynnig o dan Reol Sefydlog Rhif 17.42 i Benderfynu Gwahardd y Cyhoedd o'r Cyfarfod
Motion under Standing Order No. 17.42 to Resolve to Exclude the Public from the Meeting

Cofnodir y trafodion hyn yn yr iaith y llefarwyd hwy ynddi yn y pwyllgor. Yn ogystal,
cynhwysir trawsgrifiad o'r cyfieithu ar y pryd.

These proceedings are reported in the language in which they were spoken in the committee.
In addition, a transcription of the simultaneous interpretation is included.

Aelodau'r pwyllgor yn bresennol
Committee members in attendance

Keith Davies	Llafur Labour
Suzy Davies	Ceidwadwyr Cymreig Welsh Conservatives
Rebecca Evans	Llafur Labour
Bethan Jenkins	Plaid Cymru The Party of Wales
Ann Jones	Llafur (Cadeirydd y Pwyllgor) Labour (Chair of the Committee)
Lynne Neagle	Llafur Labour
David Rees	Llafur Labour
Aled Roberts	Democratiaid Rhyddfrydol Cymru Welsh Liberal Democrats
Simon Thomas	Plaid Cymru The Party of Wales

Eraill yn bresennol
Others in attendance

Ben Arnold	Cynghorydd Polisi, Addysg Uwch Cymru Policy Adviser, Higher Education Wales
Yr Athro/Professor Medwin Hughes	Is-Ganghellor, Prifysgol Cymru y Drindod Dewi Sant Vice-Chancellor, University of Wales Trinity Saint David
Yr Athro/Professor April McMahon	Is-Ganghellor Prifysgol Aberystwyth Vice-Chancellor Aberystwyth University
Gareth Williams	Rheolwr Gyrfaoedd a Chymwysterau CITB Cymru/Wales CITB Cymru/Wales Careers and Qualifications Manager

Swyddogion Cynulliad Cenedlaethol Cymru yn bresennol
National Assembly for Wales officials in attendance

Steve Davies	Cynghorydd Cyfreithiol Legal Adviser
Steve George	Clerc Clerk
Olga Lewis	Dirprwy Glerc Deputy Clerk
Anne Thomas	Y Gwasanaeth Ymchwil Research Service

Dechreuodd y cyfarfod am 9.34 a.m.
The meeting began at 9.34 a.m.

**Cyflwyniad, Ymddiheuriadau a Dirprwyon
Introduction, Apologies and Substitutions**

[1] **Ann Jones:** Good morning, everybody. Welcome to the Children and Young People Committee. I will go through the usual housekeeping rules. Will you check that your mobile phone has been switched off? It interferes with the broadcasting and the translation equipment, which brings me on to the fact that we operate bilingually. Should you require translation facilities, they are available via the headset. Channel 1 is for translation from Welsh to English, and channel 0 provides the floor language, for amplification, should you need it. We are not expecting a fire alarm. If there is an alarm, we will take our instructions from the ushers, who will guide us to the safe assembly points.

[2] We have had apologies for absence from Angela Burns this morning, and I do not believe that there is a substitution, so we will note those apologies. Do any Members need to declare any interests that they have not already declared? I see not.

9.35 a.m.

**Y Bil Addysg Bellach ac Uwch (Llywodraethu a Gwybodaeth) (Cymru): Cyfnod
1—Sesiwn Dystiolaeth 6
Further and Higher Education (Governance and Information) (Wales) Bill:
Stage 1—Evidence Session 6**

[3] **Ann Jones:** We move on to continue our evidence gathering on the Further and Higher Education (Governance and Information) (Wales) Bill, which is still at Stage 1. It feels as if it should be at stage 5 by now, but never mind. It is a pleasure to welcome Gareth Williams from CITB Cymru/Wales, where he is the careers and qualifications manager. Thank you for coming, and for your paper, which we have received, and which Members will have noted. We have a set of questions, and if it is okay with you, we will go straight into those. We have quite a few questions to ask. David, you are taking the first set.

[4] **David Rees:** Good morning, and thank you for your paper that represents the views Constructions Skills Wales. Do you support the general principles of the Bill, particularly in relation to creating more autonomous colleges in the FE sector?

[5] **Mr Williams:** As the paper states, time will tell with that one. There are potential benefits in terms of flexibility, but there is also the danger that provision will become too localised, and that we will have to balance the localised agenda with the overall needs of the industry. As I say, it is a UK and international industry, and we have to make sure that we get the bigger picture as well as the local picture.

[6] **David Rees:** From that I take it that you do not have a view either way. I think the paper says it could be negative or positive. Do you just have some concerns?

[7] **Mr Williams:** There will be positive aspects to it. There will be the opportunity to make decisions quickly where there are local projects. For example, whatever happens with the project at Wylfa, decisions could be made rapidly to make sure that we get the skills for that project. On the A465, there will be more flexibility and autonomy for people to make quick decisions. The other side of it, when you look at the overall picture for Wales, is to make sure that we do not have the same provision everywhere—that is, who actually provides the very specialist, niche provision? There will be some elements of provision that would be uneconomic to run, but extremely important economically for the development of Wales's infrastructure. However, where do those come in? So, there is a balance. There is a positive side to it in increased flexibility and quick decisions. The other side of it is this: who looks

after the bigger picture?

[8] **David Rees:** Do you not think that there is the ability to respond quickly now? ColegauCymru seemed to give us an indication that it could respond quickly now.

[9] **Mr Williams:** There are elements of good practice, certainly, from the construction point of view. Obviously I am focusing specifically on construction and the built environment, so I cannot speak about flexibility in other areas. There are elements of good practice, but FE provision generally for the sector—I will start with FE and then move on to higher education—is still quite traditional. It is very slow to change. So, in answer to your question about whether quick decisions are made, they still have the same biblical trades, as we call them—bricklaying and carpentry—running through most of the colleges in Wales. That would suggest to me that that is all the industry does and all the industry needs—or we are not looking broadly enough and making these quick decisions.

[10] **David Rees:** Is that more of a curriculum issue than decision making on being able to deliver for a particular project?

[11] **Mr Williams:** Very possibly.

[12] **David Rees:** Your paper also highlighted that the control of finances could be positive or negative. What is your view on the risk aspect of the borrowing powers that this could give to colleges?

[13] **Mr Williams:** I am not the expert to ask on that one. I suppose that they are generally well managed. There is a variance, obviously, between the colleges in Wales, so some will be at a higher risk and some will be at a lower risk. I have seen the books for some colleges and they are run extremely well, and do excellent work—others not so much. There is a wide variance, even with the amalgamated colleges. There is currently no one set answer for what you have across Wales. Some will be safe and do very well, and others, looking at their track records, might not do as well.

[14] **Ann Jones:** Keith, do you want to explore the next couple of points?

[15] **Keith Davies:** Bore da. Yn dy bapur, rwy'ti'n sôn y dylem gael pobl o'r byd busnes ar y byrddau rheoli newydd a fydd yn llywodraethu'r colegau. Rwy'ti'n dweud, wrth gwrs, y dylent ddod o'r sector adeiladu. Beth yw'r sefyllfa bresennol yn y colegau yng Nghymru?

Keith Davies: Good morning. In your paper, you mention that we should have people from the business world on the new governance boards that will be governing the colleges. You say, of course, that they should come from the construction sector. What is the current situation in colleges in Wales?

[16] **Mr Williams:** Mae pobl o ddiwydiant yno. Y peth pwysig yw cael y bobl iawn yno. Mae'n fater o gydbwysedd rhwng gwneud penderfyniadau'n lleol a'r awydd i gefnogi'r coleg neu'r sefydliad lleol, a gwybod beth yw'r sefyllfa o ran y sgiliau sydd eu hangen yn genedlaethol yn y Deyrnas Unedig. Ni fyddant wedyn yn rhoi barn bersonol ar hynny, ond fe fyddant yn holi 'Pwy sy'n hyfforddi a datblygu'r bobl hynny?', er mwyn cael y darlun ehangach ynghylch nid yn unig beth fydd ei angen arnynt, ond beth fydd ei angen yn yr 20

Mr Williams: There are people from industry there. It is a matter of having a balance between making decisions locally and the eagerness to support the local college or institution, and knowing what the situation is in terms of the skills needs nationally in the United Kingdom. They would not then give their personal opinion, but they would ask 'Who is training and developing those people?' in order to get the wider picture about not only what they currently need, but what will be required in the next 20 years—not what they have needed for the past 20

mlynedd nesaf—nid beth roedd ei angen arnynt am yr 20 mlynedd diwethaf. Bydd y rheini yn bobl reit arbenigol. Maent yn bodoli ar fyrddau colegau yn awr, ond nid ydynt yn niferus. Fy ffocws i yw adeiladu, ond a ydych yn mynd i gael un person o bob sector ar fwrdd llywodraethu colegau a phrifysgolion—byddai y rheini'n fyrddau mawr iawn wedyn—neu a ydych yn trosglwyddo'r penderfyniadau am adeiladu i rywun sy'n edrych ar ofal, er enghraifft? Felly, sut ydym yn mynd i gael hyn i weithio'n effeithiol? Sut ydym yn mynd i gael y bobl iawn i wneud hyn ac i ddatblygu dealltwriaeth y bobl hynny fel eu bod yn gallu cynnig arweiniad clir?

[17] **Keith Davies:** Felly, y sefyllfa bresennol yw dy fod yn credu bod gan bob coleg gyflogwyr ar eu bwrdd?

[18] **Mr Williams:** Mae gan golegau addysg bellach gysylltiadau da iawn efo cyflogwyr, ar y cyfan. Mae'n amrywio, ond mae'n amrywio o arbennig o dda i dda. Mae'n rhan o'u busnes craidd i gysylltu efo busnesau lleol.

[19] **Keith Davies:** Y peth arall yn dy bapur, fel roeddwn yn sôn yn gynharach, yw'r angen i sicrhau bod rhywun o'r sector adeiladu ar bob corff. Beth am gyflogwyr eraill? Faint o gyflogwyr wyt ti'n credu ddylai fod ar y byrddau hyn?

[20] **Mr Williams:** Mae hynny'n gwestiwn anodd. Bydd pob sector yn dweud mai nhw yw'r pwysicaf, mae'n debyg, fel rydym ni yn ei wneud. Rwy'n sicr yn teimlo ein bod yn wahanol, ond rydym yn dweud hynny bob tro. Gallwch ystyried clystyru peirianeg ac adeiladu. Nid wyf yn gwybod faint o gyfatebiaeth sydd rhwng Airbus UK ac adeiladu yn y gogledd-ddwyrain ac o ran y gwaith olew yn y de-orllewin. Nid wyf yn gwybod yn union sut rydych yn mynd i wneud hyn pan fydd angen gwneud y penderfyniadau. Nid yw cyrsiau adeiladu yn rhad nag yn hawdd i'w cynnal ac os yw cyllidebau'n dynn bydd cyrsiau eraill yn fwy atyniadol pan fyddwch yn gwneud penderfyniadau anodd ynglŷn â cholegau, os daw i hynny. Felly, hoffwn wybod fod rhywun yno sy'n medru dadlau o blaid ein diwydiant pan fydd penderfyniadau anodd yn

years. Those people will be quite specialised. They exist on college boards at the moment, but they are few and far between. My focus is on construction, but are you going to get one person from each sector on the governing boards of colleges and universities—which would make them very large boards—or are you going to transfer the decisions on construction to someone who looks at care, for example? So, how are we going to get this to work effectively? How are we going to get the right people to do it and to develop the understanding of those people so that they can offer clear leadership?

Keith Davies: So, the current situation is that you believe that every college has employers on their boards?

Mr Williams: Further education colleges have very good relations with employers, on the whole. It varies, but it varies from very good to good. It is part of their core business to liaise with local businesses.

Keith Davies: The other thing in your paper, as I mentioned earlier, is the need to ensure that someone from the construction sector sits on every body. What about other employers? How many other employers do you think should be on these boards?

Mr Williams: That is a difficult question. I suppose that very sector will probably say that they are the most important, as we do. I certainly feel that we are different, but we always say that. You could consider having engineering and construction in a cluster. I do not know how much correlation there is between Airbus UK and construction in the north-east, and the oil works in the south-west. I do not know how exactly you are going to do it when the decisions need to be made. Construction courses are not cheap or easy to run and if budgets are tight, other courses will be more attractive when you are making difficult decisions about colleges, if it comes to that. So, I would like to know that someone will be there who can argue the case for our industry when difficult decisions are being made about which courses have to go—this happens; that is the reality—because

cael eu gwneud ynghylch pa gyrsiau fydd yn gorfod mynd—mae hyn yn digwydd; dyna yw'r realiti—oherwydd os nad oes neb yno o'n sector ni, ni fydd neb yno i ddadlau ein hachos. Yn ôl y sôn, mae tueddiad mewn addysg uwch, yn fwy nag mewn addysg bellach, ar draws y Deyrnas Unedig ar hyn o bryd i leihau nifer y cyrsiau adeiladu oherwydd eu bod yn ddrud.

[21] **Keith Davies:** Y broblem arall rwy'n ei gweld yw bod y colegau yn mynd yn fwy ac felly mae'r cyrsiau a gynigir ganddynt yn cynyddu. Felly, bydd mwy o gyflogwyr â diddordeb i fynd ar y byrddau.

[22] **Mr Williams:** Mae angen cydbwysedd. Byddai angen neuadd cyngor sir arnoch i gael y cyflogwyr i gyd ar y bwrdd—byddai'n anferth o fwrdd na fyddai fyth yn gwneud penderfyniad. Mae'n rhaid i'r cydbwysedd fod yn bositif fel bod penderfyniadau yn medru cael eu gwneud gan bobl leol, ond mae perygl i hynny ddatblygu'n anymarferol. Nid wyf yn gwybod yr ateb i hynny, ond o ran ein sector ni, y perygl yw y byddai penderfyniadau yn cael eu gwneud i gwtogi neu i beidio â chynnal cwrs, fel sydd yn digwydd, ac felly bod bwll yn cael ei greu.

[23] **Keith Davies:** A fyddai'n syniad cael is-baneli o'r corff llywodraethu fel y gallai cyflogwyr fod yn bresennol?

[24] **Mr Williams:** Mae hynny'n fwy ymarferol. Mae is-baneli yn bodoli ar hyn o bryd. Mae paneli cyflogwyr wedi bodoli ers blynnyddoedd. Mae'n bwysig iawn eich bod yn cael y bobl iawn arnynt, ac nad ydynt yn mynd yno'n unig oherwydd bod ganddynt deimlad eu bod eisiau cefnogi'r sefydliad, ond eu bod yn dod yno i ddweud, 'Na, nid dyna rydym ei eisiau—mae'r diwydiant angen hyn a'r llall'. Felly, maent yn gorfod bod yn wybodus hefyd yn ogystal â bod yn gefnogol i'w sefydliad.

[25] **David Rees:** You have highlighted the problem that having representatives from every sector is going to be too much, to be honest. It is probably right that there are business representatives on the board who understand the operation of an organisation or business, but they must be open to discussions and opportunities for sectors like yours to be represented on the boards. Is that the best way forward? As you say, you have come forward and said, 'I'm representing the construction sector'. We could have people from other sectors coming forward saying, 'I represent this sector', and the situation would be nigh on impossible.

if there is no-one there from our sector, then no-one is going to argue our case. There is currently a tendency, from what I have heard, in higher education, more than in further education, throughout the United Kingdom to reduce the number of construction courses because they are expensive.

Keith Davies: The other problem that I see is that colleges are getting larger and the number of courses that they are offering is increasing. So, more employers will have an interest in getting on the boards.

Mr Williams: There needs to be a balance. You would need a county hall to get all the employers on the board—it would be a massive board and no decisions would ever be made. The balance must be positive so that decisions can be made by local people, but there is a risk that it will become impractical. I do not know the answer to that, but in terms of our sector, the risk is that decisions would be made to reduce or even not run a course, which does happen, and which would create a gap.

Keith Davies: Would it be an idea to have sub-panels of the governing body so that employers could be present?

Mr Williams: That is more practical. Sub-panels exist at the moment. Employer panels have existed for years. It is very important that you get the right people to sit on them, and that they do not go there because they have a feeling that they want to support the institution, but that they go there to say, 'No, that is not what we want—the industry needs this and that'. So, they have to be knowledgeable as well as being supportive of their institution.

9.45 a.m.

[26] **Mr Williams:** I agree with you. It would be impractical to have everybody around the table in agreement, but a mechanism needs to be set up. It is important to have business representation, which could be from any sector. If you have business representation, I suppose that it gives different points of view on some of the decisions that have to be made. With any business or sector, if the correct person is there, I would say that it is going to be beneficial. In addition to that, you have to have sector input, so that the decisions that are made, curriculum-wise and provision-wise, are the right ones.

[27] **Aled Roberts:** Rydym wedi cael tystiolaeth gan yr undebau yn benodol am eu pryderon bod colegau'n mynd i greu is-gwmnïau. Clywsom fod tystiolaeth o Loegr bod creu'r is-gwmnïau hyn yn fodd i'r colegau symud arian neu i gadw'r elw o fewn yr is-gwmnïau, a bod hynny'n amharu ar y cwricwlwm o fewn y colegau. A oes gennych unrhyw farn, neu unrhyw bryderon, am hynny?

Aled Roberts: We have heard evidence from the unions in particular about their concerns that colleges are going to create subsidiaries. We heard that there is evidence from England that creating these subsidiaries is a means for colleges to move money around or to keep profits within the subsidiaries, and that that can affect the curriculum within the colleges. Do you have any opinions or concerns about that?

[28] **Mr Williams:** Mae gennym bryderon, o bosibl. Roeddwn yn ddigon ffodus i weithio i'r cyngor hyfforddiant a menter flynyddoedd maith yn ôl. Rwy'n meddwl bod enghreifftiau wedi codi bryd hynny y gallai hyn fod yn broblem; ni fyddwn yn hoffi ein gweld yn mynd i lawr yr un ffordd. Mae angen bod yn hollol dryloyw a dangos i le y mae'r arian yn mynd. Rwy'n gobeithio fod yr arian i gyd sy'n mynd i mewn i'r sectorau yna yn mynd i gael ei wario yn y colegau ar ddarpariaeth.

Mr Williams: We do possibly have concerns. I was fortunate enough to work for the training and enterprise council many years ago. I think that examples came up at that time that this could be a problem; I would not like us to go down the same route. We need to be completely transparent and show where the money goes. I would hope that all of the money that goes into those sectors will be spent on provision in the colleges.

[29] **Bethan Jenkins:** A oes corff tebyg i'ch un chi yn bodoli yn Lloegr, yn yr Alban neu yng Ngogledd Iwerddon sydd wedi bod yn rhan o'r fath is-gwmnïau mewn colegau sydd wedi eu preifateiddio, neu wedi gweithio mwy gyda'r sector preifat, er mwyn i ni ddeall, fel pwyllgor, beth allai ddigwydd pe byddai'r fath beth yn digwydd yma?

Bethan Jenkins: Is there a body similar to yours in England, Scotland or Northern Ireland that have been part of these subsidiaries in colleges that have been privatised, or that have had greater collaboration with the private sector, so that we, as a committee, can understand what could happen if such a thing were to happen here?

[30] **Mr Williams:** Rydym yn gorff cenedlaethol, felly mae gennym bobl sy'n gweithio yn yr Alban ac yn Lloegr. O ran y cwestiwn a ydym wedi bod yn rhan o'r pwyllgorau yr oeddech yn sôn amdanynt yng nghyd-destun preifateiddio, nid wyf yn siŵr o hynny; byddai'n rhaid i mi holi eraill er mwyn cael gwybod yr ateb. Un peth yr ydym wedi sefydlu'n ddiweddar—nid wyf yn dweud fod hyn yn bositif neu'n negyddol—

Mr Williams: We are a national body, so we have people working in Scotland and England. On the question of whether we have been involved in the committees that you talked about in the context of privatisation, the answer is that I am not sure; I would have to ask others to find that out. One thing that we have set up recently—I am not saying that it is positive or negative—is the UTC, to use the English term, the University Technical

yw'r UTC, i ddefnyddio'r term Saesneg, sef yr University Technical Colleges. Rydym wedi rhoi arian i mewn i'r rheini. Maent yn sefydliadau hyd braich preifat sydd wedi cael eu sefydlu. Nid ydynt wedi cychwyn eto. Mae'n bosibl y byddant, mewn amser, yn llwyddo neu'n cael problemau. Dyna'r unig beth yr wyf yn ymwybodol yr ydym wedi bod yn rhan ohono sy'n ffitio i'r model yr ydych yn ei ddisgrifio yn awr. Mae yna dueddiad, fel yr ydych yn ei ddweud, i symud tuag at hynny drwy'r UTC.

[31] **Bethan Jenkins:** Rydym wedi siarad am gynrychiolaeth busnes ar y paneli neu o fewn fframwaith y colegau. Pa effaith benodol fydd colegau addysg bellach mwy annibynnol yn cael ar ddarparu hyfforddiant i gyflogwyr?

[32] **Mr Williams:** Byddwn yn gobeithio eu bod yn cynnal yr arfer da sydd ganddynt ar hyn o bryd. Byddem yn gobeithio gweld mwy o amrywiaeth yn y ddarpariaeth a bod llais cyflogwyr o'n sector ni yn newid ychydig ar y ddarpariaeth draddodiadol sydd gennym ar hyn o bryd. Nid yw'r sefyllfa bresennol yn gwasanaethu'r diwydiant yn ddigonol; nid wyf yn siŵr os yw'n gwasanaethu'r dysgwyr yn ddigonol, oherwydd ein bod yn gor-gynhyrchu sgiliau mewn rhai swyddi ac nid ydym yn cynhyrchu'r pethau eraill sydd eu hangen arnom. Rhaid i ni fewnforio'r sgiliau hynny wedyn, ac rydym yn colli cyfleoedd cyflogaeth o achos hynny.

[33] **Bethan Jenkins:** Yr hyn rwy'n ceisio'i ofyn yw beth fyddai'n newid, o ran y strwythur, pe byddai'r Bil hwn yn mynd trwyddo. A fydd gwahaniaeth mawr yn yr hyn sy'n digwydd?

[34] **Mr Williams:** Amser a ddengys. Rwy'n meddwl y bydd y sefyllfa yn amrywiol iawn o fewn y colegau. Mae colegau'n mynd i ddatblygu eu cymeriadau eu hunain. Nid wyf yn meddwl y bydd gennych un model ar draws y colegau annibynnol i gyd. Mae ganddynt gymeriadau cryf iawn eu hunain ar hyn o bryd, felly buaswn yn cymryd mai dyna fydd yn digwydd yn sgîl y newidiadau hyn hefyd. Mae'r cryfderau yn mynd i barhau, fel mae'r gwendidau presennol yn mynd i barhau, ond

Colleges. We have put funding into those. They are arm's-length private institutions that have been set up. They are not yet up and running. In time, it is possible that they will succeed or face problems. As far as I am aware, that is the only thing in which we have been involved that fits in with the model that you are describing. There is a tendency, as you say, to move toward that through the UTC.

Bethan Jenkins: We have talked about business representation on the panels or within the framework of colleges. What specific effect will more autonomous further education colleges have on providing training for employers?

Mr Williams: I would hope that they would sustain the good practice that they have at the moment. I would hope to see more variety in the provision and that the voice of employers from our sector changes a little the traditional provision that we currently have. The current situation does not serve the industry adequately; I do not know whether it provides an adequate service to learners, because we are overproducing skills in some occupations and we are not producing the other things that we require. We then need to import skills, and we are losing employment opportunities as a result.

Bethan Jenkins: What I am trying to ask is what would change, in terms of the structure, if this Bill were to be passed. Will there be a great deal of difference in what happens?

Mr Williams: Time will tell. I think that the situation is going to be very varied within the colleges. Colleges are going to develop their own characters. I do not think that you will have one model across all of the autonomous colleges. They have strong characters of their own at present, so I would assume that that is what would happen as a result of these changes as well. The strengths will continue, as will the current weaknesses, but they will be structured in a different way. We are concerned therefore that change is quite a

byddant yn cael eu strwythuro mewn ffordd wahanol. Rydym yn pryderu felly; mae newid yn rhywbeth reit anodd ei gyflawni, ac rydych yn gweld, hyd yn oed ar ôl ailstrwythuro ac ailstrwythuro, fod yr un problemau a'r un cryfderau yn dal i fodoli.

[35] **Bethan Jenkins:** Yn ail, mae'r Bil yn dileu'r ddyletswydd ar golegau addysg bellach i ymgynghori gyda chyflogwyr. A oes gennych chi farn am hynny?

[36] **Mr Williams:** Buasai pryder gennym yn bendant o ran dileu'r angen. Fel rwy'n dweud, mae darparu rhai pethau traddodiadol yn haws nag edrych ymlaen at beth fydd y byd a phobl ifanc ei angen ar gyfer cyflogaeth. Bydd rhai yn yn ddigon agored i wneud hynny, ac yn ddigon blaengar. Y perygl yw disgyn yn ôl i'r trap o ymdeimlo eich bod yn darparu. Efallai y daw hyn fel cwestiwn yn nes ymlaen, ond un o'r mesuriadau llwyddiant o'n hochr ni yw cyflogaeth a dilyniant i gyflogaeth. Felly, mae'r ddarpariaeth yno, ond maent yn gwneud penderfyniadau heb ymgynghori gyda'r cyflogwyr ynglŷn â'r ddarpariaeth. Fodd bynnag, ar ddiwedd y gân, bydd angen i'r rhan fwyaf o bobl ifanc mewn addysg uwch a phellach edrych am swydd ac am waith. Beth yw'r dilyniant i'r swyddi hynny? Os yw hynny'n wan, byddai dileu'r ymgynghoriad yn gamgymeriad.

[37] **Simon Thomas:** Hoffwn ofyn am ychydig yn rhagor o wybodaeth ynglŷn â beth rydych newydd ei ddweud. Roeddem yn trafod prentisiaethau yn y Cyfarfod Llawn ddoe, ac wrth drafod, roeddwn yn cael neges drwy Drydar—diolch i'r drefn bod pobl yn gallu cysylltu—yn dweud nad oes eisiau mwy o brentisiaethau yng Nghymru achos bod digonedd ar gael yn y sectorau hyn. Y sector yr oedd y sôn amdano oedd y sector adeiladu—bod gormod o blymwyr a gormod o drydanwyr. Nid wyf yn gwybod os yw hynny'n wir, ond rydych newydd ddweud bod gormodedd mewn rhai mannau a phrinder mewn mannau eraill. Felly, mae anghydbwysedd o bosib yn y fan honno.

[38] Hoffwn ddeall ychydig yn rhagor ynglŷn â sut, ar hyn o bryd, rydych yn ymwneud â cheisio gwella'r sefyllfa fel bod y cydbwysedd yn well. Hefyd, pe bai'r Bil yn

difficult thing to achieve, and you see that, even after restructuring and restructuring, the same weaknesses and strengths still exist.

Bethan Jenkins: Secondly, the Bill removes the duty on further education institutions to consult with employers. Do you have a view on that?

Mr Williams: We would definitely be concerned about removing the duty. As I say, providing some traditional things is easier than looking ahead to what the world and young people will need in terms of employment. Some will be open to doing that and some will be sufficiently forward-thinking. The danger is falling into the trap that you feel that you are providing. This may come as a question later on, but one of the measures of success from our side is employment and a progression to employment. Therefore, the provision is correct, but they are making decisions without consulting with employers on that provision. However, at the end of the day, most young people in higher and further education will need to look for work and employment. What is the progression to those jobs? If that is weak, removing the duty to consult would be a mistake.

Simon Thomas: I would like to ask for a little more information on what you have just said. We discussed apprenticeships in Plenary yesterday and, as the discussion was progressing, I was getting a message through Twitter—thank goodness that people can communicate—that more apprenticeships in Wales are not needed because there are plenty in these sectors. The sector being talked about was construction—with too many plumbers and electricians. I do not know whether that is true, but you have just said that there are too many in some areas and not enough in others. So, there is an imbalance there potentially.

I would like to understand a little bit more about how you are currently involved in trying to improve the situation, so that there is that better balance. In addition, if this Bill

cael ei basio, sut fyddech chi'n gallu sicrhau'r cydbwysedd hwn, pan, fel mae Bethan newydd ddweud, fydd y ddyletswydd i ymgynghori â chyflogwyr wedi ei dynnu ymaith. Efallai fydd colegau yn parhau i wneud hynny fel arfer da, ond ni fydd dyletswydd arnynt i wneud. A allwch chi esbonio wrthym sut rydych chi fel cyngor sgiliau yn trafod hyn yn awr, a sut fyddwch chi'n disgwyl parhau i wneud hyn ar ôl pasio'r Bil hwn?

[39] **Mr Williams:** Rwy'n synnu at y sylw bod gormod o brentisiaeth. Mae'r ffigurau yn cytuno â mi fod gormod o ddarpariaeth, ond darpariaeth hyfforddiant llawn amser yw hynny, yn hytrach na phrentisiaethau. O ran, prentisiaethau, rwy'n meddwl mai pobl wedi'u cyflogi ydynt. Efallai fod pobl yn cymysgu prentisiaethau gyda hyfforddiant nad ydyw mewn swydd. Mae hynny'n bosibilrwydd.

[40] Rwy'n meddwl mai trydanwyr a phlymwyd yw'r rhan fwyaf sy'n cael eu cynhyrchu. Nid wyf yn gwybod os gwnaeth yr *hype*, os mai dyna'r gair cywir, a ddigwyddodd yn ystod y degawd diwethaf—

[41] **Simon Thomas:** Pan oedd prinder sylweddol yn y maes.

[42] **Mr Williams:** Pan oedd prinder a phan oedd pobl yn tyrru tuag at y swyddi hyn; mae'n bosibl bod hynny wedi gorboethi. Rwy'n falch o ddweud nad ydym ni'n gyfrifol am y swyddi hynny, felly ni chymeraf y bai am hynny; rwy'n siŵr y cawn ni'r bai am bethau eraill. [*Chwerthin.*]

[43] Sut ydym yn sicrhau'r ddarpariaeth? O'n rhan ni, rydym hefyd yn ddarparwr hyfforddiant. Mae pob un o'n pobl ifanc ni a'n pobl hŷn, o ran prentisiaeth, yn gyflogedig o'r diwrnod cyntaf. Roeddem mewn sefyllfa am gyfnod—ac mae'n dal i fodoli—lle roeddem yn dal i weld cynnydd. O ran nifer o'r prosiectau lle mae angen cymdeithasol i gymryd prentisiaethau ymlaen, mae'r galw yn dal i gynyddu o'n hochr ni, ac mae'r rhain yn gyflogedig. Rydym yn gwneud yn siŵr ein bod yn gweithio ar lefel prentisiaethau rhanedig, ac mae nifer o brosiectau yn dod ymlaen nawr. Mae hwnnw yn brosiect llwyddiannus,

were to be passed, how could you secure that balance, given that the duty, as Bethan has just said, to consult with employers would have been removed? Colleges may still do that as good practice, but there would not be a duty on them to do so. Can you explain to us how you as a sector skills council are discussing this now, and how would you expect to continue doing this after the Bill is passed?

Mr Williams: I am surprised at the comment that there is too much apprenticeship. The figures agree with me that there is too much provision, but that is the provision of full-time training rather than apprenticeships. In terms of apprenticeships, I believe that they are people who are employed. Perhaps people are confusing apprenticeships with training that is not in employment. That is a possibility.

I think that electricians and plumbers are the ones that are mostly produced. I do not know whether the hype, if that is the right word, that occurred during the last decade—

Simon Thomas: When there was a shortage in that area.

Mr Williams: When there was a shortage and when people flocked towards these jobs; it is very possible that that overheated the matter. I am pleased to say that we are not responsible for those occupations, so I will not take the blame for that; I am sure we are blamed for other things. [*Laughter.*]

How would we ensure the provision? From our point of view, we are also a provider of training. All of our young people and older people, who are on apprenticeships, are employed from the outset. We were in a situation for a period of time—and it still exists—where we were still seeing an increase. In terms of a number of projects where there is a social need to take on apprenticeships, the demand is still increasing from our point of view, and these are employed. We ensure that we are working on the shared apprenticeship level, and many projects are coming forward now. It is a successful project because it gives more

oherwydd mae'n rhoi mwy o sicrwydd i'r hyfforddai ac mae'n lleihau'r baich ar y cyflogwr i ddarparu'r gwaith a'r dystiolaeth, ac mae llawer iawn o gefnogaeth yn hynny. Dyna'r ochr bositif yn ein sector ni.

security to the trainee and it reduces the burden on the employer to provide the work and the evidence, and there is a great deal of support included in that. That is the positive side of our sector.

[44] Y cwestiwn wedyn oedd beth fyddai'n digwydd heb yr ymgynghori. Rydym yn edrych i'r dyfodol nawr o ran pe na bai ymgynghoriad. Y trap posib iawn yw cynyddu'r orddarpariaeth. Rwy wedi gweld y *learning area plan* ac wedi cyfrannu at hwnnw. Yr unig sylw oedd gen i pan welais y cynllun ar gyfer adeiladwaith oedd ei fod yn draddodiadol iawn ac nad yw'n uchelgeisiol iawn. Efallai ei fod wedi newid bellach. Roedd hynny wyth neu naw mis yn ôl, ond i mi roedd yn fwy o'r hen bethau, ac nid yw hynny'n mynd i'n harwain i gyflogaeth ar y lefel y buasem yn ei gobeithio.

The second question was what would happen if the consultation did not happen. We are looking to the future now if there was no consultation. The very possible trap is to increase overprovision. I have seen the learning area plan and contributed to that. The only comment I had when I saw the plan for construction is that it is very traditional and not very ambitious. Perhaps it has changed by now. That was about eight or nine months ago, but to me it was a case of more of the same, and that will not lead us to employment on the level that we would hope to see.

[45] A gaf i esbonio'r hyn rydym yn ei wneud a'r hyn sydd angen ei wneud? Gan edrych ar y sector sgiliau gwyrdd, gwelwn ei fod yn cynyddu'n araf, ond prin yw'r darparwyr ar draws Cymru sy'n medru cynnal cwrs, oherwydd mae'r niferoedd yn fach. A yw'n economaidd? Nac ydyw. Pe bawn i'n goleg, a fyddwn yn penderfynu ei gynnal? Na fyddwn. A fydd yn arwain at swyddi a busnesau newydd? Bydd. Felly, bydd y busnesau a'r swyddi newydd a ddaw yn dibynnu ar ardaloedd mwy poblog eraill, yn Lloegr o bosibl, sy'n gallu cynnal cwrs. Felly, byddwn yn mewnfurio pobl dros yr A55 a'r M4 i swyddi newydd arbenigol ac yn dal i gynhyrchu gormod o bobl sy'n gallu gwneud swyddi traddodiadol, nad yw'n mynd i arwain at gyflogaeth. Mae hynny'n baradocs anodd ond pwysig.

May I explain what we are doing and what needs to be done? Looking at the green skills sector, we see that it is slowly increasing, but the providers that can put on a course are few and far between across Wales, because the numbers are low. Is it economical? No, it is not. If I were a college, would I decide to run it? No, I would not. Will it lead to new jobs and businesses? Yes. So, the new businesses and jobs that will come will depend on more populous areas, possibly in England, which can offer courses. So, we will import people across the A55 and the M4 into new specialised jobs, while continuing to produce too many people who can do traditional jobs, which will not lead to employment. That is a difficult but important paradox.

[46] **Simon Thomas:** Mae hwnnw'n baradocs sydd yn bodoli eisoes. Os nad oes dyletswydd i ymgynghori—

Simon Thomas: That is a paradox that already exists. If there is no duty to consult—

[47] **Mr Williams:** Bydd potensial iddo fod yn waeth.

Mr Williams: It could be worse, potentially.

[48] **Simon Thomas:** Mae posibiliad y bydd yn waeth.

Simon Thomas: There is a possibility that it will be worse.

[49] **Mr Williams:** Nid ydym yn gwybod hynny.

Mr Williams: We do not know that.

[50] **Simon Thomas:** O ran ei roi ar

Simon Thomas: In terms of putting it on the

wyneb y Bil ai peidio, o ran arfer ar lawr gwlad, ni fuasech eisiau colli'r cyswllt sydd gennych eisoes gyda'r colegau ac ati.

face of the Bill or not, in terms of what happens at a grass-roots level, you would not want to lose the link that you have already with the colleges and so on.

[51] **Mr Williams:** Na. Ni fedraf weld pam fyddai'r colegau eisiau colli'r cyswllt hwnnw, oherwydd maent yn cael eu cyfoethogi ganddo. Mae eu perthynas efo cyflogwyr yn arwain at brentisiaethau, lleoliadau a swyddi, felly nid wyf yn meddwl y buasai'r rhan fwyaf o'r rhai call a blaengar eisiau colli'r cysylltiad da sydd ganddynt ar hyn o bryd. Ni fyddwn yn dychmygu y byddai Glannau Dyfrdwy ddim eisiau siarad efo Airbus byth eto. Mae'r Bil yn dweud na fyddant yn gorfod gwneud, ond byddant yn gwneud.

Mr Williams: No. I cannot see why the colleges would want to lose that link, because they are enriched by it. Their relationship with employers leads to apprenticeships, placements and jobs, so I do not think that most of the sensible and forward-thinking ones would want to lose the strong links that they currently have. I cannot imagine that Deeside would never want to speak to Airbus again. The Bill may say that they do not have to do so, but they will do it.

[52] **Simon Thomas:** Pe bai pawb yn gall, ni fyddai angen deddfau o gwbl, wrth gwrs. [*Chwerthin.*]

Simon Thomas: If everyone was sensible, we would need no legislation at all, of course. [*Laughter.*]

[53] **Ann Jones:** We will move on from that point. Rebecca, do you want to take the next couple of points?

[54] **Rebecca Evans:** Are you concerned in any way that giving FE colleges more autonomy might lead them to prioritise things such as creating profits rather than the needs of learners?

[55] **Mr Williams:** I refer you to my previous answer on this issue. If the profits were reinvested, that could be a positive thing, because, as I explained, some of the useful economic courses would be uneconomic to run in a college, so if a college makes a profit and reinvest that profit in uneconomic but economically useful niche courses, that would be a positive thing. I would be concerned if they did not use it or reinvest it, as I cannot imagine what they could do with it. However, I would not be concerned if they reinvested it and did so in something that is needed.

[56] **Rebecca Evans:** So, it is about creating a balance by using the profit for the needs of learners.

[57] **Mr Williams:** Again, I cannot imagine how they would spend the profit otherwise. They are not going to tell me about it, but I cannot imagine what they would do with the profit other than reinvest in the college and courses.

[58] **Rebecca Evans:** Some of the concerns that we have heard were about the profits not being reinvested and just accruing in the bank, rather than being spent on—

[59] **Mr Williams:** Was that indefinitely?

[60] **Rebecca Evans:** Seemingly.

[61] **Mr Williams:** If they did that, a positive side would be the ability to create a profit and reinvest the interest and cut costs. That would be a positive thing. However, again, at some point, the interest or the profits should be reinvested, so that every penny that goes in

from the public purse is reinvested in training and courses.

[62] **Rebecca Evans:** You spoke, in answer to the first question, about the danger that decision making may become too localised. Do you have any concerns that, as a result of that, some courses or some kinds of skills training may not become available?

[63] **Mr Williams:** That happens now. We are unable to put forward a number of specialised courses. We have campaigned for a number of years about a national construction college in Wales that would pick up, through the Construction Industry Training Board funding, some of the courses that are uneconomic or impractical to run. The construction college could run courses with cranes and diggers, which you cannot do in an FE college, usually, because the space is not there and it is not worth the investment for a few people coming through. So, the situation is that the range of courses available is currently limited and, in the learning area plans that I have seen, they are still limited, so we will continue with where we are now, while the industry is moving on. Although there will be less need for certain trades like bricklaying, we are still producing bricklayers at the rate we were decades ago, even though we know that we do not need as many. We need some, but not as many as we are producing. So, why are we doing that?

10.00 a.m.

[64] **Aled Roberts:** Ni wn os ydych wedi cael cyfle i ystyried y cynllun cyllido ôl-16 newydd y mae'r Llywodraeth wedi gwneud datganiad arno yn ystod y mis diwethaf, ond mae rhai ohonom yn pryderu y bydd perygl bod colegau yn dyblygu cyrsiau ac y bydd y Gweinidog yn colli ei rym dros reoli'r sefyllfa. Ateb y Gweinidog ar y pryd oedd ei fod yn barod i ddefnyddio'r cynllun cyllido newydd i osod amodau grant fel na fyddai hynny'n digwydd. A ydych yn credu bod hynny'n ddigonol?

Aled Roberts: I do not know if you have had an opportunity to consider the new post-16 funding scheme that the Government made a statement on during the last month, but some of us are concerned that there is a danger that colleges will duplicate courses and that the Minister will lose his power to control the situation. The Minister's response at the time was that he was prepared to use the new funding scheme to impose grant conditions to ensure that that does not happen. Do you think that that is sufficient?

[65] **Mr Williams:** Mae'n dibynnu sut y gwnaiff weithio. Mae'n swinio'n dda iawn. Ni fydd yn gymaint o bryder o ran sut mae'r colegau wedi'u strwythuro yn y gogledd a'r de-orllewin. Buaswn yn meddwl ei fod yn fwy o bryder yn y de-ddwyrain, oherwydd mae gennych nifer fawr o golegau a darparwyr o fewn ychydig iawn o gyrraedd i'w gilydd. Yn bendant, mae angen cadw golwg ar hynny. Ond, mae'r sefyllfa'n bodoli ar hyn o bryd beth bynnag. Felly, a fyddai'n waeth? Rwy'n gobeithio na fydd.

Mr Williams: It depends on how it works. It sounds very good. It will not be as much of a concern because of the way in which colleges are structured in north Wales and south-west Wales. I would think that it is more of a concern in south-east Wales, because you have a large number of colleges and providers in close proximity. Certainly, we need to keep an eye on that. However, the situation currently exists anyway. So, would it be worse? I would hope not.

[66] Yn sicr, buaswn yn cefnogi bod angen rheolau i gadw golwg ar y ddarpariaeth ac ar ddyblygu, a hefyd ar ddarpariaeth ar lefel anaddas—nid ydym wedi ystyried hynny. Mae'r diwydiant yn edrych ar gyrsiau lefel 3 ar gyfer crefftwyr, ond rydym yn cynhyrchu nifer fawr o bobl ar lefel 1 na fyddant yn addas ar gyfer y diwydiant. Mae

Certainly, I would support the argument that there is a need for rules to keep an eye on provision and on duplication, as well as provision at an unsuitable level, which we have not considered. The industry is looking at level 3 courses for craftsmen, but we produce a large number of people at level 1 whom the industry will find unsuitable. We

angen cadw golwg ar hynny. Nid wyf wedi cael golwg ar y papur cyllido eto.

[67] **Aled Roberts:** Rydym yn symud tuag at golegau hollol annibynnol a fydd, i ryw raddau, yn penderfynu ar eu darpariaeth eu hunain. Rwy'n cofio yn yr ymchwiliad i sgiliau—ac rydych wedi gwneud y pwynt heddiw—i ni glywed nad yw'r sefyllfa yn iach iawn ar hyn o bryd. Cafwyd tystiolaeth nad oes cyrsiau plymio ym Mhowys a Cheredigion—nid wyf yn cofio ai chi ddywedodd hynny.

[68] **Mr Williams:** Rydych yn cofio'n dda iawn.

[69] **Aled Roberts:** Felly, mae problemau ar hyn o bryd. A ydych chi'n credu y bydd symud at golegau annibynnol yn gwneud y sefyllfa hyd yn oed yn waeth nag y mae ar hyn o bryd?

[70] **Mr Williams:** Ni fedraf weld beth fyddai eu hysgogiad i newid. Ar ôl dweud bod gormod o blymwyr, efallai ei fod yn beth da nad oes darpariaeth ym Mhowys. Ni wn beth fyddai eu hysgogiad i newid. Mae rhai cyrsiau yn haws nag eraill i'w rhoi ymlaen. Rydym i gyd, weithiau, yn edrych am y ffordd rwyddaf i wneud pethau. Y perygl yw ein bod yn dewis y ffordd honno. Nid wyf yn dweud y gwnaiff hynny ddigwydd. Mae'n annheg dweud y bydd y colegau i gyd yn gwneud hynny. Rwy'n siŵr y buasent am fy ngwaed pe bawn i'n dweud hynny, ond mae tueddiad o bosibl i fynd am y cyrsiau rhwyddach i'w cynnig.

[71] Mae darpariaeth arbennig o dda wedi datblygu o fewn colegau yng Nghymru yn y 10 mlynedd ddiwethaf, ac mae adnoddau anhygoel o'u cymharu â beth oedd yno gynt. Mae hynny'n ganmoladwy iawn. A fydd y dirwasgiad yn lleihau diddordeb pobl ifanc mewn adeiladwaith? Fe wnaeth hynny ddigwydd yn ystod y dirwasgiad diwethaf. Fodd bynnag, nid yw'r duedd honno wedi dangos eto, ond efallai fydd y niferoedd â diddordeb yn lleihau. Wedyn, buasem yn gweld penderfyniad, fel digwyddodd 15 i 20 mlynedd yn ôl, i gau cyrsiau adeiladwaith unwaith eto. Nid yw hynny wedi digwydd hyd yma, ond mae wedi digwydd yn yr 20 mlynedd diwethaf.

need to keep an eye on that. I have not had a look at the funding paper yet.

Aled Roberts: We are moving towards entirely autonomous colleges where, to some extent, they will decide on their own provision. I recall from the inquiry into skills—and you have made the point today—that the situation is not entirely healthy at present. We received evidence that there are no plumbing courses in Powys and Ceredigion—I do not remember whether it was you who made that point.

Mr Williams: You remember very well.

Aled Roberts: So, there are problems at present. Do you think that moving to autonomous colleges will make the situation even worse than it is at present?

Mr Williams: I cannot see what would be their motivation to change. Having said that there are too many plumbers, perhaps it is a good thing that there is no provision in Powys. I do not know what their motivation to change would be. Some courses are easier than others to put on. We all, sometimes, look for the easiest way to do things. The danger is that we go down that route. I am not saying that that will happen. It is unfair to say that all colleges will do that. I am sure that they would be after my blood if I said that, but there is perhaps a tendency to go for the courses that are easier to offer.

Particularly good provision has been developed in colleges in Wales in the last 10 years, and resources are incredible compared with what existed previously. That is very praiseworthy. Will the recession lessen young people's interest in construction? We saw that happen during the last recession. However, that trend has not manifested itself yet, but we may see a reduction in the number of people interested in this area. We could then see a decision, as happened 15 to 20 years ago, to close construction courses once again. That has not happened yet, but we have been there within the last 20 years.

[72] **Aled Roberts:** A fyddai'n deg dweud mai eich prif neges y bore yma yw mai'r broblem ydy beth sy'n gyrru'r sector yn hytrach na'r ffordd mae'r sector wedi ei strwythuro? Gan dderbyn y neges honno, pa mor iach yw'r berthynas rhwng ColegauCymru fel sector a'r cynghorau sgiliau? Dywedoch fod y ddarpariaeth yn ddiffygiol mewn rhai mannau, felly a yw'r sector yn ddigon iach? A yw'r ffordd y mae'r sector yn ymateb i ofynion sgiliau ar hyn o bryd yn ddigon da?

[73] **Mr Williams:** Mae gennym berthynas dda iawn efo ColegauCymru a nifer fawr o'r colegau. Maent yn ddarparwyr ar ein cyfer ac mae ymdrechion yn digwydd i greu hyblygrwydd. Rydym wedi creu adroddiad sy'n edrych ar yr hyn sydd angen i ailstrwythuro'r sector. Mae'n anodd. Medraf weld pam bod colegau'n gwneud y penderfyniadau maent yn ei wneud. Felly, nid yw'n fater o gweld bai.

[74] Mae rhai colegau blaengar—ni wnaf eu henwi, ond rwy'n gwybod am ddau ohonynt yn y gogledd—wedi edrych ar gyrsiau heriol newydd, ond mae'r niferoedd yn llai, felly ni fyddent yn cael cefnogaeth gan uwch reolwyr i gymryd y siawns ychwanegol. Felly, nid yw'n fater o'r berthynas yn peidio â bod yn un da. Rydym yn gweld bod angen rhywbeth gwahanol ac yn deall pam na all colegau cynnig y pethau hyn. Fodd bynnag, byddem yn hoffi pe bai ffordd i wneud hynny yn y dyfodol, rhyw ffordd.

[75] **Aled Roberts:** Mae'r cynllun cyllido, efallai, yn ffordd o wneud hynny.

[76] **Mr Williams:** Gobeithio.

[77] **Simon Thomas:** Cyn symud ymlaen, hoffwn ofyn rhyw beth ar y pwynt hwn. Fe welwyd adroddiad gan Estyn yn y dyddiau diwethaf a oedd yn dweud bod rhai pobl yn cael eu rhoi ar gyrsiau anaddas yng ngholegau, a bod hwnnw'n amharu ar ddatblygu sgiliau. A yw hynny'n ffordd arall i edrych ar yr un broblem rydych chi wedi bod yn trafod—hynny yw, mae cyrsiau'n cael eu cynnal sy'n siwtio colegau, am resymau dealladwy, ond nid ydynt, o reidrwydd, yn

Aled Roberts: Would it be fair to say that your main message this morning is that the problem is what is driving the sector rather than the way in which sector is structured? Accepting that message, how healthy is the relationship between CollegesWales as a sector and the skills councils? You said that the provision is deficient in some areas, therefore is the sector healthy enough? Is the way in which the sector responds to skill requirements at present good enough?

Mr Williams: We have a very good relationship with CollegesWales and with many colleges. They are providers of ours and efforts are being made to create flexibility. We have produced a report looking at what is required to restructure the sector. It is difficult. I can see why colleges are making the decisions that they are making. So, it is not a case of finding fault.

Some forward-thinking colleges—I will not name them, but I know of two in the north—have looked at new, challenging courses, but the numbers are lower, so they will not have the support of senior managers to take that additional chance. So, it is not that the relationship is not good. We see the need for something different and understand why colleges cannot offer these things. However, we would like it if there was a way to do that in the future, somehow.

Aled Roberts: The funding model, perhaps, is a way of ensuring that.

Mr Williams: Hopefully.

Simon Thomas: Before moving on, I would like to ask something on this point. We saw a report from Estyn in the past few days, which said that some people were being put on unsuitable courses in colleges, and that that impairs the development of skills. Is that another way to look at the same problem that you have been discussing—that is, courses that are being provided that suit colleges, for understandable reasons, but they do not necessarily meet the skills needs that exist, or

cwrdd â'r anghenion sgiliau sy'n bodoli, nac yn siwtio'r myfyrwyr? suit the students?

[78] **Mr Williams:** Ni fedraf wneud sylw ar y sgiliau. O ran siwtio myfyrwyr, buaswn yn gobeithio bod digon o ddarpariaeth yno ac mae angen wneud yn siŵr bod pobl ifanc yn mynd ymlaen i'r cyrsiau iawn. Ein pryder ni yw am gyrsiau'r lefelau is, nad ydynt yn arwain at ddim byd.

Mr Williams: I cannot make a comment on skills. In terms of suiting students, I would hope that there is enough provision there and we need to ensure that young people go on to the right courses. Our concern is about the lower level courses, which do not lead to anything.

[79] **Simon Thomas:** Felly, a oes ormodedd o ddarpariaeth o hynny?

Simon Thomas: So, is there too much provision there?

[80] **Mr Williams:** Mae nifer fawr o'r fath honno o ddarpariaeth. Mae'n addas ar gyfer y dysgwr, mewn ffordd, oherwydd mai dyna yw ei lefel, ond nid ydynt yn mynd ymlaen i'r lefel nesaf; mae'n mynd ar gwrs arall ar yr un lefel, ac felly'n parhau yn yr un cylch a byth yn symud ymlaen. Mae hynny'n bryder i ni, oherwydd nid yw'n ddarpariaeth go iawn; ar ryw bwynt, maent wedi mynd drwy'r system, a nad oes cwrs arall iddynt. Felly, mae ganddynt sgiliau lefel 1 bratiog ac yn trio mynd i mewn i ddiwydiant, ond byth yn symud ymlaen. Nid wyf yn siŵr beth yw'r ateb i hynny, ond nid yw'r ddarpariaeth lefel 1 fel ag y mae yn siwtio'r diwydiant. Bydd yn llawer gwell gennym weld llai o gyrsiau gwell ac uwch, na'r nifer anferthol sy'n dod i mewn a byth yn symud y myfyriwr ymlaen i'r diwydiant nac i swyddi.

Mr Williams: There is a great deal of that kind of provision. It is suitable for the learner, in a way, because that is their level, but they do not go on to the next level; they go on to a course on the same level, so they remain in the same circle and never move forward. That is a concern for us, because it is not a true provision; at some point, they have gone through the system and there is no other course for them. So, they have very bitty level 1 skills and try to get into industry, but they never move on. I am not sure what the answer is to that, but the level 1 provision as it stands does not suit industry. We would much prefer to see fewer, better and advanced courses than the huge number coming in that do not move the student on to industry or jobs.

[81] Mae dau beth i ystyried: a ydych yn darparu ar gyfer y person ifanc, neu ar gyfer y diwydiant? Nid wyf yn siŵr os yw'n darparu ar gyfer un o'r ddau.

There are two things to consider: do you provide for the young person, or for the industry? I am not sure whether it provides for either.

[82] **Simon Thomas:** Mae'n syrthio rhwng dwy stôl, felly.

Simon Thomas: It falls between two stools, in a way.

[83] **Mr Williams:** Rwy'n meddwl caiff bawb ei siomi yn y diwedd.

Mr Williams: I think that everyone is disappointed in the end.

[84] **Simon Thomas:** Hoffwn symud ymlaen at ben arall y sbectrwm, sef y sgiliau uwch. Rydych yn sôn yn eich papur ynglŷn â'ch pryder am brentisiaethau sgiliau uwch a'r ddarpariaeth honno. Rydych chi'n sôn am lefelau 4, 5 a 6. A fedrwch chi ymhelaethu mwy ar hynny yn awr, a'i roi yn y cyd-destun bod hawl gan Weinidogion yn awr, i reoli cyrsiau addysg uwch yng ngholegau, ond mae'r pŵer hwnnw'n cael ei dynnu ymaith

Simon Thomas: I would like to move on to the other end of the spectrum, namely higher skills. You mention in your paper your concern about higher skills apprenticeships and that provision. You are talking about levels 4, 5 and 6. Could you expand more on that now, and put it in the context that, at present, Ministers have the right to control HE courses in colleges, but that power is removed in the Bill by giving full autonomy

yn y Bil hwn, trwy roi *autonomy* llwyr i golegau, a byddent yn gwbl rydd i fynd ar ôl cyrsiau addysg uwch y tu mewn i'w waliau. Felly, a fedrwch ddweud wrthym beth sy'n digwydd yn awr a sut, efallai, mae'r Bil yn effeithio ar hynny?

[85] **Mr Williams:** Mae camau arbennig o dda yn addysg bellach o ran yr ochr addysg uwch. Mae cyrsiau blaengar iawn wedi cael eu symud ymlaen. Mae blaengarwch da iawn yn cydweithio, ar adegau, â'r sector addysg uwch yng Nghymru. Fel rwy'n dweud yn yr adroddiad, mae'r ddarpariaeth ar gyfer ein sector ni yng Nghymru yn amrywio o'r arbennig o dda—*world beater*—i ddim o gwbl. Ni wnaaf enwi'r prifysgolion sy'n cynnig dim byd, ond mae rhan helaeth o Gymru heb unrhyw ddarpariaeth o gwbl. Dyna le mae colegau addysg bellach yn dod i mewn llenwi'r bwlch.

[86] Mae traddodiad yng ngogledd Cymru i bobl i fynd i Fanceinion am ddiwrnod; mae'n ddiwrnod hir iawn o waith, ond dyna beth mae'r traddodiad wedi bod. Mae cynghorau wedi gwneud hynny ers blynnyddoedd. Nid yw'n ddelfrydol. Pan rydych yn sôn am bolisiau cynllunio a holl bolisiau'r Cynulliad, nid yw'r ddarpariaeth gwrs, o bosibl, yn mynd i fod yn unol â hynny ac yn anghywir, felly.

[87] Felly, mae dadl ar gyfer gwella darpariaeth ac mae gan y sector addysg bellach rôl positif yno, ac mae wedi cymryd camau breision ymlaen. Mae gan y sector addysg hygredd o fewn diwydiant, fel yr wyf wedi dweud yn yr adroddiad, oherwydd y mae wedi cynnig hyfforddiant i nifer o'r perchnogion busnes neu reolwyr. Mae'r lefel honno o hyfforddiant yn mynd i fod yn arbennig o bwysig, oherwydd dyna o le mae arweinwyr nesaf cwmnïau adeiladu blaengar Cymru yn mynd i ddod. Os ydym yn mynd i ddatblygu cwmnïau llwyddiannus, fel sydd gennym ar hyn o bryd, mae gan y sector hwnnw rôl i helpu symud hynny ymlaen.

[88] Y broblem sy'n codi ar hyn o bryd yw arian. Mae prentisiaethau uwch yn gyffrous iawn; mae cynnydd wedi bod ynddynt, maent yn rhywbeth yr ydym wedi bod yn ei annog ers nifer o flynyddoedd ac mae'r Cynulliad wedi rhoi arian mawr i

to colleges and they will be completely free to pursue higher education courses within their own walls. So, could you tell us what happens now and how the Bill may affect that?

Mr Williams: Some particularly good steps have been taken in further education in terms of the higher education side. Some very progressive courses have been moved forward. There is, occasionally, very good innovation in collaboration with the higher education sector in Wales. As I say in the report, the provision for our sector in Wales varies from very good—world-beating—to nothing at all. I will not name the universities that do not offer anything, but a great deal of Wales has no provision at all. That is where further education colleges come in to fill the gap.

There is a tradition in north Wales for people to go to Manchester for a day; that is a very long day's work, but that has been the tradition. Councils have been doing that for years. It is not ideal. When you are talking about planning policies and all of the Assembly's policies, the course provision, possibly, will not be in accordance with that and incorrect, therefore.

Therefore, there is an argument for improving provision and the further education sector has a positive role to play there, and it has taken great strides forward. The education sector has credibility in industry, as I have said in the report, because it has offered training to many business owners or managers. That level of training will be particularly important, because it is from there that the next leaders of leading Welsh construction companies will come. If we are to develop successful companies, as we have at the moment, that sector has a role to play to help move that forward.

The problem that arises at the moment is finance. Higher apprenticeships are very exciting; there has been an increase in them, they are something that we have encouraged for many years and the Assembly has put in a lot of funding to develop them. So,

mewn i'w datblygu. Mae pob dim yn bositif wrth i ni symud ymlaen. Mae cyflogwyr eisiau'r prentisiaethau hyn, mae pobl ifanc a hŷn eisiau eu gwneud, ond mae'r hen broblem gyllidol yn dal pob dim yn ôl, o ran pwy sy'n talu am y dystysgrif sy'n rhan o'r brentisiaeth.

everything is positive as we move forward. Employers want these apprenticeships, young people and older people want to do them, but the old problem of funding is holding everything back, in terms of who pays for the certificate part of the apprenticeship.

[89] Ar hyn o bryd, mae'r prifysgolion a'r colegau addysg bellach yn dod â'r ddarpariaeth i mewn drwy franchise. Mae cwrs sy'n eithaf rhesymol yn economaidd wedyn yn mynd yn ddrud tu hwnt. Os ydych yn gofyn i'r cyflogwyr dalu, nid wyf yn gwybod beth yw'r union ffigurau, ond mae'n gallu bod yn ddrud iawn o'i gymharu â faint y dylai fod. Pe byddai'r Bil yn rhoi'r rhyddid iddynt gynnig y ddarpariaeth hon, rwy'n siŵr y byddai'r ddarpariaeth yn fwy cost-ffeithiol, ac yn rhoi penderfyniad yn gyflymach na thrwy fynd trwy broses lle mae'r sector addysg uwch yn ymddwyn fel rhyw ganolwr o ran y cytundeb. Rwy'n meddwl y byddai'n helpu mynd â'r ddarpariaeth hon yn ei blaen. Mae hynny'r ochr bositif i'r hyn sy'n cael ei gynnig.

At the moment, universities and further education colleagues franchise in the provision. A course that is reasonably economical then becomes very expensive. If you are asking the employer to pay, I do not know the exact figures, but it can be very expensive compared to what it should be. If the Bill were to give them the freedom to offer that provision, I am sure that the provision would be more cost-effective and would provide a quicker decision than going through a process where the higher education sector acts like some kind of broker in the agreement. I think that that would help to move the provision forward. That is the positive side of what is being proposed.

[90] Gan fynd yn ôl at fusnes yr elw mawr y mae'r colegau hyn yn mynd i fod yn ei wneud, byddai hynny eto yn rhywbeth y gallai fod yn cael ei fuddsoddi fel bod pethau'n symud yn gynt. Ar hyn o bryd, mae'n symud yn araf tu hwnt yn ein sector ni, os o gwbl.

Going to back to this business of the large profits that these colleges will be making, again that is something that could be invested so that things move forward more quickly. At the moment, things move very slowly in our sector, if at all.

[91] **Suzy Davies:** On the same issue of higher education being provided via further education institutions, I can see that you are for this, mainly because higher education institutions are not spread evenly across Wales. In your evidence, you say that you still have concerns that, if this happened, it would depend very much on the interests of the people on the board of governors; you talked a little about that with David Rees. However, is not the greater challenge the fact that the money for higher education, wherever it is provided, is still coming from the Government purse, if you like? It is the Government's decisions about how much money it wants to spend on higher education, wherever it is provided, that are likely to affect how much higher education can be introduced through further education institutions.

[92] **Mr Williams:** That is true to an extent. However, as I said, in higher apprenticeships, depending on the funding model—whichever one we get to; there have been lots thrown about in England, including post-18 students having student loans, which is difficult when you think about the fact that they are employed and paying for their own training for their employer, but that is another issue. So, the decision on what funding model there will be for post-18 higher apprenticeships has yet to be made, but I can see a situation where Government funding for higher apprenticeships is no different to any other apprenticeship, but it may be that there is a 50:50 approach whereby employers are able to put in part of the funding. It would be Government funding, but it could be workplace-learning funding rather than the higher education grants and funding that are made available. So, it is a different route

for the funding, although it comes from the same public purse at the beginning.

[93] A decision also needs to be made about which route we go down regarding what the employer will have to pay. Do they pay 100% of the costs of higher education? If so, as long as there are plenty of employers in a college area, they can run the course, because the employers will pay for it. Alternatively, is it going to be a 60:40 balance of workplace-learning funding? It would be different funding, however. The current issue—from what I understand, as it is difficult to see people's books, honestly—is that, when a course is franchised, it is, potentially, more expensive than if it is provided directly. That is probably a generalisation as well—across all of the franchises, you will probably find that there are wide variations. However, it has to be a cleaner approach: a group of employers wants this training and is willing to pay a percentage for it, people want to do it and it fits into the policy of higher apprenticeships workplace learning, and the provider can, therefore, have competency and do it. This will also give us flexibility for innovative and green skills as well.

10.15 a.m.

[94] **Suzy Davies:** Do you think that a possibility of employers perhaps taking a greater role in funding higher education courses is likely to turn the old light bulb on above the heads of the people in the more traditional higher education institutions, and that they will suddenly realise there is a market here on which they should be actually upping their game, providing new challenges to the FE sector?

[95] **Mr Williams:** It is difficult to know. I will not name them—actually, I will name them; one of the institutions that has done very good work over the years in construction courses is the University of Glamorgan. It has people coming in who pay for its courses. That has reduced during the recession and they are finding it challenging, but we are looking post-recession and moving forward; therefore, we come to the same situation as we were in before, where employers have, traditionally, paid a reasonable price for it. If it is an apprenticeship, it is a question of whether they should pay for it or what percentage they should pay for it. It is nothing new. Glyndwr University has a provision, but Bangor and Aberystwyth have none, and I believe that Y Drindod does not at the moment. So, you have vast swathes of Wales where you have to travel significant distances. They do not have a tradition, either. As for whether we would like them to develop a tradition, we probably would, but that would mean developing a faculty from nothing in most cases, which I do not think is very easy. Then we have to have the credibility, which takes time to build up. It would not be an issue for north Wales as much it is in south-west Wales colleges and across. That is, and always has been, the case in Swansea and south-east Wales. They have not competed, but it is a tradition of the old polytechnics as was. It is the University of South Wales now. Cardiff Metropolitan University has been doing that for years.

[96] **Ann Jones:** David has a supplementary question.

[97] **David Rees:** As a person who used to have responsibility for validating programmes, I know that documentation would be checked out and you would have to meet the standards required by QAA and other bodies. You have talked about training an awful lot, but you have to make sure that you clarify that education and training are not the same thing. Therefore, higher education is not quite the same as training. I hope that you agree with that, because you talked about training an awful lot. It is true to say, however, that the higher education that we are talking about at the moment is actually part-time higher education, because the main focus of further education is part-time. What you have just mentioned as being paid for by employers tends to be, from what I can see, a day-release type of approach for part-time workers. Is it fair to say that in the first place?

[98] **Mr Williams:** Yes, largely. Day and block release.

[99] **David Rees:** However, there is also a problem, is there not, in the more remote areas in terms of the viability of courses for FE institutions? As you get higher-level qualifications, there is a need to have informed education by research, and some of those FE colleges might not be able to provide sufficient expertise in those areas. So, is there a problem in FE colleges in certain areas being able to deliver, even after this Bill, because of that lack of expertise and that lack of research-informed education?

[100] **Mr Williams:** In terms of the traditional levels of HNC and HND, levels 4 and 5, I think that there is a good level of tradition in terms of delivery. Above that, I agree that that would be different and that it would be a game-changer. When you come up to first degrees and further, that would be a consideration in order to make sure that the quality of education or training is of the same appropriate level that universities currently offer. So, I am largely talking here about the higher education offer up to foundation degree level. I think that there are additional challenges post level 6 and above. I know that higher apprenticeships and graduate apprenticeships are coming through in England now that offer levels 6 and 7, which are very high levels, but it has yet to be seen how those will work. Perhaps that is where the progression to higher education needs to come in, and where they have to start looking at the training work. That is, perhaps, where we are going with it.

[101] The situation regarding the level and consistency of training across Wales exists now. We did a small bit of research recently around the fact that employers are constantly asking why we cannot have more level 3 progression for apprentices. We are pleased to tell them that the highest level of progression in south-west Wales is 80%. The lowest level is 2% in another part of Wales. However, it has nothing to do with rurality; it is down to the colleges' abilities to deliver level 3, let alone levels 4, 5, 6 and 7. At the moment, we have an inconsistency within the sector in the ability to deliver. So, yes, certainly, it will be a lot of work to do at level 6 and above, and some colleges would not be able to offer levels 4 and 5 as easily. However, for most, it would not be a challenge, because they have been doing it for years.

[102] **Ann Jones:** Does anyone else wish to ask a question? I see that there are no more questions. Thank you for coming to give evidence today, Mr Williams. We will send you a copy of the transcript for you to check for accuracy. Hopefully, when you see the report, you will see that we have included a lot of what you have said. If the committee is happy, we will break until 10.30 a.m.

*Gohiriwyd y cyfarfod rhwng 10.20 a.m. a 10.31 a.m.
The meeting adjourned between 10.20 a.m. and 10.31 a.m.*

**Y Bil Addysg Bellach ac Uwch (Llywodraethu a Gwybodaeth) (Cymru): Cyfnod
1—Sesiwn Dystiolaeth 7
Further and Higher Education (Governance and Information) (Wales) Bill:
Stage 1—Evidence Session 7**

[103] **Ann Jones:** I ask Members to check that they have switched off their mobile phones, if they switched them on during the break. I welcome our next set of witnesses to give evidence on the Further and Higher Education (Governance and Information) (Wales) Bill. I wonder whether you would introduce yourselves for the record, and we will then move to questions from Members. There are quite a few questions and we need to make some progress, if that is okay.

[104] **Yr Athro McMahan:** Bore da; April **Professor McMahan:** Good morning; April McMahan, is-ganghellor Prifysgol McMahan, vice-chancellor of Aberystwyth

Aberystwyth.

University.

[105] **Yr Athro Hughes:** Bore da; Medwin Hughes, is-ganghellor Prifysgol Cymru y Drindod Dewi Sant.

Professor Hughes: Good morning; Medwin Hughes, vice-chancellor of the University of Wales Trinity Saint David.

[106] **Mr Arnold:** Hello; Ben Arnold, policy adviser at Higher Education Wales.

[107] **Ann Jones:** Thank you. As I say, we have a few questions, and David is going to start us off.

[108] **David Rees:** Good morning, and thank you for your paper. In the last point in your paper, you note that your members have not raised concerns with you regarding the general principles behind the Bill. However, have you considered the specific impact of creating autonomous further education colleges in your own sector?

[109] **Professor Hughes:** Clearly, Higher Education Wales has initially considered and celebrated the maturity of the FE sector and colleges, and the enormous contribution that they make across Wales. In the context of the relationship with higher education, as noted in yesterday's ministerial statement, there are so many different models of engagement between further education colleges and universities. For us, it is about celebrating that diversity and seeing, within regions of Wales, that there are very clear articulation opportunities between autonomous further education colleges and universities across the country.

[110] **David Rees:** The sector has no concerns and looks forward to a more autonomous FE sector; is that so?

[111] **Professor Hughes:** Yes.

[112] **David Rees:** On your specific situation, the University of Wales Trinity Saint David is in a close relationship with two FE colleges. In that sense, how do you see the autonomy of the individual FE colleges working in that type of environment and structure with your own institution?

[113] **Professor Hughes:** You will have seen, in the context of south-west Wales, attempts to develop the concept of a dual-sector university, focusing on the distinctiveness of the region. We are developing a constitutional structure under which you have, at the moment, two further education colleges—Coleg Sir Gâr and Coleg Ceredigion—coming in within a group structure. They will be asking for permission to dissolve and create companies within the holding structure of the university. However, they will be separate autonomous companies, with a very clearly focused mission of further education. We have the best of both worlds, as it were—being part of the group structure, a wider structure within the region, and then celebrating the distinctiveness of that FE mission within the articles of the company.

[114] **David Rees:** Therefore, you feel that this Bill supports that kind of model.

[115] **Professor Hughes:** Yes, but of course that is only one model, and other universities will consider what is best in the context of their regions.

[116] **Aled Roberts:** Fel sefydliad, o ran addysg uwch, a ydych yn teimlo bod gan y symud hwn tuag at golegau addysg bellach mwy annibynnol unrhyw oblygiadau o ran cydweithredu rhwng addysg bellach ac addysg uwch?

Aled Roberts: As an organisation, in terms of higher education, do you feel that this move towards more autonomous FE colleges has any implications in terms of collaboration between further and higher education?

[117] **Professor McMahon:** As my colleague has already said, there are as many models for collaboration as there are institutions in Wales. We celebrate that it is enormously beneficial in terms of routes into higher education in universities. Also, there is FE provision that is co-ordinated with HE, conversely—if you look for instance at the very successful story of Welsh for adults, which is run through a number of universities, including my own. The crucial thing is diversity and quality. As long as we have the wherewithal—we see nothing in the Bill that conflicts with this at all—for ensuring quality, and often that is through a productive partnership with a higher education institution, we are enormously comfortable with taking that forward. We would hope to see those partnership opportunities expand.

[118] **Aled Roberts:** Wrth symud i faes arall o gydweithredu, ar hyn o bryd mae datblygiadau o ran cysylltiadau rhwng addysg uwch ac ysgolion lleol—chweched dosbarth yn benodol. Mae tueddiad i'r Bil hwn edrych ar sefyllfa lle mae llai o ddarpariaeth chweched dosbarth o fewn ysgolion, a gall grym y colegau annibynnol hyn newid y cydbwysedd rhwng ysgolion a cholegau. A ydych yn teimlo bod unrhyw wrthdaro o ran y cydweithredu rhwng addysg uwch ac ysgolion lleol ar hyn o bryd, ynteu a yw'r berthynas gyda cholegau addysg bellach yn ddigon iach i oroesi hynny?

Aled Roberts: Moving into another area of collaboration, at the moment there are developments in terms of links between higher education and local schools—sixth forms in particular. There is a tendency for this Bill to look at a situation where there are fewer sixth forms within schools, and the power of these autonomous colleges could change the balance between schools and colleges. Do you feel there is any conflict in terms of the collaboration between higher education and local schools at the moment, or is the relationship with further education colleges healthy enough to overcome that?

[119] **Yr Athro Hughes:** Un peth sy'n dod drosodd yn natganiad y Gweinidog ddoe, wrth edrych ar bwysigrwydd cydweithio rhanbarthol a datblygu modelau a systemau rhanbarthol, yw pa mor bwysig yw cydlyniant o addysg ôl-16 drwodd i addysg bellach ac ymlaen i addysg uwch. Mae cymaint o enghreifftiau da o gydweithio nad wyf yn rhagweld y bydd tensiwn sylweddol. Yn amlwg, mae angen datblygu modelau o gydweithio, ond os oes ffocws ar ranbarthau a chynllunio rhanbarthol, mae hwnnw yn rhoi cyfle gwych i ddatblygu system addysg integredig sy'n rhoi ffocws ar sgiliau a datblygu talent.

Professor Hughes: One thing that comes across in the Minister's statement yesterday, looking at the importance of regional collaboration and developing regional models and systems, is how important is it to have co-ordination of post-16 education through to further education and then on to higher education. There are so many examples of good practice in collaboration that I do not foresee any significant tension. Obviously, there is a need to develop models of collaboration, but if there is a focus on planning and regional planning, that would be an excellent opportunity to develop an integrated education system that focuses on skills and developing talent.

[120] **Aled Roberts:** Mae rhai prifysgolion wedi datblygu rhaglenni fel *Step Up*, lle mae cysylltiadau penodol gyda rhai ysgolion. A yw'r berthynas honno, gyda rhaglenni o'r fath, yr un mor gryf â cholegau addysg bellach?

Aled Roberts: Some universities have developed programmes such as *Step Up*, where there are specific links with some schools. Is that relationship, with such programmes, as strong with further education colleges?

[121] **Professor McMahon:** We will work with the institutions where the learners are. We do not mind whether that is local schools, FE or a mix of the two. In practice, it will depend on that regional model in some areas. The sixth form will primarily be located in schools, and sometimes in FE, but let us not forget that we need to be making links, whether we are FE or HE, with students below the age of 16 in schools. It is at that stage that you set the aspiration,

especially for families that may not have a history of sending pupils on to university, or even into FE. We need to be making those links with local schools regardless of what the sixth-form landscape is like, and we need to be doing it from year 9 onwards, not just for the GCSE cohort.

[122] **Professor Hughes:** The evidence shows that there are some interesting and successful models of engagement, and if the focus is on inspiring youngsters to see the value of going through the system in Wales, we need to celebrate the different examples of our good practice. There are so many examples across universities of working with schools in the secondary sector, with some working in the primary context. That is what we need to build; that clear progression within the regions.

[123] **Aled Roberts:** Rwy'n falch eich bod chi efo ni'r bore yma. Mae tri choleg addysg bellach wedi uno, neu, maent yn bwriadu uno â sefydliadau addysg uwch yn y dyfodol agos. Mae patrymau gwahanol iawn yn datblygu ar draws Cymru oherwydd ei daearyddiaeth, i raddau, ac mae rhai ohonom yn y gogledd-ddwyrain yn edrych ymlaen at adolygiad Webb. A ydych yn teimlo bod unrhyw beth yn y Bil hwn a fyddai'n ei gwneud yn anoddach i'r modelau hyn ddatblygu, neu a ydych yn meddwl bod digon o hyblygrwydd i adael i hyn gario ymlaen?

Aled Roberts: I am happy that you are here with us this morning. Three FE colleges have merged, or, they intend to merge with higher education institutes in the near future. Very different patterns are emerging across Wales because of its geography, to a certain extent, and some of us in the north-east are looking forward to the Webb review. Do you feel that there is anything in this Bill that would make it more difficult for these models to develop, or do you think that there is enough flexibility to allow this to continue?

[124] **Yr Athro Hughes:** Ni allaf ond siarad o'r cyd-destun o weld y brifysgol yn gweithio gyda'r coleg addysg bellach yn hen sir Ddyfed. Rydym wedi gallu creu rhyw fath o gydffederasiwn, lle mae 25,000 o fyfyrwyr lleol yn rhan o strwythur grŵp sydd ar gyfer rhoddi cyfleoedd ac *access* i gyfleoedd addysg, sy'n bwysig iawn. Fel rwyf wedi ei nodi o'r blaen, nid un model sydd; yr hyn sy'n bwysig yw bod y modelau addysg yn briodol i'r rhanbarthau a'u bod yn cynrychioli dyheadau'r rhanbarthau. Yn bersonol, ni welaf ddim yn strwythur y Bil sy'n negyddol o ran datblygu modelau gwahanol ar draws Cymru.

Professor Hughes: I can only talk about the context of seeing the university collaborating with the FE college in the old county of Dyfed. We have been able to create some sort of confederation, where there are 25,000 local students who are part of the group structure that gives opportunities and access to education opportunities, and that is very important. As I have said before, there is not one model; what is important is that educational models are appropriate for the regions and that they represent the aspirations of the regions. Personally, I can see nothing in the structure of the Bill that is negative with regard to developing different models across Wales.

[125] **Aled Roberts:** A ydych yn teimlo mai dyheadau rhanbarthol sy'n gyfrifol am y symud hwn? A oes sefyllfa wedi datblygu lle mai barn y Llywodraeth ydyw, ei bod yn haws o lawer i'r Llywodraeth gyfeirio'r sefydliadau hyn tuag at ryw batrwm, a byddai hynny'n anoddach o dan system lle byddai'r colegau addysg bellach yn llawer mwy annibynnol ar y Llywodraeth?

Aled Roberts: Do you feel that regional aspirations are driving this? Has a situation developed in which it is the Government's opinion, in that it is far easier for the Government to point these institutions towards some pattern or other, which would be more difficult in a system where the FE colleges were far more independent of Government?

[126] **Professor McMahon:** I think that the key issue, if we can speak generally, is that this Bill is very strongly facilitative, and for that reason, we would support it.

[127] **Professor Hughes:** I think that the potential to see far wider strategic engagement across the sectors is very important, if we really want to celebrate a system-wide approach in Wales and maximise the opportunities for our youngsters. What I see here is an opportunity to celebrate a very strong FE sector and to really build that up to the benefit of Wales, working in partnership through different models with universities. It can only be a welcome economic innovation—we are in Universities Week—namely the potential of that in regions. Then, from widening access, there is a clear commitment to the youngsters of Wales.

[128] **Keith Davies:** Gwnaf ofyn yn **Keith Davies:** I will ask my question in Welsh as well.

[129] Roedd UCU o'n blaenau ni yr UCU was before us last week, and one of the things that were concerning its representatives about this new Bill is that further education colleges will be allowed to borrow more than has been the case to date. What has happened in some areas of England, apparently, is that they have created their own institutions, and they are losing money. Do you see a possibility that this may happen here in Wales? That is, they will have the right to borrow more, but, of course, there will be more of a risk associated with it than is the case at the moment.

[130] **Yr Athro Hughes:** Yng nghydestun unrhyw ddatblygiad o annibyniaeth, mae risg, ond yr hyn sy'n dod drosodd yn amlwg o ddarllen y memorandwm o safbwynt y dadansoddiad o'r risg yw bod yr asesiad yn dangos bod modd rheoli'r risg. Y cwestiwn i mi yw a yw'r hyblygrwydd hwnnw yn werth pwysoli'r risg. Rwy'n credu ei fod e, gan y bydd yn rhoi cyfle i'r colegau addysg bellach ddatblygu strategaethau a fydd yn gallu gwneud gwahaniaeth sylweddol o safbwynt rheoli sgiliau. Mae'n amlwg, fodd bynnag, fod angen rheoli'r risg honno'n ofalus.

Professor Hughes: In the context of any development of autonomy, there is a risk, but what comes across clearly from reading the memorandum in relation to the risk assessment is that the assessment shows that there is a means of managing the risk. The question for me is whether the flexibility that it brings is worth the risk. I think that it is, because it will give the further education colleges an opportunity to develop strategies that can make a significant difference in terms of skills management. It is clear, however, that the risk needs to be managed carefully.

[131] **Keith Davies:** Peth arall roedd yr UCU yn poeni amdano yw'r ffaith y bydd hawl gan y Gweinidog i ddiddymu colegau addysg bellach. A oes gwahaniaeth rhwng y ffordd y mae'n gallu diddymu coleg addysg bellach a choleg addysg uwch ar ôl 1992? Mae ganddo'r hawl yn hynny o beth hefyd. A oes gwahaniaeth rhwng y ddau?

Keith Davies: Another thing that the UCU was concerned about is the fact that the Minister will have the right to dissolve further education colleges. Is there any difference between the way in which he can dissolve further education colleges and post-1992 HEIs? He has that right in that regard, too. Is there any difference between the two?

[132] **Mr Arnold:** The provisions are slightly different, but, in essence, at the moment, we have a position in which higher education corporations can be dissolved in Wales, but that is not the case for all universities where there is a variety of models. Some of these issues are ones that may be picked up in the technical consultation that is coming forward, when the key

will be to look at ensuring there is a level playing field across those provisions, and the issues that are driving the reason for looking at that in terms of the classification of central governance are ones that are of interest to the higher education sector as well.

10.45 a.m.

[133] **Rebecca Evans:** The Minister, in one of his recent evidence sessions, told us that the non-legislative controls over the FE sector, such as funding conditions, naming and shaming, financial monitoring and auditing the quality and effectiveness framework for post-16 providers, would be sufficient and an adequate level of protection for Government money. Do you agree that these non-legislative controls can be effective?

[134] **Professor Hughes:** The answer to that is 'yes', if an appropriate framework is set in place with due accountability, as one would expect for public money, and if there is mature engagement between institutions that receive the Welsh pound and due process of scrutiny and strategic dialogue between colleges and universities and the context of Government.

[135] **Professor McMahon:** Given the numbers that are involved, in terms of the numbers of students who are doing HE in FE, and given the likely modelling of how that might increase, our feeling is that the risk is very small. We are all accountable in different ways. It is about good business planning, supporting each other across the two sectors and ensuring that the quality is there. We can work together within the framework of this Bill to make sure that the risk is as low as it can be, but, again, it is about looking at whether it is worth taking that risk, which we feel that it would be, in the context of allowing FE to have that level of greater autonomy as a mature and productive sector.

[136] **Simon Thomas:** Mae hwn yn gwestiwn penodol i'r Athro Medwin Hughes achos rwyf eisiau deall, nawr eich bod yn cymryd dau goleg i mewn i'r brifysgol neu yn rhan o'r grŵp, sut y byddwch yn gallu llywodraethu'r ddau beth ar wahân a gwneud yn siŵr bod y dulliau llywodraethu yn ddigon cadarn ac atebol tu fewn i'r cyd-destun hwnnw. Ym mha ffordd bydd y Bil yn newid eich cynlluniau ac ym mha ffordd y medrdech ddangos yn gyhoeddus bod gennych bethau mewn lle?

Simon Thomas: This is a specific question for Professor Medwin Hughes because I want to understand, now that you are taking two colleges into the university as part of the group, how you will be able to govern the two things separately and ensure that the governance methods are robust and accountable enough within that context. How will the Bill change your plans and in what way can you show publicly that you do have things in place?

[137] **Yr Athro Hughes:** I ddechrau gyda safbwynt y brifysgol, mae'n amlwg bod gan y brifysgol siartr frenhinol, gyda chyngor. Mae strwythurau'r brifysgol yn gweithio o fewn y siartr honno gyda deilliant penodol addysg uwch ac ymchwil. O safbwynt y ddau goleg, Coleg Ceredigion a Choleg Sir Gâr, byddant yn cael eu ffurfioli fel cwmnïau. Bydd byrddau annibynnol a bydd cynrychiolaeth yn dilyn argymhellion sydd wedi cael eu gwneud o safbwynt addysg bellach. Bydd y bwrdd yn benodol yn edrych ar yr *objects* sydd yn ymwneud ag erthyglau'r cwmni ac, fel y nodais ar y dechrau, prif *object* y cwmni fydd addysg bellach. Bydd bwrdd hollol annibynnol. Bydd

Professor Hughes: If we were to look, first of all, at the point of view of the university, of course it has a royal charter, with a council. The structures of the university work within that charter with the specific outcomes of higher education and research. In terms of the two colleges, Coleg Ceredigion and Coleg Sir Gâr, they will be formalised as companies. They will have independent boards and there will be representation, following the recommendations that have been made from the point of view of further education. The board will look specifically at the objects in relation to the articles of the company and, as I said at the beginning, the main object of the company will be further

cynllun strategol a fydd yn edrych ar gyfraniad Coleg Ceredigion a Choleg Sir Gâr, ond wedyn yn gweithio o fewn fframwaith grŵp.

[138] O safbwynt atebolrwydd ariannol am arian Llywodraeth Cymru yn ymwneud ag addysg bellach, bydd holl incwm addysg bellach yn dod i'r cwmni. Bydd swyddog cyfrifyddu penodol ar gyfer yr arian hwnnw. O safbwynt y grŵp, byddwn yn creu un cynllun integredig a'r nod yn y fan honno yw sicrhau bod llwybrau dilynol o addysg bellach i addysg uwch. Y cwestiynau i'w gofyn i'r grŵp fydd, 'A ydy hwn yn gwneud gwahaniaeth o fewn y rhanbarth? A oes mwy o swyddi? A oes mwy o gyfleoedd ac a yw'n creu mwy o gyfleoedd ar gyfer diwydiant a chwmnïau?' Dyna sut y bydd yn gweithio. Wedyn, mae atebolrwydd ar sawl lefel. Un model yw hwnnw; fel y nododd Aled Roberts, mae'n bwysig bod pob rhanbarth yn ystyried y modelau gwahanol ar gyfer y rhan honno o Gymru.

[139] **Simon Thomas:** Fel roedd Aled yn dweud, mae'n bosibl y bydd rhywbeth gwahanol yn datblygu o gwmpas Glyndŵr a'r gogledd-ddwyrain. Yn y cyd-destun hwnnw, ym mha ffordd bydd hi'n bosibl i Aelod Cynulliad neu aelod o'r cyhoedd weld bod y geiniog addysg bellach wedi mynd at addysg bellach a'r geiniog addysg uwch wedi mynd at addysg uwch? A fydd yn dechrau troi'n gybolfa lle nad yw'n glir beth sy'n digwydd?

[140] **Yr Athro Hughes:** Bydd pob ceiniog a ddaw oddi wrth Lywodraeth Cymru ar gyfer hyrwyddo addysg bellach yn mynd yn syth i'r cwmni sy'n gyfrifol am addysg bellach, ac, wrth gwrs, bydd prif swyddog cyfrifyddu yn gyfrifol am yr arian hwnnw.

[141] **Simon Thomas:** Felly, bydd cyfrifon ar wahân.

[142] **Yr Athro Hughes:** Bydd. O safbwynt atebolrwydd ariannol ac atebolrwydd polisi, bydd modd i unrhyw un weld sut y mae'r cyfan yn dod at ei gilydd. Mae'n fodel newydd, ac mae bathu'r syniad o brifysgol sector deuol yn rhoi cyfle i ni dargedu ffordd newydd o gydweithio.

education. There will be an entirely independent board. There will be a strategic plan that will look at the contributions of Coleg Ceredigion and Coleg Sir Gâr, but then will work within the group framework.

In terms of financial accountability for Welsh Government funding to further education, all the income from further education will come to the company. There will be a specific accounting officer for that money. In terms of the group, we will be creating one integrated plan and the aim with that is to ensure that there is a route that can be followed from further education to higher education. The questions for the group will be, 'Does this make a difference in the region? Are there more jobs? Are there more opportunities and does it create more opportunities for industry and companies?' That is how it will operate. Then there is accountability on several levels. That is only one model; as Aled Roberts said, it is important that every region considers what the most appropriate models are for its part of Wales.

Simon Thomas: It is possible, as Aled said, that something different may develop around Glyndŵr and the north-east. In that context, in what way will it be possible for an Assembly Member or a member of the public to see that the FE penny has gone to FE and that the HE penny has gone to HE? Will it start to become a hotchpotch in which it is not clear what is happening?

Professor Hughes: Every penny that comes from the Welsh Government to promote further education will go straight to the company that is responsible for further education, and, of course, there will be a chief accounting officer with responsibility for that money.

Simon Thomas: So, there will be separate accounts.

Professor Hughes: Yes. From the perspective of financial and policy accountability, it will be possible for anyone to see how it all comes together. It is a new model, and creating the idea of a dual sector university allows us to target a new way of collaborating.

[143] **Simon Thomas:** A ydych angen y Bil hwn i wireddu'r model hwnnw, neu a oes modd i'r model hwnnw weithio beth bynnag? **Simon Thomas:** Do you need this Bill to realise that model, or can the model work anyway?

[144] **Yr Athro Hughes:** Mae'r Bil yn dathlu'r ffaith bod colegau addysg bellach yn ddigon aeddfed i ddatblygu systemau annibynnol. Yr hyn sy'n ddiddorol yw bod y syniad wedi dechrau yn y sector hefyd, ac mae'r amseru'n berffaith, gyda fframwaith cyfansoddiadol Llywodraeth Cymru yn hwyluso a chaniatáu i golegau addysg bellach frwr ymlaen â modelau cyffrous. **Professor Hughes:** The Bill celebrates the fact that further education colleges are sufficiently mature to develop independent systems. What is interesting is that the idea started in the sector as well, and the timing is perfect, with the Welsh Government's constitutional framework facilitating and allowing further education colleges to take on exciting models.

[145] **Ann Jones:** I have David Rees and Aled on a similar point.

[146] **David Rees:** It is on this point. One of the issues and concerns raised with us is the ability to relieve the Minister of the power to dissolve a body and to pass it over to the FE institution itself. In your model, who has the power to dissolve those FE colleges that are now private companies?

[147] **Professor Hughes:** Once the company has been established, it will be under the jurisdiction of company law.

[148] **David Rees:** In a sense, what I am asking is: if it is part of the group, does the group have the decision to say, 'We want to dissolve that company'?

[149] **Professor Hughes:** My understanding is that it is within the context of that company.

[150] **David Rees:** Of the company, and not the group.

[151] **Professor Hughes:** Yes. My understanding is that it is within the company.

[152] **David Rees:** Okay. I have another question, but I will come back to it, Chair.

[153] **Ann Jones:** Okay.

[154] **Aled Roberts:** Gwnaethom dderbyn tystiolaeth yn gynharach gan un o'r cynghorau sgiliau sector, a oedd yn pryderu am ddyllanwad cyflogwyr ar y ddarpariaeth o addysg bellach. Yn eich model llywodraethu yng Ngholeg Ceredigion a Choleg Sir Gâr, a oes cynrychiolaeth i'r cyflogwyr ar y byrddau? **Aled Roberts:** We received evidence earlier from one of the sector skills councils, which was concerned about the influence of employers on the provision of further education. In your governance model for Coleg Ceredigion and Coleg Sir Gâr, is there representation for employers on the boards?

[155] **Yr Athro Hughes:** Oes. **Professor Hughes:** Yes.

[156] **Ann Jones:** Is nobody answering?

[157] **Aled Roberts:** Yes.

[158] **Professor Hughes:** Yes, there will be.

[159] **Ann Jones:** Sorry; I did not hear that.

[160] **David Rees:** May I follow up Keith's point?

[161] **Ann Jones:** You can do, yes, because I am going to move off this point—we want to move on to other things. So, yes, get your questions in now.

[162] **David Rees:** Keith raised the point that the original White Paper effectively looked at both HE and FE. Clearly, there is some element of HE that comes under a process similar to that for FE, in the sense of who can dissolve institutions. However, this Bill focuses only on FE. Does that cause you any concern as a sector, that there is still a power for the Minister to dissolve institutions at HE level?

[163] **Mr Arnold:** I certainly think that, as indicated before, it is something that we would wish to look at under the technical consultation. The powers do not extend equally across all universities in Wales as things currently stand, and that is a major difference between this and the FE provisions.

[164] **David Rees:** Just as some institutions do not have charters to protect them, there are some that have merged that have charters to protect them as well.

[165] **Simon Thomas:** Older charters. [*Laughter.*]

[166] **David Rees:** The oldest one, yes.

[167] **Ann Jones:** Right, we are going to move on to the ONS classification. Bethan has some questions on this.

[168] **Bethan Jenkins:** Rydym wedi cael lot o dystiolaeth yn tynnu ein sylw at yr aiddosbarthiad. Rwyf am ofyn cwestiwn cyffredinol i ddechrau am eich barn chi ar fanteision dosbarthiad sefydliad dielw sy'n gwasanaethu aelwydydd—yr NPISH. Beth yw'ch profiad chi o'r system honno?

Bethan Jenkins: We have received a lot of evidence drawing our attention to the reclassification. I want to ask a general question to start with about your opinion on the advantages of the classification of non-profit institutions serving households—the NPISH. What is your experience of that system?

[169] **Yr Athro Hughes:** O brofiad y prifysgolion, ac o'm profiad personol i, mae'r hyn sy'n cael ei awgrymu yn ffordd ddoeth ymlaen. Eto, byddwn yn eich cyfeirio yn ôl at y dystiolaeth sydd wedi cael ei chyflwyno yn y dadansoddiad risg, o safbwynt yr asesiad; mae'n dangos yn glir beth yw'r fantais. Nid oes gennyf ddim i'w ychwanegu at yr hyn sydd wedi cael ei nodi eisoes. Ar yr elfen dechnegol, efallai fod gan Ben rywbeth i'w ddweud.

Professor Hughes: From the experience of the universities, and from my personal experience, what has been suggested is a wise path to follow. Again, I would refer you to the evidence that has been presented in the risk assessment; it shows clearly what the advantage is. I do not have anything to add to what has already been noted. Perhaps Ben would have something to say from a technical point of view.

[170] **Mr Arnold:** Obviously, the NPISH is an accounting principle and, in reality, there are many other classifications that have a practical import on the way in which universities operate. It comes back, probably, to a question of how far the autonomy is helpful, and that is very much built into the higher education system, where autonomy is a foundation of what we do. So, it is very easy to see that greater autonomy would be helpful in other areas, too.

[171] **Bethan Jenkins:** Felly, beth fydd y goblygiadau ar gyfer y system addysg bellach pe na bai'r ailddosbarthiad hwn yn digwydd? Rydym wedi gweld cwestiwn gan Aelod o Senedd yr Alban i Lywodraeth yr Alban, ac ymddengys bod Llywodraeth yr Alban yn glir na fydd yn effeithio'r hyn sy'n digwydd yno. Fodd bynnag, rydym wedi derbyn tystiolaeth sy'n awgrymu pe na bai'r newid yn digwydd, byddai'n effeithio ar y sector yn syfrdanol. Yr unig bobl nad ydynt yn cytuno â hynny yw'r undebau llafur. A allwch chi esbonio beth fyddai'r risg pe na bai hyn yn digwydd—efallai i Geredigion, o dan y system newydd y byddwch chi yn ei chael?

Bethan Jenkins: So, what will be the implications for the further education system should this reclassification not take place? We have seen a question from a Member of the Scottish Parliament to the Scottish Government, and the Scottish Government seems clear that it will not impact on what happens there. However, we have received evidence that suggests that if the change did not take place, it would have a staggering effect on the sector. The only people who do not agree with that are the trade unions. Can you explain what the risk would be if this did not happen—perhaps for Ceredigion, under the new system that you get?

[172] **Yr Athro Hughes:** Unwaith eto, byddwn yn eich cyfeirio at yr asesiad o'r Bil—tudalen 6, is-adran 12, lle nodir y goblygiadau pe na bai'r strwythur newydd yn mynd ymlaen. Mae goblygiadau ar gyfer *surpluses*, ac mae goblygiadau o ran sut y gallai'r colegau fuddsoddi ar gyfer y dyfodol. Mae'n amlwg, o safbwynt creu isadeiledd sgiliau mewn rhanbarth, bod hynny'n gwbl allweddol. Mae'r ffordd y mae'n cael ei osod allan o safbwynt y dystiolaeth a'r asesiad ar y Bil yn dangos yn glir i mi—a barn bersonol yw hon—pa mor bwysig ydyw bod yr annibyniaeth yn ei le i fuddsoddi o safbwynt datblygu'r canolfannau addysg sgiliau hyn ar draws Cymru.

Professor Hughes: Once again, I would refer you to the assessment of Bill—page 6, subsection 12, which sets out the implications should the new structure not go ahead. There are implications for surpluses, and there are implications for how the colleges invest for the future. In terms of creating a skills infrastructure in the region, it is clear that that is crucial. The way that it is set out in terms of the evidence and an assessment of the Bill clearly indicates to me—and this is a personal view—how important it is that there is independence to invest with regard to developing these skills education centres across Wales.

[173] **Bethan Jenkins:** Rydych yn sôn am yr hyn sydd yn y memorandwm, felly cymeraf eich bod yn cymryd y Gweinidog ar ei air ynglŷn â hynny. A ydych wedi gwneud unrhyw ymchwil neu wedi cael unrhyw fath o gyngor cyfreithiol o ran beth fyddai'r effaith pe na bai'r newid yn digwydd?

Bethan Jenkins: You have talked about what is in the memorandum, so I assume that you take the Minister at his word regarding the content. Have you conducted any research or had any kind of legal advice on what the impact would be should the change not be made?

[174] **Mr Arnold:** It is quite a complex area, and it is something that we have touched upon in workforce consultation among other consultations. Just to qualify what I said earlier, the classification itself reflects the on-the-ground reality. So, the implications do not derive from the classification; it is a fact that the classification reflects the extent of actual controls on the institution. So, by having a higher level of autonomy, or not, then that would be the issue. If the changes did not deliver the autonomy, then they would not be classified as NPISH.

[175] **Bethan Jenkins:** Okay. I am just trying to understand what research you have done. What I am trying to say is that I think that you are taking the Minister at his word, and I want to be sure that you have done that research yourselves so that you know for sure, if this reclassification does not happen, what risks or problems would ensue. I am not content that I have understood that from you.

[176] **Ann Jones:** Have you undertaken that research?

[177] **Mr Arnold:** We have taken very considered replies to where there are specific aspects involved. An example would be the recent workforce consultation, where we spelled out a number of potential implications from the reclassification in the higher education sector. However, as I said, it is quite complex and we do need to look at the specific provisions there. There are a number of other things that could potentially be wrapped with that in this context. So, yes, in terms of HE, we have, in this context.

[178] **Bethan Jenkins:** Okay, thanks.

[179] **Simon Thomas:** I would like to be clear about that.

[180] **Ann Jones:** Keith has a question, and then I will come back to you.

11.00 a.m.

[181] **Keith Davies:** Eto, gofynnaf fy nghwestiwn yn Gymraeg. Daeth rhywun i ymweld â mi nos Wener ddiwethaf pan oeddwn yn cynnal syrjeri yn sir Gâr—nid darlithydd o Goleg Sir Gâr oedd hi ond o goleg addysg bellach arall. Roedd yn poeni am strwythurau llywodraethu'r colegau a bod, er enghraifft, aelodau o staff yn rhan o'r bwrdd llywodraethu—nid y prifathro, ond aelodau o staff sydd efallai wedi cael eu dewis gan eu cyd-ddarlithwyr. Dyna un peth a godwyd ganddi. Yr ail beth oedd cyflogau a chontractau. Roedd yn sôn, yn ambell goleg, bod *zero-hour contract*. Mae'r pŵer yn mynd, o dan y Bil hwn, o'r Llywodraeth i'r coleg. Roedd hi eisiau cadarnhau, ac yn gobeithio—a roeddech chi'n sôn am rywun yn edrych ar ôl y colegau, y bwrdd llywodraethu—y byddai'n gwneud y penderfyniadau y byddai'r undebau am eu gweld, yn debyg iawn i'r hyn sy'n digwydd nawr o dan y Llywodraeth. Dyna oedd y problemau mwyaf o'i hochr hi.

Keith Davies: Once again, I will ask my question in Welsh. Someone came to see me in one of my surgeries in Carmarthenshire last Friday—she was not a lecturer from Coleg Sir Gâr but from another further education college. She was concerned about the governance structures of the colleges and that, for example, members of staff are on the board of governors—not the principal, but members of staff who have perhaps been chosen by their fellow lecturers. That is one thing that she mentioned. The second was salaries and contracts. She mentioned that, in some colleges, there are zero-hour contracts. The power would transfer, under this Bill, from the Government to the college. She wanted to confirm, and what she hoped would happen, is that—and you mentioned someone looking after the colleges, the board of governors—it would make the decisions that the unions would wish to see, similar to what happens now under the Government. That was one of the main problems from her point of view.

[182] **Yr Athro Hughes:** Rydych chi wedi nodi dau bwynt. Yn gyntaf, o safbwynt pwysigrwydd perchnogaeth fel erfyn llywodraethu, fy marn bersonol—ond gobeithiaf y byddai hon yn farn *collective* hefyd—yw ei bod yn hollol greiddiol bod llais aelodau o staff, boed yn staff atodol neu'n staff academiaidd, yn hollol ganolog i lywodraethu. Os nad yw hynny'n digwydd, mae rhywbeth yn bod. Barn bersonol yw honno, ond rwy'n siŵr ei fod yn arfer da hefyd. Byddwn yn *concerned* iawn pe na bai hynny i'w weld ar draws y sefydliadau i gyd.

Professor Hughes: You have noted two points. First, with regard to the importance of ownership as a governance tool, my personal opinion—but I hope that it is also the collective opinion—is that it is of crucial importance that the voice of staff members, whether auxiliary staff or academic staff, are at the core of governance issues. If that does not happen, there is something wrong. That is a personal opinion, but I am sure that it is good practice, too. I would be very concerned if that was not observed across all institutions.

[183] Bu ichi wedyn godi pwynt ynglŷn ag addasrwydd cytundebau. Mae'n amlwg unwaith eto y byddai pob coleg addysg bellach a phrifysgol yn edrych ar bwysigrwydd a natur y cytundebau, a'n bod ni'n datblygu cytundebau sy'n briodol ac sy'n edrych ar ôl ein staff hefyd. Mae hynny'n bwysig.

You then raised a point about the appropriateness of contracts. It is clear, once again, that every further education college and university would consider the importance and nature of the contracts, and that we develop contracts that are appropriate and also look after our staff. That is important.

[184] **Ann Jones:** Simon, you wanted to ask a question.

[185] **Simon Thomas:** Hoffwn fynd yn ôl i'r cwestiynau y bu i Bethan Jenkins eu gofyn. O safbwynt dynodiad presennol y colegau addysg bellach fel rhai cyhoeddus a bwriad y Bil hwn i'w rhoi yn ôl yn y sector NPISH, mae'n amlwg eich bod yn derbyn y dystiolaeth a'r memorandwm gan y Llywodraeth. Fodd bynnag, o edrych ar y persbectif arall, a ydych wedi gwneud gwaith fel sector—naill ai yng Nghymru, neu yng Nghymru a Lloegr—sy'n tanlinellu pam rydych yn hyderus y byddai'ch sector chi yn aros yn NPISH hefyd? Yr oedd yn newid eithaf syfrdanol ar un lefel, sef bod yr ONS wedi penderfynu yn eithaf sydyn bod colegau addysg bellach yn rai cyhoeddus. Mae'n ymwneud nid yn unig â deddfwriaeth, ond â rheolaeth ariannol neu yriant ariannol. Mae rhai elfennau sy'n gyffredin i'ch sector chi hefyd. Felly, beth sy'n gwneud ichi deimlo'n hyderus y byddwch chi'n aros yn NPISH hefyd? A oes gennych chi sicrwydd ynglŷn â hynny?

Simon Thomas: I would like to return to the questions that Bethan Jenkins asked. From the current classification of further education colleges as public organisations and the purpose of this Bill to reclassify them as part of the NPISH sector, it is clear that you accept the evidence and the memorandum that the Government has issued. However, looking at another perspective, have you undertaken any work as a sector—either in Wales or in Wales and England—that emphasises why you are confident that your sector would remain as NPISH, too? It is quite a considerable change on one level, in that the ONS decided quite quickly that further education colleges are public bodies. That relates not only to legislation, but to financial control or financial incentive. There are some elements that are common to your sector, too. Therefore, what makes you feel confident that you will also continue to be classified as NPISH? What certainty do you have about that?

[186] **Mr Arnold:** It is a live issue. It is very good that it is being looked at and that we have an opportunity through the technical consultation once again to look at that. It is a live issue for England and other parts of the UK as well.

[187] **Simon Thomas:** By 'live', do you mean that it is not yet completely resolved?

[188] **Mr Arnold:** I believe that is the case. We need to, from my perspective, ensure that we have arrangements that do that which was intended—that is, to ensure an autonomous higher education sector. While the classification itself is a classification on the facts, there are other things that could be wrapped with that. Where we have looked at this, so far, it is in terms of whether higher education is in the public sector and, if so, for what purposes would it be considered to be in the public sector and how far would workforce arrangements be applied across that. It is that level of detail that can have serious implications for institutions—anything from contractual agreements to general workforce arrangements in that instance. They are things that are live for us, and we would wish to look very carefully at the reasons behind them and to ensure that higher education retains its current status in that respect.

[189] **Simon Thomas:** In that context, you referred earlier to the ability retained by Welsh Ministers to dissolve a HE institution of a certain kind, as opposed to giving up that power in

the FE sector. Is that one of the live issues that you referred to earlier that you are concerned about or involved in?

[190] **Mr Arnold:** It is one of a range of issues that need to be looked at carefully, given the wider UK context, in the technical consultation.

[191] **Ann Jones:** Aled, will you be brief, because we are out of time and we have loads more to cover?

[192] **Aled Roberts:** For clarity, Rebecca Evans listed the levers that the Minister considers that he still has as far as ensuring that there is some national framework for the FE sector. He also made it clear that he would not be moving in this direction had it not been for the ONS reclassification. Just so that we understand completely, there has been a suggestion that because of the number of levers that are retained, when the ONS comes to consider the position of these institutions subsequently, there is a danger that they are still considered to be within the public sector. Given that the same issues might pertain to the higher education sector because of the levers that the Minister has through funding et cetera, have you taken legal advice at this stage, because we have been furnished with legal advice from the union, which questions whether or not it is clear that the reclassification will follow as a result of this Bill?

[193] **Professor McMahon:** From the point of view of the HE sector, our sense is that that is something that we will respond to as part of the technical consultation. Work is in hand to look into those issues. However, I would question whether it is a matter for Higher Education Wales to take that legal advice with respect to the FE sector.

[194] **Aled Roberts:** I was not asking that. I was asking, because it may become a live issue for you, whether or not you had already—

[195] **Professor McMahon:** It is work in progress.

[196] **Aled Roberts:** It is work in progress; okay.

[197] **Ann Jones:** If it is okay with everyone, we will try to wrap this up by around 11.15 a.m. We still have some questions left and I was just wondering about the witnesses' time as well. I see that they are fine with that. Lynne, we will take your questions.

[198] **Lynne Neagle:** What would be the implications for an academic institution of a financial year ending on 31 March rather than 31 July?

[199] **Professor McMahon:** From our perspective, we deal with many different year-ends. In HE typically, the year-end is going to be July, but we work fiscally, as you would expect, in a context where you have a year-end that is somewhat earlier. These are not major barriers. I suppose that the question is most live for a potential dual sector institution, where you might be working internally with different year-ends, but if the accounting system is independent, that should not pose a problem.

[200] **Professor Hughes:** If there were different year-ends, the biggest issue would be to make sure that there were accounting frameworks and dual monitoring in place for the funds, so that we could close the books at the end of that financial year and have an appropriate framework to look at that.

[201] **Lynne Neagle:** So, you do not think that extra costs would be incurred by the year ending at the end of March?

[202] **Professor Hughes:** As April has noted, institutions are already working to different dates in the context of accounting principles within colleges and universities.

[203] **Lynne Neagle:** How do you think that the roles and responsibilities of HEFCW might differ from the ones that might be allocated to a further education funding council?

[204] **Professor McMahon:** I do not think that we can answer that question because HEFCW is in the midst of a discussion about how its role will change in future. That is entirely understandable, and it is true for all of the funding councils around the UK. If they have worked in a context where a lot of the work is transactional as well as policy based, and is based on distribution of funding, and if we are moving into a context where that funding comes predominantly from the graduate through the student loans mechanism, and not, except for certain areas such as research, through the funding councils, then it is inevitable that there will need to be a discussion about this. That is involved in aspects of the technical consultation.

[205] **Simon Thomas:** Hoffwn droi at ran o'r Bil hwn sy'n delio'n benodol ag addysg uwch; mae'n rhan llawer llai na'r hyn oedd yn y Papur Gwyn, ond rydym wedi trafod beth sydd ar y gweill yn nes ymlaen yn y flwyddyn o ran hynny. A ydych chi o'r farn, fel mae rhai tystion eraill wedi dweud wrthym, bod hwn yn benodol yn fater technegol sy'n ymwneud â rhannu data?

Simon Thomas: I would like to turn to a part of this Bill that deals specifically with higher education; this part is a lot smaller than what was in the White Paper, but we have discussed what is on the horizon later in the year in relation to that. Are you of the opinion, as some of the other witnesses have said, that this is mainly a technical issue to do with data sharing?

[206] **Yr Athro Hughes:** Rwy'n credu y byddwn yn cadarnhau hynny.

Professor Hughes: I think that I would confirm that.

[207] **Simon Thomas:** A ydych chi'n hyderus, felly, ynghylch y system wirio incwm aelwydydd, sy'n newid o fod yn rhywbeth ar lefel awdurdodau lleol i rywbeth mwy canolog? A oes unrhyw bryder wedi cael ei fynegi gan fyfyrwyr ynglŷn â'r newid hwnnw, neu a ydych chi'n gwbl hyderus bod gennych eich systemau eich hunain mewn lle i sicrhau bod y trosglwyddiad hynny'n digwydd yn weddol ddiffwdan? Rydym yn ymwybodol o rai anawsterau a ddigwyddodd yn Lloegr pan wnaethpwyd hyn.

Simon Thomas: Are you confident, therefore, regarding the verification of household income system, which is changing from something on a local authority level to something more central? Have any concerns been expressed by students about that change, or are you completely confident that you have your own systems in place to ensure that that transfer happens fairly smoothly? We are aware that there were difficulties in England when this was done.

[208] **Yr Athro Hughes:** Eto, mae gan bob prifysgol a choleg ei system ei hun. Mae angen i ni sicrhau bod monitro gofalus o'r modelau gwahanol, a'n bod yn monitro'n gyson i sicrhau eu bod yn gweithredu, bod myfyrwyr yn gallu elwa a bod arian yn cael ei rannu. Mae angen i ni edrych yn ofalus iawn ar fonitro cyson. Mae angen i bob system gael ei hadolygu, ac mae angen i ni sicrhau bod y broses honno o adolygu'n digwydd a'n bod yn adlewyrchu ar beth sy'n gweithio a beth sydd ddim yn gweithio.

Professor Hughes: Again, every university and college has its own system. We need to ensure that there is careful monitoring of the different models, and that we monitor regularly to ensure that they operate, that students can benefit and that funding is shared. We need to look carefully at consistent monitoring. Every system needs to be revised, and we need to ensure that that process of revision happens and that we reflect on what works and what does not.

[209] **Simon Thomas:** I fod yn glir, felly, cyn belled â'ch bod chi yn y cwestiwn o ran yr amserlen a phopeth, rydych chi'n weddol hyderus bod popeth yn ei le i fwrw ymlaen â hyn.

Simon Thomas: Therefore, to be clear, as far as you are concerned in terms of the timetable and everything, you are fairly confident that everything is in place to move forward with this.

[210] **Yr Athro Hughes:** Ydym.

Professor Hughes: Yes.

[211] **Suzy Davies:** Under this part of the Bill, Welsh Ministers will lose their powers to restrict how higher education is delivered in further education; that restriction will disappear. I have been listening to your evidence and it seems to me that the idea of families of institutions or collaborative arrangements will be of assistance to you. So, I want to ask three short questions on the back of that. First, if you are going to be working with further education institutions that will become private companies, and therefore have an economic drive as well, are you concerned that higher education courses that you would want to offer through further education institutions, particularly those of a vocational nature, might just not be taken up, and that further education colleges might say, 'We don't want to take them; they're not economically viable'? What would you do in those circumstances?

[212] **Professor Hughes:** One would hope that the colleges and universities would have an integrated skills development plan and would see the benefit of that in the context of the region and for Wales as a country. They would be able to see what the key economic needs for skills development are. We are already working with higher education and FE colleges. So, I think that if we follow the family concept, if there is that integrated planning infrastructure, we should be able to map, from the context of the region, the needs of employers and companies. We would be able to see what the audit is and we would be able to see whether there is a gap and how to fill it. Then, from the progression of skills, we would be able to see how we could take it from further education through to universities? It is that seamless progression. That is what we want to develop across Wales. As I mentioned before, the model that we are looking at—the dual sector—is only one of several innovative models. The principle of seeing that progression in the context of the added value of skills development in Wales is something that we would see further and higher education working together on to answer the sort of questions that you have asked.

[213] **Suzy Davies:** Okay. Secondly, presumably, you are confident that, in this sort of arrangement, the higher education institute involved will have the overview of the quality assurance of what is being offered in further education institutions. Is that how you broadly see it?

[214] **Professor McMahon:** It is about working in partnership, but there is a long history of working to external quality standards within HE and we would want to share those with the FE institutions that are providing HE level courses. The work of the Quality Assurance Agency for Higher Education, for instance, is something that we have worked in step with in HE in Wales over the years, and we feel that that gives us an appropriate level of externality looking at the provision in HE, wherever it is to be found.

11.15 a.m.

[215] **Professor Hughes:** The key thing, of course, is ensuring consistency of standards across all of the institutions. That is crucial in the context of delivering a high-quality framework of higher education right across all colleges and universities.

[216] **Suzy Davies:** This leads me to my final question. I can see the advantages to the higher education institutions in this sort of set-up, but from the perspective of a student coming in to further education who sees the opportunity to go into higher education on that

route, is there not a risk with this idea that further education institutions will be acting as feeder institutions into specific higher education institutions? That is, that the student will feel, not obliged necessarily, but that they are on a track to go to a particular university in Wales, rather than feeling that they can go anywhere now that they know that they are capable of doing this. Are you worried that that might grow as a culture?

[217] **Professor McMahon:** No, I am much more interested that we provide the local provision, because we have a whole sector of students who come into FE because they want local provision. If we are able to provide them with a way through that does not challenge them in terms of, perhaps, having family or employment relationships locally, that is vital. However, within FE and HE, it is up to us to make sure that we broaden those horizons and that we make sure that students are aware that there are many possibilities that they can take up in terms of going further afield, if that is the right course, the right place and the right environment for them.

[218] **Suzy Davies:** Thank you for that reassurance.

[219] **Ann Jones:** Thank you very much. We are one minute over, which is not so bad, is it? I thank you for coming to give us evidence today and for answering the questions. We will send you a copy of the transcript to check for accuracy. Thank you very much for joining us today.

[220] **Professor McMahon:** May I thank all of the AMs who have given their support to Universities Week this week and for the events and for looking at our stands and so on? We greatly appreciate the support that we have had. Diolch yn fawr iawn.

[221] **Ann Jones:** Thank you very much for that.

11.17 a.m.

Papurau i'w Nodi Papers to Note

[222] **Ann Jones:** There are a number of papers that we need to note, which are a part of our ongoing inquiry into this Bill. So, we will note those.

Cynnig o dan Reol Sefydlog Rhif 17.42 i Benderfynu Gwahardd y Cyhoedd o'r Cyfarfod Motion under Standing Order No. 17.42 to Resolve to Exclude the Public from the Meeting

[223] **Ann Jones:** I move that

the committee resolves to exclude the public from the remainder of the meeting and the first part of the meeting to be held on 19 June in accordance with Standing Order No. 17.42.

[224] I see that the committee is in agreement. Thank you very much.

*Derbyniwyd y cynnig.
Motion agreed.*

*Daeth rhan gyhoeddus y cyfarfod i ben am 11.17 a.m.
The public part of the meeting ended at 11.17 a.m.*