

Y Pwyllgor Deisebau
Petitions Committee

Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales



Ann Jones AM
Chair of the Children and Young People
Committee
National Assembly for Wales
Cardiff Bay

Bae Caerdydd / Cardiff Bay
Caerdydd / Cardiff
CF99 1NA

Our ref: P-04-458

12 June 2013

Dear 

The Petitions Committee is currently considering the following petition which was submitted by UCU Crosskeys Branch and collected 246 signatures.

We call upon the National Assembly for Wales to urge the Welsh Government to ensure:

Further education, along with publicly funded assets, is retained within the public sector.

2. Colleges continue to be bound by the national agreements in FE, such as the national pay scales.

3. The introduction of an all-Wales contract for FE lecturers.

4. Welsh Ministers do not dissolve colleges and give colleges the ability to transfer the property, rights and liabilities to another body.

I enclose supporting information on the petition.

The Committee considered this petition at our meeting on 4 June and discussed correspondence from the Minister for Education and Skills and the petitioner.

In light of your Committee's consideration of the Further and Higher Education (Governance and Information) (Wales) Bill we agreed to highlight this petition and share the correspondence with you for information. Copies are enclosed.

Bae Caerdydd / Cardiff Bay
Caerdydd / Cardiff
CF99 1NA

Ffôn / Tel: 029 2089 8393
E-bost / Email: William.powell@wales.gov.uk

Croesewir gohebiaeth yn y Gymraeg a'r Saesneg/We welcome correspondence in both English and Welsh

Additionally, we agreed to await publication of the Committee's report on the Further and Higher Education (Governance and Information) (Wales) Bill.

If you would like any further information on this petition, please contact the Committee Clerk at naomi.stocks@wales.gov.uk or on (029) 2089 8393.

Yours sincerely

A handwritten signature in cursive script that reads "William".

William Powell AC / AM
Cadeirydd / Chair

Enc: Supporting information from the petitioner.
Correspondence from the Minister for Education and Skills dated 8 May 2013.
Correspondence from the Petitioner dated 20 May 2013.

P-04-458 Keep Further Education in the Public Sector

Supporting Information

1. The 2011 Welsh Labour National Assembly for Wales election manifesto declared “FE colleges as public assets which belong to their local communities and its community of staff and learners”. One commitment in the manifesto was to “ensure the parity of esteem for teachers and lecturers by maintaining the current link between their pay and conditions” as well as “introduce an all-Wales contract for FE lecturers”.
2. However, in July 2012, the Welsh Government tabled the long awaited White paper on its proposed bill for Further Education (FE) in Wales. The Welsh Government wants to introduce changes, through legislation, that will remove a number of restrictions and controls on colleges, giving greater autonomy to college Principals.
3. The Welsh Government currently places a duty on colleges to maintain the pay parity for FE lecturers with school teachers through the annual conditions of funding letter it send to FE colleges in Wales. Many college Principals opposed the introduction of an all-Wales pay-scale.
4. If the Welsh Government does not continue to exercise some level of control over the FE sector, colleges could disregard national agreements in FE which could include the national pay scales. Should colleges disregard the existing national pay scales and contracts, teaching pay scales could vary significantly across each college. The quality of teaching could therefore be affected since teachers would not want to work for those colleges offering lower pay scales.
5. The Welsh Government’s White paper notes that the power of Welsh Ministers’ to dissolve colleges will be replaced with the ability of a college to dissolve itself and transfer the property, rights and liabilities to another body. If colleges were allowed to transfer their properties, rights and liabilities (as outlined in the Welsh Government’s proposals), then colleges could dissolve themselves and transfer the assets to a private company limited by guarantee.

Leighton Andrews AC / AM
Y Gweinidog Addysg a Sgiliau
Minister for Education and Skills



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-458
Ein cyf/Our ref LA/01201/13

William Powell AM

Naomi.stocks@wales.gov.uk

8 May 2013

Dear William,

Thank you for your letter of 24 April regarding my response of 12 March in relation to the petition from the UCU Crosskeys branch highlighting their concerns with the proposals outlined in the Further and Higher Education (Wales) Bill 2013.

The Further and Higher Education (Governance and Information) (Wales) Bill 2013, which I introduced to the National Assembly for Wales on 30 April will give the governing bodies of further education corporations the power to dissolve the corporation. This power, however, will be regulated to protect publicly funded assets.

In the 2014/15 academic year I propose to consult on secondary legislation that will regulate the transfer of a corporation's rights and assets on dissolution by specifying the type of persons or bodies to whom a corporation can transfer their assets. Assets transferred will also have to be used for charitable purposes which are exclusively for educational purposes. To reiterate what I said in my introductory statement to Assembly Members on 30 April, I expect colleges to continue to take responsibility to ensure that they not only fulfil, but exceed the expectations and aspirations of their wide ranging customers. Our objective is to build a Wales that gives our young people the very chances in life that is at the heart of the Welsh Government's vision.

There is no policy intention in Wales to establish Academies and privately-run institutions.

*Yours sincerely,
Leighton Adams*

Leighton Andrews AC / AM
Y Gweinidog Addysg a Sgiliau
Minister for Education and Skills

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

English Enquiry Line 0845 010 3300
Llinell Ymholiadau Cymraeg 0845 010 4400
Correspondence: Leighton.Andrews@wales.gsi.gov.uk
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Wedi'i argraffu ar bapur wedi'i ailgylchu (100%)

P-04-458 Keep Further Education in the Public Sector- Correspondence from the petitioner to the Chair, 20.05.13

UCU Crosskeys Branch would like to submit the following points for consideration by the Petitions Committee:

- 1) The Minister's letter states there are no plans for Academies and privately-run institutions in Wales. If governing bodies are given the power to dissolve the corporation and transfer a corporation's rights and assets to a person or bodies, to whom could these responsibilities and assets be transferred to if the Minister has already ruled out privately-run institutions in his letter dated 8th May?
- 2) The Minister has not explained why it might be necessary for a FEI to dissolve itself, and the power to transfer its property, rights and liabilities to another body. Providing examples, what situations might this be necessary?
- 3) In the Bill's Explanatory Memorandum a cost benefit analysis is provided. For *Option 3: Introduce an Assembly Bill* it outlines the risks on page 24, stating *"That the legislation does not give the ONS Classification Committee the assurances needed that key steps have taken place to increase the autonomy of FE colleges and the reversal of the public sector categorisation for national account purposes fails."* It is possible the Minister could be pressing ahead with this Bill that would not resolve the ONS classification issue.
- 4) Can the Minister confirm if he has consulted the Welsh Labour National Policy Forum on this Bill, given it goes against the commitments outlined in the 2011 Welsh Labour National Assembly for Wales election manifesto?

We would be grateful if the Petitions Committee would consider asking the Minister to clarify these above questions.

Yours truly

UCU Crosskeys Branch