



**Bae Caerdydd / Cardiff Bay
Caerdydd / Cardiff
CF99 1NA**

December 2014

Dear Sir / Madam

Consultation on the Qualifications Wales Bill

The Children, Young People and Education Committee is calling for evidence on the general principles of the Qualifications Wales Bill. To assist with its consideration, the Committee would welcome your views on this subject.

Reason for the Bill

The Bill has been brought forward following a recommendation made by the independent [Review of Qualifications for 14 to 19-year-olds in Wales](#), commissioned to consider how the Welsh Government could achieve a ‘vision of qualifications that were understood and valued and would meet the needs of our young people and the Welsh economy’.

Recommendation 5 of that Review, which was accepted by the Welsh Government, is that:

“R5: The Welsh Government should establish a single body (Qualifications Wales) that is responsible for the regulation and quality assurance of all non-degree level qualifications available in Wales. In time, Qualifications Wales should take responsibility for developing and awarding most qualifications for learners at 14 to 16. For learners post-16, Qualifications Wales should develop and award most general qualifications and should also regulate qualifications from other awarding organisations. The Welsh Government and Qualifications Wales should work together to shape the national qualifications system for Wales and to rationalise and strengthen the processes for regulation and continuous improvement, learning from the model in operation in Scotland.”

The scope of the Bill

The Bill provides for the establishment of Qualifications Wales as the independent regulatory body responsible for the recognition of awarding bodies and the review and approval of non-degree qualifications in Wales. Qualifications Wales will also, along with the Welsh Ministers, be responsible for preparing a list of priority qualifications, designated as such by reason of the significance of the qualification, having regard to the needs of learners and employers in Wales. Qualifications Wales will also be able to restrict the number of forms of a priority qualification. The intention is, through the establishment of Qualifications Wales, to strengthen the oversight of qualifications and of the qualification system in Wales.

The Bill is intended to address the four main limitations of the current system. These are outlined by the Welsh Government in the Bill's Explanatory memorandum as:

- there is no single organisation that is dedicated to ensuring the effectiveness of qualifications and the qualification system;**
- there are no powers to prioritise qualifications and to thereby focus regulatory activity where it is most needed – with the result that there are large numbers of regulated qualifications but limited resources to ensure effectiveness;**
- there are no powers to select a single provider of a given qualification to ensure that learners across Wales take the same qualification; and**
- the capacity to drive forward the strategic development of qualifications within the current arrangements is too limited - creating a risk that Wales' qualifications will not be held in as high esteem, nationally and internationally, as those in other nations.**

Principal Aims of Qualifications Wales

The Bill provides Qualifications Wales with the following principal aims, and it must act compatibly with these when exercising its functions:

- a) Ensuring that qualifications, and the Welsh qualification system, are effective for meeting the reasonable needs of learners in Wales; and**
- b) Promoting public confidence in qualifications and in the Welsh qualification system.**

The Bill and the Explanatory Memorandum can be found on the Assembly's website at the following address:

<http://www.senedd.assembly.wales/mgIssueHistoryHome.aspx?Ild=11777>

What the Bill does not do

The Bill is limited to the scope outlined above. As such, the Bill will not deal with the detail of specific qualifications or the teaching and quality of qualifications more generally. Neither does the Bill deal specifically with the other recommendations arising from the Review of Qualifications for 14 to 19 year olds in Wales, which are predominantly being implemented through other work by the Welsh Government outside of this Bill.

An article providing a simple guide to the provisions and background of the Bill can be found on the following link:

<https://assemblyinbrief.wordpress.com/2014/12/01/qualifications-wales-bill-laid-before-the-assembly/>

The committee's role

The Children, Young People and Education Committee has previously undertaken a [pre-legislative inquiry](#) into the proposed vision and remit for Qualifications Wales. The role of the committee is now to consider and report on the general principles of the Bill as introduced. In doing so, the Committee has agreed terms of reference, which are:

To consider, building on the conclusions and recommendations from the pre-legislative inquiry:

- the general principles of the Qualifications Wales Bill and how the Bill's stated policy objectives are to be delivered;
- the key provisions set out in the Bill and whether they are appropriate to deliver its stated purposes, including:
 - whether the Welsh Government has correctly identified the four main limitations of the current arrangement and whether the two principal aims the Bill sets for Qualifications Wales, as well as the eight matters which it must have regard when exercising its functions, will effectively address these limitations; and
 - the suitability of the proposal for determining 'priority qualifications' and, within these, 'restricted priority qualifications', of which Qualifications Wales may limit the forms available for public funding in Wales;
- potential barriers to the implementation of the key provisions and whether the Bill takes account of them;
- the financial implications of the Bill (as set out in Part 2 of the Explanatory Memorandum (the Regulatory Impact Assessment, which estimates the costs and benefits of implementation of the Bill); and

- the appropriateness of the powers in the Bill for Welsh Ministers to make subordinate legislation (as set out in Chapter 5 of Part 1 of the Explanatory Memorandum, which contains a table summarising the powers for Welsh Ministers to make subordinate legislation).

Invitation to contribute to the inquiry

The Committee would like to invite you to submit written evidence to assist in its scrutiny of the Bill. General information regarding consultation procedures, which should be considered carefully before submitting evidence to the Committee, is set out in Annex 1.

In particular, we would welcome your views on the questions listed on the attached / enclosed form, which should be used for submitting your evidence.

If you have any queries, please contact Gareth Rogers, Committee Clerk on 0300 200 6357 or Sarah Bartlett, Deputy Clerk on 0300 200 6337.

Yours faithfully

A handwritten signature in black ink that reads "Ann Jones". The signature is written in a cursive style with a large initial 'A' and a clear 'J'.

Ann Jones AC / AM
Cadeirydd / Chair

Annex 1

Submitting Written Evidence to the Committee

Cynulliad
Cenedlaethol
Cymru
National
Assembly for
Wales



Disclosure of Information

1. The Assembly's policy on disclosure of information can be accessed [here](#), please ensure that you have considered these details carefully before submitting information to the Committee. Alternatively a hard copy of this policy can be requested by contacting the Clerk.

Submitting evidence

2. If you wish to submit evidence, please send an electronic copy of your submission form to SeneddCYPE@assembly.wales and entitle the email "Consultation - Qualifications Wales Bill".

Alternatively, you can write to:

Sarah Bartlett, Deputy Clerk,
Children, Young People and Education Committee
National Assembly for Wales
Cardiff Bay, CF99 1NA.

3. Submissions should arrive by 16 January 2015. It may not be possible to take into account responses received after this date.

4. When preparing your submission, please keep the following in mind:

- your response should address the issues before the Committee, and should be limited to the scope of the Bill. Please reference your response using the title applied above;
- the National Assembly normally makes responses to public consultation available for public scrutiny and they may also be seen and discussed by Assembly Members at Committee meetings. If you do not want your response or name published, it is important that you clearly specify this in your submission;
- please indicate whether you are responding on behalf of an organisation, or as an individual; and
- please indicate whether or not you would be prepared to give oral evidence to the Committee. (For your information, the Committee is likely to be taking oral evidence during January and February 2015.)

Guidance for witnesses providing written evidence for committees

5. The Assembly is committed to providing accessible information to the widest audience possible. This short guide is to assist witnesses who produce written information for committees. This will enable the Assembly to provide information submitted by third parties in an accessible manner.

- **Use plain English and plain Welsh – avoid unnecessary jargon.**
- **Use a minimum of font size 12.**
- **A clear sans serif typeface, such as Lucida Sans.**
- **Do not have writing over graphics, pictures or watermarks.**
- **Colours and contrast - writing should have maximum contrast to the background: dark on light, light on dark.**
- **Do not use block capitals, and minimise use of bold, underlining and italics.**

6. Where possible, information should be provided in Microsoft Word (and on the form provided) to ensure accessibility. Where a scan or Pdf is provided, particularly in the case of signed letters or tables of information, the original Word document should be provided along with it.

General

7. The Committee welcomes evidence from those with an interest in this subject. If you are responding on behalf of an organisation, please provide a brief description of the role of your organisation. The Committee welcomes contributions in English and Welsh and we ask organisations with Welsh Language policies / schemes to provide bilingual submissions, in line with their public information policies.

8. The Committee will consider responses to the written consultation and hold oral evidence sessions during specified dates.

9. For your information, the Committee has invited submissions from a wide range of organisations, a list of which is available on request. A copy of this letter has also been placed on the National Assembly's website with an open invitation to submit views. However, the Committee would be grateful if you could forward a copy of the consultation letter and Annexes to any individuals or organisations that you believe might wish to contribute to the inquiry.