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Llywodraeth Cymru
Welsh Government

Llyr Gruffydd, MS
Chair
Finance Committee
Welsh Parliament
Ty Hywel
Cardiff Bay
CF99 1SN

11 January 2021

Dear Llyr,

Curriculum and Assessment (Wales) Bill

I would like to thank the Finance Committee for their scrutiny of the Curriculum and Assessment (Wales) Bill during Stage 1 and for the report which was published on 4 December 2020.

I have set out responses to the Committee's recommendations at Annex A. In summary I have accepted (or accepted in part) nine of the recommendations.

I hope this letter is helpful in setting out responses to the Committee's Report. I will also be writing to the Chairs of the Children, Young People and Education Committee and the Legislation, Justice and Constitution Committee with respect to their Stage 1 Reports, and will copy the letters to all three Committee Chairs.

I look forward to continuing to work with Members as the Bill progresses through the Senedd process.

Yours sincerely,

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Annex A: Response to Finance Committee Stage 1 Report Conclusions and Recommendations

Recommendation 1. The Committee recommends that the Welsh Government identifies how it will define and evaluate the success of the new Curriculum and outlines this in a revised Regulatory Impact Assessment.

I accept this recommendation. Our Research and Evaluation programme is being developed alongside the Curriculum Reform Implementation plan, with the close involvement of stakeholders and practitioners. Since the Regulatory Impact Assessment (RIA) was published, we have been preparing a specification for the first exercise in the programme - a scoping study - which will include:

- Establishing agreed definitions of readiness, progress and success, what they entail, and how they will be assessed.
- A readiness assessment, to understand the distance that each tier of the system needs to travel, the support that settings will need to be fully ready, and how we and the middle tier can provide that support.
- A robust research design for ongoing monitoring of readiness, progress and success, over short, medium and long term timeframes.
- A data audit to understand what information we have, and will need, to evaluate success against a range of indicators (some of which are set out in the implementation plan)
- A set of baselines and counterfactuals to enable us to evidence the impact the reforms have had.

We will approach the definition and evaluation of progress and success in a collaborative way, including the perspectives and contribution of our middle tier and academic stakeholders, whose role in inspection, challenge, research and support for settings makes a key contribution to understanding implementation progress and support needs.

We will publish the outcome of the scoping study, including the readiness assessment and detailed plans for ongoing research and evaluation before the end of 2021. These outcomes will inform the commissioning of a research contractor to deliver the first 5 years of the Monitoring and Evaluation programme committed in the Regulatory Impact Assessment, beginning in 2022.

Recommendation 2. The Committee recommends that the Welsh Government undertakes further work to assess the costs to schools and engages with schools other than Innovation Schools regarding the costs included in the RIA. Information gathered should be represented in a revised Regulatory Impact Assessment.

I accept this recommendation. Our work with Innovation Schools to assess costs revealed clearly that estimating the costs to schools will need to continue. It requires a depth of understanding of the reforms and their implications, consideration of the professional learning needs of practitioners, and estimation of a wide range of changes that will need to be made.

The Research and Evaluation programme, set out in Chapter 11, and explained in more detail in response to recommendations 1 and 9, will continue to assess emerging costs and other support needs amongst a wider representation of schools. The accuracy of these estimates will improve as the sector grows more confident about the requirements and their professional learning and other resource implications.

The process of co-construction of the detailed guidance, which has begun and continues, will provide a lot of detail as to how the reforms might be taken forward and the costs. We will provide an update to the Senedd on costs in 2021.

Recommendation 3. The Committee recommends that the Welsh Government provide further information on the basis of its +/-50 per cent range to schools costs.

I recognise the intention behind the Committee's recommendation, however, I do not accept this recommendation. The RIA summarises the research with schools and the decision to use +/- 50%. Pages 66 and 67 (paras. 8.48 to 8.50) set out the analysis methods in more detail and provide a rationale for the decision, explaining first the position in relation to absorbed costs, and then the position in relation to days for which supply cover would be required (direct costs).

The figures are provided for:

- overall days in Table 10 on page 107, with a table description in para. 8.232 on the previous page
- supply days required (direct costs) in table 11 on page 109, with a table description in para 8.234 on the previous page
- opportunity (absorbed) costs on table 13 on page 111, with explanation on page 111-112.

Recommendation 4. The Committee recommends that the Welsh Government undertakes further work to define and estimate the costs for 'Education Other Than At School' and assessment arrangements costs in consultation with stakeholders. This information should be provided in a revised Regulatory Impact Assessment.

I recognise the intention behind the Committee's recommendation, and accept this recommendation in part. The new curriculum enables a tailored approach for learners which is outlined in our statutory guidance to practitioners. The curriculum in EOTAS settings will be planned, designed and implemented in collaboration with the learner, provider, school and parents/carers and will focus specifically on the needs of that learner. As part of our ongoing co-construction work with practitioners and other stakeholders, we will develop a clearer understanding of the likely costs of implementation.

The Curriculum Implementation Plan and research and evaluation programme will identify the need for additional resources and any cost implications. The research and evaluation programme will include EOTAS provision. It will continue to explore the support the sector needs and the impacts of the reforms to this sector as they emerge.

In doing this, the programme will define and estimate costs as the sector becomes more familiar with the implications of the new requirements and the distance it needs to travel to meet them.

Given that the approach is being worked on with our stakeholders on an ongoing basis, we will provide an update to the Senedd in 2021.

Recommendation 5. The Committee recommends that the Welsh Government publishes details of the teacher based formula used to fund schools as well as providing the Committee with information on the other ways schools receive funding to aid transparency.

I recognise the intention behind the Committee's recommendation, however, I do not accept this recommendation. The annual publication, commonly known as the “Green Book”, provides background information used in the calculation of the revenue and capital settlements for unitary authority and police forces in Wales. This includes information in the Standard Spending Assessment for education. The Green Book sets out how the settlement amount is built up and calculated and the formulas used for the notional allocations within the un-hypothecated local government settlement for education. The relevant service areas for schools are Nursery and Primary school teaching and other services, Secondary school teaching and other services and Special Education. These formulas are based on a combination of pupil numbers, rurality and deprivation factors.

A link to the Green book is provided for reference -

https://gov.wales/sites/default/files/publications/2020-08/green-book_0.pdf.

In addition, all grants to local authorities are published alongside the Local Government settlement each year in table seven of the settlement tables –

<https://gov.wales/local-government-revenue-and-capital-settlement-final-2020-2021>.

Local authorities then have their own allocation formulas to individual schools. Local authorities overall funding is a combination of unhypothecated settlement from Welsh Government, specific grants, council tax and fees and charges. They may draw on all these sources to fund schools.

The recent [Review of School Spending in Wales](#) was published in October and includes a detailed and informative overview of what the current offer for children in Wales, including where the money comes from, who spends the money, how it's changed over time and what pupils get in terms of actual resources for their education.

The school funding review assesses the different levels of funding required, in different circumstances, needed to inform policy on school funding both now and in the future to support our education reforms.

Recommendation 6. The Committee recommends that the Welsh Government details all sunk costs relating to the Bill in the same part of a revised Regulatory Impact Assessment.

I accept this recommendation. All sunk costs relating to the Bill will be in the same part of the revised Regulatory Impact Assessment.

Recommendation 7. The Committee recommends that the Welsh Government should provide the detail on its discussions with stakeholders around the potential costs to the post-16 education system and publish any details of the financial implications.

I accept this recommendation. The Welsh Government provided the detail in the letter to the Finance Committee on 20 November. Officials met with representatives from the further

education (FE) sector in August 2020 who shared thoughts on the potential impact on the post-16 education system. These can be grouped as follows:

- financial implications for professional learning and development in the post-16 sector;
- the potential need for additional teaching hours in some subjects should certain areas of knowledge not be gained from the new compulsory curriculum; and
- the need to invest in Welsh language skills development in FE. For example, there may be further need for transition activities to be completed in order to ensure effective preparation onto post-16 courses for specific subjects.

Colegau Cymru recognises these issues do not necessarily form part of the financial scope of the Bill which focuses on the compulsory curriculum but consider these are costs that will need to be factored to make the new curriculum succeed in its aims.

The Welsh Government will continue to liaise with Colegau Cymru to ensure they are sufficiently prepared for the first tranche of learners in 2027, feeding into the Post-16 Professional Learning action plan and the Professional Learning Framework for staff within the post-16 sector as appropriate. Financial implications will be met from budgets committed to the realisation of the new curriculum, building on the £124,000 allocated between 2018-19 and 2020-21 to FE to support the new curriculum. This expenditure is included in the 'Curriculum Reform Project' lines of tables 2 and 3 (pages 78 and 79) of the RIA.

The RIA will be updated to reflect discussions ahead of Stage 3.

Recommendation 8. The Committee recommends that the Welsh Government provides details of how it will review the costs provided by stakeholders (and advise the Senedd of those costs) and the timescales of implementation.

I accept this recommendation. In July a number of key stakeholders were invited to submit additional evidence to the Welsh Government to inform the costs identified in the RIA. These included WLGA, ADEW, Regional Consortia, ITE providers, Estyn, Catholic Education Service, WASACRE, Church in Wales, and Colegau Cymru.

WASACRE advised there will be no additional costs relating to their organisation. Estyn have advised they will meet any costs relating to the new curriculum from their core funding allocation.

As advised in my letter of 5 November, work is ongoing to identify potential costs to awarding bodies, resulting from the change in qualifications and how these may impact on exam centres. The current situation with exams caused by the pandemic continues to make this exercise extremely challenging. Qualifications Wales are due to carry out a further consultation on qualifications for the new curriculum in the New Year 2021. As their work on qualifications progresses proposals will be subject to a separate RIA and any costs of the new qualifications to awarding bodies, schools and other parts of the sector will be looked at in detail and published at the appropriate time.

We have agreed funding for the Church in Wales and the Catholic Education Service to develop guidance to support the delivery of the new curriculum, from within existing budgets. This guidance is also intended to support schools to develop a curriculum that meets the wider framework requirements while also meeting their requirements as schools

with a religious character. The Church in Wales and the Catholic Education Service maintain that the requirements for them to deliver both agreed syllabus RVE and denominational RVE would mean additional costs and resources for their schools. Work on this continues to ensure the requirements on schools of a religious character to apply each of the two required syllabi are appropriate. Financial implications will be met from budgets committed to the realisation of the new curriculum.

The RIA will be updated ahead of Stage 3 on the above matters.

The Research and Evaluation programme (which will include the post-implementation review), will include evidence on the part played by each stakeholder in contributing and responding to the reforms. In doing this, the programme will collect and set out information on emerging costs to stakeholders, increasing the accuracy of the cost estimates over time. This will be based in part on the shared learning through the co-construction of guidance, providing the detail of what needs to happen and how. We will provide an update in 2021.

We have worked closely with stakeholders to understand the impact and implications of COVID-19. The Journey to 2022 was revised in light of this, and is clear in respect of the ways of working we expect to see across the education system in taking curriculum reform forward. It also made clear our recognition that the impact of the pandemic means schools will be at different points on their curriculum journeys, and that the pace and focus of activity will naturally vary across schools.

The Curriculum Implementation Plan will account for the difficult context for the profession brought about by COVID-19's impact. It will do this by detailing clearly what support schools can expect from the Welsh Government and its partners through the implementation phase, and when they can expect it.

Similarly, we will ensure that the design of the National Network – which will address barriers to implementation through co-construction – accounts for the impact of the pandemic. We will ensure that schools are not required to engage right away, but that they are fully supported to do so when they are better able to engage and that we are taking a prioritised and clear approach to ensure that schools can engage as effectively as possible when they are able.

Recommendation 9. The Committee recommends that the Welsh Government updates the Explanatory Memorandum on its proposals for evaluating the legislation, including how and when it intends to do this.

I recognise the intention behind the Committee's recommendation, and accept this recommendation in principle. As mentioned in response to recommendation 1, the Research and Evaluation programme is being developed collaboratively, and it would not be in-line with HMT Magenta Book guidance to confirm research and evaluation plans prior to the completion of a scoping study. An indicative timetable for the Research and Evaluation programme is available in section 11.7 of the Explanatory Memorandum and will be included in the Curriculum Implementation Plan, with full details of research activities and outputs to be set out in 2021/22.

The EM will be updated ahead of Stage 3 with progress to date in developing the Research and Evaluation plan.