



Dear Colleague,

## **Response to the Equality and Social Justice Committee's consultation: Anti-racist Wales**

We would like to thank the Equality and Social Justice Committee for undertaking this important inquiry and welcome the opportunity to contribute to this wider debate into the implementation and delivery of the [Welsh Government's Anti-Racist Wales Action Plan](#) ("Plan").

As the Plan rightly indicates, *'racism is still a reality for many of our learners and educators'*<sup>1</sup>. As the independent regulator for non-degree qualifications in Wales, we are committed to supporting the Welsh Government in delivering its Anti-racist Wales Action Plan, and in building an anti-racist Wales. We understand that this means actively identifying and eradicating the systems, structures and processes that produce radically differential outcomes in life for learners from diverse backgrounds.

We set out in our response below the work that we have already undertaken, as well as further planned work in supporting the Government's anti-racist approach. We also provide some detail around what additional interventions we think are needed to support delivery of the Plan, including how Welsh Government could encourage a more consistent cross-sector approach.

### **Qualifications Wales' Anti-Racism Action Plan 2022-2024**

We understand that our culture impacts on how we carry out our public duties and recognise the importance of the actions we take, and the messages that we send, to partners, stakeholders, and our staff. This is why we took the decision to develop and publish our own two-year [Anti-racist Action plan](#)<sup>2</sup> in November 2022.

Since launching this plan, we have:

- Completed an organisational wide Inclusion Review and acted on its findings, including all staff and Board member training, and the establishment of a cross-organisation Equalities Champions Group.

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<sup>1</sup> [Section 3 – Education and the Welsh language: Anti-racist Wales Action Plan \(p.40\)](#)

<sup>2</sup> [qualifications-wales-anti-racism-action-plan-2022-24.pdf](#)

- Taken part in the '[Pathway to Board' programme](#)<sup>3</sup>, with three of our Board members acting as mentors.
- Continue to review and refine our recruitment processes to identify and apply best practice. We want to engage with our local area – one of the most ethnically diverse in Wales – and we recently ran a series of recruitment open evenings to that end.
- Begun a review of our process for undertaking Equalities Impact Assessments, taking into consideration the Auditor General for Wales' findings and recommendations in its report, '*Equality Impact Assessments: more than a tick box exercise?*'<sup>4</sup>.

We will continue to make progress against each of the actions in our plan and learn from the work we do in this period. A further iteration of this plan will be published for the subsequent period.

### Qualification Development

One of the Anti-racist Wales Action Plan's goals is:

*To ensure that Black Asian and Minority Ethnic stories, contributions and histories are taught throughout the revised Curriculum for Wales.*

Ensuring that equality and diversity issues are incorporated effectively and meaningfully into the design of the new range of qualifications has been, and will continue to be, a key consideration in our work.

While we don't have any direct influence on teaching and learning in schools and colleges or education workforce recruitment - two of the main areas highlighted in the Government's Plan – we have committed within our own action plan to identify and take opportunities to influence qualification content and awarding body resources.

This includes helping to embed Professor Charlotte Williams OBE's review to advise on and improve the teaching of themes and experiences related to Black, Asian and Minority Ethnic communities across the curriculum through the reform of qualifications for 14-16-year-olds. The final report<sup>5</sup>, published in March 2021, made two recommendations for Qualifications Wales:

**Recommendation 47:** *Qualifications Wales should consider appropriate ways to support diversity within qualification design as it engages with stakeholders on subject content and design parameters of made for Wales GCSEs.*

**Recommendation 48:** *Qualifications Wales should work closely with awarding bodies to ensure that, where appropriate, specifications for made for Wales qualifications reflect education for diversity.*

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<sup>3</sup> [Pathway to Board - Cardiff Community Housing Association \(ccha.org.uk\)](https://www.ccha.org.uk)

<sup>4</sup> [https://www.audit.wales/sites/default/files/publications/Equality\\_impact\\_assessment-english\\_0.pdf](https://www.audit.wales/sites/default/files/publications/Equality_impact_assessment-english_0.pdf)

<sup>5</sup> [black-asian-minority-ethnic-communities-contributions-cynefin-new-curriculum-working-group-final-report.pdf \(gov.wales\)](https://www.gov.wales/black-asian-minority-ethnic-communities-contributions-cynefin-new-curriculum-working-group-final-report.pdf)

We have developed the new Made-for-Wales GCSE qualifications through a process known as 'co-construction' – this has meant collaborating closely with teachers, learners, expert advisers, and others who rely on qualification outcomes including employers, colleges, training providers and universities to develop proposals for qualifications in individual subjects.

As part of that process, we ensured Black, Asian and Minority Ethnic representation on our Academic Advisory Group. We also established a focus group to undertake a critical review from a diversity perspective of the content proposals for subjects within three Areas of Learning and Experience – Humanities, Expressive Arts and Languages, and Literacy and Communication. We considered the feedback from the focus group for all new Made-for-Wales GCSEs.

In April 2022, we requested that Professor Williams, a member of our Academic Advisory Group, provide further support and advice on a range of matters, including how diversity could be taught and assessed across different subjects in the new Made-for-Wales GCSEs, and the steps that we should take to ensure that the new Made-for-Wales GCSEs and other qualifications developed by awarding bodies reflect education for diversity.

We want to maximise the opportunities available to 14-16-year-old learners to engage with and consider the curriculum's cross-cutting themes<sup>6</sup>, which include diversity, human rights and local, national and international contexts. This is why we have required that all Made-for-Wales GCSEs<sup>7</sup> include opportunities for learners to engage with those themes and provide relevant and engaging content and assessment that relates to and supports Curriculum for Wales.

We have also published a policy statement<sup>8</sup> setting out our commitment to ensuring that all Made-for-Wales qualifications for 14-16-year-olds reflect a diverse range of perspectives, contributions, experiences to include those relating to ethnically diverse communities across Wales.

Awarding bodies developing any new Made-for-Wales qualification for 14-16-year-olds will therefore be required to explain:

- how the qualification design reflects the diversity of representations, perspectives, themes and contributions, including those of Black, Asian and Minority Ethnic communities and individuals.
- how it has considered the use of language and/or terminology, the selection of resources, and sought the views of diverse groups of persons, including the diversity of perspectives and contributions made by ethnic minority communities (and individuals), through its stakeholder engagement, and how those views have been taken into account.

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<sup>6</sup><https://hwb.gov.wales/curriculum-for-wales/designing-your-curriculum/cross-cutting-themes-for-designing-your-curriculum/>

<sup>7</sup> <https://qualifications.wales/media/t1lhpbw/made-for-wales-gcse-qualification-approval-criteria.pdf#>

<sup>8</sup> [cfw-cross-cutting-themes-to-made-for-wales-14-16-qualifications.pdf](https://qualifications.wales/media/t1lhpbw/cfw-cross-cutting-themes-to-made-for-wales-14-16-qualifications.pdf)

More recently, and in advance of WJEC beginning the work of developing qualifications to meet the requirements of our published Approval Criteria, we facilitated a joint workshop between our staff, WJEC colleagues and the [Diversity and Anti-Racist Professional Learning \(DARPL\)](#) team. This session was incredibly informative and provided the opportunity to reflect on and discuss our respective work in developing the new Made-for-Wales GCSEs.

In response to Professor Williams' advice, we have also commissioned research into inclusive approaches to qualifications and assessments, with a clear focus on identifying good practice internationally. This research has explored a range of matters, including:

- how to ensure that awarding bodies build in sufficient consideration of equality and diversity within the qualification development process
- good practice within existing qualifications in relation to equality and diversity
  - minimising bias, access arrangements etc
  - how some awarding bodies have attempted to diversify their qualifications
- lessons from other assessment and qualification systems
- how to embed equality and diversity meaningfully and authentically in qualification design while avoiding tokenism, over-prescription, or unduly changing the focus of the qualification.

We believe this research to be an important contribution which will deepen our collective understanding and awareness around embedding equality, diversity and inclusion into future assessments and qualifications. We expect to publish this research in autumn 2023.

### **Qualification Data**

The Plan acknowledges the limitations of the data we currently have in terms of qualifications and academic attainment. For example, the data does not give any indication of the barriers faced and overcome by ethnic minority groups, in order to become high achievers in terms of their qualifications, or why significant portions of some groups do not gain qualifications.

During the Covid pandemic we introduced an Official Statistics publication including analysis of attainment gaps in general qualification results<sup>9</sup>. We intend to build in analysis of results by ethnic minority category to this release where possible. However, the Committee should note that there are factors that limit such analysis, including a lack of available data on the ethnic minority status of learners in post 16 education and on the attainment of learners prior to their qualifications. Statistical analysis and reporting can also be hampered by small sample sizes within ethnic categories.

Dependent on the new Commission for Tertiary Education and Research (CTER)'s future role in relation to post-16 data, we would look to work with them to improve the quality of data to gain a better understanding regarding learner progression and attainment. We are committed to establishing a positive working relationship with CTER and, once established, will look to formalise that in an agreed Memorandum of Understanding.

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<sup>9</sup> [Equalities Analysis of General Qualifications in Summer 2022 | Qualifications Wales](#)

## Recognition of Prior Learning

The lack of transferability of refugees' qualifications to those we recognise in Wales is highlighted as a particular challenge within the Plan. To that end, the role of the Credit and Qualifications Framework for Wales (CQFW) in supporting the recognition of prior learning (RPL) and facilitating the understanding and comparison of international qualifications is an important one.

As members of the CQFW Advisory Group, and the owner of the Regulated Qualifications Pillar within that Framework, we recognise that RPL offers many benefits to learners and other stakeholders. We also believe it is important that awarding bodies outline their approach to RPL in a clear and transparent way. This is why we require all awarding bodies to publish a policy statement<sup>10</sup> outlining their approach to RPL. This policy statement must make it clear whether prior learning is recognised and, if it is, when and how RPL is applied, so that learners are aware and informed about the process. We have also published guidance<sup>11</sup> for awarding bodies which sets out matters for consideration when formulating and implementing an RPL policy, and how to support centres effectively through an RPL process.

Recent discussions at the CQFW Advisory Group have included exploring the potential for an overarching RPL policy for Wales. We will continue to advise and support the Group's work in this area.

## Additional interventions to further support delivery of the Plan

In setting out expectations for the public sector, for example Board training, we believe that additional Government support would have been beneficial. For example, by procuring appropriate training on anti-racism centrally and making it available to public bodies so that there is a consistent understanding and approach across the Welsh public sector.

Expectations on public bodies outlined in the Action plan are closely related to other activities and reporting requirements under the Public Sector Equality Duty (PSED). The Auditor General for Wales in its report, *Equality Impact Assessments: More than a Tick Box Exercise?*<sup>12</sup> recognises that developments in response to the Welsh Government's review of the Wales specific equality duties<sup>13</sup> may also have implications for current guidance in due course. We would therefore encourage Welsh Government to share widely any guidance, or specific training in these related areas.

We also believe that the public sector in Wales as a whole would benefit from the outcomes of Welsh Government's work to *'continue to improve Integrated Impact Assessment (IIA) and review and revise the Equality Impact Assessment element of IIA to support staff in carrying out effective equality impact assessments, including support in understanding impact in respect of*

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<sup>10</sup> <https://qualifications.wales/information-support/educators-centres/information-for-educators/recognition-of-prior-learning/>

<sup>11</sup> <https://qualifications.wales/media/3rvfzfn2/guidance-for-awarding-bodies-on-recognition-of-prior-learning.pdf>

<sup>12</sup> <https://www.audit.wales/publication/equality-impact-assessments-more-tick-box-exercise>

<sup>13</sup> <http://www.legislation.gov.uk/wsi/2011/1064/contents/made>

*race as a protected characteristic and how to take a specifically anti-racist approach when considering impact'* (pages 61-62 of the Plan).

We hope that the information provided below is useful as the Committee further explore the issues around the overall implementation and delivery of the Plan and the concerns raised by stakeholders in relation to a number of policy areas, including attainment gaps in education. Should the Committee require further information from us, we would be more than happy to provide this to you.

Yours sincerely,



Philip Blaker  
**Chief Executive**