



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

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

Dydd Mercher, 6 Chwefror 2013
Wednesday, 6 February 2013

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Motion under Standing Order No. 17.42(ix) to Resolve to Exclude the Public from the Meeting

Cofnodir y trafodion hyn yn yr iaith y llefarwyd hwy ynndi 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

Christine Chapman	Llafur (Cadeirydd y Pwyllgor) Labour (Committee Chair)
Suzy Davies	Ceidwadwyr Cymreig Welsh Conservatives
Rebecca Evans	Llafur Labour
Bethan Jenkins	Plaid Cymru The Party of Wales
Julie Morgan	Llafur Labour
Lynne Neagle	Llafur Labour
Jenny Rathbone	Llafur Labour
Aled Roberts	Democratiaid Rhyddfrydol Cymru Welsh Liberal Democrats
Simon Thomas	Plaid Cymru The Party of Wales

Eraill yn bresennol
Others in attendance

Robin Hughes	Rheolwr Cenedlaethol, OCR Cymru National Manager, OCR Cymru
Gareth Pierce	Prif Weithredwr, Cyd-Bwyllgor Addysg Cymru Chief Executive, Welsh Joint Education Committee
Keith Towler	Comisiynydd Plant Cymru Children's Commissioner for Wales

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

Ffion Emyr Bourton	Dirprwy Glerc Deputy Clerk
Claire Morris	Clerc Clerk
Anne Thomas	Y Gwasanaeth Ymchwil Research Service
Sian Thomas	Y Gwasanaeth Ymchwil Research Service

Dechreuodd y cyfarfod am 9.16 a.m.
The meeting began at 9.16 a.m.

Cyflwyniad, Ymddiheuriadau a Dirprwyon
Introduction, Apologies and Substitutions

[1] **Christine Chapman:** Good morning and welcome to the Assembly's Children and Young People Committee. I remind Members to turn off any mobile phones or BlackBerrys,

because they affect the transmission. We have had apologies this morning from Angela Burns.

Ymchwiliad i Bresenoldeb ac Ymddygiad—Sesiwn Dystiolaeth Inquiry into Attendance and Behaviour—Evidence Session

[2] **Christine Chapman:** I welcome once again Keith Towler, the Children's Commissioner for Wales. Thank you for your paper, Keith; Members will have read it. If you are happy, we will go straight into questions.

[3] **Mr Towler:** That is great.

[4] **Christine Chapman:** I will start off with the first question. There have been a number of Welsh Government plans and strategies to address the issues set out in the national behaviour and attendance review of 2008. Have these delivered what is needed to make progress on the NBAR recommendations?

[5] **Mr Towler:** Yes and no. I am very much aware, as you are, that those frameworks, guidance notes and resources are out there, but this is about the implementation of those things. My feeling is that it is pretty inconsistent in terms of its delivery and I know that there is anxiety about the pace of change following the NBAR recommendations. I think that the work that Ken Reid and the members of the NBAR did was a robust piece of work with good and sound recommendations. To be fair to the Welsh Government, I think that it has responded. It is about whether this gets through to the coalface. In the school visits that I have done, certainly, there is frustration that, sometimes, things just do not get through.

[6] **Christine Chapman:** Do you think that there should be one big overarching strategy, or should it be left with the 22 local authorities? Do you think there is a problem there?

[7] **Mr Towler:** I think it would be much better if there was a regional approach to the delivery of these things. The Welsh Government has a clear part to play in relation to leadership from the Minister. Guidance is absolutely critical to that, as is Estyn's work as an inspector. However, I think that some regional collaboration in relation to implementation would make things much easier. Having everything times 22 is quite confusing.

[8] **Christine Chapman:** I will move on now to questions from Jenny.

[9] **Jenny Rathbone:** I did not realise—you have allocated me Angela's questions, have you? Okay. Do you think that there has been a shift or do you perceive that there has been a change in—? Okay. How are we going to get this whole-school approach? You have given various bits of evidence in your written submission of good practice in various schools around Wales, but it is clear from a variety of sources that this is not embedded. Why are schools not sharing the practice that exists in their regions? Why are local authorities not promoting that to ensure that other schools, which are having more difficulty, are gripping it and learning from the good practice?

[10] **Mr Towler:** Indeed. The first point is that whole-school approaches fundamentally work and are in the best interests of children and families. I listed it in the submission, but I see a huge amount of good practice; I could list loads of them in most local authorities in Wales and they are characterised by some key things. We have talked a number of times in this committee about leadership and management and the distinction between the two. The skills in relation to leadership and the leadership of headteachers are critical to whole-school approaches. So, where there is a multi-disciplinary response in a school, where headteachers are open to agencies being part of the school and to working collaboratively, that works. That

leadership has to be reflected across a local authority or region, so chief executives of local authorities and directors of education need to replicate that leadership. They need to be encouraging headteachers to behave in that way, but they also need to take that responsibility in an education and local authority setting. So, leadership is critical and we should value those leaders more than we do. That is quite distinct from the management function. Leaders talk about vision, voice and the importance of children and families. That gives licence to teachers to practice. We need the same coming from education directors, chief executives and corporate members. So, that leadership model is really important.

[11] Then you get into management and making sure that things are safe, children are learning what they need to learn, they are getting into school on time and attendance rates are picking up. Where those things work really well—and Estyn reflected this in its submission to you—schools are very clear about what sanctions there need to be, but they are built on a reward system. Rewards, such as award ceremonies for children and recognition of children’s achievement, work. Even if you improve your attendance from 50% to 60%, that needs to be recognised and rewarded. Schools need that and headteachers need that recognition and reward. Those principles should run through how we manage adults delivering services for children in much the same way as we try to encourage that in schools.

[12] Your question was about what the barriers are, and you need to create a culture that believes in delivering good services for children and young people in school settings. You need to do that on a reward basis; you need to give people recognition for what they do. However, we need to distinguish between leadership and management. Police officers, health workers, mental health practitioners and voluntary sector organisations will respond to individual schools because of the leadership.

[13] **Jenny Rathbone:** Okay, but this is not rocket science. Why is this leadership absent in so many places?

[14] **Mr Towler:** Ask those who appoint headteachers. There is something about the recruitment. What do we want headteachers to deliver for our children? There are headteachers out there who will sometimes say that they are quite isolated, sometimes they are battling with their local authorities, other times they are well-supported by a governing body, other times they are leading a governing body. That is a really difficult job, but maybe we underestimate the skills required to be a headteacher. That is not me having a go at headteachers. I think that, generally, headteachers are doing a fantastic job, but there is something about the role of the headteacher in all of that which is critical.

[15] **Julie Morgan:** I absolutely agree with everything you say, but have you got evidence, in relation to this inquiry, which is into attendance and behaviour, that, where the whole-school approach is taken, the attendance improved, or has improved behaviour been registered?

[16] **Mr Towler:** Yes, there is evidence. I list case studies in the submission. For example, there is Goetre Primary School in Merthyr Tydfil. Many of you will know Merthyr Tydfil and where that primary school is; it is a challenging area. The headteacher has shown some real vision and leadership. There was a real problem with attendance levels at the school, and she appointed somebody as a family liaison officer, who would go out and reach out into the community. Attendance rates have really improved. What is the ethos of the school that delivers that? It is that children and families should both recognise that the school is a safe place and that it is somewhere where you can access all kinds of help, advice and support as a family member. We are trying to encourage those families to increase their children’s attendance at school and, as a result of creating that safe environment, attendance levels increased. As a result of attendance levels increasing, attainment increases. It is not difficult—the evidence is there.

[17] If you go further across south Wales, there is the restorative practice approach in Swansea, where, in places like Townhill, circle time happens every day. It will be happening right now; there will be children sitting down in Townhill in a group like this—a slightly more comfortable group than this—all having a discussion about how they are feeling. They will be talking about personal things: ‘I am feeling very sad today because my guinea pig just died’, ‘I am feeling very sad today because my mother has just been taken into hospital’ or ‘I am feeling really sad today because my dad died yesterday’. So, you will have a whole range of things going on, with teachers supporting children and supporting families to support the child. In terms of what you are saying, does it make a difference? Yes, it does. Attendance levels increase, behaviour levels improve and attainment increases as a result. So, we have the evidence to suggest that those approaches work.

[18] **Julie Morgan:** You mentioned two specific things that you think have helped, namely the family liaison officer and this school group at the beginning of the day. Is there evidence of those practices being picked up by other schools or is it still, going back to Jenny’s question, the leadership in the school that determines it?

[19] **Mr Towler:** The Swansea example is a good one. There was some leadership demonstrated in some of those schools. The local authority has recognised what was going on and is trying to make sure that all schools take a restorative approach. I think that it has made a commitment to be a restorative local authority. So, there are some examples of where that happens. Last week, to give you my most recent experience, I was in Ysgol Dinas Brân in Llangollen, which is a secondary school. The wellbeing ethos of that school and the way that it wants to and is working with the cluster schools—I cannot remember the exact number, but it is a big number of cluster schools, namely primary schools, that feed in to that secondary—and how that cluster works is really significant. We overlook that. So, for example, the headteacher there was talking about how the cluster is managing the transition from primary to secondary and focusing that on wellbeing and trying to demystify the thoughts of going to this huge school if you are coming from a very small rural school. Cluster areas and managing that process are one of the mechanisms for doing that. It does not bypass the local authority, which needs to support the idea that schools working in clusters need to focus on wellbeing.

[20] **Julie Morgan:** What about the Welsh Government’s role in this? Should there be something in the strategy for behaviour and attendance that includes these matters?

[21] **Mr Towler:** Absolutely. If I have a criticism about this, it is that we tend to think about targets and performance measures rather than people and what is in the best interests of children and families. My feeling, and I think that I say this about most things now, is that we need to focus on practice and outcomes, and we need to focus on what works; if circle time works in schools, we need to focus on what mechanisms we need to enable teachers to do that, rather than on what targets they need to hit around attendance levels. Targets will be hit by focusing on the way that children respond to what happens in their schools. So, the focus needs to be on practice. It would be good for Welsh Government Ministers across the board to reflect that the delivery of their policy is absolutely critical to the way in which practitioners understand it. We need to reflect what practitioners are telling us works. I have listed some of those approaches and I have read some of the other evidence that you have received, so there are other bits of evidence that are all showing us the same thing, that those kind of human-based, compassionate-led pieces of practice in schools deliver for children and families. As a result, attainment, attendance and behaviour improve, but the focus is on wellbeing.

9.30 a.m.

[22] **Christine Chapman:** Bethan wants to come in, but I just want to pursue that area, Keith. Yes, it does seem common sense that you address the wellbeing of young people and

children, but have you got an assessment of whether that is consistently applied in all schools? In some evidence that we have had, witnesses have said that they are there to teach, and have not got the time to do this. I just wonder what views you have on that.

[23] **Mr Towler:** The recent snow was an interesting illustration of that. You get straight into the question of whether schools are there to provide childcare for people who are struggling to get to work if the school closes. We have this debate every year. My own feeling—and I get a sense that there is a shift in the way that teachers, headteachers and governing bodies are thinking about this—is that we need to think, ‘What is it that we are trying to create with this building that we call a school?’. We are trying to create an environment that children want to come to so that we can do what we want to do, which is to give them fantastic opportunities to learn and to attain great levels of academic and vocational qualifications, and to learn about the world and our place within it. The first step has to be creating an environment that is safe. It has to be. So, I think that there has been a bit of a shift in the teaching profession about thinking about recognising every teacher’s responsibility in relation to safeguarding and the wellbeing of children. When you get that right, you can then start opening up a world of opportunity for children and young people, but without that, it is a constant struggle because you are into behaviour management, poor attendance rates, and a series of issues where children do not want to be there. There has been a bit of a shift, and some of that is reflected in the way in which the teaching profession and other professions have responded to the UN Convention on the Rights of the Child, placing the voice of children and young people at the heart of some of this. So, there are less tokenistic approaches in school councils, and more robust school councils, with more listening to children and young people, valuing what they are saying and really working on the feedback from children about what works and what does not. There is a shift, but—and this goes back to my first point—we need to recognise and reward those people who are doing those things, and say, ‘That is the model; we think that is brilliant and we want everybody to aspire to that’, and create this culture that wants people to respond in the same way.

[24] **Bethan Jenkins:** Rwyf wedi darllen rhai o’r enghreifftiau yr ydych wedi eu rhoi o ysgolion gwahanol fel Goetre a Townhill. Rwyf am ddeall sut mae’r ysgolion hynny yn ariannu’r prosesau hyn, oherwydd cawsom wybodaeth wythnos diwethaf gan yr undebau llafur bod rhaid i’r arian ddod o adrannau eraill o’r ysgol os ydynt yn rhoi strategaethau yn eu lle ar gyfer helpu plant yn y modd hwn. A oes tystiolaeth gennych fel swyddfa ynglŷn â sut, felly, mae’r ysgolion hyn yn symud arian o gyllidebau gwahanol er mwyn canolbwyntio ar y math o bethau hyn?

Bethan Jenkins: I have read some of the examples that you have provided of various schools, for example, Goetre and Townhill. I just want to understand how those schools fund these processes, because we had information last week from the trade unions that the money had to come from other departments of the school if they were to put in place strategies to help children in this way. Do you have evidence as an office about how, therefore, these schools move money from different budgets in order to concentrate on these sorts of things?

[25] **Mr Towler:** It is a real challenge for them. The headteacher of Goetre Primary School is an absolute star. She will love me for saying that. She did not give up, in terms of thinking about the budget for the school, and what she wanted for the school. My understanding of what she did is that she began by begging within the local area, and trying to think about how to get resource, and she then started to shift different bits of money around in terms of working with the education welfare service and others. She re-shifted and refocused bits of the school budget that were under her control, working with the governing body, to think about appointing somebody to the staff—a non-teaching member of staff at a reasonably senior level in the school, whose work would be focused on communities. To do that, she decided—I think I am right in saying—as the headteacher, supported obviously by the governing body, that spending the school budget in that way, because it was not new money, would help to deliver good educational outcomes for children in Goetre Primary School. So,

she shifted the balance of her budget. This was not about creating new money, or finding new ways of working. I think that it has been recognised by the local authority; the local authority responded to her. However, the brave decision was hers.

[26] **Bethan Jenkins:** Mae'n anodd i ni fel pwyllgor ddeall i ble nad yw'r arian hwn yn mynd, os yw'n mynd i'r pethau hyn. A allech ehangu ar hynny mewn nodyn neu rywbeth? Os ydym am roi cynigion gerbron y Llywodraeth, byddai'n haws o lawer i ni wneud hynny pe baem yn gwybod nad oedd rhaid iddi beidio â chael athro mewn swydd oherwydd bod ganddi rywun sy'n mynd mas i'r gymuned. Byddai hynny yn ein helpu i greu darn o waith effeithiol.

Bethan Jenkins: It is difficult for us as a committee to understand where the money is not going if it goes to these things. Could you elaborate on that in a note, for example? If we want to put proposals to the Government, it would be much easier to do that if we knew that she did not have to not have a teacher in place because she has someone who goes out into the community. That would help us to create an effective piece of work.

[27] **Mr Towler:** I would be happy to do that. It would be good to get those kinds of headteachers sitting here and talking to you directly about those things, rather than people like me and others who represent big bodies. The voices of some of these headteachers need to be heard directly. It would be much better coming from her. However, we could certainly do a piece of work and try to put something together to give you some kind of a picture about the way in which they did that, recognising the sensitivities that are in play.

[28] **Christine Chapman:** We are getting headteachers in via local authorities, which is useful.

[29] **Mr Towler:** Great.

[30] **Simon Thomas:** I ddilyn y cwestiwn hwnnw'n benodol, a ydych wedi canfod tystiolaeth bod y grant amddifadedd plant yn cael ei ddefnyddio'n benodol at y pwrpas yr ydych wedi sôn amdano, sef creu dulliau ysgol gyfan a hefyd penodi aelod o staff i weithio gyda'r gymuned?

Simon Thomas: To follow up that question specifically, have you found evidence of the use of the pupil deprivation grant specifically for the purpose that you have mentioned, to create these whole-school approaches and also to appoint a member of staff to work with the community?

[31] **Mr Towler:** There is evidence to suggest that that is how headteachers have done that, but it is inconsistent and rather ad hoc in terms of the way in which it is used.

[32] **Aled Roberts:** Roedd hynny'n rhan o'r cwestiwn roeddwn i'n mynd i'w ofyn. Ond, byddai'n ddiddorol hefyd, o ran yr enghreifftiau rydych wedi'u rhoi yn Townhill a Goetre, fel y dywedodd Bethan, pe bai'n bosibl i ni gael tystiolaeth gan yr ysgolion. Os na fyddai'r prifathrawon yn gallu gwneud hynny, a fyddech chi'n gallu rhoi tystiolaeth bellach i ni ynglŷn â sut maen nhw wedi ariannu'r cynlluniau hynny yn benodol, ers pryd maen nhw wedi bod yn cynllunio ar y sail honno, a pha effaith mae hynny wedi'i gael ar gyrhaeddiad yr ysgol?

Aled Roberts: That was part of the question that I was going to ask. However, it would also be interesting, in terms of the examples that you have provided in terms of Townhill and Goetre, as Bethan mentioned, if it would be possible to obtain evidence from the schools. If the headteachers would not be able to do so, would you be able to provide us with further evidence on how they have funded those specific schemes, how long they have been planning on that basis, and what impact that has had on achievement within the school?

[33] **Mr Towler:** Yes, I think that we could do that quite quickly. There are a couple of models in place. We have talked about Townhill in Swansea, but that is a local authority

response to commit to a restorative justice approach in schools in Swansea. That is a different model to the one in Goetre Primary School, where an individual is trying to do something that has subsequently been recognised as really good practice. There are a couple of things already in place. I know that it is difficult to unpick, but it would be good to look at both.

[34] **Suzy Davies:** Just before we move away from the rewards idea, I am not sure how to put this, but, can you see that there might be some problems with talking about a reward system in a whole-school environment, when there are, perhaps, problems with the public's perception of children who are seen to behave badly being rewarded for being bad boys and girls? More importantly, other children in the school might think that some of their fellow pupils, who they do not think behave very well, are getting better treatment than they are. Is there a risk that headteachers might say, 'Oh yes, rewards and sanctions, we need to do more rewards', but that they might get their marketing wrong, if I can put it like that? How do we get across the message that rewards work? That is not rocket science; anyone who has raised a child will know that. How do we get that message to the public and the other children in the school, without getting the message wrong? Sorry; I am not explaining it very well, but you know what I mean.

[35] **Mr Towler:** Yes, I know what you mean. I have been to more reward ceremonies than you can possibly imagine. I guess that some of you will have done so too. They are fantastic things. What I have seen work really well in some schools is that the school council and the headteacher or the link teacher decide how the awards evening will work. I have seen a fantastic level of feelings of injustice if some children do not get rewards.

[36] **Suzy Davies:** That is what I was coming to.

[37] **Mr Towler:** I have seen a much greater level of acceptance, particularly in primary sector school councils, that all children need to be recognised for what they have achieved. It is about the way in which that can be managed in terms of academic achievement, vocational achievement, volunteering, attendance levels and improved behaviour, and doing so in a culture of people standing up, clapping, whooping and doing all kinds of things, and celebrities like yourselves turning up and giving out awards. I do not say that flippantly either, because, for children, it is a big deal when you turn up to do that. If you are getting a certificate for cooking the best meal during that term, then that is fantastic. I do not think it really matters what the reward is for; it is about the culture of it. I have seen a sense of injustice among children and young people if they are not recognised—more than the sense of injustice about rewards for bad boys. It is different in secondary schools. The culture in secondary schools is very different. The way in which that applies in a public setting for young people, as they grow and mature, can be embarrassing. So, the way in which you need to handle this in secondary schools is different. However, I think you can build it in primary schools.

[38] **Suzy Davies:** Okay, that is fine. What is the effect on children who have a record of bad behaviour or poor attendance and who do not come top of their class in that, if you like? What if they come second or third? Do they have worse behaviour or attendance?

[39] **Mr Towler:** I have not picked up any sense that that has happened. However, I sense that there are a lot of creative teachers who will find something to reward you for. In other words, they will find a way of bringing you in. The real risk is that, if the whole school body does not get recognised in some way, you marginalise children, and that is a really difficult thing to do. Teachers are very creative in the ways in which they do that.

[40] **Suzy Davies:** So, they are the ones that we need to hear from, rather than the ones who say, 'Oh, you will have a reward for being a good boy this week,' which then does not happen the following week, meaning that the whole thing is very temporary. Is that the case?

[41] **Mr Towler:** Absolutely. The other thing is the distinction between academic and vocational achievement, and seeing more and more emphasis on vocational achievement being as worthy as academic achievement, which it is, in my view.

[42] **Suzy Davies:** I do not think that we disagree.

[43] **Christine Chapman:** We have a maximum of 20 minutes left, and I have a few other areas to address. I think that Bethan wanted to come in here.

[44] **Bethan Jenkins:** Ynghylch y gwaharddiadau, rydych yn dweud yn eich tystiolaeth bod gwaharddiadau â thymor penodol yn cael eu defnyddio, eu bod yn ddull aneffeithiol o reoli ymddygiad a bod plant yn cael eu gwahardd am herio'r rheolau yn hynny o beth. Rydych yn dweud bod y dull hwn yn rhan o ganllawiau Llywodraeth Cymru. Er bod y canllawiau'n dangos Confensiwn y Cenhedloedd Unedig ar Hawliau'r Plentyn, gyda'r bwriad o sicrhau eu bod yn cyd-fynd â'r confensiwn, nid yw hyn yn cael ei weithredu. Yn sgîl eich tystiolaeth, a allwch chi egluro'r hyn sy'n digwydd yn Lloegr ond nad yw'n digwydd yng Nghymru, yng nghyd-destun sicrhau bod y ddau beth hynny'n cyd-fynd mewn modd mwy amlwg?

Bethan Jenkins: In terms of exclusions, you say in your evidence that fixed-term exclusions are used, that they are an ineffective method of managing behaviour and that children are excluded for challenging the rules in that sense. You say that this approach is part of the Welsh Government's guidelines. Even though the guidelines reference the United Nations Convention on the Rights of the Child, with the aim of ensuring that they comply with the convention, this is not implemented. In the light of your evidence, can you explain what happens in England but does not happen in Wales, in the context of ensuring that those two things can correlate in a more evident way?

[45] **Mr Towler:** I am happy to do that. The use of fixed-term exclusions is completely ineffective in the way that it works. My counterpart in England has been doing a school exclusions inquiry. She has approached that task by doing an assessment on compliance against the articles in the United Nations Convention on the Rights of the Child. From my point of view, that is a fantastic way of thinking about compliance in relation to exclusions. If we get to the point where we are very clear that exclusion needs to be seen as a last resort, that it cuts across the rights of children to receive an education and is not in their best interests, how do we apply something that makes a difference? Maggie Atkinson and her team are doing an assessment against the articles in the convention. In Wales, we have the Rights of Children and Young Persons (Wales) Measure 2011, so there is an opportunity for you to consider the ways in which we should get Ministers to consider their responsibilities for compliance in relation to their due-regard duty in respect of the rights of children Measure. That way of working shifts the balance and turns it completely on its head, from a situation of counting exclusions to a situation of saying, 'Surely you are breaching your due-regard duty here.'

9.45 a.m.

[46] **Bethan Jenkins:** Are they not doing that at all at the moment?

[47] **Mr Towler:** I do not get the sense that that is happening. It is early days for the rights Measure, but, as the children's commissioner, I do not know which tools officials are using to measure compliance with the rights Measure, which is an issue for me as to how I hold Government to account. I raise that here with you because I think that that is a legitimate thing for you to say regarding practice in relation to exclusions. Does that help?

[48] **Bethan Jenkins:** Yes, it does.

[49] **Simon Thomas:** Mae'r pwyllgor wedi bod yn ceisio edrych ar agwedd arall ar waharddiadau, sef y gwaharddiadau answyddogol, neu anghyfreithlon, fel y mae rhai yn eu galw. Rydym wedi clywed dwy farn bur wahanol. Roedd yr Athro Ken Reid yn ddigon clir bod hwn yn fater sy'n digwydd mewn ysgolion yng Nghymru. Rwy'n sylwi bod eich tystiolaeth yn cyfeirio at reolau a chanllawiau'r Llywodraeth, sy'n sôn am

Simon Thomas: The committee has been trying to look at another aspect of exclusions, namely the unofficial or even illegal exclusions, as some call them. We have heard two quite contrasting opinions. Professor Ken Reid was clear enough that this is something that happens in schools in Wales. I notice that your evidence refers to the Government's rules and guidance, which talks about

[50] 'influencing or encouraging parents/carers to 'voluntarily withdraw their child from school as a way of dealing with difficult or challenging behaviour is not an appropriate response'.

[51] Felly, mae'r canllawiau yn cydnabod bod hyn yn digwydd. Roedd yr Athro Reid yn ddigon clir ei fod yn digwydd. Pan glywsom dystiolaeth gan yr undebau athrawon, roedd fel pe na baent wedi clywed am y fath beth erioed o'r blaen. Fel comisiynydd plant, a ydych yn derbyn tystiolaeth bod hyn yn digwydd a'i fod yn un o'r arfau sy'n cael ei ddefnyddio gan ysgolion ac awdurdodau i ddelio gydag ymddygiad anhrefnus?

Therefore, the guidance acknowledges that this is happening. Professor Reid was clear enough that it was happening. When we heard evidence from the teaching unions, it was as if they had never heard of such a thing. As children's commissioner, do you have evidence that this happens and that it is one of the tools used by schools and authorities to deal with unruly behaviour?

[52] **Mr Towler:** Yes, I do. We hear that through our casework in the investigation and advice team, so my submission to you is informed by some of the case studies that we have had. I can give you a little synopsis of some of those cases if you wish to see them. Families usually get in touch with the children's commissioner when they are at the point of smashing their head against the wall, because they are completely confused about what they are being told to do. Sometimes, families will think that they have been almost instructed to keep their child from school because it is in their best interests. Periods of time go by—a year or 18 months—before a family gets in touch with my office, with SNAP Cymru or others. I have also read SNAP's evidence, which is very strong. You could argue that this is anecdotal evidence, but a pattern of concern is emerging that we should take seriously.

[53] **Simon Thomas:** A ydych chi wedi gweld bod hyn yn fwy tebygol o ddigwydd mewn rhai ardaloedd nag eraill, neu a ydych chi wedi gweld tystiolaeth bod ardaloedd lle nad yw hyn yn digwydd ond bod dulliau amgen yn cael eu defnyddio?

Simon Thomas: Have you seen that this is more likely to happen in some areas than others, or have you seen evidence that there are areas where this does not happen and that alternative methods are used?

[54] **Mr Towler:** I do not think I can answer that, because I do not know. Sorry.

[55] **Jenny Rathbone:** Regarding this business of children disappearing for a whole year or more, I had not come across that in a previous role elsewhere, so I do not understand why local authorities are not tracking children. Surely, a school has to inform the local authority when they exclude a child. Why do local authorities not have a process in place at that point to get the child reintegrated, or to find them another school or some other solution? I find the idea that children can just disappear very difficult to understand. Why are local authorities so

poor at keeping track of children? There are massive safeguarding issues here.

[56] **Mr Towler:** There are huge safeguarding issues. It is a real breach of their responsibilities not to know what is happening with all children receiving an education in their areas. I do not know what the answer to that is. There was always a 45-day rule, and I think that the Welsh Government has issued new guidance that if a child is excluded from school, there should be a review after 15 days or 30 days. Why wait for 45 days to ask why a child is not at school? To have that timeline is helpful.

[57] There is something about the way in which the education welfare service works, the local authority's responsibilities and the responsibility of the school itself in relation to providing education. It goes back to the point that we discussed about the rights Measure. If you take a rights-based approach to this, we all know that it is in the best interests of children, and it is their right, to receive an education, but those children are being denied that right for long periods. So, if you work it from the basis of rights, it is a breach. It is something that has to be prioritised.

[58] I think that what kind of happens at the moment is that if something is going on and we know it is in your best interests to keep your child away from school, it is complicit on a number of levels—there is a kind of culture there, is there not? There is an institutional culture, which is kind of saying, 'Well, difficult child: don't know really what do', and actually, we are fundamentally missing the point about a child's right to education. So, we are losing what is in the best interests of the child. I do not know what the answer to the question is, other than we have to get the priorities shifted more to thinking about outcomes for individual children than what we have at the moment, which is a management system for a process. It is not thinking about the individuals caught within it.

[59] Also, this is a bit like the looked-after children population, in that we are not talking about huge numbers of children going through this exclusion process. The numbers are not vast, so we cannot be blinded by the volume of activity.

[60] **Jenny Rathbone:** Would you say that the Government's ruling on action after 15 days or 30 days has started to change attitudes?

[61] **Mr Towler:** It is too early to tell. However, I think it is a step in the right direction, and however schools or local authorities evidence what they do after 15 days and what they do after 30 days, it ought to be directed at who has made contact with the child, what education is being provided while the child is outside the school system, what plans are being put in place—you know, it ought to be quite a robust system. I know that Estyn is interested in this, and there is something about the inspection and regulation process in that that needs to be followed up.

[62] **Aled Roberts:** Is Estyn not monitoring the situation in its inspections of local education authorities? Clearly, there is the issue regarding targets for permanent or fixed-term exclusions. The cases that we are talking about here are not children who have been excluded, but ones in which schools develop strategies to get round the system. Surely, in the day of electronic registration at secondary schools, it should be quite easy to identify those children who have not been excluded and yet are not attending school. Are you telling us that there is no monitoring by the Welsh Government or Estyn of the local authorities in this? After all, it is supposed to be an education welfare service that we are talking about here.

[63] **Mr Towler:** Indeed. I have heard purely anecdotal evidence—I cannot back this up with stuff, but I will share it with you anyway. I have heard anecdotal evidence of situations in which the voluntary agreement to not be in school has generated a mark on a register, because we know that the child in question is at home. That is anecdotal, but I have heard it a

few times. So, when I hear those things in different parts of Wales, I get a bit concerned about it.

[64] On the question about the monitoring responsibility for Estyn and the Welsh Government, I really do not know what the answer is. However, I have seen increased activity by the education welfare service in relation to its role, thinking through what it needs to be doing for those children, and I encourage that wholeheartedly, because I think that we have undervalued the role of the education welfare service, which is characterised still in the minds of people as having people walking the streets to look for children who are in the chip shop when they should be at school, rather than thinking about a body of staff who are much more sophisticated and professional in their approach to supporting children. You are putting your finger on something that is very uncomfortable, which is why I think the unions are, rightly, protecting the practice of their members. Nonetheless, this is a really, really difficult issue, and the bottom line is that children are being failed.

[65] **Christine Chapman:** I am sure that these are points that we can put to the Minister as this inquiry proceeds.

[66] **Bethan Jenkins:** You say that these examples are anecdotal, but are you investigating them as the children's commissioner?

[67] **Mr Towler:** We pick them up through the investigation and advice team. When we pick them up, we explore them right through to the end. I have shared this information with you because it has been niggling at the back of my mind. I do not have enough to think about—

[68] **Bethan Jenkins:** You do not have enough to investigate fully and produce evidence—is that what you are saying?

[69] **Mr Towler:** Yes. We would respond on an individual case basis, but we would not have enough to instigate a great big review.

[70] **Bethan Jenkins:** Okay.

[71] **Christine Chapman:** We will look at this later on. Lynne, did you want to come in?

[72] **Lynne Neagle:** So, you would have the information collected, based on the individual follow-up cases—

[73] **Mr Towler:** On the casework stuff that we have.

[74] **Lynne Neagle:** Perhaps you could provide those to the committee. If there is hard evidence of these cases having been dealt with by your office, it would be helpful to know.

[75] **Christine Chapman:** Would you be able to do that, Keith?

[76] **Mr Towler:** Yes. We can do that. It is quite a simple task. In terms of the casework in relation to exclusions you can have synopses of all of those bits and pieces.

[77] **Christine Chapman:** I think that it would be really useful. We have around 10 minutes left; so, I will bring Rebecca in now.

[78] **Rebecca Evans:** You referred to a grim picture of education for children and young people otherwise than at school, and going back to the rights-based approach, you say that evidence according to the Welsh Government review suggests that we cannot have

confidence that children who are educated in this way will have that right to education realised. What are your main concerns in respect of the provision, and what can we do to realise the confidence?

[79] **Mr Towler:** The Welsh Government review itself paints its own grim picture. I congratulate the Welsh Government for coming up with something that I recognise. It is grim reading, but I recognise what it says. I have a particular concern about pupil referral units and practice in those units. To remind you, Estyn's report on its survey of pupils' wellbeing and behaviour stated,

[80] 'PRUs do not do enough to monitor and evaluate for themselves the impact of their day-to-day practice on pupils' wellbeing and behaviour.'

[81] That is quite something for Estyn to be saying. It also discusses something that I have heard from individual children and families, namely pupils feeling scared and not treated with respect also reporting being physically and forcibly taken to time-out spaces, which they disliked and described as poor environments and viewed them as punishment. They might not be operating as punishment, but the fact that they are viewed in that way is of massive concern to me.

[82] **Rebecca Evans:** We have heard mixed evidence about pupil referral units. I think that Members have visited several units and we have seen very good practice as well as practice that we are not happy with. You expressed concern that 30% of children educated otherwise than at school are given home tuition; other than the lack of alternative provision, why, do you think, is there such a high number of people being educated at home? How many of those cases would be a positive choice by the parent in the best interests of the child?

[83] **Mr Towler:** Families who elect to educate their child at home do so for a variety of reasons. I have certainly met a lot of those parents and families who would describe not having much confidence in the education provided by their local authority, or it might be characterised by poor handling of bullying for their child or children in schools and they can no longer tolerate that situation for their child and they take on the heavy responsibility. It is a huge responsibility to educate your child at home. Those parents who elect to do so for those reasons need more support and recognition than we actually give them. It is a real shame that more and more seem to be electing to do that. It is quite an indictment on the way in which we respond to the wellbeing of our children in education. Work that is going on in a number of local authority areas in relation to safeguarding children in education should be seen as a priority across Wales.

[84] **Lynne Neagle:** In relation to pupils generally with additional learning needs, are you able to say what the main weaknesses in the current provision of behaviour support services are?

[85] **Mr Towler:** You might want to note that the document on proposals for reform of the legislative framework for special educational needs does not include any reference to behaviour and attendance. What we have is the introduction of a process of integrated assessment and planning contained within the proposed reforms. That has the potential in terms of thinking through how management and behaviour work, but it is not explicit in the way in which that is set out. Again, my casework team can add some casework examples to this in the list that we will send through to you.

10.00 a.m.

[86] We are often approached in relation to those situations where families characterise their child's additional learning needs, which might have been identified, but there is an

argument about who is going to pay for the resource. That argument creates a stalemate and there is no activity. Someone will then get in touch with my office and we work on the individual case. Very often, we find ourselves bringing two or three providers together and we will refer back to the rights of children and young people and the commissioner will say, 'I don't mind how you resource this, but you have to resource this'. It is an unfortunate situation to be in, but sometimes that casework intervention initiates a bit of common sense and somebody will say, 'Well, I will pay that and then you can cross-charge me' or whatever. I am not in a local authority setting, but what amazes me is that sometimes you might be talking about education or social services budgets and one local authority budget cross-charges another. From my point of view, that is nuts. In relation to the safeguarding and wellbeing of children—I think that we will see this in the Social Services and Well-being (Wales) Bill—you cannot possibly expect the needs of children to be met by one single agency.

[87] **Lynne Neagle:** I recognise what you are saying, because I have seen it in my constituency. Have you noticed the situation getting worse since the public finances situation has been more difficult? Do you think that budget pressures are having an impact on that?

[88] **Mr Towler:** Budget pressures are having an impact. In relation to accessing child and adolescent mental health services, I have heard more and more about the powerful position that primary mental health workers are in. So, the assessment and access to CAMHS services might rest on a powerful individual who might have a huge waiting list or might not be open to the idea. So, there is a combination of things. It is about seeing where the power base exists to open the door and get a need met, as well as the resource issues to which you referred.

[89] **Christine Chapman:** Thank you. We have a few minutes and a couple of questions left. I know that Aled wants to come in next.

[90] **Aled Roberts:** Cawsom dystiolaeth gan gynrychiolwyr Undeb Cenedlaethol Athrawon Cymru, a soniodd am yr angen i gael mwy o ganllawiau ynglŷn ag ymyriad corfforol i'w haelodau. Yn eich tystiolaeth, rydych yn dweud nad ydych yn fodlon iawn gyda'r canllawiau a gyhoeddwyd gan Lywodraeth Cymru yn 2010. Rydych hefyd yn dweud bod y canllawiau newydd yn Lloegr yn well a'ch bod yn trafod y sefyllfa hon gyda swyddogion. Beth yn union y byddech yn ei wneud i wella'r sefyllfa yng Nghymru?

Aled Roberts: We heard evidence from representatives of Wales's education union, UCAC, regarding the need for more guidelines for its members in relation to physical intervention. In your evidence, you say that you are not very satisfied with the guidelines that were published by the Welsh Government in 2010. You also say that the new guidelines in England are better and that you are discussing this situation with officials. What exactly would you do to improve the situation in Wales?

[91] **Mr Towler:** What we have in Wales is procedural in nature. So, it is a process-driven thing. We have something that is not in the best interests of children and cuts across their rights, which is why I was so critical. The difference that we have seen is that the Association of Directors of Children's Services in England has produced a protocol for local children's services on restrictive physical interventions in schools, residential and other care settings. That very clearly sets out what is acceptable practice. So, I do not think that you can blame teachers and support staff in schools for a rather ad hoc national picture in relation to physical intervention when practice guidance is so weak. They have to determine, with their headteacher, what the school's policy is. It is confusing and it exposes teachers and residential staff to risk.

[92] I do not think that we know what guidance we are working to. The Association of Directors of Social Services in Wales, the Welsh Local Government Association and the

Welsh Government are the bodies that I would encourage and they ought to be getting their heads together and coming up with some guidance for practitioners, so that we are absolutely clear about the basis upon which we physically restrain a child, if we need to. No-one is suggesting for a minute that that should not happen; there are times when it absolutely needs to happen. However, we need to protect staff as much as we need to protect children. We are unclear on that. We are clear on the process, but I worry sometimes whether we are recording sufficiently when we are using physical restraint; whether we are monitoring that and whether the practice is good. Those questions are all open. I do not yet feel comfortable with how that is working, which is why I am pursuing these discussions with officials.

[93] **Christine Chapman:** Okay. Thank you. We will have to draw this session to a close now, so I thank you, Keith, for attending; it has been a very good discussion on this issue. We will send you a transcript of the meeting so that you can check it for factual accuracy. Thank you for attending today.

[94] **Mr Towler:** Thank you.

[95] **Christine Chapman:** We will now take a short break and reconvene at 10.15 a.m.

*Gohiriwyd y cyfarfod rhwng 10.05 a.m. a 10.16 a.m.
The meeting adjourned between 10.05 a.m. and 10.16 a.m.*

Adolygiad o Gymwysterau—Sesiwn Dystiolaeth Qualifications Review—Evidence Session

[96] **Christine Chapman:** The next item on the agenda is the review of qualifications for 14 to 19-year-olds in Wales. I warmly welcome Gareth Pierce, the chief executive of the Welsh Joint Education Committee. I thank you for providing the paper in advance, Gareth. Are you happy for us to go straight into questions?

[97] **Mr Pierce:** Yes.

[98] **Christine Chapman:** I will start off. What are the main implications for the WJEC of moving away from the three-country approach to qualifications and the establishment of a national qualifications system for Wales?

[99] **Mr Pierce:** That is a very interesting question because of course there are several strands of the report on 14-19 qualifications from Huw Evans's group that still emphasise the three-country themes. GCSEs and A-levels are currently three-country systems, and some of his recommendations refer to working with England and Northern Ireland as far as possible—I think it states that explicitly for A-levels—so it is fairly unclear as to what extent Wales is moving away from a three-country approach. There are some quite interesting discussions at an early stage about A-levels in England now. GCSEs are regarded as continuing in England, even though they might have English baccalaureates in some subjects, and that is one of the reasons why your question is interesting—we do not know the extent to which Wales will not be part of the three-country system. There are some things that clearly are outside the three-country system already: the Welsh baccalaureate and Essential Skills Wales—so developments from that are clearly outside. Some of the new qualifications in Wales may be purely for Wales—for example, literacy, numeracy and digital literacy. So, it is a combination of two things really, which adds to the complexity. There are some things that Wales is clearly setting out as its own preferences, and therefore unique qualifications for Wales, and others where it is saying, if it follows the Huw Evans report, that it wants to work with the three-country framework, but possibly have some important variants. Maybe there is an interest in exploring some of those.

[100] **Christine Chapman:** I have a supplementary question from Jenny.

[101] **Jenny Rathbone:** There is a lot of disquiet in England about the direction of travel from Michael Gove, but there are some interesting discussions going on around something called the Heads' Roundtable about trying to devise something that actually meets the needs of young people, which is always a good place to start. I just wondered whether you have had any connection with them, because it feels like quite reflective behaviour.

[102] **Mr Pierce:** Yes, and that is what is important about the Huw Evans report. It deals Wales a very good hand, does it not? It emphasises the needs of learners, it emphasises that it is a high-level report with detail to be developed, it allows some flexibility, and that is a much better starting point than some of the more dogmatic statements that perhaps have been made about other types of qualifications without thinking through what the curriculum implications are and what the real implications are for learners. The groups in whichever country that want to encourage thinking about what all this means for learners are taking the right approach, and hopefully there is scope for that to happen with the report for Wales through engaging with stakeholders, including the teaching community and others.

[103] **Julie Morgan:** What changes should there be to GCSEs to make them suitable as the main level 1 and 2 qualifications?

[104] **Mr Pierce:** Some changes are already happening, for example changes linked to literacy and numeracy and to spelling, punctuation and grammar. However, in general, any set of qualifications needs to be regularly reviewed in the light of the curriculum needing to be updated. I think that that is our position: improving qualifications happens through updating and thinking about the curriculum, in the first place, and what a subject area should contain. As awarding bodies, we tend to work in a five-year cycle, quinquennially, with the regulators and reviews.

[105] **Julie Morgan:** So, are you looking at anything in particular at the moment?

[106] **Mr Pierce:** It is worth bearing in mind that some of these qualifications have recently been changed anyway. For example, we are in the early part of delivering a five-year cycle in GCSE science. In mathematics, we are piloting in Wales, in parallel with England, what is called a linked pair scheme, which gives youngsters the chance to get two qualifications in mathematics in the same way that they would do in English and in Welsh. That is an important development.

[107] The other angle that is being explored is the robustness of assessment methods. That is the other reason why qualifications often come back under scrutiny; it is not just the curriculum aspects, but aspects of assessment and how robust they are. Currently, there are some challenges to the robustness of assessment, especially when we have had a lot of controlled assessment in some subjects. There is a gradual review of those. The situation that we are in is that, even without any major policy themes, we are already working with the regulators in both countries, reviewing specifications in turn, looking at the curriculum and at methods of assessments. The other theme that has cropped up recently is whether any of the specifications are too narrow or are allowing too narrow a path through them, because most of them are designed to encourage full syllabus and specification coverage by the learner. So, that has been another recent theme.

[108] **Julie Morgan:** Are there any that are too narrow?

[109] **Mr Pierce:** Again, it is often a matter of opinion, but we and other awarding bodies are adjusting some of the routes through specifications to address that point.

[110] **Julie Morgan:** What would they be?

[111] **Mr Pierce:** Some adjustments are currently being progressed through the regulatory system in history and there are some in geography that have already been approved by regulators. They are across all awarding bodies.

[112] **Christine Chapman:** I have some supplementary questions: one from Rebecca and then one from Simon.

[113] **Rebecca Evans:** In relation to the dual mathematics GCSEs, with their numeracy and mathematical techniques elements, there is an expectation that learners will take both those GCSEs. Would that prove daunting to some learners?

[114] **Mr Pierce:** That is an important area and, of course, there is a similar issue to do with literacy in relation to English and Welsh. The first point to make about that is that our view in WJEC about the proposals for numeracy and literacy is that they have to be thought through in the context of the new literacy and numeracy framework, which is set up as far as key stage 3. That is not yet fully delivered. Part of the answer to your question is to look at what numeracy and literacy should mean at key stage 4, once that framework is fully in place as far as key stage 3, because then we can start looking at what further development of literacy and numeracy is reasonable in key stage 4. Some young people will not have reached what is desired or expected of them by the end of key stage 3 anyway. So, some of what is already in this framework up to key stage 3 will remain relevant at key stage 4 for many youngsters.

[115] The point in the 14-19 report is to do with qualifications. So, the first thing is to decide the curriculum and what that needs to look like for literacy and numeracy to make that manageable for young people and meaningful when it becomes a qualification. We are then getting into questions about how much mathematics and numeracy and how much English language and Welsh language is reasonable to include in the qualification process. The suggestion is two in each case, but we already have two being piloted, as I mentioned earlier. We are then on to the question of how much curriculum time is going to be given to working towards that set of qualifications. A lot of this is to do with things competing for curriculum time and how much breadth we need to make sure is still there for young people, at the same time as placing more emphasis on numeracy and literacy. There are some important curriculum issues here.

[116] **Rebecca Evans:** Are you able to say yet how the new GCSEs in English language, Welsh first language, numeracy and mathematical techniques would address the review's findings that the current GCSEs are not reliable indicators of numeracy and literacy?

[117] **Mr Pierce:** One important thing referred to in the report about the GCSE as a type of qualification is that it is the kind of qualification where you do not meet every one of the criteria. That is one of the reasons why it does not give definitive information; if you get a grade C in English language, say, it means that you have a mix of strengths and some weaknesses. It is a compensatory assessment model—that is the technical term mentioned in Huw Evans's report. As a piece of information for the learner or an employer it is, in a sense, mixed, is it not?

[118] The qualifications that convey more information are the ones that are often described as mastery qualifications. One example, which was in existence for only a year in Wales but still exists in England, is the qualification called the functional skills qualification. That is defined at level 1 and is then defined in a slightly higher way at level 2. It is mastery in the sense that you pass these qualifications—you get 80% or 85% of the required marks, say—and then you can say that a young person with that qualification has pretty much mastered

what was in the assessment. The information conveyed by different types of qualifications varies. With graded qualifications like GCSEs, which run from A* to G, you can be pretty sure that someone with an A* or an A has mastered pretty much all of the subject. With other grades, there is going to be a mix of strengths in some things, less so in others and even weaknesses in some things, possibly. It depends on what the qualification is designed to do as regards conveying information.

[119] **Simon Thomas:** Gan fynd yn ôl at ddechrau'r sgwrs y bore yma, dywedoch fod TGAU yn parhau yn Lloegr, er gwaethaf cyflwyno'r fagloraeth Saesneg. A allwch chi esbonio ychydig mwy am hynny? Ym mha ffordd mae'r TGAU yn mynd i barhau?

Simon Thomas: Going back to the beginning of this morning's discussions, you said that GCSEs were continuing in England, despite the introduction of the English baccalaureate. Can you explain that in a little more detail? In what way are GCSEs going to continue?

[120] **Mr Pierce:** Yr hyn yr ydym yn ei glywed yn Lloegr yw bod rhestr gymharol fer o bynciau y mae'n bwriadu datblygu'r EBCs—yr *English baccalaureate certificates*—ar eu cyfer. Y tri maes cyntaf yw Saesneg, mathemateg a gwyddoniaeth. Wedyn, mae rhai pynciau eraill wedi'u crybwyll, gan gynnwys hanes, daearyddiaeth ac ieithoedd tramor modern. Mae llawer o bynciau eraill yn cael eu darparu yn Lloegr, wrth gwrs, a rhan o'r dadleuon yn Lloegr yw beth fydd yr effaith ar y pynciau hynny o ran eu lle yn y cwricwlwm. Fodd bynnag, yr hyn yr oeddwn yn ei glywed gan y rheoleiddwyr yn Lloegr, ac adran y Llywodraeth hefyd, oedd y bydd TGAU yn parhau ar gyfer y pynciau eraill.

Mr Pierce: What we are hearing from England is that there is a relatively short list of subjects for which it intends to develop the EBCs—the *English baccalaureate certificates*. The first three subjects are English, mathematics and science. Then, a few other subjects have been mentioned, including history, geography and modern foreign languages. Many other subjects are provided in England, of course, and part of the argument in England is based on what the impact on those subjects will be as regards their place in the curriculum. However, what I heard from regulators in England, and from the Government department too, was that GCSEs would continue for the other subjects.

[121] **Simon Thomas:** Diolch am egluro hynny. Ar gefn eich ateb, un o'r pethau eraill yr ydym wedi'i glywed o Loegr yw mai un corff dyfarnu fydd i bob pwnc—yn benodol ar gyfer y TGAU sy'n parhau ond hefyd y tu fewn i'r fagloraeth Saesneg, o bosibl. Os ydych yn astudio hanes yn Lloegr, er enghraifft, byddwch yn gwneud hynny drwy ba bynnag gorff. Ai dyna'r sefyllfa fel yr ydych yn ei deall hi ar hyn o bryd? Beth yw *implications* hynny i'r sefyllfa yng Nghymru?

Simon Thomas: Thank you for that explanation. Following on from your response, one other thing that we have heard from England is that there will be one awarding body only for all of those subjects—specifically for GCSEs, but also for the English baccalaureate, possibly. If you study history in England, you will do so through whichever body. Is that the situation as you understand it at present? What are the implications of that to the situation in Wales?

[122] **Mr Pierce:** Deallwn fod Lloegr am greu proses lle bydd nifer o gyrff dyfarnu yn gallu cynnig cymwysterau newydd trwy Ofqual ond, ar y diwedd, dim ond un o'r cymwysterau hynny fydd yn cael ei ddewis gan y Llywodraeth yn Lloegr i gael ei gynnwys mewn tablau perfformiad. Mae hynny'n ddull o annog ysgolion yn Lloegr i ddefnyddio un darparwr. Mewn ffordd,

Mr Pierce: We understand that England wants to create a process where a number of awarding bodies will be able to offer new qualifications through Ofqual but, ultimately, only one of those qualifications will be chosen by the Government in England to be included in league tables. That is a means of encouraging schools in England to use one provider. In a way, it avoids creating any

mae'n osgoi creu unrhyw sefyllfa gytundebol er mwyn i hynny ddigwydd; mae'n digwydd trwy ddull diddorol gwahanol.

[123] O ran y goblygiadau i Gymru, yn naturiol nid oes bwriad i ddewis y math hwnnw o gymhwyster a'i drosglwyddo i Gymru. Efallai mai'r cwestiwn mwyaf i Gymru yw sut yr ydym yn cyfleu ein safonau yn y pynciau fydd wedi mynd i'r EBCs yn Lloegr. Mae nifer o ffyrdd i wneud hynny, gan gynnwys dangos sut mae'r cwricwlwm—mewn mathemateg, er enghraifft—yng Nghymru yn cymharu â chwricwlwm yr EBCs yn Lloegr. Nid oes unrhyw reswm pam na allwn ddangos bod gennym gwricwlwm sydd cystal â chwricwlwm Lloegr, a bod gennym asesiadau sydd yr un mor ddibynadwy, a bod ein safonau yn rhai cyfatebol. Felly, credaf fod yna ddulliau o wneud hynny, er bod y cymwysterau'n wahanol, o ran strwythur.

10.30 a.m.

[124] **Simon Thomas:** I gau pen y mwdwl, trof yn awr at rywbeth penodol—y sefyllfa o ran TGAU Saesneg eleni. Gwyddom beth ddigwyddodd dros yr haf, ac mae'r pwyllgor hwn wedi edrych ar rai o'r anawsterau a gafwyd bryd hynny. A yw'r sefyllfa'n glir ar gyfer eleni, o ran y disgyblion sy'n sefyll yr arholiad hwnnw yn awr, ac ym mha ffordd y caiff y mater hwn ei fesur o fis Ionawr ymlaen? Hefyd, a yw'r mater hwn yn rhywbeth sydd wedi'i gytuno rhwng Cymru a Lloegr, fel bod dealltwriaeth gyffredin rhwng y ddwy wlad?

[125] **Mr Pierce:** Byddwch yn sylwi fy mod wedi cyfeirio at y mater hwn mewn un o'r llythyrau a anfonwyd gennym. Roedd CBAC wedi gohebu â'r Llywodraeth ar 8 Ionawr, gan ofyn am ateb ar gyfer 29 Ionawr. Hoffwn ddweud yn gyntaf nad oes unrhyw faterion yn y cyd-destun hwn y dylai ysgolion neu ymgeiswyr fecso amdanynt. Bydd popeth a fydd yn digwydd yn yr haf, o ran cynnal arholiadau yng Nghymru, yn digwydd yn union yn ôl eu disgwyliadau. Serch hynny, mae nifer o gwestiynau yr ydym yn dal i aros am atebion pendant gan Lywodraeth Cymru yn eu cylch. Cawsom awgrym o safbwynt y Llywodraeth, ond rydym wedi anfon gohebiaeth yn ôl yn gofyn

contractual requirement for that to happen; it happens through different and interesting means.

On the implications for Wales, there is, naturally, no intention to select that kind of qualification and transfer it to Wales. Perhaps the greatest question for Wales is how we convey our standards for the subjects that will have been transferred to the EBCs in England. There are a number of ways of doing that, including showing how the curriculum—in mathematics, for example—in Wales compares to the curriculum of the EBCs in England. There is no reason why we cannot show that we have a curriculum that is as good as England's curriculum, and that we have assessments that are just as reliable, and that we have equivalent standards. Therefore, I believe that there are ways of doing this, even though the qualifications are different, in terms of structure.

Simon Thomas: To bring this to a close, I turn now to a specific issue—the situation regarding GCSE English this year. We know what happened over the summer, and this committee has looked at some of the problems that arose then. Is the situation clear for this year, in terms of the pupils who are sitting the exam now, and in what way will this be measured from January onwards? Also, is this an issue that has been agreed between Wales and England, so that there is a common understanding between the two countries?

Mr Pierce: You will notice that I made reference to this issue in one of the letters that we sent. The WJEC corresponded with the Government on 8 January, asking for a response for 29 January. I would first like to say that there are no issues in this context that schools or candidates should be concerned about. Everything that happens in the summer, in terms of holding exams in Wales, will happen in exact accordance with their expectations. However, there are a number of questions on which we are awaiting definitive answers from the Welsh Government. We had a suggestion of the Government's position, but we have sent correspondence requesting clarification and justification.

am eglurhad a chyfiawnhad. Mae yna bethau nad ydym yn hollol glir yn eu cylch, ac rydym yn parhau i aros am atebion i'r pwyntiau hynny. Rydym hefyd wedi gofyn i'r Llywodraeth egluro inni yn union pa drafodaethau sydd wedi digwydd rhwng y ddau reoleiddiwr. Mewn llythyr a anfonwyd gan y Llywodraeth ataf, mae cyfeiriad at y ffaith bod trafodaethau wedi digwydd. Mae'n bwysig ein bod yn gwybod beth yw'r trafodaethau hynny, er mwyn inni gael deall yn union sut y mae'r Llywodraeth yn gweld y sefyllfa.

[126] **Simon Thomas:** Felly, cyn belled ag yr ydych chi'n deall, mae'r trafodaethau hynny'n parhau i ddigwydd.

[127] **Mr Pierce:** Cyn belled ag yr ydym ni yn y cwestiwn, mae'r trafodaethau hynny'n parhau i ddigwydd. Maent yn rhai pwysig iawn gan eu bod yn ymwneud â sut y byddwn yn sicrhau safonau cyfatebol yn y ddwy wlad.

[128] **Simon Thomas:** Onid cyfatebiaeth yw'r mater pwysig yn y cyd-destun hwn?

[129] **Mr Pierce:** Ie. Mae cyfatebiaeth yn fater hollbwysig.

[130] **Aled Roberts:** Heb gytundeb o'r newydd ar y pwynt hwnnw, a fydd y cytundeb a gafwyd ym mis Chwefror y llynedd yn berthnasol i ymgeiswyr yr haf?

[131] **Mr Pierce:** Mae'r mater hwnnw'n rhan sylfaenol o'r set o gwestiynau sydd angen eu hateb. Mae CBAC yn dymuno gweld un set o safonau yn cael eu cytuno ar draws pob corff dyfarnu yn y tair gwlad—Lloegr, Cymru a Gogledd Iwerddon. Mewn ffordd, byddai hyn yn ein symud yn ôl i'r sefyllfa yr oeddem ynddi pan wnaethom ein dyfarniadau yn ystod yr haf diwethaf, ac nid y sefyllfa yr oeddem ynddi ar ôl ailraddio yng Nghymru. Felly, dyna yr ydym yn dymuno gweld yn digwydd, ac rydym yn ceisio cael sicrwydd bod y mater hwn yn parhau i fod ar agenda Llywodraeth Cymru. Os nad yw'r mater hwn ar yr agenda, rydym am fod yn hollol glir ynghylch y goblygiadau.

[132] **Bethan Jenkins:** Mae un o'r cwestiynau yr oeddwn am eu gofyn wedi cael ei grybwyll eisoes. I orffen y drafodaeth ar y

There are things that we are not entirely clear about, and we are still awaiting answers on those points. We have also asked the Government to explain to us exactly what discussions have gone on between the two regulators. In a letter sent to me by the Government, reference is made to the fact that discussions have happened. It is important that we know what those discussions are, so that we can understand exactly how the Government sees the situation.

Simon Thomas: Therefore, as far as you understand, those discussions are still ongoing.

Mr Pierce: As far as we are concerned, those discussions are still ongoing. They are very important because they are to do with how we will ensure corresponding standards in the two countries.

Simon Thomas: Is correspondence not the key issue in this context?

Mr Pierce: Yes. Correspondence is vital.

Aled Roberts: Without a new agreement on that point, will the agreement that was reached in February last year apply to summer candidates?

Mr Pierce: That issue is a fundamental part of the set of questions that need to be answered. The WJEC wished to see one set of standards agreed across all awarding bodies in the three nations—England, Wales and Northern Ireland. In a way, this would move us back to the situation we were in when we made the awards last summer, and not the situation we were in after re-grading in Wales. Therefore, that is what we would like to see happening, and we are seeking assurance that this issue is still on the Welsh Government's agenda. If the issue is not on the agenda, we want to be entirely clear as to the implications.

Bethan Jenkins: One of the questions that I wanted to ask has already been raised. To end the discussion on this issue, I would like to

mater hwn, hoffwn ofyn y cwestiwn a ganlyn: a yw'r brand TGAU wedi'i ddibrisio i raddau yn sgîl y cyhoeddiad y bydd tystysgrifau bagloriaeth Lloegr yn cael eu cyflwyno mewn rhai pynciau yn Lloegr a'r ffaith bod y rheini wedi'u disgrifio fel cymhwyster mwy trwyadl na TGAU?

[133] **Mr Pierce:** Nid wyf yn credu bod y brand wedi'i ddibrisio. Mae llawer iawn o bobl ym maes addysg yn y ddwy wlad yn parhau i ddweud mai TGAU, yn sylfaenol, yw'r ffordd gywir ymlaen. A dweud y gwir, mae llawn gymaint o feirniadaeth wedi bod o'r cynlluniau yn Lloegr ar gyfer yr EBCs. Mae cwestiynau mawr ynghylch ar gyfer pa garfan o ddisgyblion y byddant wir yn addas. Mae cwestiynau mawr ynghylch y dulliau asesu sy'n cael eu hawgrymu. Felly, yn addysgol, mae'r fframwaith TGAU yn parhau i fod yn un addas. Mae angen inni barhau i fynegi rhai negeseuon sy'n ymwneud â gwerth TGAU, gan fod sawl agwedd ar y cymhwyster hwn wedi cael eu beirniadu, gan gynnwys rhai o'r materion a grybwyllwyd eisoes, fel yr asesiadau a reolir ac ati. Mae peth o'r feirniadaeth hon yn deg. Fodd bynnag, mae'r brand, yn sylfaenol, yn parhau i fod yn frand y gellir ei ddefnyddio wrth symud ymlaen.

[134] **Simon Thomas:** Hoffwn symud ymlaen yn awr at gyrсияu lefel A. Beth yw'r sefyllfa bellach o ran sicrhau bod yr hyn sy'n cael ei ddatblygu o ran lefel A yn Lloegr, lle mae'r brand hwnnw yn cael ei gadw, a lefel A yng Nghymru yn gyfatebol, o gofio bod cynifer o ddisgyblion yng Nghymru yn defnyddio eu lefel A o Gymru i symud i goleg yn Lloegr, i weithio yn Lloegr neu i ddilyn addysg bellach o rhyw fath yn Lloegr? Pa fath o sicrwydd ddylai fod yn ei le i wneud yn siŵr bod y system yn gallu cyfateb yn y fath fodd?

[135] **Mr Pierce:** Daeth yr awgrym newydd ynglŷn â lefel A yn Lloegr gan Mr Gove yn ystod mis Ionawr.

[136] **Simon Thomas:** Hynny yw, yn y prifysgolion, ie?

[137] **Mr Pierce:** Roeddem eisoes yn gwybod bod bwriad i ddefnyddio'r prifysgolion mewn ffordd newydd. Roeddem

ask the following question: has the GCSE brand been devalued to an extent in the wake of the announcement that English baccalaureate certificates will be introduced in some subjects in England and that the EBCs have been described as a more rigorous qualification than GCSEs?

Mr Pierce: I do not believe that the brand has been devalued. There are many people in education in both nations that still argue that GCSEs, fundamentally, are the right way ahead. To tell you the truth, there has been just as much criticism of the plans in England for the EBCs. There are serious questions regarding which cohort of pupils they will be appropriate for. There are serious questions about the assessment approaches that are being suggested. Therefore, in an educational sense, the GCSE framework remains appropriate. We need to continue to convey some messages about the value of GCSEs, given that several aspects of this qualification have been criticised, including some of the issues already mentioned, such as controlled assessments and so forth. Some of this criticism is fair. However, the brand, fundamentally, continues to be one that can be used in moving forward.

Simon Thomas: I would like to move on now to A-level courses. What is the situation now in terms of ensuring that what is being developed in terms of A-levels in England, where that brand is being kept, and A-levels in Wales are comparable, bearing in mind that so many pupils in Wales use their A-level from Wales to move to a college in England, to work in England or to follow some kind of further education in England? What certainty needs to be in place to ensure that the system can be comparable in that way?

Mr Pierce: Mr Gove made the new suggestion about A-levels in England in January.

Simon Thomas: Are you talking about the universities?

Mr Pierce: We already knew of the intention to use the universities in a new way. We also knew that that was likely to happen through

hefyd yn gwybod bod hynny yn debyg o ddigwydd drwy Grŵp Russell. Nid oeddem yn siŵr sut roedd yn mynd yn ddigwydd, ac nid ydym yn hollol siŵr sut y bydd yn digwydd o hyd. Yr hyn ddaeth yn newydd ym mis Ionawr gan Mr Gove oedd y syniad na fyddai unrhyw fath o asesiad AS fel rydym yn adnabod AS yn awr. Mae hwnnw wedi cael ei feirniadu yn helaeth gan randdeiliaid sydd yn pwysleisio gwerth yr AS fel ag y mae fel carreg filltir ar y ffordd tuag at lefel A llawn.

[138] **Simon Thomas:** A oes AS ar gyfer pob pwnc lefel A?

[139] **Mr Pierce:** Oes, ac mae'n cyfrannu tuag at y lefel A, felly mae'n elfen sy'n cyfrannu at y radd derfynol. Yr hyn mae Mr Gove yn awgrymu yw bod lefel A ond yn cael ei asesu ar ddiwedd y ddwy flynedd, a bod dim AS ar lefel is fel ag y mae, mewn ffordd, ar hyn o bryd, neu ar lefel carreg filltir. Y cwestiwn i Gymru yw: a yw Cymru eisiau bod yn rhan o'r un set o safonau y bydd grŵp Russell, y grŵp o brifysgolion, yn ei osod? Byddwn yn tybio bod rhesymau pwysig pam y byddai Cymru yn dymuno hynny, achos rydym eisiau i bobl ifanc yng Nghymru gael yr un safon o lefel A am y rhesymau a gafodd eu crybwyll. Felly, os yw Grŵp Russell yn mynd i roi awgrymiadau pendant ynglŷn â chynnwys a dulliau asesu lefel A a'r safonau ar y diwedd—efallai y bydd y grŵp yn chwarae rôl o ran cymharu safonau—mae dadleuon cryf dros Gymru yn eisiau bod yn rhan o hynny. Byddai hynny'n gyson gyda'r neges yn adroddiad Huw Evans y dylai Cymru, lle bo'n bosibl, weithio o fewn fframwaith lefel A gyda Gogledd Iwerddon a Lloegr.

[140] Y cwestiwn sy'n codi wedyn i Gymru yw: beth am yr AS? Efallai y bydd Cymru yn teimlo efallai ei bod yn dal yn werthfawr i ddisgyblion gael asesiad carreg filltir ar ôl y flwyddyn gyntaf o gwrs lefel A. Felly, efallai y byddai dymuniad i weld cymhwyster AS yng Nghymru.

[141] **Simon Thomas:** Dyna beth roeddwn yn mynd i ofyn i chi. A ydych yn gweld bod modd cadw AS a chwrdd â'r gofynion tebygol y bydd Grŵp Russell yn eu gosod ar

the Russell Group. We were not certain how that was going to happen, and we are still not entirely sure how it will happen. What emerged in January from Mr Gove was this idea that there would no AS assessment as we know it at present. That has been widely criticised by stakeholders who emphasise the value of the AS as it stands as a milestone on the way towards a full A-level.

Simon Thomas: Is there an AS for every A-level subject?

Mr Pierce: Yes, and it contributes towards the A-level, so it is an element that contributes to the final grade. What Mr Gove is suggesting is that A-levels should only be assessed at the end of the two years, and that there should be no AS at a lower level as it is at present, in a sense, or at the level of a milestone. The question for Wales is: does Wales want to be part of the same set of standards that the Russell Group, the group of universities, will set? I would think that there are important reasons why Wales would want that, because we want young people in Wales to have the same standard of A-level for the reasons that have been mentioned. So, if the Russell Group is going to make particular suggestions about the content and assessment methods for A-levels and the standards at the end of the course—the group may play a role in comparing standards—there are strong arguments for Wales wanting to be a part of that. That would be consistent with the message in Huw Evans's report that Wales, where possible, should work within the A-level framework with Northern Ireland and England.

The question that arises then for Wales is: what about the AS? Wales may feel that it still is of some value for pupils to have that milestone assessment after the first year of an A-level course. So, there may be a desire to see an AS qualification in Wales.

Simon Thomas: That is what I was going to ask you. Do you think that we could keep the AS and still meet the requirements that the Russell Group is likely to place on

brifysgolion? A ydych yn gweld bod modd i Gymru wneud hynny?

universities? Do you think that Wales could do that?

[142] **Mr Pierce:** Mae modd, ond i fod yn sicr nad yw hynny'n dibrisio safon lefel A yng Nghymru, byddai'n rhaid i'r AS beidio cyfrannu at y marc terfynol. Felly, byddai'n rhaid i'r hyn rydym yn ei alw yn 'de-coupling' ddigwydd. Os yw hynny'n digwydd, mae'n codi cwestiwn ynghylch a fyddai pobl yn dal eisiau gwneud yr AS, a beth, mewn gwirionedd, fydd ei werth. Wedi dweud hynny, mae rhai prifysgolion blaengar yn Lloegr yn teimlo eu bod eisiau rhyw fath o asesiad ar ôl blwyddyn gyntaf cwrs lefel A beth bynnag, achos mae'n darparu gwybodaeth ddefnyddiol.

Mr Pierce: It is possible, but to be sure that that does not devalue the standard of A-levels in Wales, the AS could not contribute to the final mark. So, there would have to be what we call 'de-coupling'. If that were to happen, it raises a question as to whether people would still want to do the AS, and what, in reality, its value would be. That said, certain innovative universities in England feel that they would want some method of assessment after the first year of an A-level course in any case, because it provides useful information.

[143] **Simon Thomas:** Mae'n bwydo i mewn i ffurflenni UCAS, onid yw?

Simon Thomas: It feeds into the UCAS forms, does it not?

[144] **Mr Pierce:** Ar hyn o bryd, mae'n cael ei ystyried yn wybodaeth werthfawr. Mae'n ffôn fesur i'r disgybl. Mae'n gallu bod yn sbardun i'r disgybl, ac yn y blaen. Felly, mae dadleuon addysgol sydd angen eu hystyried ochr yn ochr â dadleuon ynglŷn â strwythur y cymwysterau.

Mr Pierce: At present, it is seen as valuable information. It is a yardstick for the pupil. It may be an encouragement to pupils, and so on. So, there are educational arguments that need to be considered alongside arguments regarding the structure of qualifications.

[145] **Jenny Rathbone:** I admire your desire to keep going with a three-nation level of standards, given the deviations going on with the current English Minister for education. Moving tack slightly to the desire of the Welsh Government to see the Welsh baccalaureate being used as the common framework at ages 14 to 16 and 16 to 19, what are the main changes that are needed to ensure that this is regarded as a robust qualification, given that a minority of people seem to think that it is meaningless, repetitive and lacking in academic challenge?

[146] **Mr Pierce:** On your first comment, it is not me saying that I want to be part of the three-country standards—it is the 14 to 19 report for Wales saying that.

[147] **Jenny Rathbone:** I understand that. I admire all the people who are saying that, but it is extremely difficult in the current climate.

[148] **Mr Pierce:** On the Welsh baccalaureate, again, at a high level, the right issues are being pointed out in the report. There are issues to do with the assessment of the core, and there is a lot of similarity at the moment through the portfolio assessment. Therefore, the themes to be looked at are revisiting the skills in the core—literacy, numeracy and digital literacy—and there are suggestions as to how that should be done, having a different emphasis on externality of assessment for those. There are some questions about the other core skills. There are potential disadvantages to some of the recommendations: for example, it is suggested that there will be options within the core. Having options within the core sounds a bit contradictory, and could lead to different pupils in different schools and colleges having a different emphasis. That was not the intention of the Welsh baccalaureate; the intention was to provide a similar breadth for all the youngsters within the framework. So, while looking at the skills and the levels of assessment, there is also a need to look at what is being retained in

the core. One of the interesting themes here is languages, both in terms of bilingualism and what we would call triple literacy—which is an approach being taken forward by several schools now, where English, Welsh and a European language are being developed together. I have heard some people express real disappointment that the Welsh baccalaureate does not really take us forward in Wales on those two themes in the way that the proposals are currently worded. However, there are ways of exploring that and of looking at the core as a way of reinforcing language skills as well.

[149] **Jenny Rathbone:** However, these options are all about giving vocational skills the same status as academic skills, and that is one of the weaknesses of the UK—we denigrate vocational skills. How do we get that unanimity of purpose among young people, parents and employers, recognising that not only is there value to vocational skills, but also that the Welsh baccalaureate is deemed to be the core qualification that they are seeking?

[150] **Mr Pierce:** On the options that I was referring to earlier, this idea that there should be options within the core—that is the bit that is being commented on as somewhat contradictory. The other options are the real ones that you are referring to now, namely, outside of the core, youngsters following the Welsh baccalaureate will either choose a combination of general qualifications or a combination of general and vocational. The report treats that as offering a good way forward, and it emphasises that the vocational element should look carefully at the European way, which is branded as IVET—initial vocational education and training. In doing that, there are important ways in which Wales can learn from some of the European countries, because the comparative work that has been done on vocational qualifications is, by and large, somewhat critical of the UK approach. In particular, it is critical of our inclination in the UK to think of vocational education as task-linked, which is a narrower view of education. The Welsh baccalaureate framework guarantees us a way of taking the full educational view, and making a full educational provision—a very rounded provision—for all youngsters, including ones following vocational courses, because you get the vocational element combined with the wider skills as well as literacy and numeracy, and also with some general education courses. It is really strengthening what is already an appropriate Welsh baccalaureate model, but it is important that we prioritise learning from the European model. Having gone for the European acronym, IVET, it is very important to learn from how that is successful in European countries in a way that vocational education has not been particularly successful in the UK.

[151] **Jenny Rathbone:** As a supplement to this, how do we ensure, or what do we need to do to ensure, that the Welsh baccalaureate is deemed a solid qualification by non-Welsh universities? How do we make them understand that this is a solid qualification? Do you think the grading of the Welsh baccalaureate will assist in that task?

10.45 a.m.

[152] **Mr Pierce:** Yes, the grading is certainly an important part of that, because one of the very reasonable comments that has been made is that you get a very wide range of achievements represented within the Welsh baccalaureate, and at the moment they are all represented by a single pass. That refinement will convey more information to higher education institutions and employers. However, the other question is to do with robustness, and persuading users of qualifications that these are valuable. It is to do with the content and assessment, and being able to be absolutely clear that those are appropriate, robust and fully moderated. It is also about persuading them that the qualification covers important and valuable skills, because that is what we are hearing from higher education institutions; very many of them are already using the Welsh baccalaureate widely in the way that they offer interviews and places to young people from Wales. So, it is building on an acceptability that is already quite widespread, but, by strengthening the qualification further and allowing it to evolve in the way suggested, it will be accepted further.

[153] **Jenny Rathbone:** Do you think that we still have some way to go with non-Welsh universities in getting them to understand and agree that this is—

[154] **Mr Pierce:** Yes. It is often not at university level. We count universities in dozens, but we count admission tutors in thousands, probably. It is often at the level of admission tutors that the value of the Welsh baccalaureate needs to be understood fully. An important aspect of the Welsh baccalaureate, which will be strengthened, is the investigative work that young people need to do. Sustained investigative work is one of the strengths and skills that HE departments, by and large, are looking for. It is not available within the current A-level assessment, but the Welsh baccalaureate does offer it.

[155] **Aled Roberts:** Mae'r adroddiad yn awgrymu y dylid sefydlu corff newydd—Cymwysterau Cymru—a chyfeiriwyd at fodel yr Alban o ran model sy'n gweithio. Mae'n ymddangos bod awdurdod cymwysterau'r Alban a'r corff tebyg yng Ngogledd Iwerddon wedi llwyddo i ymgymryd â swyddogaethau rheoleiddio a dyfarnu arholiadau. Yn ei ddatganiad i'r Senedd, gwnaeth y Gweinidog gydnabod yr angen am le i'r pen elin, yn hytrach na hyd lled braich, yn gwahanu'r cyfrifoldebau. Mae'ch tystiolaeth yn awgrymu nad ydych yn hollol sicr y byddai'r model hwn yn gweithio yng Nghymru. Pam y dywedwch hynny?

Aled Roberts: The report suggests that there is a need to establish a new body—Qualifications Wales—and it refers to Scotland's model in terms of a model that works. It appears that the Scottish qualifications authority and the similar body in Northern Ireland have succeeded in undertaking regulatory and exam assessment functions. In his statement to the Senedd, the Minister acknowledged the need for elbow room, rather than an arm's length, between responsibilities. Your evidence suggests that you are not entirely sure that this model will work in Wales. Why do you say that?

[156] **Mr Pierce:** Credaf mai'r rheswm pam yr ydym wedi awgrymu na fyddai'n gweithio yng Nghymru, ar hyn o bryd o leiaf, yw oherwydd y cyd-destun yr ydym yn dechrau gydag ef a'r pwyslais yn adroddiad Huw Evans ar y fframwaith tair gwlad. Nid yw'r ddau beth hynny'n cyfateb yn yr Alban. Ers nifer fawr o flynyddoedd, bu system cymwysterau ar wahân yn yr Alban ac nid yw'n rhan o'r fframwaith tair gwlad o ran y cymwysterau sy'n cyfateb â TGAU a lefel A.

Mr Pierce: I think the reason why we suggested that it would not work in Wales, at least at the moment, is because of the context that we are starting with and the emphasis on the three-country framework in the Huw Evans report. Those two things do not apply in Scotland. For many years, Scotland has had a separate qualifications system and it is not part of the three-country framework in terms of its qualifications that correspond with GCSE and A-level.

[157] Felly, yr hyn rydym yn teimlo sy'n bwysig—a credaf fod pawb yn cytuno â hyn—yw i gryfhau'r reoleiddio yng Nghymru a'i wahanu oddi wrth y Llywodraeth. Yn fy marn i, dylai hynny ddigwydd cyn gynted ag sy'n bosibl. Rydym yn dweud hynny oherwydd ein bod mewn sefyllfa heriol yn barod o ran safonau—gwnaethoch grybwyll TGAU Saesneg yn gynharach. Am o leiaf yr haf hwn, bydd y broses reoleiddio'n aros fel y mae yng Nghymru, ond beth am 2014 a 2015? Bydd y fframwaith presennol yn sicr o fodoli ym mhob pwnc yng Nghymru; ni fydd TGAU na lefel A yn newid yn y cyfnod hwnnw yn ôl yr argymhellion yn adroddiad

So, what we think is important—and I think that everyone agrees with this—is to strengthen the regulation in Wales and separate it from the Government. In my opinion, that should happen as soon as possible. We say that because we are already in a challenging situation in terms of standards—you mentioned GCSE English earlier. For this summer at least, the regulatory process will remain as it is in Wales, but what about 2014 and 2015? The current framework will certainly exist in Wales for every subject; there will be no change to GCSE or A-level in that period according to the recommendations in the

Huw Evans. Felly, yn fy marn i, gall Cymru fanteisio o gael rheoleiddio cryfach sydd wedi'i wahanu o'r Llywodraeth ar gyfer y blynyddoedd hynny. Hefyd, mae agenda datblygu cymwysterau sylweddol iawn yn cael ei awgrymu ar gyfer yr un cyfnod. Nid ydym erioed wedi cynnig unrhyw beth tebyg fel cyfundrefn yng Nghymru o'r blaen. Felly, mae cael rheoleidiwr sy'n annibynnol ac sydd wedi'i gryfhau'n bwysig i lwyddiant y broses honno.

[158] Efallai fod cymhareb fan hyn gyda dringwr sy'n gwneud dringfa anodd. Os yw'r dringwr yn gwneud dringfa ble mae'r *exposure* yn uchel, mae angen dilyn pob math o ragofal diogelwch; mae angen sicrhau bod y *billet* yn ddiogel a'i fod yn defnyddio'r *chocks* yn ddiogel. *Exposure* yw'r cwestiwn fan hyn. Mae *exposure* Cymwysterau Cymru, hyd yn oed nawr yn 2013, yn uchel iawn a bydd yn uwch wrth i ni ddatblygu cymwysterau newydd. Rydym yn pwysleisio'r pwysigrwydd i Gymru o gryfhau rheoleiddio nawr, ei wahanu o'r Llywodraeth, ac, ar hyn o bryd, peidio ei gymhlethu drwy ei roi mewn corff sydd hefyd yn gorff dyfarnu. Pam fyddem yn gwneud y fath beth pan mae'r *exposure* mor uchel?

[159] Mae'r manteision o fod yn annibynnol yn y cyfnod hwn yn bwysig iawn. Hefyd, mae sgysiau rhwng y rheoleiddwyr sydd angen digwydd. Dechreuodd ein sgwrs drwy ofyn am y system tair gwlad. Byddai rheoleidiwr annibynnol yng Nghymru yn gallu gweithio o fewn y fframwaith tair gwlad heb yr anfanteision o fod ynghlwm wrth y Llywodraeth, ac yn sicr heb yr anfantais o fod ynghlwm wrth y corff dyfarnu.

[160] Mae heriau pwysig o ran rheoleiddio. Rydym wedi amlinellu'r camau y byddwn yn ystyried yn briodol. Os oes camau gwahanol yn cael eu hystyried, ble mae'r dystiolaeth bod y camau hynny yn well ac y gellir eu cyfiawnhau? Nid ydym wedi gweld dystiolaeth o'r fath. Rwy'n meddwl bod barn rhanddeiliaid, yn gyffredinol, yng Nghymru yn agos iawn i'r hyn rwyf newydd ei ddweud.

[161] **Aled Roberts:** Rydych yn dweud

Huw Evans report. So, in my view, Wales could benefit from having stronger regulation, separated from the Government, for those years. Also, a very significant qualifications development agenda is being suggested for the same period. We have never before proposed anything like this as a system in Wales. Therefore, having a strengthened independent regulator is important to the success of that process.

Perhaps a comparison can be made here with a climber undertaking a difficult climb. If that climber is undertaking a climb where there is a lot of exposure, then all sorts of safety precautions have to be adhered to; you need to ensure that the billet is safe and that he is using the chocks safely. Exposure is the issue here. The exposure for Qualifications Wales, even now in 2013, is very high and will be even greater as we develop new qualifications. We are emphasising the importance for Wales of strengthening regulation now, separating it from Government, and, at present, not making it more complex by lumping it in with an awarding body. Why would we do such a thing when the exposure is so great?

The benefits of independence are very important at this time. There are also conversations that need to happen between the regulators. We started this conversation by discussing the three-country system. An independent regulator in Wales would be able to work within the three-country framework without the disadvantages of being linked to the Government, and certainly without the disadvantage of being linked to the awarding body.

There are significant challenges in terms of regulation. We have outlined the steps that we consider appropriate. If any other steps are being considered, where is the evidence that those steps would be more effective and efficient and that they could be justified? We have not seen any such evidence. I think that the opinion of stakeholders, generally speaking, in Wales is very close to what I have just elaborated on.

Aled Roberts: You say that the regulator

bod rhaid cryfhau'r rheoleiddiwr nawr, a ydych yn awgrymu y dylai hynny ddigwydd cyn 2015?

[162] **Mr Pierce:** Yn ôl ein dealltwriaeth ni, mae'n bosibl iddo ddigwydd, yn ôl y pwerau sydd ar gael i'r Senedd yng Nghymru. Felly, os yw hynny'n bosibl, ni fyddem yn deall pam na fyddai rhywun yn gwneud hynny, oherwydd y cyd-destun rwyf wedi'i ddisgrifio.

[163] Nid wyf yn credu mai'r senario delfrydol i Gymru, o bell ffordd, yw parhau gyda'r rheoleiddio fel y mae hyd at bron tair blynedd i nawr. Mae cymaint sydd angen ei wneud o ran y trafodaethau tair gwlad a'r hyn mae Cymru eisiau ei ddatblygu. Mae'r *exposure* yn uchel, ac, fel y dringwr, mae angen diogelwch. Mae'r diogelwch hynny'n dod drwy annibyniaeth a chael llais gwahanol i sicrhau'r pethau hyn.

[164] **Christine Chapman:** Aled, before you come back in, Simon wants to come in.

[165] **Simon Thomas:** Er mwyn bod yn glir ynglŷn â'ch ateb i Aled Roberts, a ydych yn dweud bod CBAC, fel corff, yn ddrwgdybus o'r model yn adroddiad Huw Evans—sef rhoi'r dyfarnwr arholiadau a'r rheoleiddiwr gyda'i gilydd yn y pen draw—neu, a ydych yn dweud y byddai'n well gennych weld rheoleiddiwr yn cael ei sefydlu gyntaf, ac yna'r rheoleiddiwr yn penderfynu ar y camau nesaf, yn hytrach na'r Llywodraeth? Rwyf eisiau bod yn glir beth rydych yn awgrymu yn eich tystiolaeth.

[166] **Mr Pierce:** Yn sicr, byddwn yn dweud y dylid sefydlu rheoleiddiwr annibynnol yn gyntaf. Dylai hynny fod yn uchel ar y rhestr o bethau pwysig i'w gwneud. Os yw'n bosibl gwneud hynny, yna mae'n fwy na jyst pwysig, mae'n gyraeddadwy. Cwestiwn gwahanol yw a ddylai corff o'r fath gynnwys pwrpasau dyfarnu. Mae camau i'w cymryd.

[167] Y cam cyntaf, nad wyf wedi'i grybwyll, yw bod rhaid i Lywodraeth Cymru benderfynu pa rôl y mae am ei chadw. Byddwn yn tybio mai rôl polisi fyddai honno—polisi yn ymwneud â chwricwlwm, sgiliau a'r fframwaith cymwysterau'n gyffredinol. Fel arfer, byddai llywodraethau

should be strengthened now, are you suggesting that that should happen before 2015?

Mr Pierce: According to our understanding, it could happen, given the powers available to the Senedd in Wales. So, if that is possible, we would not understand why one would not choose to do that, because of the context I have just described.

I do not think that the ideal scenario for Wales, by far, is to continue with the regulation as it currently exists for another three years. So much needs to be done within the three-country negotiations and with what Wales wants to develop. There is high exposure, and, like that rock climber, you need those safeguards. Those safeguards are provided through independence and having a distinct voice to secure these things.

Simon Thomas: Just to be clear about your answer to Aled Roberts, are you saying that the WJEC, as a body, is suspicious of the model in Huw Evans's report—which places the awarding body and the regulator together, eventually—or, are you saying that you would rather see the regulator established first, and for the regulator to then decide on the next steps, rather than the Government? I want to be clear with regard to what you are suggesting in your evidence.

Mr Pierce: I would certainly say that you would need to establish an independent regulator first. That should be high on the must-do list. If it is possible to do so, then it is more than just important, it is achievable. Whether such a body should include awarding functions is another question. There are steps that need to be taken.

The first step, which I have not mentioned, is that the Welsh Government needs to decide what role it wants to retain. I would have thought that that would be a policy role—policy on curriculum, skills and the general qualifications framework. That would usually be retained by government. It is important

eisiau cadw'r rôl honno. Mae'n bwysig bod hynny'n cael ei ddiffinio. that that is defined.

[168] Yr ail gam byddai diffinio beth fyddai Llywodraeth Cymru eisiau i gorff rheoleiddio annibynnol ei wneud. Mae eisiau diffinio hynny. Mae hynny'n codi cwestiwn ynghylch pa fath o gorff hyd braich sy'n addas. The second step would be to define what the Welsh Government would want an independent regulator to do. That needs to be defined. That raises the question as to what sort of arm's-length body is appropriate.

[169] Ar ôl hynny, mae'n bosibl gofyn a ddylai corff o'r fath hefyd fod yn gorff dyfarnu. Trydydd cwestiwn yw hwnnw mewn gwirionedd. Nid yw'n gwneud synnwyr rhesymegol i fynd at y trydydd cwestiwn heb ateb cwestiwn dau a chwestiwn un yn gyntaf. Ond, yn anffodus, nid dyna'r rhesymeg sydd wedi'i gosod mas. Ar ôl dweud hynny, efallai bod Huw Evans—yn ôl fy nehongliad i o beth y dywedodd wrthych fis diwethaf— After that, one could ask whether such a body should also be an awarding body. That is the third question in the sequence. It does not make any rational sense to approach question three until you have answered questions one and two. However, unfortunately, that is not the rationale that has been set out. Having said that, perhaps Huw Evans—according to my interpretation of what he had to say to you last month—

[170] **Simon Thomas:** Roedd ef hefyd yn awgrymu y dylai fod mwy nag un *stage*. **Simon Thomas:** He also suggested that there should be more than one stage.

[171] **Mr Pierce:** Credaf nad yw ei weledigaeth bersonol ef—er nid fy lle i yw siarad ar ei ran—yn annhebyg i'r hyn rwyf wedi'i ddisgrifio. **Mr Pierce:** It is not for me to speak on his behalf, but I do not think that what he outlined is too different from what I have outlined.

[172] **Christine Chapman:** Aled, do you want to come back in?

[173] **Aled Roberts:** Rwy'n meddwl, i ryw raddau, eich bod wedi ateb yr hyn sy'n dilyn. Awgrymodd y Gweinidog yn ei ddatganiad ei fod yn gweld CBAC fel partner allweddol o ran Cymwysterau Cymru. Ond, mae'n debyg eich bod chi'n meddwl bod nifer o gamau i'w hystyried cyn y gallwn ddod i'r casgliad hwnnw. **Aled Roberts:** I think, to some extent, that you have answered what follows. The Minister suggested in his statement that he saw the WJEC as a key partner in terms of Qualifications Wales. However, it seems that you are saying that there are a number of steps to be considered before we can come to that conclusion.

[174] **Mr Pierce:** Byddai'n ddoeth gweld hyn fel rhywbeth fesul cam. Mae nifer o ystyriaethau nad wyf eisiau sôn amdanynt yn awr, achos nid ydym wedi derbyn adroddiad ar yr agweddau cyfreithiol yn CBAC. Yn sicr, mae hynny'n rhan o'r darlun. Efallai fod rhai pethau lle bydd y dimensiwn cyfreithiol yn bwysig. **Mr Pierce:** It would be wise to look at this as a step-by-step process. There are a number of considerations that I do not want to talk about at the moment, as we have not received a report on the legal aspects in the WJEC. Certainly, that is part of the picture. Perhaps there will be certain things where the legal dimension will be important.

[175] **Suzy Davies:** Just developing this theme, from what I understand, you are saying that the current review is trying to do too much too soon, and in a confused manner, which makes it difficult to focus when separate, slower steps should be taken to see what this new body should look like. As a result, the model that they have chosen is the only one, and there is not an opportunity to examine other models. On the back of that, the due diligence process has

started very quickly on that one model. What are your concerns about that, and what pieces are missing from the current due diligence process that you think should be included? I appreciate that there are certain things that you cannot talk about, but can you tell us what you can about your concerns about this process?

[176] **Mr Pierce:** Our view on the due diligence reflects my answer to the previous question, in that we think that due diligence should really, in the first instance, be a high-level due diligence that should address the high-level questions. I think that I commented in my second letter that those strategic bullet points, which are questions 1 and 2, are embedded somewhere in the due diligence, at something like 4.2 and 6.5. The logic of that is very difficult to understand. The due diligence framework, overall, is the kind of exercise that you would go through when you acquire or merge a company. That is why it is a massively detailed document. It should not therefore be a document that has embedded in it somewhere the really big strategic questions: question 1 and question 2. That is, what the Government retains in terms of policy roles and regulatory functions. They should be addressed at the outset, probably by Government and its advisers, and not through a due diligence exercise.

[177] **Suzy Davies:** Do you think that they will be missed completely, then, by being buried in other objectives?

[178] **Mr Pierce:** They can either be missed completely, or the due diligence may be of the wrong shape. Due to the fact that questions 1 and 2 have not been answered, we do not know the right context for some of the due diligence questions.

[179] There is also the whole question of the timeline. If we were to answer some of these questions now, it would be based on the WJEC as it is now, doing what it does now. It would be speculation beyond my terms of reference to interpret what would be the real set of questions that should be asked in the due diligence.

[180] There is a danger here that this is an exercise in diving into detail—it may have already started, for all I know—that may be the wrong detail, without answering the high-level questions and without even asking questions about plausibility and feasibility legally.

[181] **Suzy Davies:** Are you clear about what the main objectives of the current due diligence process are?

[182] **Mr Pierce:** In the way that it is set out, it seems to me to be an exercise that is based on a whole set of assumptions and is therefore an exercise to do with merger and acquisition. The timeline that has been set out for its work, we understand, is probably a timeline within which those high-level questions will not have been addressed.

[183] **Suzy Davies:** Will it have been a valuable process at all at the end of this, do you think?

[184] **Mr Pierce:** That is questionable. I would not wish to be paying for it.

[185] **Suzy Davies:** Right.

[186] **Mr Pierce:** Of course, linked to that, there is a question of the commitment of WJEC effort into that, if it is the wrong exercise.

[187] **Suzy Davies:** That is interesting. I have a final part to this question. You said that you were not sure what steps are being taken at the moment and that this process has barely started, as far as you were concerned. Is that right?

[188] **Mr Pierce:** All we have seen of it is that there was a specification, and there was a closing date, was there not? There was an intended start date for the contract, which, if I remember rightly, is 14 February.

[189] **Suzy Davies:** So, there has been no sort of detailed engagement with you yet?

[190] **Mr Pierce:** No, we would not know.

[191] **Suzy Davies:** Thank you.

[192] **Christine Chapman:** I have just one question, Gareth, and it is to do with Welsh-medium qualifications. What additional resources do you think will be needed to ensure that Welsh-medium GCSEs and A-levels will be available simultaneously by 2015, as the review board recommended?

[193] **Mr Pierce:** That is a very important theme. The way we work at the moment in WJEC means that, when we develop qualifications, we work on specifications that go to the regulators simultaneously in England, Wales and Northern Ireland, and we tend to work on the English-medium versions of those documents, and then, as those get towards finalisation, we have a translation stage.

11.00 a.m.

[194] That leads us to a situation where the importance of getting specifications out early to schools sometimes means that it is the English-language version that is available first, and the Welsh-language version later. We agree with the recommendation that, as a matter of fundamental principle, both should be available at the same time, as well as accompanying mainstream resources. Therefore, we are reviewing the way we work and the way in which our bilingual delivery systems for documents, including translation and editing and so forth, can align with this aim.

[195] Your question also refers to the wider sets of learning resources. The WJEC is obviously very active, including through our own funding, and recently through funding like NGfL Cymru, and our work there does deliver bilingual resources. However, there is always demand for more, and especially with quite a wide-ranging set of curriculum and qualification reforms, this will be a highly active area where there is a lot to be done. We are totally signed up to doing it in both languages, but we need to look at our ways of working, and possibly based on the principle that the Welsh Government does provide financial support for awarding bodies that produce material in two languages, there may be issues that the Welsh Government will need to look at, in terms of the amount of resources that it is asked to provide.

[196] **Christine Chapman:** So, there is a possibility that that will be an implication.

[197] **Mr Pierce:** Yes.

[198] **Christine Chapman:** Okay, thanks. I am going to close this part of the session now. I thank you, Gareth, for attending today. We will send you a transcript of the evidence session so that you can check it for factual accuracy, but thank you for attending; it has been a very interesting discussion.

[199] **Mr Pierce:** Thank you. Diolch.

11.02 a.m.

Adolygiad o Gymwysterau—Sesiwn Dystiolaeth
Qualifications Review—Evidence Session

[200] **Christine Chapman:** I am going to invite our next witness to come to the table now. I welcome Robin Hughes, who is the national manager for OCR Cymru. Thank you for attending this morning. Members will have read your paper in advance, Mr Hughes, so if you are happy, we will go straight into questions.

[201] **Mr Hughes:** I am very happy indeed and may I apologise for the lateness of my paper, which may have given you some undue frenetic activity at the last minute?

[202] **Christine Chapman:** Thank you; I am sure that we will go into more detail now. I am going to ask Bethan to take the first question.

[203] **Bethan Jenkins:** Do you speak Welsh?

[204] **Mr Hughes:** Ydw.

Mr Hughes: Yes.

[205] **Bethan Jenkins:** Grêt. Beth yw'r prif oblygiadau i gyrff dyfarnu yn sgîl y gwahaniaethu cynyddol rhwng cymwysterau yng Nghymru a Lloegr?

Bethan Jenkins: Great. What are the main consequences for awarding bodies in light of the increasing divergence of qualifications in England and Wales?

[206] **Mr Hughes:** If I receive a question in Welsh, I will answer it in Welsh.

[207] Yn naturiol, mae sialens ddybryd i ni ar y funud, gan fod cymaint o fanylion ynglŷn â sut rydym yn mynd i gydweithredu ac efo pa asiantaethau. Felly, rydym mewn trafodaethau dwys â'r Adran Addysg a Sgiliau a gweision sifil, wrth i ni edrych ymlaen at sut rydym yn mynd i ddarparu gwasanaeth sydd yn ateb yr anghenion unigryw sydd ar dwf yma yng Nghymru. Mae cynllun Huw Evans yn un uchelgeisiol, ac mae'n gynllun rydym eisiau cydweithio gydag ef, ond fel rwy'n siŵr rydych wedi ei glywed gan Gareth, mae angen i ni drafod yn union sut rydym yn mynd i weithio efo gweithdrefnau a fydd yn newid yn ystod y misoedd sydd i ddod. Felly, mae hynny yn sialens.

Naturally, we face a huge challenge at present, because there are so many details as to how we will co-operate and with which agencies. So, we are in intense discussions with the Department for Education and Skills and civil servants, as we look towards how we will be able to provide a service that meets the unique requirements that are developing here in Wales. The Huw Evans plan is an ambitious one, and it is one on which we want to collaborate, but as I am sure that you will have heard from Gareth, there is a need for us to discuss exactly how we will be able to work with procedures that will change over the coming months. So, that is a challenge.

[208] Rwy'n ffodus mai dyna yw fy mhrif swyddogaeth i yn OCR, yma yng Nghymru, sef arwain ar y cydweithredu hwnnw, felly mae hynny'n mynd â thipyn o'm hamser i ar y funud.

I am fortunate because that is my main function for OCR, here in Wales, namely to lead on that collaboration, so that is taking up quite a bit of my time at present.

[209] **Bethan Jenkins:** Yn dilyn o hynny, mae nifer o bobl yn dweud ei bod yn anodd lledaenu negeseuon am gymwysterau yn effeithiol, oherwydd eu bod yn dal i ddrysu rhai pobl. Sut rydych yn credu y gall yr

Bethan Jenkins: Just to follow on from that, a number of people say that it is difficult to disseminate the messages about qualifications effectively, because some people are still confused by them. How do you think the

ymgyrch gyfathrebu fawr ynghylch y system cymwysterau newydd yng Nghymru, a gynllunnir ar gyfer diwedd 2013, fynd i'r afael â'r diffyg dealltwriaeth hwn?

[210] **Mr Hughes:** Byddwn yn dadlau bod dau angen. Mae'r angen mewnol, sef angen yr athrawon, yr ysgolion, y rhieni a disgyblion yma yng Nghymru, ac wedyn mae'r angen i gyfathrebu â rhanddeiliaid y tu allan i Gymru. Yma yng Nghymru, un o'r pethau y byddwn yn awyddus i'w weld—ac roeddwn yn falch bod Jeff Cuthbert wedi pwysleisio hyn ddwywaith neu dair yn y Cynulliad—yw deialog gyda'r byrddau arholi. Un o'r rhesymau pwysig am hynny yw bod, yn naturiol, athrawon, prifathrawon a'u timau rheoli yn cysylltu â ni yn gyntaf i wybod beth sy'n digwydd gyda chymhwyster a beth fydd yn dod nesaf. Felly, er mwyn i ni gyfrannu yn gywir ac yn brydlon, mae'n bwysig ein bod yn sicrhau bod y deialog hwnnw gyda'r Llywodraeth a gweision sifil yr adran yn agored, yn ddwys ac yn gyson. Felly, byddwn yn medru sicrhau ein bod yn cyfathrebu rhywbeth sydd yn cael ei ategu gan eraill a bod dealltwriaeth gywir a chyfredol yng Nghymru pan fo newidiadau'n digwydd. Mae hynny yn un peth.

[211] Wrth i ni gyfathrebu yn allanol, y tu allan i Gymru, y peth mawr a phwysig yw sicrhau credadwyedd y cymwysterau yr ydym yn eu datblygu. Dyna sydd yn hollbwysig. Wrth i ni roi'r disgyblion reit yn y canol a rhoi eu buddiannau yn gyntaf, yr hyn sydd yn hollbwysig yw credadwyedd y cymwysterau unigryw hyn y byddant yn eu hennill yng Nghymru o'r cychwyn. Mae hynny'n bwysig. Byddwn yn dadlau, felly, y tu ôl i'r llenni, fod yn rhaid i ni sicrhau ein bod yn meincodi ein cymwysterau yng Nghymru gyda'r gorau yn y byd, nid dim ond gyda beth bynnag a ddaw yn Lloegr neu yn yr Alban, ond gyda chymwysterau sydd yn cael eu cydnabod fel y gorau yn y byd.

[212] **Jenny Rathbone:** This benchmarking behind the scenes will not be sufficient in the context of the very public regrading of GCSE English and the loud claims by the English Minister for education that he will have a more rigorous English baccalaureate, which has some impact on how people perceive the qualifications that we deliver in Wales. What is your view on how significant the dialogue of the deaf is et cetera?

[213] **Mr Hughes:** I agree with you, Jenny. While we are primarily concerned with what

major communications campaign about the new qualifications system in Wales, which is planned for the end of 2013, will tackle this lack of understanding?

Mr Hughes: I would argue that there are two needs here. There is the internal need, that is, of teachers, schools, pupils and parents here in Wales, and then there is the need to communicate with stakeholders outwith Wales. In terms of the approach in Wales, one of the things that I would be eager to see—and I was pleased that Jeff Cuthbert has emphasised this two or three times in the Assembly—is dialogue with the examination boards. One of the important reasons for that is that, naturally, we are the first point of contact for teachers, headteachers and their management teams to find out what is happening with a qualification and what will come next. So, if we are to contribute accurately and in a timely fashion, it is important that we ensure that that dialogue with the Government and the department's civil servants is open, thorough and consistent. We will then be able to ensure that what we are communicating is endorsed by others and that there is an accurate and up-to-date understanding in Wales when there are changes. That is one thing.

As we communicate externally outwith Wales, the key and important thing is to ensure the credibility of the qualifications that we are developing. That is crucially important. As we place pupils at the very heart of this and put their interests first, it is vital that there is credibility from the outset in terms of these unique qualifications that they will gain in Wales. That is important. I would make the point, therefore, that behind the scenes, we have to ensure that we benchmark our qualifications in Wales against the best in the world, not only against whatever will develop in England or in Scotland, but against qualifications that are acknowledged to be the best in the world.

we are doing for our learners, the world is not standing still. We will want to communicate a new message in the midst of a lot of noise, but I come back to the importance of having structures that carry the confidence of others. You mentioned the English language GCSE regrading, and I wonder whether it would have happened in the way it did if we already had an independent regulator. That is the first thing.

[214] Putting it in that context, the proposals, as they are beginning to take shape, suggest that we will have a robust independent regulator, which would be a crucial factor in creating confidence in the outputs of the system. We will be communicating with new tools and about a new landscape. That should give us confidence and it should feature in Huw's work and the way that Huw has gone about the work that he has already done in delivering a very ambitious plan for qualifications in Wales. He and his panel have gone out of their way to be engaging, and they have travelled widely. I think that that creates a sense of confidence and an awareness among key commentators and stakeholders outside Wales. I very much hope that Huw will take forward that engaging approach into this next stage as we move into implementation. We are more than happy to engage with that.

[215] **Suzy Davies:** All UK nations are raising their game at the moment in view of the PISA results and so on. I think that the message coming from Wales has to be more than a marketing information campaign. It is about this confidence, but it has to be confidence based on the raised game. Can you explain how the new GCSEs in English language, Welsh first language and science will get over this problem of not being reliable indicators of literacy and numeracy levels? We had an explanation from Gareth Pierce a few moments ago that the current system shows that there are strengths and weaknesses by grade, but it does not show what those strengths and weaknesses are. Will the new-look GCSEs resolve that?

[216] **Mr Hughes:** There are two things that I would contribute to that particular debate. First, it is my understanding that we will be looking at a new curriculum that sits beneath the qualifications. That is essential. The qualifications should be an accurate test of what is being taught and what is being learned. The literacy requirements will be embedded in the curriculum. So, those new GCSEs should be an accurate reflection of achievement in a curriculum that has literacy woven in. That is not the case at the moment with the existing GCSEs in English language and Welsh first language. Going forward, therefore, there will be a more credible and a more integrated statement of literacy achievement within those new GCSEs. So, that should give us more confidence—as long as we get the development right—that the new-look GCSEs in English language and Welsh first language are a more accurate indicator of literacy skills.

[217] **Suzy Davies:** So, for example—and I will just choose history arbitrarily—if someone is an excellent history student and has learnt the curriculum, but because of their literacy issues cannot actually communicate that they have done that, will it be clear from their lower grade that they have a lower grade because the literacy is an issue rather than their knowledge of history?

[218] **Mr Hughes:** That is quite a difficult question. Currently, within—

[219] **Suzy Davies:** It is not at the moment, is it?

[220] **Mr Hughes:** No, it is not. However, among the many changes that are working their way through the system, before we even get to the changes that we are planning now, is a marking scheme that directly reflects some of the spelling, punctuation and grammar that will be evidenced by the candidate. So, at the moment, there is a clearer indicator of literacy achievement in the existing GCSEs, which of course will be delivered through to summer 2016. So, we can have a bit more confidence that there will be some reflection in the outcomes. Then, there is that other thing about the assessment tail wagging the teaching-of-

the-curriculum dog. Given that it is now explicit that there is a certain portion of marks available for good spelling, punctuation and grammar, you would expect to see a bit more focus on those skills within the teaching. We are beginning to have communication with teachers across various disciplines and subject areas that reflects that. In addition, in Wales, we have the rolling out of the literacy and numeracy frameworks. Again, that is generating attention, dialogue, materials—raising awareness, broadly speaking, across the teaching profession. So, you would expect to see progress along these fronts using those two mechanisms.

11.15 a.m.

[221] **Suzy Davies:** That sounds like good news for the actual students, but when they are looking to go into higher education, and particularly if they go outside Wales, what will be the view of the higher education admissions tutors of those changes? Will they be convinced by them, bearing in mind that other parts of the UK are making their own changes as well?

[222] **Mr Hughes:** At OCR, we are part of Cambridge University, so, as an exam board, we are unique in still being directly part of a university. We have some added advantages when it comes to engaging with HE. On A-levels—and hopefully I will make this relevant to you with your question about GCSEs—we currently have a very extensive programme of engagement, and that involves the Russell Group, representatives from Welsh universities, and other universities too. It is a long haul. There are no two ways about it. It takes investment, recruiting those people to participate, and you have to make it worth their while. You make it worth their while by engaging them in the development of the qualification.

[223] **Suzy Davies:** Does that include the GCSE level? Obviously, with the A-level, I can see the connection.

[224] **Mr Hughes:** There is interest in GCSEs because, certainly for the selecting universities, they are looking to get the best idea they can of the applicant in front of them.

[225] **Suzy Davies:** So, they do look at GCSEs, then. There are plenty who say they do not.

[226] **Mr Hughes:** Oh, they do, absolutely. Most of the admissions tutors that I have spoken to go to great lengths to look at granular data, and, of course, we are able to deliver that as one of the advantages of modularisation—you are able to show a very detailed picture of the achievements of the candidate. I might be digressing here, but one of the issues that is currently exercising many of us is the idea that is emerging in England about the status of the AS-level. Currently, a number of admissions tutors in higher education take significant note of achievement at AS-level, because it is the latest set of achievements for the candidate, and it helps them create that picture of whether that candidate is going to thrive in the environment with which they will provide them. If that is not there, where do you go? The only place you can go is to the GCSEs, so the pressure will come. That takes me back to an earlier point that I was making about how integrated this emerging landscape is, and the system. You need credibility in the system that is supporting the GCSEs, and not just for what that GCSE will allow that 16-year-old to progress on to at age 16. It is possible that there will also be pressure at a very critical stage in their progress, at age 18. People will look at what that GCSE achievement actually means.

[227] **Suzy Davies:** I presume that what you say applies to the Welsh baccalaureate as well. I will not extend my questions any further, Chair.

[228] **Christine Chapman:** I think that Rebecca wants to come in now.

[229] **Rebecca Evans:** I want to pick up on what you were saying about AS-levels. The

review board has received evidence indicating that the Welsh Government should keep AS-levels, so am I getting the sense that you agree with the board?

[230] **Mr Hughes:** That was what we supplied in our evidence. Based on our extensive engagement with HE, qualitative research and quantitative research, established subject-led boards and overarching strategic boards, we have shared that evidence, not just through the consultation that was run by Kate Crabtree and her team in the Department for Education and Skills—although we did respond to the consultation—but through an open offer for officials here to see the evidence base for our statement. That leads me, if I might take the question a stage further, to the point that I think it is extremely serious to see divergence at A-level, for obvious reasons.

[231] **Rebecca Evans:** That was my second question.

[232] **Mr Hughes:** I am a parent as well as an assessment professional. My daughter is in year 7. She will be doing whatever there is for her to do, whether that is GCSE in September 2015, or not. I am extremely keen that she has the opportunity to achieve qualifications that have recognition and credibility across the piece, so that she is not hampered in her progression. Having distinctive, different A-levels that create confusion for HE and employers leads to an extremely dangerous situation. I desperately hope that, through discussion and debate, we can avoid that, if at all possible. That would be my guiding principle in our contributions to the debate.

[233] **Lynne Neagle:** The review group recommended that employer groups and higher education institutions be involved in the development and accreditation of A-levels. To what extent does that happen at the moment, and what more needs to be done to fulfil that recommendation?

[234] **Mr Hughes:** To add to some of the comments that I made before about how extensive our existing arrangements are with representatives of HE, I will go back to some of the challenges that are there when one sets about the task of engaging with HE. The first is that, as institutions, they are fiercely independent. That means that it is not that easy to deal with a trade association or a peak association. There are different groupings that represent different elements of the sector. That is the first thing.

[235] Secondly, the Russell Group universities have an internal structure, which they call an academic model, which means that each of their departments, while it works within an overarching framework, is free to set its own distinctive variations within that theme of what universities are looking for with regard to admissions.

[236] So, you are setting about a task that is quite complicated. It needs investment, it needs recruitment and it is not going to be done quickly, so it needs to be understood that it is going to take time and perseverance. As I said earlier, the representatives of HE are invited at an early enough stage so that they feel that they can genuinely have an input that matters into the final outcome of the qualifications that you are producing. As long as you abide by those organising principles, it is achievable, but it is not something that can be done overnight.

[237] **Aled Roberts:** Mae Huw Evans yn sôn bod rhaid i ni symud y system cymwysterau o fod yn un sy'n seiliedig ar wybodaeth i un sy'n seiliedig ar sgiliau. Mae'n ffyddiog y bydd y 42 o argymhellion yn llwyddo i wneud hynny. A ydych yn credu hynny?
Aled Roberts: Huw Evans mentions that we need to move the qualifications system from one that is based on knowledge to one which is based on skills. He is confident that the 42 recommendations will achieve that. Do you believe that?

[238] **Mr Hughes:** Mae hwnnw'n gwestiwn da iawn, ac mae'n anodd ei ateb mewn ffordd ddu a gwyn. Rwyf wedi cael gwybod gan Huw at beth mae'n cyfeirio wrth iddo ddweud hynny. Rwyf hefyd yn edrych ar y saith neu wyth mlynedd mae'r fagloriaeth Gymreig wedi bod gennym. Pwrpas y fagloriaeth oedd lledu'r profiad dysgu ond hefyd greu fframwaith a fyddai'n annog datblygiad sgiliau. Rwyf yn falch bod gwaith Huw wedi canfod bod gwendidau yn y fframwaith. Mae'r gwendidau hynny wedi bod yn amlwg i nifer fawr ers tro byd. Yn awr, rydym yn mynd i wneud rhywbeth am y sefyllfa, ac rwy'n falch am hynny.

Mr Hughes: That is a very good question, and one that is difficult to answer in terms that are black and white. I have been given to understand by Huw what he is referring to in making those comments. I am also looking at the seven or eight years in which we have had the Welsh baccalaureate. The purpose of the baccalaureate was to extend the learning experience but also to create a framework that encouraged the development of skills. I am glad that Huw's work has found weaknesses in the framework. Those weaknesses have been apparent to a great many for a long time. We are now going to do something about the situation, and I am pleased about that.

[239] Rhwng y fframwaith, yr argymhellion a'r newidiadau yr oeddwn yn cyfeirio atynt o'r blaen, lle mae llythrennedd a rhifedd wedi'u gweu i mewn i'r cymwysterau, rwy'n hyderus, dros gyfnod o amser ac unwaith y mae'r athrawon wedi cael eu darbwyllo ynghylch yr her sydd yno ac mae eu sgiliau wedi'u datblygu i wireddu'r dyhead hwn, y gwelwn effaith bositif ar sgiliau. Nid yw'n mynd i ddigwydd dros nos. Byddwn yn argymhell bod hwn yn rhywbeth i'w ystyried ymhen rhyw bum neu chwe blynedd, ar ôl i ni ddatrys yn union pa gymwysterau a fframweithiau rhifedd a llythrennedd yr ydym yn mynd i'w rhoi ar waith.

Between the framework, the recommendations and the changes that I referred to earlier, where literacy and numeracy are woven into the qualifications, I am confident that, over a period of time and once teachers have been convinced of the challenge that exists and that their skills have been developed to fulfil the aspiration, we will see a positive impact on skills. It is not going to happen overnight. I would recommend that this is something to be considered in five or six years, once we have resolved the problem of exactly what numeracy and literacy qualifications and frameworks we are going to implement.

[240] Os nad oes ots gennych fy mod yn ychwanegu at yr ateb hwnnw, i ddatblygu sgiliau mae'n rhaid inni gael athrawon sy'n cael eu cefnogi i annog y sgiliau hynny. Mae'r anogaeth honno'n rhannol yn ymwneud â'r cymwysterau ac yn rhannol â'r cwricwlwm. Ar y funud, rwy'n meddwl bod y ffocws yn ein trafodaethau ar y cymwysterau. Hoffwn weld yr ochr gwricwlaidd yn dod i mewn i'r sgwrs. Rwy'n deall bod gennym lot i'w drafod ar y funud, ac mae creu lle yn y trafodaethau hynny inni ymhél â'r cwricwlwm yn mynd i fod yn anodd. Fodd bynnag, rwy'n meddwl bod hynny'n angenrheidiol.

If you do not mind me adding to that response, to develop skills we must have teachers who are supported in developing those skills. That encouragement is partly related to qualifications and partly related to the curriculum. At present, I believe that our discussions have focused on the qualifications. I would like to see a shift towards looking at the curriculum and including that as being part of the conversation. I understand that we have a lot to discuss at present, and that finding time in those discussions to deal with the curriculum is going to be difficult. However, I believe that that is essential.

[241] **Aled Roberts:** Yn dilyn o hynny, a ydych yn awgrymu, achos yr holl bwysau ar gymwysterau, fod problem o ran cael athrawon i newid eu dulliau? A yw holl dargedau'r Llywodraeth—sef 5 TGAU

Aled Roberts: Following on from that, are you suggesting that due to the pressure on qualifications there is a problem in getting teachers to change their methods? Are all of the Government's targets—namely 5 GCSEs

rhwng graddau A* ac C—yn gwthio yn erbyn hynny?

between A* and C grades—pushing against that?

[242] **Mr Hughes:** Ni fyddwn yn dweud bod y targedau'n gwthio yn erbyn hynny. Fodd bynnag, yn ein trafodaethau â Huw yn mynd yn ôl at y cynllun, un o'r pethau yr oeddwn yn ei ddweud—cyfeiriais at hyn yn gynharach—oedd unwaith y mae rhywun yn rhoi'r her i'r ysgol, ac i ysgolion yn eu cyfanwydd, i lwyddo gyda rhai cymwysterau yn benodol, yr hyn sy'n digwydd, yn naturiol, yw bod hynny'n arwain, mewn ffordd amlwg iawn, yr hyn sy'n digwydd o fewn y dosbarth. Os nad ydych yn hapus gyda'ch cymwysterau, mae hynny'n drychineb. Os ydych yn hapus gyda'ch cymwysterau, efallai nad yw rhywun yn poeni llawer bod y cymhwyster hwnnw'n taflu pob peth i'w gysgod. Yr hyn y byddwn yn ei ddadlau yw ein bod am weld gwell cydbwysedd. Rwy'n meddwl bod adroddiad hynod o ddiddorol a defnyddiol gan Gydffederasiwn Diwydiant Prydain wedi cael ei gyhoeddi yn ôl ym mis Tachwedd. Mae perygl ein bod yn creu ffatri ar gyfer llwyddo mewn arholiadau yn unig yn ein hysgolion. Nid wyf yn meddwl ein bod am i hynny ddigwydd.

Mr Hughes: I would not say that the targets are pushing against that. However, what I would say is that in my discussions with Huw going back to the scheme, one thing that we said—I referred to this earlier—was that once someone challenges a school, and schools in general, to succeed with certain specific qualifications, naturally, what will happen is that that will lead, in a very clear way, what happens in the classroom. If you are not satisfied with your qualifications, then that is disastrous. If you are satisfied with qualifications, then perhaps one would not be too concerned that the qualification puts everything else in the shade. However, I would argue that we want to see a better balance being struck. I believe that a very interesting and useful report on this matter was published by the Confederation of British Industry back in November. There is a risk that we are creating a factory for achieving success only in exams in our schools. I do not believe that we want that to happen.

[243] **Julie Morgan:** My questions follow on from some of the questions that Aled asked about the Welsh baccalaureate and the recommendations of the review body. Do you think that the changes that are proposed will address the concerns of critics of the Welsh baccalaureate?

11.30 a.m.

[244] **Mr Hughes:** The decision to introduce grading at advanced level is clearly based on evidence. It is based on the many reservations that we have all come across, certainly from various HE institutions about the Welsh baccalaureate. So, that is a good thing. The introduction of grading will increase the detail in the assessment criteria that is laid out for the achievement; it has to. The kind of fine judgments that one makes in order to stratify and produce grades necessarily mean more detail in the assessment criteria. The worry that I have at the moment is not whether that is achievable—I have every confidence that Gareth and his colleagues, by working closely with the regulator here in Wales, will be able to produce something that is workable—but that it will have an implication, which is that more detailed assessment criteria will mean more work and more change for teachers. It is going to create an increase in the overall burden of assessment in schools. What I am not hearing at the moment is that there is an organising principle for these changes. I am not hearing that people are concerned with the overall assessment burden in schools. I would like them—I say 'them', what I mean is all the officials within the landscape that we currently have—to be talking more about that.

[245] Ideally, one of the things that Qualifications Wales will be doing, if it gets up and running as a regulator as quickly as possible, is running that test across all the proposals.

Therefore, my worry is that, although we will have something that will have more credibility and will carry more confidence, it will have an impact in the school and upon the teachers.

[246] **Julie Morgan:** Do you think that that has not been thought of?

[247] **Mr Hughes:** I am not saying that it has not been thought of, but it has not been discussed, and it has not been put centre stage. We need to bring what various people have been discussing around the fringes of major structural change centre stage. Let us agree on a few organising principles for implementation. I would offer three principles—perhaps I am biting off more than I can chew. We want to keep an eye on the overall assessment burden; we do not want too much of it. We want space for more teaching and less testing. The second thing is benchmarking for credibility and how that works. Thirdly, there is communication with teachers and support for teachers.

[248] This is going to add up to a huge volume of change. As I was saying earlier, teachers, quite often, are turning to their awarding body for that support, which is why it is important that we have dialogue. That is one area of support. The other area of support is the support services that they have been in the habit of having, either through the local education authority or the various consortia. As you know, the new regional consortia are settling down, for want of a better word. That is going to come under pressure.

[249] **Christine Chapman:** We will move on. Bethan has a supplementary question and we will then come back to you, Julie.

[250] **Bethan Jenkins:** Roeddwn eisiau gofyn, gan nad oes neb wedi gofyn hyn eto—efallai ei fod yn gwestiwn twp—rwyf wedi siarad â llawer o bobl ifanc am y fagloriaeth Gymreig. Pan fyddant yn ceisio am leoedd mewn prifysgolion, yn enwedig yn Lloegr, oherwydd pwysau gwaith ychwanegol y fagloriaeth Gymreig ar ben y lefel A, maent yn dweud ei bod yn effeithio ar sut maent yn gallu canolbwyntio ar eu lefel A achos nad ydyw nifer o'r prifysgolion yn cymryd y fagloriaeth Gymreig o ddifrif. Gyda mwy o bwyslais ar asesiadau o fewn y fagloriaeth Gymreig, a fydd hynny nid yn unig yn rhoi mwy o bwysau ar athrawon, ond yn rhoi mwy o bwysau eto ar bobl ifanc am eu bod yn gorfod lledaenu mwy o waith dros y ddwy flynedd hynny, gan fethu â chyrraedd eu potensial mewn adrannau penodol, efallai, oherwydd bod cymaint mwy o waith ganddynt i'w wneud?

Bethan Jenkins: I wanted to ask, as no-one has asked this yet—and it may be a stupid question—I have talked to many young people about the Welsh baccalaureate. When they apply for places at university, especially in England, because of the additional work pressures involved with the Welsh baccalaureate in addition to their A-levels, they say that it affects how they are able to concentrate on their A-levels as many of the universities do not take the Welsh baccalaureate seriously. With more emphasis on assessments within the Welsh baccalaureate, will that not only put more pressure on teachers, but even more pressure on young people in having to spread their work over those two years, and perhaps failing to reach their potential in certain sections because there is so much more work that they have to do?

[251] **Mr Hughes:** Dyna'n union beth rwy'n ei glywed, efallai nid gan y disgyblion, ond yn sicr gan athrawon. Mae nifer fawr o athrawon pwnc lefel A yn arbennig yn poeni eu bod yn colli amser yn eu pwnc a chyda'u disgyblion oherwydd yr amser sy'n gorfod cael ei neilltuo at y fagloriaeth.

Mr Hughes: That is exactly what I am hearing, perhaps not from pupils, but certainly from teachers. Very many A-level teachers in particular are concerned that they are losing out on time in their subjects and with their pupils because of the time that has to be allocated to the baccalaureate.

[252] Byddwn yn dweud dau beth am hyn. I would say two things about this. First, I am

Yn gyntaf, rwy'n hyderus ac yn ffyddiog y bydd y gwelliannau yn cynyddu'r gredadwyaeth yn y fagloriaeth, ac felly'n gwneud y gwaith yn fwy gwerth chweil a'r llwyddiant yn fwy gwerth chweil. Nid yw hynny'n mynd i ddigwydd dros nos, ond dyna beth rydym yn gobeithio amdano.

[253] Yn ail, cyfeiriais at fy mhlant yn gynharach. Mae'r hynaf ym mlwyddyn 10 ac rwy'n gobeithio y bydd ef yn elwa ar y lledaenu yn ei brofiad wrth ymhél â'r fagloriaeth, os yw'r ysgol yn un o'r goreuon wrth ddarparu. Nid yw pawb wedi integreiddio'r cymwysterau a'r profiadau eraill gyda'r pynciau craidd. Mae angen lledu'r arfer da hwnnw, a gobeithiaf y bydd cefnogaeth i'r athrawon i wneud hynny. Fodd bynnag, petawn yn eistedd gydag athrawon fy mhentyn hynaf heddiw ac yn amau bod ei ganlyniadau lefel A o dan fygythiad oherwydd yr amser yr oedd yn ei dreulio ar y fagloriaeth, rwy'n sicr y byddwn yn mynnu ei fod yn rhoi mwy o amser i'r lefel A nag i'r fagloriaeth—petai hynny'n benderfyniad y byddai'n rhaid i mi fel rhiant ei wneud heddiw.

[254] **Bethan Jenkins:** Gan fod hyn yn bwysig, yr hyn roeddwn yn ceisio ei ofyn yn fy nghwestiwn oedd a fyddai mwy o gyfartaledd yn yr addysgu pe bai'r asesiadau yn newid gyda'r fagloriaeth. Dyna beth roeddwn yn trio ei ofyn.

[255] **Mr Hughes:** A atebais y cwestiwn? Mae Aled yn meddwl fy mod i.

[256] **Bethan Jenkins:** Rwy'n meddwl efallai fod yr *emphasis* ar ochr yr athrawon, ond sut bydd y plant wedyn yn ystyried y pwysau a fyddai arnynt? A fyddant yn gallu ymdrin â'r pwysau ychwanegol arnynt oherwydd y newid yn y fagloriaeth, yn ogystal â phwysau lefel A? Dyna beth rwy'n ceisio ei ofyn.

[257] **Mr Hughes:** Wrth feddwl fel rhiant ac fel llywodraethwr, os yw'r fagloriaeth newydd yn cael ei hystyried yn well, mae'r amser yn werth chweil, onid yw? Rhaid ffeindio'r amser i lwyddo.

[258] **Julie Morgan:** Do you think that all of these recommendations in the review will make the baccalaureate be seen as a skills driver for Wales, as Huw Evans told us?

confident that the improvements will give the baccalaureate greater credibility, and therefore the work that pupils undertake will be more worthwhile and the success will be more worthwhile. That will not happen overnight, but that is what we are hoping for.

Secondly, I referred to my own children earlier. The eldest is in year 10 and I hope that he will benefit from the enhancement in his experience that the baccalaureate will provide, if the school is one of the finest in providing. Not everyone has integrated the qualifications and experience with the core subjects. Therefore, there is a need to roll out that best practice, and I hope that support will be provided to teachers to do that. However, if I was sitting with the teachers of my eldest child today and I was in any doubt that his A-level results were likely to suffer because of the time that he was spending on the baccalaureate, then I am certain that I would insist that he gave more time to the A-levels rather than the baccalaureate—if that was a decision that I had to make as a parent today.

Bethan Jenkins: Given that this is important, what I was trying to ask in my question was whether there would be more equality in the teaching if the assessments changed with the baccalaureate. That is what I was trying to ask.

Mr Hughes: Did I answer the question? Aled thought I had.

Bethan Jenkins: I just think that the emphasis is from the teachers' point of view, but how will the children then consider the pressure on them? Will they be able to cope with the additional pressure because of the change in the baccalaureate, as well as the pressure of the A-levels? That is what I am trying to ask.

Mr Hughes: Thinking as a parent and as a governor, if the new baccalaureate is seen as an improvement, then it is time well spent, is it not? You have to find the time to succeed.

[259] **Mr Hughes:** That is quite clearly the intention. If all the arrangements and proposals work well, and we as an awarding body that is very significant in the delivery of A-levels in Wales—one out every five A-level candidates doing one or more of the separate sciences is doing it with OCR—are engaged in the dialogue as we move forward with the proposals, I have every confidence that we will have something that is robust. What I would say, however, is that structures have an impact on this. If you think about it, these weaknesses that we are talking about with regard to the Welsh baccalaureate, about which we are now doing something, have been known for a while. I suspect that if we had had an independent regulator some time ago, I think that we would have got here sooner.

[260] **Christine Chapman:** My question follows on from that, Robin. What are your views on the implications for your body, and other awarding bodies, as is stated in the report, that the new Qualifications Wales should both regulate and, in time, award general qualifications in Wales?

[261] **Mr Hughes:** The key phrase there is ‘in time’. If I have understood things correctly at this moment in time, Qualifications Wales will be established as an independent regulator, which is something for which we have asked for some time. We are very pleased that that is on the table, and we are very pleased to understand that the place we are at is one where progress can be made quite quickly on that. That is great. Earlier, I used a very unfortunate phrase, when I referred to the ‘discussions that happen behind the curtains’. What I mean by that is the discussions that happen at a technical and operational level to create the structures that provide confidence and credibility in the qualifications and that mean that the new qualifications are genuinely benchmarked against the best in the world. That is what I meant. The early establishment of an independent regulator will facilitate that enormously, which will be good.

[262] Recommendation 5, as written by Huw and the team, used the exact words that you used, Christine. It says ‘in time’. During that ‘in time’ period, we would hope that there would be clear dialogue. Currently, the vision is for the WJEC to be the launch point of a lot of the provision that may or may not be taken on by Qualifications Wales. The fact is that the WJEC, even now, cannot deliver to all of the needs that exist in Wales. The obvious weak spot or blind spot in that provision, as far as the WJEC is concerned, is vocation. There is a lot to be talked about on how we can continue to contribute to qualifications needs here in Wales. That is the kind of conversation that we will hopefully be able to establish soon.

[263] **Christine Chapman:** I will just bring Aled in with a supplementary question.

[264] **Aled Roberts:** The due diligence review, which we understand will start on 14 February, is due diligence of the model that is outlined in recommendation 5, namely that it is a regulator and an awarding body. Gareth Pierce agrees with having an independent regulator, but it would depend on the success and strengths of the independent regulator as to whether it would develop into the model set out in recommendation 5. Do you share the concern that the due diligence process is just looking at that one model?

[265] **Mr Hughes:** I must admit that some of the esoteric, arcane conversations about company structures, pensions, charitable status and all the rest of it, challenge me completely, so I am not going to go there. When I came in, I think that I heard Gareth talk about legal advice and all the rest of it. I would like to see the outcome of those kinds of conversations before commenting on organisational structure. However, I will say two things. First, clearly, the challenge of being both the regulator and the awarding body is unique. I am not saying that it does not exist anywhere else; I will come on to Scotland in a minute. However, this provides a fundamental challenge to how you are going to persuade people who are outside the system that you have a healthy system. Regulators and providers do not normally occupy

the same institution. So, that is a unique set of challenges, and I wish Huw every success in coming forward with a realistic set of proposals. I really do. That is the first thing that I want to say.

11.45 a.m.

[266] Secondly, my understanding is that the only place that currently operates that kind of model is Scotland, which Huw, the panel and others have looked at. The simple fact of the matter is that Scotland has a unique jurisdiction and a unique set of arrangements, and has had over 300 years of being unique. I cannot see how the Scottish model can be traced over and copied and pasted here in Wales. I cannot see how that could possibly happen, if we are going to have some security and confidence that there are clear lines of accountability to the Assembly as a legislature and not just the Minister. Accountability is very important. Also, Scotland has the capacity in place. The Scottish Qualifications Authority emerged from a forced union of a general qualifications provider and a vocational qualifications provider. It was also committed to producing qualifications that do not exist anywhere else. It is a black box. Wales is not in that situation, and that presents a fundamental challenge. Hopefully, I have not been too long-winded, Aled, and I am answering your question. The bottom line is that Scotland is interesting and it has had significant successes with its model, but I do not think that it is the answer.

[267] **Suzy Davies:** I think that we take your point on Scotland being a completely different animal, but surely there are lessons to be learnt from Scotland about how to avoid conflict of interest, which is more a matter of principle than content of curricula, exams and so on. Have you any comments on that in particular, because if we are going to end up with this composite model, conflict of interest will be crucial to its credibility?

[268] **Mr Hughes:** Absolutely. It would be good to see in detail exactly how the Scottish Qualifications Authority manages that. Clearly, there is a lot of credibility in the outputs of the system. Scottish students travel successfully, and we want Welsh students to travel successfully, if that is what they choose to do. There is merit in what is available, but I do not think that we can just copy it. The other thing that I would be extremely cautious about is that it is not a fixed picture. It was not thought up by academics and legal experts as a fully-formed perfect model. The history of the SQA has been forged in crisis. It had a crisis in 2000, and that is what forced the issue of accountability. I do not think that we want a crisis in order to get our house in order.

[269] **Christine Chapman:** We have a few more minutes before we close the session. Bethan, did you have any questions?

[270] **Bethan Jenkins:** Mae gennyf gwestiwn am y cymwysterau cyfrwng Cymraeg. Mae AQA wedi rhoi tystiolaeth yn dweud y byddai'n anodd iawn i gyfieithu'r holl asesiadau a phapurau cwestiynau erbyn haf 2015. A yw hynny'n broblem i chi, a beth fydd y sefyllfa os bydd hynny'n digwydd?

Bethan Jenkins: I have a question on Welsh-medium qualifications. Evidence was provided by AQA that it would be very difficult to translate all assessments and question papers by the summer of 2015. Is that a problem for you, and what will the situation be if that happens?

[271] **Mr Hughes:** Fel byrddau arholi, rydym yn cytuno ar lawer o bethau, ond nid ar bopeth. Rwyf i'n reit flin, a dweud y gwir, gweld bygythiad bod y ddarpariaeth yn mynd i fod yn absennol wrth inni ymdrechu i sicrhau ein bod yn gwireddu'r egwyddor hon o sicrhau darpariaeth yn y Gymraeg.

Mr Hughes: As examination boards, we agree on many things, but not on everything. I am quite angry, if truth be told, that there is a threat that provision could be unavailable as we strive to ensure that we achieve that principle of ensuring that Welsh-medium provision is available.

[272] **Bethan Jenkins:** Mae Gareth Pierce wedi codi'r un peth, gyda llaw. Pam mae'n wahanol o ran eich egwyddor chi i beth mae'r cyrff eraill wedi'i ddweud?

Bethan Jenkins: Gareth Pierce has raised the same thing, by the way. Why is it different in terms of your principles to what other bodies have said?

[273] **Mr Hughes:** Trwy ddeialog, mae'n bosibl inni sicrhau bod y ddarpariaeth yno. Er enghraifft, ein cymhwyster mwyaf poblogaidd yw cymhwyster o'r enw *OCR Nationals in ICT*. Mae'n hynod o boblogaidd yn yr ysgolion. Mae'n cynnig opsiwn galwedigaethol yn y maes technoleg gwybodaeth ac mae ar gael ar gyfer yr oedran 14-16 ac ôl-16. Er mwyn sicrhau bod hwnnw ar gael yn y Gymraeg, eisteddais gyda Cynnal, fel mae'n digwydd, a chydag athrawon o'r ysgolion a oedd wedi datgan diddordeb. Roeddent wedi gweld y fersiwn Saesneg ac yn meddwl ei bod yn hynod ddiddorol, a chan nad oedd ar gael gan CBAC, dyna ni'n eistedd wrth fwrdd a gweithio allan ffordd o sicrhau ei fod ar gael. Gyda deialog ac wrth arddel yr egwyddor y byddwn yn ymdrechu, mae'n bosibl.

Mr Hughes: With dialogue, it is possible to ensure that provision is in place. For example, our most popular qualification is one called the OCR Nationals in ICT. It is very popular in schools. It provides a vocational option in ICT and is available for ages 14-16 and post-16. In order to ensure that that is available through the medium of Welsh, I sat down with Cynnal, as it happens, and with teachers from those schools that had expressed an interest. They had seen the English version and thought it exceptionally interesting, and as was it available from the WJEC, we sat around the table and worked out a way of ensuring that it would be available. With dialogue and adhering to the principle that we would strive to achieve it, it is possible.

[274] Er hynny, credaf fod Huw yn llygad ei le: nid yw'n hawdd, ac mae'n gofyn ymdrech. Fel pob dim arall sy'n gofyn ymdrech nad yw'n hawdd, mae'n rhaid buddsoddi arian ac amser.

However, I think that Huw was spot on: it is not easy, and it requires effort. As with everything else that takes effort and is not easy, you have to invest time and money.

[275] Fodd bynnag, mae un peth arall sy'n berthnasol. Gwnaethom fuddsoddi a chymryd yr amser a sicrhau bod y bobl iawn wrth y bwrdd i drafod oherwydd bod y galw yno. Rwy'n teimlo bod gormod o bwyslais ar y funud efallai ar ddarpariaeth ac nid oes cyfleoedd am nad oes darpariaeth ar gael. Mae'r darlun yn fwy cymhleth na hynny. Rwy'n argyhoeddedig bod angen rhoi peth ffocws ar greu'r galw. Mae nifer sy'n gadael yr ysgol wedi cael eu haddysg drwy gyfrwng y Gymraeg, a phan fo ganddynt ddewis, nid ydynt yn dewis parhau drwy gyfrwng y Gymraeg.

However, there is one other thing that is relevant here. We made an investment and took the time to ensure that the right people were around the table for the discussions because the demand was there. I feel that there is perhaps too much emphasis at the moment on provision and that the opportunities are not there because the provision is not there. The picture is more complex than that. I am convinced that focus needs to be given to creating demand. There are many who leave school, having been educated through the medium of Welsh, and, when they have an option, they do not choose to continue through the medium of Welsh.

[276] **Bethan Jenkins:** Mae gennyf un cwestiwn ychwanegol. Mae'n anodd i mi ddeall, o ran cyfleoedd cyfartal, bod cyrff yn dweud y byddai bygythiad i gymwysterau oherwydd bod angen eu darparu drwy gyfrwng y Gymraeg a'r Saesneg.

Bethan Jenkins: I have an additional question. It is difficult for me to understand, in terms of equal opportunities, that bodies say that qualifications would be under threat because of the need to provide them through the media of Welsh and English.

[277] **Mr Hughes:** Byddwn yn anghytuno. Nid wyf yn meddwl mai bygwth yw'r ffordd i fynd. Mae ffyrdd o'i chwmpas hi, cyn belled ag y bo deialog, amser a buddsoddi. Dyna i chi un peth. Yn ail, liciwn i weld beth fyddai gan Meri Huws i'w ddweud am y peth.

Mr Hughes: I would disagree. I do not think that threats are the way to go. There are ways around it, so long as there is dialogue, time and investment. That is one thing. Secondly, I would like to see what Meri Huws would have to say about that.

[278] **Bethan Jenkins:** Dyna beth yr oeddwn yn mynd i'w ddweud: a allai trafodaeth genedlaethol ddod o hyn wedyn, yn lle bod rhai yn dweud ni fydd yn bosibl yn y dyfodol?

Bethan Jenkins: That is what I was going to say: could this lead to a national debate then, instead of some saying that this will not be possible in future?

[279] **Mr Hughes:** Cyn belled ag y bo digon o amser i drafod, credaf fod ffyrdd o'i chwmpas hi. A bod yn deg—rwy'n mynd yn ôl at roi ychydig bach o degwch i AQA fel bwrdd, yr ydym yn cydweithio gydag ef ar nifer o bethau. Mae'n cyfeirio yn ei bapur, wrth gwrs, at y trefniadau rhyngddo ef a CBAC. Mae hynny'n un esiampl o lle mae cydweithredu a chael y bobl iawn wrth y bwrdd i drafod yn bositif, ac mae'n esiampl o sut mae medru goresgyn rhai o'r sialensiau hyn.

Mr Hughes: As long as there is sufficient time for discussion, I think that there are ways around it. To be fair—I will go back to giving some praise to AQA as a board—we work with it on a number of things. It refers in its paper, of course, to the arrangements between it and the WJEC. That is one example of where collaboration and having the right people around the table to discuss is positive, and it is an example of how some of these challenges can be overcome.

[280] **Bethan Jenkins:** Diolch.

Bethan Jenkins: Thank you.

[281] **Christine Chapman:** Jenny, do you have any questions on this?

[282] **Jenny Rathbone:** I am all in favour of collaboration, but I am absolutely unconvinced by restricting the options that are available to young people. You chose the example of ICT, which is a core subject. We are talking about options that may be taken by a very small number of students in not a very densely populated area, so it could be unbelievably challenging. What we would be doing, where we cannot tick the box that we can deliver it in both languages, is simply not to provide it. That is my concern, as that will restrict the future options of young people. I rather concur with what AQA is saying: it will actually reduce the options and then compromise people's progression when they move on.

[283] **Mr Hughes:** May I give you two reasons why I would disagree? The first is that, as long as there is investment—

[284] **Jenny Rathbone:** Yes, but money is in short supply, you know? Let us take the example of Mandarin—a subject that is close to my heart and yours. Numerically, the number of people taking it at the moment is very small. So, if we have to provide it through the medium of English and Welsh, it will be pretty complicated.

[285] **Mr Hughes:** May I come back to demand? One of the things that we will have to establish, of course, is whether the principle of making it available through the medium of Welsh is completely separate to whether there is anybody who will take it. Is there anybody who is going to teach it? That is one thing to do. So, part of the investment might be, in the development phase, to make sure that we know that there is at least one candidate somewhere who is going to be doing it in Welsh. Otherwise, it is money down the drain, and this is not the time to throw money down there. That is the first thing. The second thing is working with

the regulator. Currently, we work with the Welsh Government on techniques that ensure the standard of what we are producing and what we are doing in Welsh, which do not necessarily follow the exact same delivery model as in English, to make up for a shortage of first-language Welsh-speaking moderators and examiners. As long as we do it in tandem, and with the agreement of the Welsh regulator, there are ways around this. We have had a detailed discussion here this morning, and it has been very balanced—Welsh and English has been used—because we have the investment in simultaneous translation. It does not impede you, and it should not impede the provision of qualifications.

[286] **Christine Chapman:** On that note, we will draw the session to a close. Thank you, Robin, very much for attending. It has been a really interesting session. You have responded very openly to the questions that the Members have put. We will send you a transcript of the meeting for you to check for factual accuracy. Thank you very much for attending.

[287] **Mr Hughes:** Thank you, as well. Diolch.

11.56 a.m.

**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**

[288] **Christine Chapman:** I move that

the committee resolves to exclude the public from the remainder of the meeting in accordance with Standing Order No. 17.42(ix).

[289] I see that the committee is in agreement.

*Derbyniwyd y cynnig.
Motion agreed.*

*Daeth rhan gyhoeddus y cyfarfod i ben am 11.56 a.m.
The public part of the meeting ended at 11.56 a.m.*