



Submitted by: Owen Hathway Wales Policy Officer
On behalf of: NUT Cymru

TY Sinnott,
18 Neptune Court,
Vanguard Way,
Cardiff,
CF24 5PJ

Tel: 029 2049 1818
Fax: 029 2049 2491
Email: o.hathway@nut.org.uk

**CHILDREN AND YOUNG PEOPLE'S COMMITTEE:
ENQUIRY INTO THE IMPLEMENTATION OF THE
LEARNING AND SKILLS WALES MEASURE 2009**

About NUT Cymru:

NUT Cymru represents primary and secondary school members and is the largest teaching union in Wales. We welcome the opportunity to contribute evidence to the Children and Young People's Committee on the implementation of the learning and skills Wales measure 2009.

NUT Cymru submission; Children and Young People's Committee: Enquiry into the implementation of the learning and skills measure 2009:

Schools were originally hampered in the formation of the local curriculum owing to a lack of clarity as the exact meaning of "local". When it became apparent that the term was relatively flexible, progress became much more rapid. However, subsequent rules outlining the minimum number of options to be offered in both Key Stage 4 and Post-16 were regarded by many schools as arbitrary and in some cases restricted learner choice.

Evidence was submitted to the Welsh Government at the time that curricular requirements were being considered. The response during the consultation suggested that the minimum number of 30 options to be offered was based upon an analysis of what was currently being offered in some areas, rather than any evidence of the minimum number needed to improve learner motivation or retention. We doubt if any such evidence was readily available to the Welsh Government at that time. This put the Welsh Government in a position where it could not defend 30 as being a more valid number than 26, 28 or 32 or indeed any other number between 20 and 40. Furthermore, some smaller schools, while having relatively low numbers in the VI Form and therefore far fewer options than

the number which was to be set as the minimum requirement, were able to offer timetable flexibility and subject combinations at AS and A Level which were not available to larger institutions. The need to have a minimum of 30 effectively required them to collaborate with other institutions, which in turn led to subjects being blocked on the timetable for all partner schools. This effectively required smaller schools to split their options into columns which meant that combinations previously available ceased to be available for youngsters moving into the VI Form.

There was also initially a lack of clarity about the definition of a vocational subject which hindered planning. We also question the value of a stipulated minimum number of vocational qualifications, especially given the Cuthbert Review of vocational qualifications currently undertaken in schools.

Furthermore, the imposition of certain requirements in relation to the choice of subjects offered has had some unintended consequences. There is anecdotal evidence from a number of schools of a decrease in pupils taking Modern Foreign Languages with French remaining most popular but German losing ground in a number of schools to the point where there are insufficient numbers being recruited to make the subject viable at either GCSE or post-16.

We have no evidence that the wider number of choices has had a direct impact on the numbers wishing to stay on post-16. Anecdotal evidence and evidence from learner surveys suggest that issues such as quality of teaching, teacher relationship, enjoyment of subjects and success at GCSE has far more of a bearing. It would also be extremely difficult to disaggregate the impact of the recession and learners' perception of a contracting labour market from the impact of the broader choices available on retention rates.

A number of factors have contributed to schools' recruiting larger number of youngsters into their VI Forms. These include:-

- A wish to implement Welsh Government policy of increasing the number of youngsters in learning between the ages of 16 and 18.
- A wish to offer the curriculum to a broader range of learners.
- The reduction in funding faced by many schools under the National Planning and Funding System which had led schools to seek to recruit more learners post-16, even if they would not have met entry criteria three to five years previously.

A consequence reported by teachers in a number of schools and learners is slightly fewer is that the ethos of the VI Form has changed, and in many cases not for the better, because the attitude to learning of many youngsters now in VI Forms is not that which would have been observed prior to 2009. The pressure on schools to recruit numbers and to make learning available to a broader cohort has led to a number of youngsters now

entering the VI Form lacking the academic ability of many of their peers and who are less well motivated to study, but who are able to access and succeed in some less academically demanding vocational qualifications, whilst securing Education Maintenance Allowances and avoiding for a year or two years the adverse consequences on employment of the recession. Teachers in a number of schools reported deterioration in behaviour and that a number of VI formers now are not motivated and attend without sufficient frequency to succeed at the highest level. This is having an impact on the ethos of the VI Form in general.

A number of practical problems have arisen since the enactment of the measure:-

- In rural areas, collaboration between smaller schools is obviously much more difficult. Schools are able to collaborate on courses either by learners travelling to other institutions, teachers becoming peripatetic or by the use of modern technology such as video conferencing. Video conferencing is not universally popular as it is regarded by many teachers as being a poor substitute for having an able, well-qualified teacher in front of the class. Learner travel is equally unpopular because many youngsters resent the amount of time they spend travelling between institutions, particularly in rural areas, and as this travel is often during the teaching day, teaching or study time is often lost to travel.
- While teachers becoming peripatetic may be regarded as the least disruptive and possibly cheaper option, it is clearly not popular with teachers. There are questions about conditions of employment and contracts if a teacher employed to work at one institution is effectively compelled to work at others. This is also not always as cost effective as it may appear, as travel time still need to be incorporated within the working day. A further unintended consequence is that in many cases, staff who teach post-16 are the more experienced members of staff, often with management responsibilities, and the time lost to travel can have an adverse impact on their ability to manage their subjects in their home institutions.
- Comment has already been made on the requirement to have a minimum of 30 subjects in the local curriculum.
- There has been little recognition so far of the organisational and managerial burden that the collaboration agenda has placed on schools. Headteachers, and particularly Curriculum Deputies, are now spending increasing amounts of time in meetings planning joint timetables, devising and arranging protocols for collaboration, discussing budgetary arrangements and the transfer of funding, and the complex organisational issues required to enable joint timetables to be constructed and learner progress and behaviour to be monitored. There does not at any time appear to have been any costing of the amount of time spent in meetings and in planning and this hidden cost is being borne by schools.

- While the exact nature of the provision is a matter for local determination, there is dissatisfaction in a number of institutions who feel that they are disadvantaged by the protocols that have been put in place. Some partnerships regard the sole purpose of collaborative working as the protection of small VI Forms which lead to youngsters in larger institutions being disadvantaged, for example, by a “flat rate” approach being taken to the number of places on shared courses so that a school with 50 pupils in the VI Form may be offered the same number of places as a school with more than 200. This is clearly not a fair distribution and disadvantages youngsters in larger institutions.

We do not have sufficient information to be able to comment on the consistency of implementation across Local Authorities. However, what has become clear is that the approach to both the measure and the transformation agenda has varied from Authority to Authority. In some the approach has been to promote greater collaboration between institutions to enable youngsters to access the 30 course options required by the Welsh Government. In others there has been a move to reorganise provision completely and to effectively go tertiary. We have severe reservations about the latter as despite the Welsh Government’s protestations that learners should be at the heart of discussions on provision, when significant majorities of learners express the view that they do not wish tertiary organisation, their views appear to be ignored. Furthermore, when learners were consulted as part of the Geographic Pathfinder process, the results of the written surveys which were completed have never been published and we suspect that this was because where a VI Form or Tertiary College was offered as an option, it proved extremely unpopular. Teachers are growing increasingly cynical about the Welsh Government’s attitude to post-16 education believing that the F.E. sector is unduly favoured and that the Welsh Government would prefer to see Tertiary education by the back door. This cynicism also manifests itself in the belief that the Welsh Government will either ignore the views of youngsters as expressed in surveys or bury them where they do not coincide with the Welsh Government’s transformation agenda.

We have no evidence that vulnerable learners have derived significant benefit from the provisions in the measure.

Evidence expressed in inspection suggests that in the majority of schools, learners are well supported across all key stages including those in the 14-19 age range. However, we have a number of concerns about the way that learning coaching has been introduced in schools.

Learning coaching as a concept was perfectly sound but when the policy was devised, clearly too little attention had been given to how it would be implemented in individual institutions. It was first of all described as a post and 14-19 partnerships were given a steer and often discussed how many such posts would need to be created in schools

according to the size of the institution and the number of learners in the relevant age group. However, it rapidly became apparent that while there would be funding for training, there was never going to be sufficient funding to employ the number of Learning Coaches originally envisaged. Learning coaching then became a function rather than a role which was effectively the Welsh Government backing away from its original idea and allowing schools to create systems, where learners would be supported by Learning Coaches who could be people already in school undertaking similar roles. A significant amount of time was wasted in planning meetings on the implementation of the Learning Coach function, as the original aspirations were unrealistic, the practical consequences were not thought through and the funding was never delivered. Institutions are now sometimes criticised for not having Learning Coaches when in effect all they are doing is maintaining and developing perfectly good systems of support and pastoral care, providing independent careers advice and guidance especially from Careers Wales, and giving youngsters unbiased information about the options available to them. However, in many institutions because this is part of a role undertaken by many staff, it is not referred to as learning coaching and youngsters are not familiar with the term. In effect schools are sometimes therefore criticised because youngsters do not call staff Learning Coaches rather than because the role is not being fulfilled.

There are a few supplemental and additional comments that we would wish make that are not covered by the above:-

- The greater availability of vocational courses has generally been welcomed by schools. Further Education Colleges are well placed to offer such courses and it has not been difficult to incorporate a small number of such courses into schools' option columns. Transport however in rural areas has sometimes been an obstacle and clearly these courses cannot be provided using new technology. In these circumstances our comments above on issues surrounding transport are relevant.
- However, there is evidence that some Further Education Colleges charge extremely high sums per learner for access to these courses and in some cases, the cost to the school is 30% of the delegated budget for that learner in order for them to access a course that is the equivalent of 8-10% of teaching time. This imbalance is clearly not sustainable.
- The attitude of some college tutors to learners and the degree of support they need to continue on the course is significantly different from that which exists in schools. Some college tutors seek to remove youngsters who are either under performing, failing to attend regularly or who behave disruptively from the course and simply transfer them back to the school. While this approach is alien to the majority of school teachers, it also calls into question the nature of the agreement between the institutions and what the school is suppose to do with the learner who is effectively kicked off a course part way through Year 10 or 11, and who is likely to have difficulty accessing other courses in the school's option column.

- The learning and skills measure and the transformation agenda has created a significant amount of bureaucracy for schools which has fallen particularly heavily on the Senior Management Team. These are often resented given the disproportion between the time and resource invested and the number of youngsters who are able to benefit from shared provision.
- School leaders are extremely concerned about the potential for unnecessary bureaucracy created by the Learning Pathways document which all learners were suppose to have and by the over complicated system for deciding under what circumstances learners would be denied access to a particular option course.

Finally, we question the whole sustainability of provision based on the measure given the degree of under funding in schools compared with England, given the freezing of post-16 funding which disadvantages schools with growing rolls, given the costs of collaborative courses and the sums charged by some F.E. Colleges and finally, given the reduction over the next two years in funding from the 14-19 partnerships. Much of the provision currently in place is unlikely to continue in the medium to long term future without central additional funding. The Union argued from the outset that collaboration was more expensive than the provision currently in place although this argument did not seem readily accepted by the Welsh Government. In the event that additional funding does not continue to be available to 14-19 partnerships to be channelled to the institutions providing the collaborative courses, many courses will cease and schools will no longer be able to meet the statutory requirements imposed on them by the 2009 measure.

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