

Children and Young People Committee

CYP(4)-08-11 Paper 2

Inquiry into the Implementation of the Learning and Skills (Wales) Measure 2009

Evidence from the Association of School and College Leaders [ASCL Cymru]

Gareth Jones
Secretary ASCL Cymru
Trem-y-Cwm
Chepstow
Kilgwrrwg
NP16 6DB
07738803206
gareth.jones@ascl.org.uk

Introduction:

1. The membership of ASCL Cymru comprises the majority of the leadership teams of the secondary schools of Wales.
2. We welcome the opportunity to submit evidence to the Children and Young People Committee on the implementation of the Learning Skills Measure 2009.

3. Our response to the questions posed by the Committee is based upon a survey of members and their representatives in each of the 22 Local Authorities in Wales. Sections in italics are direct quotes from members.

The effect that the implementation of the *Learning and Skills (Wales) Measure 2009* has had on young people aged 14-19 years;

4. Member responses indicate that the Measure has:
 - a. *improved the vocational provision for a minority of students but possibly at a price for other students;*
 - b. *it has had some effect in broadening the range of courses being offered, although in some cases the extension of provision would have arisen naturally out of collaboration anyway.*
 - c. *reduced choice for students wanting to study solely at their own centre of choice by forcing courses with small numbers, even where other courses in that institution are well subscribed and would by average result in reasonable class sizes, to merge with courses in other centres, meaning students have to leave and go elsewhere or travel when they do not necessarily want that.*
 - d. *had a major impact on the timetabling of all subjects and all year groups across the 14-19 setting (and the 11-14), which means, at times, other subjects have to be taught in 2-3 hour blocks even when that is not beneficial for the subject.*
 - e. *reduced a school's flexibility to amend option blocks from year to year to suit a cohort's particular needs/choices which actually reduces the choice available rather than improving it.*
 - f. *given students access to a range of courses they don't actually want to take, which can be seen from how many of those courses have poor numbers or don't run.*

Whether the implementation of the *Learning and Skills (Wales) Measure 2009* has had any effect on the numbers of young people choosing to stay on in education or training after the end of compulsory education at age 16;

5. There has been an increase in the proportion of young people staying on in full time education – whether at school or at college.
6. Whether that can be attributed to the Learning Skills Measure or the impact of the economic downturn and rising youth unemployment is a moot point.

7. *There may have been some effect in access to college courses post-16, particularly where the Measure and collaboration have resulted in a student accessing a college course in KS4 that they wouldn't otherwise have had access to.*

Whether young people aged 14-19 have a wider choice for academic and vocational courses as a result of the *Learning and Skills (Wales) Measure 2009*;

8. In general terms, there is a wider choice of academic and vocational programmes offered to the students because the Measure specifies that the local curriculum plan must contain a minimum of 30 choices across the learning domains. The requirements of the Measure, in this respect, has already been fulfilled in the majority of schools and colleges before the specified target date of 2012.
9. The wider choice, based upon a local curriculum plan and consortia arrangements between schools and/or colleges, has been to the benefit of a minority of students, particularly those whose learning pathway does not include transfer to HE in the future.
10. The wider choice has come at a price however:

Yes there is wider choice but not necessarily a wider choice in courses they want to study, nor at the place they want to study in.

There is a wider choice of vocational courses in all settings which is good but there are actually very few vocational courses that students want to mix with A levels so insisting that 6th forms offer access to 5 is counterproductive.

It is totally counterproductive to insist that institutions offer access to 30 in total at L3. If students weren't happy with the selection offered they would go elsewhere anyway and the institution concerned would have to respond to that or no longer be viable.

If the students attending an institution are happy with a selection of eg. 25 courses then there is no reason why the institution should be forced to offer courses it knows its students do not want to take.

If students from that institution generally aim for higher education and have seen the report on courses valued by the Russell Group universities, they are aware that it is not always in their interests to take courses that these universities view as less significant. To have a quota of 30 for the offer without allowing an institution to justify why it is better for them to offer greater or fewer, assuming they can evidence what their students want, actually disadvantages students in that institution by reducing flexibility in timetabling.

What practical problems have been addressed in order to implement the *Learning and Skills (Wales) Measure 2009*.

11. The practical problems around consortia working have involved:

a. Establishing the local curriculum plan, in accordance with the criteria specified in the Measure and indicated in subsequent Guidance.

b. Negotiating the delivery of the plan;

i. Common timetabling plans across the consortia;

ii. Agreeing protocols for matters such as:

1. The assessment, recording and reporting on student progress;

2. Student dress codes when off site from their home institution;

3. Investigating and resolving complaints from students and/or parents;

4. Selection of specific qualification and the entry of students for examinations.

5. Performance Management and CPD of staff whether teachers, FE Lecturers or Support staff;

6. The organisation of transport for students travelling to other institutions in the context of the Learner Travel Measure;

7. Communication of data and relevant information within the context of the Data Protection regulations.

This continues to be an area of difficulty between institutions, often because the implementation in terms of administration and manager time has not been adequately financed. This is a particular problem where institutions in different Local Authorities are involved in consortia working.

8. Audit arrangements for the proper use of allocated network funds.

iii. Addressing Child Protection requirements – in particular:

1. CRB checks for staff in other institutions

- 2. Ensuring appropriate supervision for KS4 students at FE colleges
- iv. Managing the allocation of funding via the Learning Network
- v. The specific issues for welsh medium schools and/or rural schools.
- c. The practical problems for institutional management have included:
 - i. Managing the implications of a common timetable across institutions for:
 - 1. Staffing levels;
 - 2. Staff deployment and timetable plans
 - 3. The implications for curriculum delivery of KS3 courses.
 - ii. Preparing, publishing and updating the Learning Pathway document for each student;
 - iii. Managing the process of determining student entitlement and any subsequent appeals or complaints.
 - iv. Managing access to a Learning Coach for individual students.

Conclusion.

12. On the whole, the barriers to progress indicated in the previous section have been overcome in one way or another so that the requirements of the Measure in terms of widening choice and establishing a learner entitlement have been met in the vast majority of schools ahead of the final implementation date of September 2012.
13. Whether it has been beneficial for students is a matter for debate- the gain for some students, with regard to vocational pathways may have been at the expense of other students:
- For a very small percentage of the cohort, it has increased their choice. For the majority of students in this institution, it has had an adverse effect. The arbitrary figures of 5 vocational and an overall offer of 30 subjects are the main issues. To require 14-19 settings to justify that they provide for their students' preferences and allow for individual variation would be much more appropriate now.*
14. Funding remains a significant concern. Member comments include:
- a. *Underpinning the planning of the Measure was an assumption that consortia working reduces costs and that the savings would fund any*

consequential cost increases. In practice, the reduction in the frequency of uneconomic classes has generated cost reduction in terms of staffing levels but the assumption that this releases funds is misplaced on the whole. A full time teacher may no longer be required to deliver an A level course, but the remaining 90% of his/her timetable still has to be delivered at KS3 and 4. In subject areas where the supply of qualified staff is limited (e.g Maths, Physics) the scope for reducing staffing levels and releasing funds is restricted. Thus schools have had to readjust their staff deployment plans to maintain full time posts in specific subject areas.

- b. Consortia working involves either students or staff travelling to other institutions which has brought additional costs. These have been funded via grants from the Learning Networks that have overseen the implementation of the Measure.*
- c. Implementation of the Measure has brought additional costs which have been borne by the delegated school budgets and thus diverting resources from other priorities within the school. These have included:

 - i. The considerable amount of time spent by school leaders in planning the local curriculum plan annually and in managing the negotiation of compromises on the delivery of the plan.*
 - ii. Fulfilling the duty of care for student safety which rests upon school leaders. Concerns with regard to this and to the maintenance of good order has led some schools to provide staff to accompany students undertaking a learning programme in another school or college.**
- d. There is no security of funding for the support of the administration arrangements for the consortia working which is essential for the delivery of the local curriculum plan. Funding of Learning Networks by specific grant is to be maintained to 2014 but at reducing amounts. After that- are we to see replay of the fate of TVEI in early 1990's??*

15. The considerable time invested by school leaders, in ensuring that the Measure is implemented, has been absorbed by schools thus far. Whether this can be maintained is a matter for concern given that the priority for the Welsh Government seems to have moved to narrowing the gap between Wales and other countries with regard to PISA style assessments and attainment levels at ages 16 and 18.

With the imminent return to a form of league tables, Governors are understandably anxious and, in some cases, are pressurising school leaders with regard to any activity which takes school leaders out of school.

16. Government priorities within the Transformation Agenda, involving the removal of surplus places, and the creation of regional consortia for School

Improvement, is disrupting existing working patterns and communication channels which is not helpful to the fulfilment of the role Local Authorities have with regard to coordinating the consortia planning that is integral to delivery of the Learning Skills Measure.

17. To ensure that progress in developing a relevant and appropriate curriculum experience for all students across the ability and age ranges we recommend consideration of:
 - a. The removal from the legislation of the requirement to have a minimum of 30 course choices so as to return scope for flexibility in the devising local curricula plans which reflect the labour market trends;
 - b. A recognition that student choice should include not just course, but also location of study. This is a significant consideration for students in choosing their courses of study.
 - c. The necessity of formal agreements between institutions involved in a consortia to ensure stability and continuity of provision for the future. There is a danger that the history of TVEI in the early 1990's will be repeated with Learning Pathways in the coming years.

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