

## Consultation on the Curriculum and Assessment (Wales) Bill

Evidence submitted to the [Children, Young People and Education Committee](#) for Stage 1 scrutiny of the Curriculum and Assessment (Wales) Bill.

### About you

Organisation: National Education Union Cymru

## 1. The Bill's general principles

### 1.1 Do you support the principles of the [Curriculum and Assessment \(Wales\) Bill](#)?

Yes

### 1.2 Please outline your reasons for your answer to question 1.1

*(we would be grateful if you could keep your answer to around 1500 words)*

Curriculum and Assessment (Wales) Bill – Stage 1

NEU Cymru response

Background

NEU Cymru supports the principles behind the Curriculum and Assessment Bill. We would agree with the Welsh Government's position that there is a need for legislation in this area. Our members are generally supportive of the principles set out in the Successful Futures report, the foundation of this legislation. We would, however, point to the need for funding and training to support the implementation of the plans. We would also highlight that in light of the upheaval created by Covid-19 during 2020, the timetable for the new Curriculum is very ambitious.

We have addressed the Terms of Reference below:

1. The general principles of the Curriculum and Assessment (Wales) Bill and whether there is a need for legislation to deliver the Bill's stated policy objectives;

NEU Cymru is supportive of the principles behind the Bill, and view it as an opportunity to ensure that children and young people receive a curriculum which is suitable for their needs – based on the knowledge and pedagogical expertise of their teachers. This is a once in a generation opportunity to ensure children and young people have an education, which meets the ‘four purposes’, as set out on the face of the Bill.

Our members welcome the autonomy the Bill provides them as professionals.

UN Convention on the Rights of the Child (UNCRC)

We would agree with the Children’s Commissioner that the UNCRC would be a welcome addition to the face of the Bill, as it would help safeguard the intent of the Minister through primary legislation.

NEU Cymru would welcome greater reference to Article 12 of the UNCRC in the guidance - the right of every child to have their voices heard and listened to in all matters affecting them. Meaning, that confident and informed young people - whose voices are heard in society - should not just be a curriculum outcome, or realised ex post facto, but a success measure in the design of the curriculum itself, i.e. young people should be consulted, and their views meaningfully considered, in all levels of curriculum design.

We would, however, highlight that this should go hand-in-hand with “poverty proofing” the curriculum. We believe Welsh Government should work to ensure that all schools have access to the funding and resources necessary to engage with their communities, and to think through any cost-implications of an experiential curriculum, to ensure it is accessible to all – regardless of income and background. Costs for extra activities should not be met by families, and should be fully funded. Our members tell us the ability to undertake extra activities has dropped in the last 10 years, as austerity has hit school budgets.

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## Decolonisation

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## Post-16

We would also highlight the need for continuity of thinking with the post-16 sector, so that young people have a joined-up educational experience. This sector has seen, and is due to see, a large amount of change. Plans for the Post Compulsory Education and Training (PCET) legislation may have been put on hold, but plans to establish the Commission for Tertiary Education and Research (CTER) are still in place, so we need a curriculum which is joined up, and enables young people to flourish. The number of young people Not in Employment, Education or Training (NEETs) between 16-24 is unacceptably high, with 11.1% of 16-18 year olds classed as NEET at the end of 2019. Welsh Government should seriously consider making education or training compulsory to 18 – which could help avoid the risk of young people becoming NEETs being exacerbated by the global pandemic and associated economic downturn – as with the last recession.

## Assessment

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2. Any potential barriers to the implementation of the provisions and whether the Bill takes account of them

### Funding and training

As the EM sets out (3.135) additional funding (£24 million) has been made available for training. However, this funding only makes about £500 available per a teacher or learning support worker. Sadly, we do not think this is enough, especially given the challenging circumstances relating to Covid-19. Many education professionals have not been in school because of 'lockdown' restrictions, and will have been trying to balance their home circumstances with supporting children and young people in schools.

Whilst our members support the principles behind this Bill, funding and training will be critical to ensuring that the aims are met. Teachers and support staff will need time and support in writing their new Curriculum, as the Explanatory Memorandum acknowledges. This Bill must be fully funded, including support for training, if it is to be a success. We are concerned one-off funding will not be enough, this will need significant ongoing investment.

Specialist training will also be needed to ensure that teachers are able to embed and teach Relationship and Sex Education and Religion, Values and Ethics across the Curriculum, as the legislation intends.

### Workload

Similarly, any workload implications need to be managed to ensure that teachers and support staff have enough time to undertake the extra expectations within the Bill, outside of the classroom. Extra INSET days allocated are welcome – but more time is needed to ensure that training can be undertaken and the work completed, especially in the context

of Covid-19 and the additional work that that has meant to keep staff and learners safe and learning. We would welcome a workload impact assessment.

3. Any potential implications of implementing the Bill's provisions while relevant sectors deal with the consequences of the Covid-19 pandemic

Covid-19 is likely to have a lasting impact on the schools' sector in Wales. We have seen significant disruption, with schools closed to all but key-workers for a significant period, whilst learners have had difficulty engaging with learning from home, whilst teachers have attempted to balance teaching online, attending school and their own family commitments.

It is inevitable, therefore, that rather than using time to prepare and train for the new Curriculum in 2022, schools have had to use this time to make teaching and learning as safe and accessible to everyone in current circumstances. This makes the timetable for implementation look extremely ambitious.

4. Whether there are any unintended consequences arising from the Bill;

There are likely to be some unintended consequences, arising from this legislation, set out below.

Areas of Learning and Experience (AoLEs)

Our members have highlighted their concerns about the way in which the new Curriculum has been structured (6 AoLEs areas of learning and experience), and how this is already being implemented in schools. For example, individuals in secondary schools have had their departments merged.

We do not believe the new Curriculum should be used as a 'cost-saving' exercise in this way – experienced subject teachers are still needed to ensure that knowledge and skills are learnt. If we lose experienced teachers and support staff it could have unintended consequences for learners, which no one would want. Therefore, we believe that restructuring should certainly not be happening ahead of the legislation, and should not be threatening jobs, even once it is in place.

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learners of 'differing ages, abilities and aptitudes' (22). This is a great aspiration, but will only function to meet the needs of all learners if the ALNET Act is providing the right support and the right time, through engagement and funding from the local authority.

Both pieces of legislation place increased duties onto schools. We believe therefore, that the Curriculum and Assessment Bill can only happen with significant investment in implementation. Both pieces of legislation are very aspirational, but need to ensure schools are supported in order to deliver these aims.

5. The financial implications of the Bill (as set out in Part 2 of the Explanatory Memorandum); and

We have already stated above that the Bill faces financial costs for both staff training and preparation time for creating and embedding a new Curriculum. Time outside the classroom needs to be backfilled by a supply teacher, and therefore has extra cost implications.

The financial implications – as set out in the RIA - vary hugely (£293.0m - £564.2m). The RIA sets out that the schools already engaged in the new Curriculum have set out the costs, and we would have concerns that this is a select group, and that costs may be much higher in those schools who are starting from a different place to plan their new Curriculum.

6. The appropriateness of the powers in the Bill for Welsh Ministers to make subordinate legislation (as set out in Part 1: Chapter 5 of the Explanatory Memorandum).

This Bill is a once in a generation opportunity to ensure children and young people can become the future citizens of Wales, as set out in the 'Four Purposes'. Yet, there is a high use of negative procedure, which leaves the Minister free to set and change much of the Codes behind this legislation (as set out in the 'Statement of policy intent' ).

### **1.3 Do you think there is a need for legislation to deliver what this Bill is trying to achieve?**

*(we would be grateful if you could keep your answer to around 500 words)*

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## 2. The Bill's implementation

**2.1 Do you have any comments about any potential barriers to implementing the Bill? If no, go to question 3.1**

*(we would be grateful if you could keep your answer to around 500 words)*

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**2.2 Do you think the Bill takes account of these potential barriers?**

*(we would be grateful if you could keep your answer to around 500 words)*

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## 3. Unintended consequences

**3.1 Do you think there are there any unintended consequences arising from the Bill? If no, go to question 4.1**

*(we would be grateful if you could keep your answer to around 500 words)*

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## 4. Financial implications

**4.1 Do you have any comments on the financial implications of the Bill (as set out in Part 2 of the [Explanatory Memorandum](#))? If no, go to question 5.1**

*(we would be grateful if you could keep your answer to around 500 words)*

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## 5. Powers to make subordinate legislation

**5.1 Do you have any comments on the appropriateness of the powers in the Bill for Welsh Ministers to make subordinate legislation (as set out in Chapter 5 of Part 1 of the [Explanatory Memorandum](#)). If no, go to question 6.1.**

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## **6. Other considerations**

### **6.1 Do you have any other points you wish to raise about this Bill?**

*(we would be grateful if you could keep your answer to around 1000 words)*

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The financial implications – as set out in the RIA - vary hugely (£293.0m - £564.2m). The RIA sets out that the schools already engaged in the new Curriculum have set out the costs, and we would have concerns that this is a select group, and that costs may be much higher in those schools who are starting from a different place to plan their new Curriculum.

6. The appropriateness of the powers in the Bill for Welsh Ministers to make subordinate legislation (as set out in Part 1: Chapter 5 of the Explanatory Memorandum).

This Bill is a once in a generation opportunity to ensure children and young people can become the future citizens of Wales, as set out in the 'Four Purposes'. Yet, there is a high use of negative procedure, which leaves the Minister free to set and change much of the Codes behind this legislation (as set out in the 'Statement of policy intent' ).

For more information, please contact:

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