

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: Stonewall 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)

Stonewall Cymru welcomes the opportunity to feedback and make recommendations on the Curriculum and Assessment (Wales) Bill (henceforth referred to as "the Bill"). Both ourselves and LGBT people we have spoken to in Wales during our recent outreach activities suggest a sense of positivity with the proposed curriculum, particularly the commitments to a whole school approach to inclusivity and for making RSE (henceforth referred to as RSE) a mandatory part of the curriculum. The concerns and recommendations below are provided in order to aid the Government in producing a new curriculum that works for all young people across Wales.

The RSE Code and accompanying guidance

Whilst Stonewall Cymru welcome the Bill explicitly stating that the core learning in the new "RSE Code" will be "appropriate to learners' age, ability and aptitude" and will be "explicit ... in order to support and reassure teachers, parents/carers and learners that the curriculum will be appropriate," what this RSE Code encompasses of is unclear. Page 40 of the Curriculum for Wales Guidance provides useful "principles for embedding RSE in the curriculum" with a clear statement that "learning should be underpinned by a collective whole-school approach" to RSE. These principles are fundamental starting points to the

effective delivery of RSE in Wales. Stonewall Cymru believes that these core principles alongside the six thematic areas should form the core of the RSE Code. Neither should the RSE Code or guidance sit in silo. The existing principles are broad statements of intention and are not suitable to guide implementation alone. Relying on such broad statements will likely lead to a high degree of inconsistency in the implementation of RSE and lead to a children's unequal learning experiences which will undermine their rights. This lack of specificity is particularly worrying given the SRE Expert Panel Report explicitly stating the importance of empowering teachers on how to deliver RSE, not simply the content of what is delivered. Therefore, Stonewall Cymru would also like to see the RSE Code and statutory guidance supported by a comprehensive list of key concepts. This should include definitions around sexuality, gender, sex, LGBT inclusive terminology, gender identity, gender-based violence, neglect, domestic abuse, emotional abuse, physical abuse, and sexual abuse. These definitions should be derived from legislation, guidance and academic or reputable sources so all schools have a shared understanding of core concepts. We recommend utilising the key concepts glossary produced by the Sex and Relationships Education Expert Panel.

The further detail regarding the RSE Code provided in the Explanatory Memorandum accompanying the Bill. The six headings provided to be outlined in the code are useful in establishing the basic topic areas which will be included in the Code and it is welcome that these headings are "derived from the UNESCO technical guidance for sexuality education (point 3.70 of the Explanatory Memorandum). It is also welcome that the need for RSE that is developmentally appropriate will be made explicit for RSE (point 3.72 of the Explanatory Memorandum). However, it will be difficult for Senedd Members to agree to this when it is so unclear what the explicit elements of the RSE Code will be and what it will look like. Too much is left vague for these commitments to be meaningful.

To close on this point, Stonewall Cymru strongly believes that the inclusion of LGBT identities should be referenced explicitly within the RSE Code, not doing so will endanger and undermine the Welsh Government's commitment to implementing LGBT inclusive education in Wales.

The RSE Code should be developed with the input of experts in the field

The process outlined in the Bill for the development of an RSE Code (as outlined in section 3.68 of the Bill) should explicitly provide a commitment to the involvement of experts in the field of RSE in the creation of the code. The Bill requires Welsh Ministers to publishing an RSE code which will set out the core learning that is "suitable for pupils at different ages, and stages of their emotional and behavioural development". It is unclear the degree

to which Welsh Ministers have the ability to provide such complex and sensitive materials on RSE, especially in authoring a code which seeks to reassure parents and teachers alike. The development of these materials must be produced using expertise in this particular field, be evidence led as well as having a focus on the implementational impacts of the code on teaching practitioners. Only through consultation can the Welsh Government be assured that what is produced is fit-for-purpose.

The process of co-production of learning is unclear

The Curriculum for Wales stated that "Co-produced, offering learners, parents and carers the opportunity to discuss and engage with decisions about learning and teaching in RSE. Provision should also draw on specialist services and expertise, and engage with local communities". The means through which third party involvement with topics, particularly coming out of co-creation with learners is unclear. The Bill should make more explicit statements as to what successful co-creation looks like. This is particularly relevant for RSE, as a statutory element of the curriculum which could greatly benefit from the process of engagement with learners. An assessment of how pioneer schools have utilised co-creation in the area of RSE and embedding diversity across the curriculum would be beneficial to understand how the process of co-creation can be inserted into the legislation.

There is no commitment to providing RSE for post-16 learners

In the Bill text and the explanatory Memorandum, post-16 requirements for RSE are completely taken out. Whilst Curriculum requirements for Religion, Values and Ethics are maintained, the commitments to RSE are abandoned for those post-16. It is unclear why this is the case, that students in post-16 education cannot access RSE even if they explicitly request this. The Bill or Explanatory Memorandum should provide information on why this is the case and why RSE is considered unimportant for those post-16. Schools will need to consider whether there is a need to provide RSE to learners in sixth form in order to realise a whole-school culture of respect, inclusion and equality. This should be clarified in official RSE guidance.

More information is required on the vetting, availability and signposting to professional training materials

The Welsh Government should highlight how high-quality, professional resources are being collected to support professional learning for teaching practitioners. In previous communications with the Welsh Government it has been stated that the Hwb will be a resource-base for expert learning resources, which can be used to support professional learning. Stonewall Cymru acknowledge that providing teaching professionals with access

to accurate and high-quality resources is a vital to support the development of teaching and curriculum design. However, how this will be set up, managed, and reviewed to ensure the quality of resources published on the Hwb is unclear. The Welsh Government should provide clarity on how this process is developing and the role of the Hwb in supporting professional learning should be highlighted either in the Bill or the Explanatory Memorandum, to ensure that this commitment to utilising the platform is underpinned through legislative means.

Commitment to embedding diversity across the curriculum should be on the face of the Bill

In the curriculum for Wales guidance it is stated that one of the key considerations when designing and implementing a curriculum should be that the curriculum reflects “the diversity of perspectives, values and identities which share your locality” (p.21), embedding diversity across the curriculum is also identified as a cross-cutting theme to be implemented across curriculum design (p.38). The Curriculum guidance goes on to state that teaching professionals should also “tell and listen to the stories of different groups, including minority groups, and enable all learners to see themselves and their experiences represented in the topics, experiences and knowledge developed through the curriculum” (p.42). However, the importance on embedding diversity throughout all areas of learning in a curriculum, this commitment is not featured on the face of the Bill. Stonewall Cymru would argue that a meaningful commitment to reflecting diversity of Welsh society throughout curriculums across Wales should be on the face of the Bill to explicitly reinforce the importance of this. Having this commitment explicit in the Bill will further strengthen the intention to embed diversity and an inclusive curricula in all schools in Wales. That this commitment is only considered in the Curriculum design guidance rather than the legislative measures on the Bill seemingly downgrades this commitment to creating a truly inclusive education system. A legislative commitment to embedding diversity across the curriculum would be a powerful means to make this commitment both practically legislative and symbolically statutory.

Adopt the SRE Expert Panel Recommendations in Full

Stonewall Cymru believes that either by way of the RSE Code, or the Statutory Guidance; all recommendations made by the SRE Expert Panel should be fully implemented. This is in line with the Education Minister having previously accepted the recommendations in principle. Currently, the Bill fails to meet all the recommendations, such as a need for schools to have dedicated RSE Leads to develop on RSE curricula within their educational

settings. Such failings compromises the vision of successfully implementing high-quality and effective RSE for future generations.

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)

Yes

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)

A stronger commitment to professional learning is required

A prime concern when reading the Curriculum and Assessment (Wales) Bill is a lack of commitment from the Welsh Government to adequately funding and producing measures to aid the professional learning of teachers, in both producing Relationships and Sexuality Education (henceforth referred to as RSE) and embedding diversity throughout the curriculum. The Bill includes the admirable aim that under the new curriculum, all children in Wales will receive RSE (and RVE) that "will enable them to explore how laws and policies contribute to equity and human rights regarding sex, gender, sexuality, relationships and beliefs," achieved through "high quality, impartial teaching about different beliefs and the rights of others" (point 9.68 of the Bill). However, that the SRE Expert Panel Report explicitly stated how "high quality school-based SRE depends upon having a well-trained and confident workforce" (p.16), the importance of professional learning for practitioners is not to be underestimated. Without significant investment in teacher training, the teaching of inclusive, developmentally appropriate RSE, as well as embedding diversity and inclusion throughout the curriculum is unlikely to be successfully achieved.

The issue of ensuring adequate teacher training, specifically in the area of RSE has been highlighted throughout the process of designing the curriculum, as Estyn's 2017 review into healthy relationships education attested, few schools in Wales have "effective

arrangements to ensure that all staff who deliver healthy relationships education are knowledgeable and confident with the subject content" (p.19). Centralised, ring-fenced investment and coordination of teacher training is required in order to make the most of the opportunities the new curriculum provides, as without a centralised, comprehensive strategy on professional learning, the rollout of the curriculum will greatly vary across Wales. All children in Wales have the right to receive the new curriculum, with the mandatory elements of the curriculum delivered in a consistent manner. In order for teaching practitioners to deliver developmentally appropriate RSE, it is vital that they are confident and informed in order to have challenging discussions on potentially sensitive topics. The need for investment in teacher training is reinforced by the evidence submitted to the consultation by practitioners. Evidence submitted by Coleg Cambria suggests, there is a degree of concern amongst professionals that teacher training "could be costly". This is reinforced by the response submitted by Haverfordwest VC School, which highlighted the demands the new curriculum would place on teaching professionals, with associated financial implications to schools. That two educational establishments have highlighted the financial implications of implementing the new curriculum is concerning and a worrying sign.

Stonewall Cymru are thus concerned that there is a lack of commitment to ensuring adequate professional learning and development for the new curriculum, which is specifically required for the teaching of RSE, diversity and equality, which are areas of learning that are dependent on the confidence of teachers in the subject matter. Stonewall Cymru would recommend that a centralised plan for teacher training should be included on the face of the Bill, in a dedicated sub-section in Chapter 3 of the Bill (entitled "Curriculum Implementation").

More information required for positive engagement with parents and guardians

Stonewall Cymru are supportive of the decision to ensure that pupils have full access to the new curriculum, including the statutory elements of RSE. Stonewall Cymru are glad to see that this provision is referenced in the Bill and is thus legislative. However, the Welsh Government should clarify how schools should respond to requests from parents to withdraw learners from RSE in a way that encourages dialogue. Practical guidance should be given to schools on how they should respond to these requests in a way that promotes dialogue, engagement and enhances the young people's rights to input into their own education. Only through setting out how this dialogue can be best achieved can a Welsh Government ensure that these concerns are dealt with in a standardised manner.

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)

No

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)

Unintended consequences are outlined in the response above.

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)

Stonewall Cymru are concerned that there is a lack of commitment to providing funds to ensure adequate professional learning and development for the new curriculum, which is specifically required for the teaching of RSE, diversity and equality, which are areas of learning that are dependent on the confidence of teachers in the subject matter. Stonewall Cymru would recommend that provisions for investment and a centralised plan for teacher training should be included on the face of the Bill, in a dedicated sub-section in Chapter 3 of the Bill (entitled "Curriculum Implementation").

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.

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

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)

The recommendations made in Stonewall Cymru's consultation response have been generated with the use of the following evidence and resources.

- Curriculum and Assessment (Wales) Bill, available online at:
<https://senedd.wales/laid%20documents/pri-ld13294/pri-ld13294%20-e.pdf>
- The Future of the Sex and Relationships Education Curriculum in Wales, 2017, available online at: <https://gov.wales/sites/default/files/publications/2018-03/the-future-of-the-sex-and-relationships-education-curriculum-in-wales.pdf>
- Estyn, 2017, A review of healthy relationships education, available online at:
<https://www.estyn.gov.wales/system/files/2020-07/A%2520review%2520of%2520healthy%2520relationships%2520education.pdf>
- Coleg Cambria, Consultation on the Curriculum and Assessment (Wales) Bill response, available online at:
<https://business.senedd.wales/documents/s103839/CAW3%20Colege%20Cambria.pdf>
- Haverfordwest VC School, Consultation on the Curriculum and Assessment (Wales) Bill response, available online at:
<https://business.senedd.wales/documents/s104060/CAW11%20Jane%20Harries%20Headteacher%20-%20Haverfordwest%20High%20VC%20School.pdf>
- Curriculum for Wales, available online at: <https://hwb.gov.wales/curriculum-for-wales/introduction/#a-vision-for-every-school%E2%80%99s-curriculum>
- Curriculum and Assessment (Wales) Bill, Explanatory Memorandum, available online at:
<https://senedd.wales/laid%20documents/pri-ld13294-em-r/pri-ld13294-em-r-e.pdf>
- Curriculum for Wales Guidance, available online at:
<https://hwb.gov.wales/storage/b44ad45b-ff78-430a-9423-36feb86aaf7e/curriculum-for-wales-guidance.pdf>

