

## 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: Sylfaen Cymru Ltd.

## 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)*

We welcome the vision presented to us by the upcoming changes to the curriculum as a vast and exciting improvement over our current system: a skills-based curriculum, guided by the Four Purposes, which shakes off the overloading shackles of a content-based curriculum and permits teachers to tailor delivery to the needs of their pupils and local community.

If executed correctly, a skills-focused curriculum should have the advantage of providing all child citizens in Wales (that is, all children learning in Wales) with a foundation of transferable skills which will open up opportunities in later life. In order to satisfactorily achieve the Four Purposes, sufficient attention must be given to the detail that makes up the guidance for the AoLEs, and the mandatory cross-curricular skills, and how these mandatory areas are identified: in other words, what is it about them that necessitates their mandatory status; how this will be delivered, and is there anything missing which could be identified now, rather than having to make significant amendments to the legislation at a later date. They must ensure that children are equipped to live full and independent lives within their community, to the best of their ability, as per the UN Convention on the Rights of the Child. This includes (but is not limited to) the ability to access beneficial information, to be allowed to think critically and for themselves, and to have a say in decisions which

affect them. Wales' dedication to its position as a Nation of Sanctuary must also reflect these ideas as we progress into the 21st Century.

It is laudable that much consideration has been given to many of these points already. However, we believe that there is much more work to be done in the face of considerable challenges posed in our current day and age to these particular rights of the individual child, and to their development, within an equitable, accessible, system which should provide empowering education for children, which the original curriculum failed to address (see 2.1 and 2.2). A skills-based education model in itself will not guarantee to achieve an equitable education for every child, as it can still be delivered in a way which fails to nurture the individual child. Nor does it in itself establish a place for each child within their cynefin and wider communities. Significant attention must be given to delivery and assessment - in other words, how to tailor that delivery to the needs of each individual child, rather simply tying the delivery to the skill itself. In addition, we must recognise that not all children flourish within a purely academic setting, and opportunities for delivery and skill development assessment should reflect this. At present, we risk simply supplanting each 'skill' into the content-focused slots of the previous curriculum, rather than reorienting education around the needs of each individual child, and risks failing to address issues such as accessibility, engagement, pre-existing barriers to inclusivity, and high rates of disillusionment and disengagement.

### **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)*

The success of the curriculum does require a statutory footing, because even a vision which respects individuality must be guided by a concrete skeletal structure upon which it can rely. The dangers of too much rigidity, we have already experienced; too much flexibility risks creating unnecessary uncertainty, inconsistency and fluidity, which risks further disadvantaging already-excluded community groups. The new curriculum affords an opportunity for us to transform our curriculum into something which reduces the likelihood that children will become disillusioned and drop out of education entirely, as currently happens. These same individuals will continue to suffer from isolation, disempowered of their right to engage in civic affairs within their cynefin and wider communities. As a result, what is included within the primary legislation must focus on

providing a skeletal framework for equitable, not equal, skill development across Wales, which will result in maximising opportunities of the individual for civic participation.

## 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)*

Our comments pertain to the importance of providing sufficiently for those children who are already being failed by a content-led curriculum, and where simply shifting focus to skill development does not in itself guarantee that they will be catered for. Far too many children feel isolated and abandoned by the current education system, leading them to disengage with classes and, far too frequently, to vanish from the system altogether. This disillusionment and sense of rejection only grows with the child, and the very real effects of such civic neglect reverberate throughout the rest of their adult life. As the modern civic forum continues to rapidly evolve, groups at risk of being left behind and overshadowed within Wales are more at risk of neglect than ever. One head-teacher who has been working with us to create learning resources which will serve school curricula, teachers and pupils after 2022, provided this evaluation of the challenges currently threatening the implementation of the bill:

"This curriculum is at a very early stage in its development. Until practitioners and all stakeholders can tease out the essence of the delivery, the standardisation so as to protect equality of provision it stays as a document with too many broad statements.

I would agree that a skill based curriculum is better than an over loaded content one. It does however need to be based on the observation of the individual, their needs so that the application of the learning programme provides strategies that will empower the pupil to engage in their own learning, whilst allowing the educator to track their developmental needs..

I agree with schools having the opportunity to have space in the delivery of the curriculum to make it " their own" but only if it embeds the above. In order for the learning pathways to be fully developed there is need for the teacher to be able to assist ,track and provide consistent continuity that will be recognised in its assessment by all schools and other agencies,this will therefore require a great deal of collaboration by all those involved.

Finally for those students who have not engaged in their secondary experience there is an urgent need to review where the system has failed them, this is not reflected in this new curriculum. These young adults need to be valued as part of the community and as citizens whose needs and potential have not been met in the education system that we have at present nor highlighted in this document."

A strong example could be a child whose parents must move around the country repeatedly for work, or as part of a travelling community. As a result, the child risks being at a disadvantage due to not settling into one *cynefin* - and therefore one set of ways to track their developmental needs. A child can still fail to be served by the new curriculum if they require more time or learn differently from other pupils in their class. Another example of how the legislation currently fails to ensure equitable access to education arises if we compare two hypothetical schools, where there is a significant affluence gap between the two. Teachers and pupils alike will face far greater hurdles to academic attainment and skill development in areas which suffer with the added pressures therein. As a result, without sufficient legislation and a clear vision for how mandatory areas should be delivered, there is a real risk that the current curriculum will exacerbate the difference of experience and results currently visible.

## **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)*

Primary legislation should provide structure where necessary to ensure clarity of aims, objectives and key elements of delivery, and to ensure any actions to alter childrens' education will be able to trace its origins to a statutory footing (thus ensuring that each action complies with our obligations under such instruments as the Human Rights Act for example.) Without sufficient detail, the Bill actually risks compromising its usefulness. Areas which currently need consideration include what is considered to be a mandatory element of the curriculum; means of delivery; how delivery will be supported to be equitable across Wales, tailored to the needs of the individual child; how success in delivery, curriculum assessment and attainment is to be achieved and measured, and how the very real risk of widening the development and attainment gap will be avoided.

These challenges are very difficult to address, as the curriculum is rightly moving away from mandatory content. One could give fresh consideration to what must be categorised as mandatory: how these are decided upon? Should these mandatory elements, once justified, require some form of standardisation within legislation to ensure every child has the opportunity to be given a very specific set of core civic life-skills, to 'even the playing field' in civic affairs and public discourse? Done correctly, this could help to break down the barriers between the general public, and engagement with the public sector, public services, and the political and legal systems which govern every aspect of how we live our lives. Mandatory topics must be limited, but should include those which will empower children to play a role as participatory citizens within Wales and their communities, and which will allow them to transform our current model of failed citizenship. Such core civic skills and practical knowledge are of absolute necessity for every individual, as every single one of us must operate within multi-layered communities where our words and deeds affect one another, but which must all conform to the Rule of Law and to the public administration and constitutional arrangements we have in place. Guidance notes reflect consideration of these issues by stating that such knowledge of Wales' civic affairs 'should be included' in a curriculum and in a child's development, but therefore do not guarantee that they will be developed in a way which actually allows the child to participate as a citizen of their own nation, no matter where in Wales they live or what background they come from.

The Bill again reflects a vague awareness of this by making religion and ethics compulsory, but it then fails to establish why these have been singled out from other humanities topics as being more important than any other area that could be considered vital civic knowledge. Why do these sole knowledge areas make more ethical and active citizens, than the practical civic knowledge of how our democratic political system works, (which would include understanding why the right to follow one's own religion must be protected and respected.) Failure to ensure the mandatory elements are those which properly assimilate the more flexible choices which can be contained within an AoLE will risk falling into the same old mistakes as the old curriculum. We would suggest civic 'core knowledge and applicable skills' should be given sufficient attention as part of the curriculum, simply because few would describe our basic human rights in Wales as adaptable or optional, but again respect the difficulties of incorporating another mandatory element to a flexible curriculum.

Finally, means of delivery and assessment must be adapted which reflect that not all children suit or enjoy an academic education, so children should not always be restricted to writing academic essays, with or without time restraints. For civic education for example,

new means of assessment could reflect daily life, such as portfolios, reflections on what constitutes a civic action, youth apprenticeships, and even diaries of civic engagement which range from spotting misinformation, and disinformation in a social media post, to identifying cognitive dissonance in oneself as they react to a story on the news. To achieve this, considerable partnership working will need to be employed. It would be worth working very closely with children, especially those in less affluent areas, and/or those who are already identified as being failed or disillusioned by their current system of education, to inject the opinions of the most affected children into such development and to employ the UN Convention of the Rights of the Child in a potentially very transformative way.

### **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)*

As 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)*

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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.**

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

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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)*

Whilst we have focused on answers which provide constructive criticism, we wish to repeat our general approval of the bill, its aims and objectives.

