

Cyflwynwyd yr ymateb hwn i ymchwiliad y [Pwyllgor Plant, Pobl Ifanc ac Addysg](#) i egwyddorion cyffredinol y [Bil Addysg Drydyddol ac Ymchwil \(Cymru\)](#)

This response was submitted to the [Children, Young People and Education Committee](#) inquiry into the general principles of the [Tertiary Education and Research \(Wales\) Bill](#)

TER 29

Ymateb gan: Addysg Oedolion Cymru

Response from: Adult Learning Wales



Y Coleg Cymunedol Cenedlaethol
a Mudiay Gwirfoddol
The National Community College
and Voluntary Movement

**Senedd Children, Young People and Education Committee
Consultation: Tertiary Education and Research (Wales) Bill**

17 December 2021



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Summary of our response

1. Addysg Oedolion Cymru | Adult Learning Wales (AOC|ALW) is in broad support of the proposed Bill. In submitting our response to the Committee, we are seeking to strengthen the provisions within the draft to ensure that Adult Community Learning (ACL) is properly considered, managed, and represented within the post-16 compulsory education and training sector. ACL plays a vital role in supporting individuals on their lifelong learning journey, developing the skills, knowledge, and confidence to enter, return or progress into employment, training, or further learning. It also aligns with many of the themes and purposes of the [Well-being of Future Generations \(Wales\) Act 2015](#) and Wales' Curriculum for All: promoting active citizenship, reducing loneliness, increasing individuals' confidence and resilience, improving health and well-being, and contributing significantly to the nation's social, cultural, economic, and environmental well-being.

The role of adult community learning and lifelong learning

2. AOC | ALW seeks greater clarity on the Bill's intentions with regard to the proportion of accredited and non-accredited learning and progression pathways in the adult learning sector.

The definition of 'tertiary education'

3. The definition of 'tertiary education' in part 7 para 139 (general interpretation) of the draft Bill refers only to 'higher education, further education or training' – there is no mention of ACL. Para 139 should be reworded. The Explanatory Statement that accompanies the Bill, however, includes ACL in its definition of tertiary education so we are assuming that the current wording in para 139 is a drafting error not a statement of intent.

Equity of ACL funding and provision

4. AOC | ALW seeks clarification on the plans to establish a national strategic body to oversee community-based adult learning in Wales, which will be funded, monitored and quality-assured by the proposed Commission for Tertiary Education and Research (CTER) as set out in the Ministerial statement of 12 July 2019.
5. AOC | ALW is the largest provider of adult community learning in Wales, delivering 50% of the total ACL provision across the whole curricular range from pre-entry level to professional qualifications. AOC|ALW urges the Committee to acquaint itself with our proposals as set out in our document [A Model for Success](#) and to consider our appointment as the national body, adopting our strategic partnership model.

Digital Development and a National Virtual Learning Environment (VLE) Platform

6. The pace at which AOC | ALW has developed its digital capabilities and infrastructure is acknowledged within the sector and can be demonstrated by the successful transitioning to online learning over the past 18 months, our drive to upskill teaching staff, as well as our ongoing commitments and demonstrable outputs to the Digital 2030 Framework. As such, we are well placed to facilitate a national Virtual Learning Environment (VLE) platform as the National Strategic Body for ACL in Wales.

Education and training for “eligible persons over 19”

7. It appears that this legislation would give a statutory right to education (in the same way as it already does for persons aged 16-18) to certain categories of adult learners. AOC | ALW is well placed to work with the Commission to define these learners and ensure they are funded, and we would like assurance that applications will be sought from the ACL sector for membership on the Commission and its committees in determining these regulations.

Representation

8. The Bill refers to consultation arrangements by the Commission or Welsh Ministers on codes, plans or further regulations. Further clarity should be provided setting out representative groups and how this translates to consultation and representation arrangements. Ensuring that there is a broad cross-section of representatives from the post-16 sector, including Adult Community Learning and consideration of the make-up of the Commission itself is crucial.
9. Our concern is that ACL could potentially be “lost” in the sweeping changes affecting FE and HE, and that ACL could be seen as a “bolt on” and less important in the whole debate. ACL is a vital, valuable, and integral part of the post-16 sector and should be given just and equitable status.

Outcome agreements

10. Paragraph 83 (3) defines an ‘outcome agreement’ as that between the Commission and the Provider. AOC | ALW is not opposed to that in principle. The outcomes would need to be reasonable and relevant to the aims of the Organisation.

Quality arrangements

11. At this stage AOC | ALW is in support of that approach (with QAA inspecting HE). Over time, the Commission might wish to bring together the inspection arrangements for all post-16 provision.

Conclusion

12. AOC | ALW welcomes the introduction of the Bill and is keen to support its implementation. Our support is based on the need to amend the definition of ‘tertiary education’ in clause 139 and the importance of ACL being appropriately represented and given credit for the important contribution it makes in creating healthy and prosperous communities through the personal, social, and economic benefits that ACL provides. There is a well-researched and evidence-based need to establish a national strategic body under the umbrella of CTER, and we have put forward clear and coherent proposals which see us at the forefront of delivering that remit. We are grateful for the opportunity to contribute to the hearings held by the Committee and hope to continue to be an integral part of the formal constitutional make-up of the Commission and its Committees.

Our response

Addysg Oedolion Cymru | Adult Learning Wales (AOC|ALW) is the National Community College and Voluntary Movement for Adult Community Learning in Wales and came into being in 2015, following the merger between the Workers Educational Association (WEA) Cymru and the YMCA Wales Community College. With over 100 years' experience of providing high quality adult community learning and advocacy throughout Wales, we are the largest provider of pre-entry to professional level qualifications, delivering 50% of all Adult Community Learning (ACL) provision in Wales. The organisation is committed to helping individuals to realise their potential and making communities more resilient in times of local, national, and global change.

Introduction

1. Put simply, ACL is transformative, life-changing and, in some instances, life-saving. As the Covid-19 crisis continues to grip our communities, it is a more important lifeline than ever before. It is often the entry point or re-entry point into lifelong learning. Without it, many of the 60,000 learning activities undertaken each year by thousands of adults across Wales – including some of our hardest to reach, vulnerable or isolated citizens – would not result in further learning and work, and many people would not be able to cope with what life throws at them.
2. Delivering a range of informal and formal learning from pre-entry level courses to professional qualifications, as well as employability support, family learning and confidence-boosting programmes in a range of community and online settings, ACL gives people a first, second, third or even fourth chance to access learning.
3. Some adults find the prospect of entering more traditional campus-based settings and mixing with thousands of young people too daunting. Providing accessible, needs-led, and flexible face-to-face, blended, or online learning in communities, often through partnerships where relationships are already established and trusted, provides the gateway needed for many adults to engage positively with their learning journey. The ability to provide programmes, with various entry points, through versatile delivery arrangements, flexible and affordable staff contracts, and extensive pastoral care to support vulnerable adults, is what makes ACL unique.
4. The emphasis on collaboration across a wide range of partnerships, meeting local, regional, and national needs, makes ACL a vital contributor to the skills agenda for Wales. ACL brings a wide range of ACL providers and key stakeholders together, including national bodies such as Coleg Cymraeg Cenedlaethol and the Open University in Wales, Regional Skills Partnerships, local authorities, Jobcentre Plus, FE and HE providers and the Third Sector. Together, the ACL sector delivers provision in a learner focussed and progressive way. However, it is not without its challenges and limitations, and the call for a national strategic

body to oversee ACL in Wales has never been more important to ensure a consistent and equitable offer for all.

5. Our initial response submitted on 29th November 2021 has been expanded (below) to include points discussed at the oral evidence session held on 9th December 2021. We welcome the opportunity to present our comments as follows:

The definition of ‘tertiary education’

6. The definition of ‘tertiary education’ in part 7 para 139 (general interpretation) of the draft Bill refers only to ‘higher education, further education or training’ – there is no mention of ACL. Para 139 should be reworded. The Explanatory Statement that accompanies the Bill, however, includes ACL in its definition of tertiary education so we are assuming that the current wording in para 139 is a drafting error not a statement of intent.

The role of adult community learning and lifelong learning

7. There appears to be strong emphasis on qualification-based education for adults as defined in the draft legislation as the primary criterion for the promotion of life-long learning, including access to the “provision of proper facilities” for “eligible persons over 19”.
8. It is important to note that whilst accredited and qualification-based learning is very important and accounts for around 80% of our provision, there are strong arguments that highlight the benefits of non-accredited, engagement-type activities (also known as “hook courses”). These activities play an essential part in getting those hardest to reach and further from education, employment, and training back into learning. When used effectively, these programmes form a vital part of a planned progression pathway and a managed transition back into learning. Such activities support Welsh medium and bilingual provision, improve health and wellbeing, and help to tackle loneliness and isolation.
9. A combination of approaches to include a wide range of outcomes offered in ACL has a key role to play for both the individual and Wales through:
 - economic wellbeing by, for example, increasing people’s essential skills, supporting re-engagement with and progression in education and training and enabling the acquisition of vocational skills in areas like youth and community work, which contributes to lower levels of unemployment and economic inactivity and supports increases in productivity and progression to more highly skilled and paid work;
 - social wellbeing by, for example, supporting people’s integration and social inclusion, through the acquisition of language and essential skills, increases in employability and the expansion of social networks and by promoting active citizenship by enhancing

people's understanding of the issues that they and their communities face and their capability (such as their skills and confidence) to take action; and

- physical and mental wellbeing by, for example, supporting pro-health attitudes and behaviours, increasing health literacy and engagement with health services (including social prescribing), and enhancing resilience and people's sense of purpose and enjoyment of life.
10. ACL makes an important contribution to a number of Wales's wellbeing goals, including a more prosperous, healthier, and more equal Wales with cohesive communities and a vibrant culture and thriving Welsh language ([WG, 2015](#)). However, its contribution to the Welsh language is stymied by the limited opportunities to continue learning through the medium of Welsh within the sector ([Estyn 2016](#)).
 11. In light of the above, AOC | ALW seeks greater clarity on the Bill's intentions with regard to the balance of adult learning aimed at attaining qualifications and more informal or non-accredited learning.

Equity of ACL funding and provision

12. In her written statement dated 12 July 2019, former Minister for Education, Kirsty Williams set out plans for the restructuring of "community based adult learning" in Wales. The actions to be taken forward were to "address immediate problems of equity of funding and provision," and "provide a stronger foundation on which to develop a national strategic body which has a strategic overview of community based adult learning across Wales and can ensure a consistent and equitable offer for all".
13. The statement also confirms that the National Body "will be funded, monitored, and quality assured by the CTER in accordance with the proposals for all other FEIs."
14. Given the absence of any reference to the National Body within the Bill, we are seeking clarification on the plans to establish such a Body, and the timescales being considered. Appropriate wording could be included in the Bill or the Minister could be advised to make a statement accompanying the Bill when it is considered in the Senedd.
15. AOC | ALW is the National College and Voluntary Movement for Adult Community Learning in Wales, and is at the forefront of ACL research, provision, and advocacy. We would reference here our submission to Welsh Government officials in 2018 which proposes our appointment as the National Strategic Body and the introduction of our "Strategic Body Partnership Model: ["A Model for Success"](#)
16. The intention is to provide a framework for transformational change within the ACL Sector. Working with providers, ACL partnerships and key stakeholders, the fundamental principle

is that change would be built on trust and identified needs and informed by delivery performance.

17. Key features of our proposals:

- There would be one single contract from Government with the Strategic Body for Adult Community Learning in Wales.
- The sole purpose of the contract holder (AOC|ALW) would be to deliver the adult community learning offer in accordance with the strategic objectives agreed with Welsh Government.
- All parties would retain current direct delivery and in years 1-2, AOC | ALW would be charged with strategic planning and commissioning of partnership delivery.
- We would build on existing support infrastructures involving the necessary specialist agencies such as Careers Wales and the Regional Skills Partnerships (RSPs) to ensure the availability of information and supporting the planning of learning and career progression.
- Any future procurement for years 3 onwards would be performance related and based on quality and impact criteria.
- Future delivery would be through multiple partnerships, using a procurement process that is based on a comprehensive delivery plan, performance management, capacity, and capability building.
- AOC | ALW would retain ultimate responsibility for all aspects of the contracted provision and would have a legally binding contract with each of its partners, ensuring visibility and transparency of objectives and impact.
- Under the umbrella of the CTER, years 1-2 would be used to establish and model revised governance and management systems and processes.

18. AOC | ALW is the largest provider of adult community learning in Wales delivering 50% of the total ACL provision across curriculum ranging from pre-entry level to professional qualifications. We urge the Committee to revisit our proposals and to consider our appointment as the national body and adopt our strategic partnership model: [A Model for Success](#)

Digital Development and a National Virtual Learning Environment (VLE) Platform

19. The pace at which AOC | ALW has developed its digital capabilities and infrastructure is acknowledged within the sector and can be demonstrated by the successful transitioning to online learning over the past 18 months, our drive to upskill teaching staff, as well as our ongoing commitments and demonstrable outputs relating to the Digital 2030 Framework. As such we are well placed to facilitate a national Virtual Learning Environment (VLE) platform as the National Strategic Body for ACL in Wales.

20. Standardising digital teaching and learning platforms across providers, especially ePortfolios, would have a significant impact on the effectiveness of measuring learner signposting, progression and distance travelled.
21. Transition from one provider to another would also be easy for the learner due to familiarity, reducing the need to on-board, naturally raising the confidence of learners. AOC | ALW could strategically lead on reducing the digital divide across Wales and “make online learning easy” by breaking down technical barriers. AOC | ALW has the expertise and the experience to strategically lead on reducing the digital divide across ACL providers in Wales.

Education and training for “eligible persons over 19”

22. The Explanatory Memorandum is helpful in setting out some of the detail concerning eligibility criteria and proper facilities. In our view, the process to draw up regulations which clearly define this section of the Bill requires the input of specialist knowledge and expertise from the adult community learning sector, in order that decisions are informed and meet the needs of communities in Wales.
23. The current Bill retains the ‘proper facilities’ (for 16-19 learners) (clause 90 (1) vs ‘reasonable facilities’ (19+ learners) distinction (para 92) (1). This has been a wording for very many years, and a clear definition may be challenging. Nevertheless, the former is the stronger term and should be applied to all learners regardless of age.
24. The insertion of a new clause 91 which puts forward ‘proper facilities’ for those eligible persons aged over 19 is welcomed. It gives Ministers the flexibility to determine eligible persons in regulations.
25. It appears that this legislation would give a statutory right to education (in the same way as it already does for persons aged 16-18) to certain categories of adult learners. AOC | ALW is well placed to work with the Commission to define who these learners are and ensure they are appropriately funded. We would like assurance that applications will be sought from the ACL sector for membership on the Commission and its committees in determining these regulations.

Outcome agreements

26. Paragraph 83 (3) defines an ‘outcome agreement’ as that between the Commission and the Provider. AOC | ALW is not apposed to that in principle. The outcomes would need to be reasonable and relevant to the aims of the Organisation and be a useful opportunity to improve performance. However, we would not want approaches such as that in England in higher education (HE) where, for example, HE institutions are to be measured on the pay of their graduates. Thus, lawyers and bankers would be rated better than teachers and social workers.

27. Contrastingly, more positive outcome agreements developed by the Scottish Funding Council working in collaboration with FE and HE cover areas such as widening access, delivery of high quality experience for learners and support for progression into work.

Quality arrangements

28. It is noted that the Commission must establish a quality committee to oversee the quality of all tertiary provision.
29. The preferred approach set out in the explanatory memorandum states that Estyn will continue to inspect post-16 provision including FE. It will have to have regard to the advice and guidance of the Commission which will jointly be responsible with Welsh Government for funding Estyn.
30. At this stage AOC | ALW is in support of that approach (with QAA inspecting HE). Over time, the Commission might wish to bring together the inspection arrangements for all post-16 provision.

Powers of the Minister and Commission

31. AOC | ALW supports the notion of an “arm’s length” body. The Bill sets out a new statutory duty on Welsh Ministers to prepare and publish a statement of priorities with the Commission preparing an appropriate strategic plan. Currently the Higher Education Funding Council for Wales receives an annual remit letter and prepares a strategic plan in response to the letter. In addition, the Minister publishes a separate statement of priorities for the FE sector, and it is up to each FE institution to respond. The difference between the proposed arrangement and those currently in place is not clear.
32. AOC | ALW also supports the Commission being an arm’s length body. It should be independent of Welsh Government within a broad structure. There are reserve powers for Welsh Ministers. These need to be handled carefully.

Representation

33. The Bill refers to consultation arrangements by the Commission or Welsh Ministers on codes, plans or further regulations. Further clarity should be provided setting out representative groups and how this translates to consultation and representation arrangements. Ensuring that there is a broad cross-section of representatives from the post-16 sector, including Adult and Community Learning and consideration of the make-up of the Commission itself is crucial.
34. Our concern is that ACL could potentially be “lost” in the sweeping changes affecting school Sixth Forms, FE and HE, and that ACL could be seen as a “bolt on” and less important in the

whole debate. ACL is a vital, valuable, and integral part of the post-16 sector and should be given just and equitable status.

Conclusion

35. AOC | ALW welcomes the introduction of the Bill and is keen to support its implementation. Our support is based on need to amend the definition of 'tertiary education' in clause 139 and the importance of ACL being appropriately represented and given credit for the important contribution it makes in creating healthy and prosperous communities through the personal, social, and economic benefits that ACL provides. There is a well well-researched and evidence-based need to establish a national strategic body under the umbrella of CTER, and we have put forward clear and coherent proposals which see us at the forefront of delivering that remit. We are grateful for the opportunity to contribute to the hearings held by the Committee and hope to continue to be an integral part of the formal constitutional make-up of the Commission and its Committees.



Kathryn Robson
Chief Executive



John Graystone
Chair of Council

Appendix

Addysg Oedolion Cymru | Adult Learning Wales

With around 25,000 enrolments annually across the whole of Wales, and the largest national provider of ACL, AOC | ALW is committed to providing wide-ranging learning, skills and qualifications, made up of formal and informal learning activities. These include employability skills, digital literacy, essential skills, family learning and English for Speakers of Other Languages (ESOL). The Organisation also provides higher level qualifications in Counselling, Award in Education and Training (AET), Youth and Playwork and has a national programme of curriculum delivery linked to the Wales Trades Unions and numerous partners and employers. Our curriculum is delivered through a range of online, blended, and face-to-face learning.

As a membership organisation our Voluntary Movement promotes advocacy work through our members, branches, volunteers, staff, partners, and other stakeholders. Raising important issues that affect the lives of families in Wales forms part of our advocacy work, through campaigns, lobbying, research activities, consultation, and democratic engagement. Through our activities we aim to take a lead role in advancing active citizenship and supporting citizens' rights and entitlements. Our strategic aims underpin the goals set out in the Wellbeing of Future Generations (Wales) Act 2015.

The Organisation specialises in reaching out to the most disadvantaged in society, and through strong partnerships, we have developed effective networking and community links to support communities throughout Wales. As a bilingual organisation, committed to promoting and advancing the Welsh language, the vision is to provide equal access to Welsh medium curricula. We are keen to develop our international links and are developing a framework for participation in the Welsh Government's International Exchange Programme which is due to commence in 2022 and is being managed by Cardiff University.

The Organisation actively works with local and regional communities and workplaces to promote learning opportunities and advocacy for community cohesion, personal development, and social inclusion. The curriculum offer is delivered through a range of stakeholder groups, including partners, employers, volunteers, and members. The combination of learning and advocacy has many benefits, including progression, employment, active citizenship and improved health and wellbeing. The work is impactful resulting in economic, social, and personal benefits which support healthy and prosperous societies – this is the Organisation's ultimate goal.