



## **INTRODUCTION**

1. The Welsh Local Government Association (WLGA) represents the 22 local authorities in Wales, and the three national park authorities and the three fire and rescue authorities.
2. It seeks to provide representation to local authorities within an emerging policy framework that satisfies the key priorities of our members and delivers a broad range of services that add value to Welsh Local Government and the communities they serve.
3. This paper responds to two additional items raised in the WLGA evidence session with the National Assembly for Wales, Children and Young People Committee on 26<sup>th</sup> September 2013 in relation to the Education (Wales) Bill 2013.

### **Section 23 (5) – use of appraisal of a registered person**

4. This section of the Bill gives Welsh Ministers the power to specify, through regulations, the circumstances in which the results of the appraisal of a registered person may be used to determine their remuneration.
5. The WLGA welcomes the use of a clear and consistently applied, performance management system which is used to drive improvement in the school system and supports the workforce professionally. Given the proposed scope of persons who will be registered under the Education (Wales) Bill, there are some concerns as to how any regulations in relation to remuneration dependent on performance, could be implemented consistently across a diverse workforce. Clarity is also needed, as to how any regulations would be consistent with teachers pay and conditions which are a non-devolved issue.

### **Inspection of Settings for Pupils with SEN that are not in Wales**

6. Inspection of schools in England, including special schools, residential and non-residential, is carried out by Ofsted. Ofsted inspect in a way that is more of a risk-based approach that Estyn, in that the frequency of inspection is based on how well a school performed in it's last inspection.

7. Specifically in relation to settings for pupils with special educational needs Ofsted inspects all maintained special schools and those which are independently managed. Independent special schools also have to register with the Department for Education.
8. Local authorities in Wales will take note of Ofsted inspections when looking to place a child or young person resident in Wales in an establishment in England. As with all placements for children and young people with special educational needs the local authority will undertake an assessment of need of the pupil and an assessment of the suitability of the placement to meet those needs, before a pupil is placed in an establishment whether that be in England or Wales.

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