

Further and Higher Education (Governance and Information) Bill: Summary of changes made at Stage 2

Introduction

This document sets out the main changes made to the **Further and Higher Education (Governance and Information) Bill** ('the Bill') during Stage 2 proceedings.

Background

The Bill was introduced on 29 April 2013 by the then Minister for Education and Skills, Leighton Andrews AM, and the Business Committee remitted the Bill to the **Children and Young People Committee** ('the Committee') for Stage 1 scrutiny. Following the resignation of the Minister on 26 June 2013, Huw Lewis AM, the new Minister for Education and Skills, took over as the new Member in charge of the Bill.

The Committee published its **Stage 1 report** in July 2013. The Constitutional and Legislative Affairs Committee also published a **report on the Bill's subordinate legislation provisions** in the same month.

The Bill was approved unanimously at Stage 1 by the Assembly following a **debate on its general principles** in Plenary on 24 September 2013.

Stage 2 commenced on 25 September. **A total of 15 amendments were tabled**, 4 of which by the Welsh Government. The Committee met to consider and dispose of the amendments on 24 October 2013.

Further information about the Bill (as introduced) is available in a **Bill Summary** prepared by the Research Service.

Amendments agreed at Stage 2

Only 3 of the 4 Welsh Government's amendments were agreed. Amendment 6, tabled by the government, which sought to ensure that at least two members of staff and at least two students of the institution were members of the governing body, was not agreed.

Of the 11 non-Government amendments tabled, 7 were not agreed and 4 were withdrawn.

The changes made to the Bill by the 3 government amendments which were passed are summarised below:

Consent of trustees

Amendment 4 placed an obligation on governing bodies to seek the consent of trustees to any modifications to, or replacement of, a Further Education Institution's instrument and articles of government.

Representation on governing bodies

Amendment 5 made a clear distinction between the different approaches adopted in England and Wales in relation to the appointment/election of members to governing bodies of Further Education Institutions.

Consultation

Amendment 7 implemented a recommendation made by the Committee in its stage 1 report, and placed a responsibility on Further Education Institutions to consult with local employers, students and communities on the local curriculum and its delivery.

Commitments made by the Minister

During Stage 2 proceedings, the Minister made commitments to bring forward amendments ahead of the Stage 3 debate in response to issues raised by the following opposition amendments.

Amendments 13 and 14, tabled by Bethan Jenkins AM and Simon Thomas AM respectively, sought to insert a new provision which would have required Welsh Ministers to review the operation of the Act within one year of its commencement. Amendment 13 related to reviewing the Act in relation to its impact on **funding for 16 and 18 year olds**, while amendment 14 focused on the Act's impact on **Welsh language provisions** and **additional learning needs**.

The Minister indicated that he was supportive of the sentiment expressed in both amendments and agreed to look at these issues in greater detail ahead of the Stage 3 debate to ensure that any review of the Act will coincide with existing educational planning and review timescales. Both Members agreed to withdraw their amendments in light of the Minister's comments.

Next steps

An **amended version of the Bill** has been prepared. Stage 3 began on **25 October 2013** (the day after Stage 2 proceedings were completed). Members have until 6pm on Tuesday, **26 November 2013** to table further amendments to the Bill through the Legislation Office (legislation@wales.gov.uk). Stage 3 proceedings will take place in Plenary on **3 December 2013**.

Further information

For further information on the Bill, please contact the Clerk, Bethan Davies (bethan.davies@wales.gov.uk).