

Residential Outdoor Education (Wales) Bill: Stage 1 report

March 2024



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Residential Outdoor Education (Wales) Bill: Stage 1 report

March 2024



About the Committee

The Committee was established on 23 June 2021. Its remit can be found at:
www.senedd.wales/SeneddChildren

Current Committee membership:



**Committee Chair:
Jayne Bryant MS**
Welsh Labour



James Evans MS
Welsh Conservatives



Heledd Fychan MS
Plaid Cymru



Laura Anne Jones MS
Welsh Conservatives



Ken Skates MS
Welsh Labour



Buffy Williams MS
Welsh Labour

The following Members attended as substitutes during the scrutiny of the Bill:



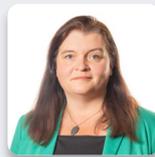
John Griffiths MS
Welsh Labour



Rhun ap Iorwerth MS
Plaid Cymru



Janet Finch Saunders MS
Welsh Conservatives



Sioned Williams MS
Plaid Cymru

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Recommendations

Recommendation 1. If the Bill is passed, the Welsh Government should commission a review of capacity within the residential outdoor education sector, which must include assessment of capacity for accessible and inclusive provision; and Welsh medium provision. This review should be published, and information about provision made available to schools to help inform their planning and design of residential outdoor education experiences. Page 92

Recommendation 2. The Member in Charge should bring forward amendments at Stage 2 to widen the eligibility criteria to include pupils in education other than at school..... Page 94

Recommendation 3. The Member in Charge should bring forward amendments at Stage 2 to remove the provision that residential outdoor education should consist of four nights and five days to ensure that there is greater flexibility on the length of a residential outdoor education experience which is linked to children and school’s individual needs..... Page 95

Recommendation 4. The Member in Charge should bring forward amendments at Stage 2 to specify that the guidance must provide that all children’s dietary requirements are catered for. Page 95

Recommendation 5. The Member in Charge should bring forward amendments at Stage 2 to put on the face of the Bill that it is not mandatory for children to take part in residential outdoor education provision offered under this Bill. Page 96

Recommendation 6. The Member in Charge should bring forward amendments at Stage 2 to give effect to the proposed amendments of the Welsh Language Commissioner, in order to ensure:

- that there is sufficient Welsh language provision;
- that residential outdoor education provision offers opportunities for all children to learn and have experiences through the Welsh language; and
- that residential outdoor education must promote an understanding of Welsh language and culture.Page 97

Recommendation 7. The Member in Charge ahead of the Stage 1 debate provides details on how he envisages the tracking of provision to work in practice. Page 98

Recommendation 8. The Member in Charge ahead of the Stage 1 debate should provide examples where legislation has placed a requirement on Ministers to fund a very specific type of activity. Page 109

1. Introduction

The Bill was introduced in November 2023. During our scrutiny we have gathered written and oral evidence, and undertaken some small scale engagement with parents and carers. Other Senedd committees have looked specifically at the financial and constitutional aspects of the Bill.

1. On 24 November 2023, Sam Rowlands MS (“the Member in Charge”) introduced the Residential Outdoor Education (Wales) Bill (“the Bill”),¹ the accompanying Explanatory Memorandum² and the Statement of Policy Intent for Subordinate legislation and guidance to be made under the Bill.³ He made a statement in Plenary on 29 November 2023.⁴
2. On 14 November 2023 the Business Committee agreed in accordance with Standing Order 26.9 to refer the Bill to us to consider and report on the general principles. On 21 November 2023, after consulting with us, they set the reporting deadline as 22 March 2024.⁵

The Committee’s approach

3. We agreed our approach to Stage 1 scrutiny on 29 November 2023. Our terms of reference were:

To consider:

- The general principles of the Residential Outdoor Education (Wales) Bill and the need for legislation to deliver the stated policy intention;

¹ [Residential Outdoor Education \(Wales\) Bill, as introduced, 24 November 2023](#)

² [Residential Outdoor Education \(Wales\) Bill: Explanatory Memorandum, 24 November 2023](#)

³ [Residential Outdoor Education \(Wales\) Bill, Statement of Policy Intent for subordinate legislation and guidance to be made under this Bill, November 2023](#)

⁴ [Plenary, Statement on the introduction of a Member proposed Bill: the Residential Outdoor Education \(Wales\) Bill, Record of Proceedings, paragraphs 194 - 285](#)

⁵ [Business Committee, Timetable for consideration: The Residential Outdoor Education \(Wales\) Bill, November 2023](#)

- Whether there are any unintended consequences arising from the Bill;
- Any potential barriers to the implementation of the Bill’s provisions and whether the Bill and accompanying Explanatory Memorandum and Regularly Impact Assessment takes account of them (including commencement and the United Kingdom Internal Market Act);
- The financial implications of the Bill (as set out in Part 2 of the Explanatory Memorandum);
- 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);
- Matters relating to the competence of the Senedd including compatibility with the European Convention of Human Rights;
- The balance between the information contained on the face of the Bill and what is left to subordinate legislation; and
- Any matter related to the quality of the legislation.

4. Our written consultation was open from 30 November 2023 to 19 January 2024. As part of this written consultation we also wrote to some specific organisations with targeted questions. We received 27 written responses in total.⁶ Details of all those who responded are listed in Annex 2.

5. We held 9 evidence sessions between November 2023 and February 2024. Details of those who gave oral evidence are listed in Annex 1.

6. We also undertook some targeted engagement activity, focusing on parents and carers.⁷ Due to the scrutiny timetable, we had to do this work during December, which we appreciate limited the ability for some people to participate. We also drew on relevant evidence we have received as part of our inquiry “Do disabled children and young people have equal access to education and childcare?”.

⁶ [Senedd website, Residential Outdoor Education \(Wales\) Bill consultation page](#)

⁷ [CYPE Committee, Residential Outdoor Education \(Wales\) Bill, engagement findings, January 2024](#)

Other committees' consideration of the Bill

7. The Finance Committee took oral evidence from the Minister for Education and Welsh Language (“the Minister”) on 7 February 2024, and from the Member in Charge on 22 February 2024. They published their report on 22 March 2024.

8. The Legislation, Justice and Constitution Committee took evidence from the Minister on 22 January 2024, and from the Member in Charge on 5 February 2024. They published their report on 22 March 2024.

2. Development of the Bill

This is a backbench Member's Bill which was given leave to proceed in October 2022. There have been a number of consultations on the proposals to assist with the development of the Bill, this has included consultation on a draft Bill.

Backbench Member Bill process

9. Standing Orders of the Senedd state that the Presiding Officer must “from time to time hold a ballot” to identify a non-Government Member who “may seek agreement to introduce a Bill.”⁸

10. After winning a ballot, the ballot winner has 25 working days from the date of the ballot to table a motion seeking leave to introduce a Bill. The Business Committee has 35 working days from the date of the ballot (not including recess periods) to schedule a debate on such a motion. This debate is called a “leave to proceed debate”. If the motion is agreed, Members have 13 months from the leave to proceed debate to develop and introduce the Bill. Once the Bill has been introduced the Bill will be scrutinised in the same way as any other Bill introduced to the Senedd.⁹

Development of the Bill

11. The Member in Charge was successful in the Member Bill ballot held on 13 July 2022. The policy objectives of the Bill as submitted in the ballot were as follows:

“The purpose of this bill is to provide a statutory obligation on Local Authorities to ensure that young people are provided with the opportunity to experience residential outdoor education.

The proposed bill would seek to make it a statutory obligation for local authority-run and grant aided schools in Wales to be

⁸ [Senedd Cymru. Standing Orders of the Welsh Parliament. SO 26.87](#)

⁹ [Senedd Cymru. Guide to the Member Bill process. September 2021](#)

provided funding to ensure the opportunity for at least one week of residential outdoor education for young people at some stage during their school years.

The intention is that the statutory obligation to ensure residential outdoor education is provided would fall on those who are responsible for arranging the provision, e.g. education authority and managers of grant-aided schools.”¹⁰

12. At this stage, the Bill was known as the Outdoor Education (Wales) Bill. This was changed to the Residential Outdoor Education (Wales) Bill following the initial consultation taken to inform the development of the Bill.

13. As part of the development process for the Bill, the Member in Charge ran three consultations between January and September 2023. The general consultation ran from January to March 2023, and received 175 responses. All of these have been published,¹¹ alongside a summary of the responses.¹²

14. The Explanatory Memorandum (“the EM”) details the decisions / changes made as a result of the consultations. Some of these changes include:

- Putting “Residential” in the name of the Bill to “better reflect the activity covered” by the Bill; and
- Providing flexibility on the age at which the entitlement is available and the duration of the residential outdoor experience.¹³

15. The EM also states that a “significant change” that arose through the Bill’s development, but that was not directly linked to the findings from the consultation, was placing the duty on Welsh Ministers to ensure those who are eligible for residential outdoor education are given this opportunity instead of the duty being placed on local authorities. This decision was made “due to the level of detail that will need to be considered for the Bill’s implementation.”¹⁴

¹⁰ [Senedd Cymru website, Proposal 029, Sam Rowlands MS, July 2022](#)

¹¹ [Senedd Cymru website, Development of the Outdoor Education Wales Bill, Consultation responses](#)

¹² [Sam Rowlands MS, Summary of consultation on proposed Outdoor Education \(Wales\) Bill, May 2023](#)

¹³ [Sam Rowlands MS, Residential Outdoor Education \(Wales\) Bill: Explanatory Memorandum, paragraphs 188-192, 24 November 2023](#)

¹⁴ [Sam Rowlands MS, Residential Outdoor Education \(Wales\) Bill: Explanatory Memorandum, footnote 140, 24 November 2023](#)

The draft Bill

16. As part of the consultation process, a draft Bill was published on 14 July 2023.¹⁵ A targeted consultation was undertaken with a “selected group of stakeholders who will have a particular role in implementing the Bill.”¹⁶

17. The EM details the changes that have been made following this consultation and the introduction of the Bill. They include changes that:

- Clarify that provision under the Bill is “known as ‘a course of residential education’”;
- Make it clearer that this course of residential outdoor education is free of charge to learners;
- Make it clearer that the entitlement only extends to one course of residential education and that it does not preclude other residential outdoor experiences being provided outside of the entitlement provided by the Bill;
- Provide that a course of residential education must comprise of four nights and five days. This can be provided either over one visit, or multiple visits. This previously had been a matter for guidance that would be issued by Welsh Ministers;
- Make clear what a course of residential education means; and
- Additions to ensure that board and lodging is included in the costs that are free to pupils as part of this provision.¹⁷

¹⁵ [Sam Rowlands MS, Draft Residential Outdoor Education \(Wales\) Bill, July 2023](#)

¹⁶ [Sam Rowlands MS, Residential Outdoor Education \(Wales\) Bill: Explanatory Memorandum, paragraph 181, 24 November 2023](#)

¹⁷ [Sam Rowlands MS, Residential Outdoor Education \(Wales\) Bill: Explanatory Memorandum, paragraphs 193-199, 24 November 2023](#)

3. What the Bill does

The purpose of the Bill is to enable all pupils in maintained schools to experience residential outdoor education. It would place a duty on Welsh Ministers to take all reasonable steps to ensure a course of residential outdoor education is provided once to all eligible pupils free of charge.

- 18.** The Bill amends the Curriculum and Assessment (Wales) Act 2021 (“the 2021 Act”) and places a statutory duty on Welsh Ministers to:

“... take all reasonable steps to ensure that a course of residential outdoor education is provided, once, free of charge as part of the curriculum, to registered pupils at maintained schools.”¹⁸

- 19.** Registered pupils at maintained schools means those pupils who are educated in schools maintained by a local authority in Wales. It does not cover those pupils who are educated otherwise than at school (“EOTAS”), those in pupil referral units (“PRUs”), or those who are home educated.

- 20.** The EM states that the Bill:

“... seeks to develop a coordinated and funded approach to provide a residential outdoor education experience for every child in maintained schools in Wales, regardless of their socio-economic background, disabilities, additional learning needs (ALN), cultural background or geographical location. This will move a residential outdoor education experience from an enrichment activity to an entitlement component of the Curriculum for Wales, removing it from the sphere of

¹⁸ [Residential Outdoor Education \(Wales\) Bill \[as introduced\], section 64A \(1\), November 2023](#)

uncertainty in local authority and school finance, and ensuring equity for the children and young people of Wales.”¹⁹

Summary of the Bill’s provisions

Section 1 – Provision of residential outdoor education

21. Section 1 provides for the provision of residential outdoor education by inserting a new section into the 2021 Act. The duty is placed on Welsh Ministers, rather than local authorities or schools “so Ministers can decide how best this should be implemented”. The EM states that it is not “necessarily” for Welsh Ministers to provide the residential outdoor education, but to “take reasonable steps to ensure it is provided.”²⁰

22. This section also places a requirement on Welsh Ministers to issue a Residential Outdoor Education Code (“the Code”), which must be issued within one year of this section coming into force. Welsh Ministers will also be required to keep the Code under review. It also states that a curriculum will not comply with the Bill unless it accords with the Code.

23. The section also specifies that a course of residential outdoor education must comprise of at least four nights and five days and that it may take place on one visit or spread over more than one visit.

24. This section also places a duty on Welsh Ministers to issue guidance on residential outdoor education. In doing so, it sets out certain elements that “must” be included, alongside other elements which “may” be included. The guidance must be issued within one year of this section coming into force.

25. Those elements which must be included are that::

- Residential outdoor education is not compulsory for pupils to attend;
- Residential outdoor education is suitable to a pupil’s age, ability, aptitude and any additional learning needs;

¹⁹ [Sam Rowlands MS, Residential Outdoor Education \(Wales\) Bill: Explanatory Memorandum, paragraph 4, 24 November 2023](#)

²⁰ [Sam Rowlands MS, Residential Outdoor Education \(Wales\) Bill: Explanatory Memorandum, paragraph 117, 24 November 2023](#)

- Residential outdoor education will be provided in Welsh, subject to availability, where requested by a school; and
- Costs that are reasonable to incur are provided for, including, but not limited to, the cost of board and lodging and transport.

26. This section sets out that the guidance may:

- Set the ages or school years at which residential outdoor education is provided;
- Provide that residential outdoor education promotes an understanding of Welsh language and culture;
- Set requirements that must be satisfied before a person is permitted to provide residential outdoor education;
- Make provision in respect of schools' staff costs associated with residential outdoor education; and
- Include any other provision that the Welsh Ministers consider appropriate.

Section 2 – Funding for residential outdoor education

27. Section 2 inserts a new section into the 2021 Act to provide for the funding of residential outdoor education. It places a duty on Welsh Ministers to pay a local authority a sufficient amount to deliver the residential outdoor education provision set out in section 1.

28. This section states that this is “without prejudice” to the School Standards and Framework Act 1998. This means this Bill creates new duties to provide separate additional funding for residential outdoor education.

Section 3 – No board and lodging charges permitted for residential outdoor education

29. Section 3 amends the Education Act 1996. That Act prohibits charges for provision of education. Schools therefore should not charge for the education and transport elements of residential visits when they are undertaken during school time or are linked to a duty under the 2021 Act. Schools are currently able to charge for board and lodging.

30. This section amends the 1996 Act to provide that residential visits undertaken as part of the Bill's requirements would also be exempt for charges for board and lodging.

Section 4 - Power to make transitional provision

31. Section 4 provides for Welsh Ministers to make transitional arrangements through regulations with respect to sections 1 to 3 coming into force.

Section 5 - Coming into force

32. Section 5 provides that, if passed, sections 1 to 3 will come into force three months after Royal Assent is received.

Section 6 - Short title

33. Section 6 sets out that the short title of the Act as the Residential Outdoor Education (Wales) Act 2024.

4. General principles and the need for legislation

While we unanimously agree with the policy objectives, due to questions around implementation and cost, we have been unable to come to an agreed view on the Bill's general principles.

Policy objectives

34. The EM states that the purpose of the Bill is to “enable all pupils in maintained schools to experience residential outdoor education.” It adds that this will mean that residential outdoor education will move from “an enrichment to the curriculum, which is often viewed as a ‘nice to have’, to an entitlement of the education offer...”. It says that by establishing residential outdoor education as an “integral part” of a child’s education and personal development, this recognises the “importance of outdoor education in a residential setting to the progress and development of children and young people.”²¹

35. In providing a “coordinated and funded approach” the EM says the Bill will ensure that every child in a maintained setting will have the opportunity of residential outdoor education “regardless of their socio-economic background, Additional Learning Needs (ALN), disabilities, cultural background or geographical location.” It states that by moving it from an enrichment to entitlement will remove the “often ad hoc nature of existing provision” as well as ensuing “equity for children and young people across Wales.”²² The EM says that:

“Put simply, the Bill will ensure no child or young person is prevented from experiencing residential outdoor education once in their school lives simply because their family cannot afford it.”²³

²¹ [Sam Rowlands MS, Residential Outdoor Education \(Wales\) Bill: Explanatory Memorandum, paragraphs 8-10, 24 November 2023](#)

²² [Sam Rowlands MS, Residential Outdoor Education \(Wales\) Bill: Explanatory Memorandum, paragraph 11, 24 November 2023](#)

²³ [Sam Rowlands MS, Residential Outdoor Education \(Wales\) Bill: Explanatory Memorandum, paragraph 13, 24 November 2023](#)

36. The EM states that at the “heart of the Bill are the ideals of fairness, equality and social justice.” It links the Bill to the United Nations Convention on the Rights of the Child, in particular articles 28 and 29. It says residential outdoor education “is widely understood” in offering a “range of benefits that can enhance children and young people’s lives, but due to poverty and disadvantage, is inaccessible to a significant proportion of the Welsh population.”²⁴

37. The Member in Charge at the outset of our scrutiny set out the benefits residential outdoor education can have on children and young people’s physical and mental health; as well as improving their engagement and connection with the natural world. He also highlighted that it can lead to “a better understanding of our Welsh culture, our language as well...”²⁵

38. He also believed that there are benefits for teacher / learner relationships, saying that there was evidence to show that “things like four nights away with a classroom teacher builds as much understanding of a learner as a whole year sat in a classroom.” This, he said, is important because “the better you know your students, the better you’ll be able to frame education that is suitable for them as well.”²⁶

39. The Member in Charge emphasised that the Bill will ensure that every learner has a “guarantee ... at some point in their schooling, to have that great experience and have all the benefits...”²⁷

40. The Member in Charge said that it is not just an education issue:

“But, absolutely, from an economic opportunity point of view, resilience for the sector, our rural communities, what they have to offer and the sustainability of our rural communities, keeping young people in our rural communities, having these skills and developing this interest will make a big difference in the long run.”²⁸

41. Almost all those who gave oral or written evidence were supportive of residential outdoor education and the policy objectives behind the Bill.

²⁴ [Sam Rowlands MS, Residential Outdoor Education \(Wales\) Bill: Explanatory Memorandum, paragraph 25, 24 November 2023](#)

²⁵ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraphs 5-6](#)

²⁶ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 7](#)

²⁷ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 8](#)

²⁸ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 34](#)

42. The Member in Charge emphasised the overwhelming support the proposals had with children and young people. He described the “huge piece of work” he had undertaken with children and young people in seeking their views.²⁹

43. We note that the Children’s Commissioner commended the Bill’s Children’s Rights Impact Assessment (“CRIA”) and in particular drew attention to the “child friendly participation methods employed to gather views” saying that children’s views were gathered in a “fun, engaging and accessible manner.” She said that the CRIA “draws out the strong point that those who would benefit most from the Bill are those who are disadvantaged by the current system, which in my view makes a strong case for this Bill to be taken forward.”³⁰

44. While many were supportive of the broad policy objectives of widening access to residential outdoor education, some were concerned about the practicalities, financing and timing of the Bill. These included:

- NAHT;³¹
- UCAC;³²
- NEU;³³
- ADEW;³⁴
- Learning Disability Wales;³⁵ and
- Sports Wales.³⁶

The Minister said it was “important to give weight” to these views, as they “are nearest to delivering what the Bill is designed to achieve”.³⁷ We explore these issues in more detail in the next two Chapters.

45. The Welsh Government said it did not support the Bill, because it had “very serious reasons ...in three key areas: curriculum delivery, legislation, finance”.³⁸ The

²⁹ [CYPE Committee, 1 February 2024, Record of Proceedings, paragraph 21](#)

³⁰ [Written evidence, ROE 15, Children’s Commissioner for Wales](#)

³¹ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 177](#)

³² [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 301](#)

³³ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 303](#)

³⁴ [CYPE Committee, 24 January 2024, Record of Proceedings, paragraph 34](#)

³⁵ [Written evidence, ROE 16, Learning Disability Wales](#)

³⁶ [Written evidence, ROE 19, Sports Wales](#)

³⁷ [CYPE Committee, 24 January 2024, Record of Proceedings, paragraph 197](#)

³⁸ [Written evidence, ROE 24, Welsh Government, paragraph 4.5](#)

Minister for Education and Welsh Language acknowledged that the support for outdoor education “is absolutely clear.”³⁹

Benefits of residential outdoor education

46. We were told about the benefits of residential outdoor education by a wide range of stakeholders. Alongside this, we explored the research which demonstrates the impacts of residential outdoor education.

47. While Estyn noted that of the “nearly 8,000 research studies on outdoor learning ... only 13 of them held up to scrutiny in terms of the design of the study and the methodology that was used...”. However, they noted that the studies that did have sufficient “rigour ... concluded that there are benefits to the learning process and to health and well-being on several different levels...” These areas cover physical and mental health, as well as skills such as language, communication, critical thinking, problem solving, creativity amongst others, along with other personal skills such as resilience.⁴⁰

48. NASUWT also raised the lack of “longitudinal research ... that would support” the Bill’s approach. They said there wasn’t the evidence to support the impact that one week of residential outdoor education “would have a long-lasting impact on the relation of the individual with the environment ...”.⁴¹ Public Health Wales also said that “in depth analysis” is needed to understand what benefits are “attributable to school and curriculum based outdoor learning in general, nature-connecting opportunities in or out of school and the specific residential element.”⁴² The EM states that the “qualitative evidence” on residential outdoor education shows “significant evidence of positive change during an outdoor education residential across multiple audiences and aspects of personal and social development.”⁴³

49. Some stakeholders highlighted that the Bill was in line with, and would help to contribute to the seven wellbeing goals as outlined in the Well-Being of Future Generations (Wales) Act 2015. These included the Institute for Outdoor Learning;⁴⁴

³⁹ [CYPE Committee, 24 January 2024, Record of Proceedings, paragraph 195](#)

⁴⁰ [CYPE Committee, 14 December 2023, Record of Proceedings, paragraphs 116-119](#)

⁴¹ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 314](#)

⁴² [Written evidence, ROE.18, Public Health Wales](#)

⁴³ [Sam Rowlands MS, Residential Outdoor Education \(Wales\) Bill: Explanatory Memorandum, paragraph 60, 24 November 2023](#)

⁴⁴ [Written evidence, ROE.1, Institute for Outdoor Learning, paragraph 24](#)

and Learning Disability Wales.⁴⁵ The Welsh Government disagreed and said it would not further the aims of the 2015 Act “in a meaningful way”.⁴⁶

Health and wellbeing

50. The proposals were described as a “preventative measure” by UCAC, which along with other such measures “would improve the health of future generations and present generations as well...”⁴⁷

51. The Institute for Outdoor Learning said there is “much research which concludes the significant physical and mental health benefits” of residential outdoor learning.⁴⁸ Cardiff and Vale University Health Board said they believed the Bill “has the potential for positive health outcomes for the children.” It cited the positive impact on health of time spent outside and greater nature connectedness.⁴⁹ The Welsh NHS Confederation also highlighted the importance of outdoor education in children and young peoples’ development across a range of educational and personal skills.⁵⁰

52. The Royal College of Paediatrics and Child Health set the Bill against the wider challenges around improving children and young people’s physical activity in Wales. They said the research shows that “a significant effort” is needed to address low physical activity rates for children and young people in Wales. They said that the Bill could help “assist in improving Wales’s physical activity score, reducing sedentary behaviour, promoting healthy lifestyle choices and having a long-lasting positive impact on children and young people’s mental health.”⁵¹ Snowdonia-Active also made the link between the opportunities of the Bill in tackling levels of physical activity and obesity in Wales.⁵² The Welsh NHS Confederation said that outdoor learning can establish “healthy habits during childhood.”⁵³

53. Parentkind said residential outdoor education could potentially play a role in supporting mental wellbeing of children and young people.⁵⁴ They also said that there was evidence that suggests these types of visits see children “move away

⁴⁵ [Written evidence, ROE 16, Learning Disability Wales](#)

⁴⁶ [Written evidence, ROE 24, Welsh Government, paragraph 3.1](#)

⁴⁷ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 3.11](#)

⁴⁸ [Written evidence, ROE 1, Institute for Outdoor Learning, paragraph 2.1](#)

⁴⁹ [Written evidence, ROE 11, Cardiff and Vale University Health Board](#)

⁵⁰ [Written evidence, ROE 27, Welsh NHS Confederation, paragraph 3](#)

⁵¹ [Written evidence, ROE 20, Royal College of Paediatrics and Child Health \(Wales\)](#)

⁵² [Written evidence, ROE 21, Snowdonia-Active](#)

⁵³ [Written evidence, ROE 27, Welsh NHS Confederation, paragraph 5](#)

⁵⁴ [CYPE Committee, 24 January 2024, Record of Proceedings, paragraph 13.4](#)

from electronic devices, smart phones and start to really embrace and experience the outdoors". They felt it was a "real opportunity ... to change the sort of expectations and outlook of children in a much healthier direction."⁵⁵

54. Public Health Wales said that physical and mental health is complex, and that while outdoor learning may be beneficial "the level of benefit will be small, particularly from a single event." They said that these benefits could also be gained in different ways. They would be "concerned if there was an expectation that there would be a measurable impact on health and wellbeing outcomes or on demand for NHS services as a result of the proposals in this Bill."⁵⁶ The Welsh NHS Confederation said that while residential outdoor education on its own would not address mental health and wellbeing issues, it "can form a key part of a whole system approach to mental and emotional wellbeing in schools."⁵⁷

Personal development

55. The Outdoor Education Advisers' Panel noted that alongside the health benefits residential outdoor education also contributes to educational outcomes.⁵⁸ The Countryside Alliance (Wales) said that outdoor education can "represent an invaluable, potentially transformative contribution to a child's learning and personal growth."⁵⁹

56. NAHT Cymru said that it can give opportunities for young people "to develop independence and learn new creative skills through teamwork and through pushing themselves."⁶⁰ While PGL Travel also highlighted the development of interpersonal skills, in addition to the physical and mental health benefits, such as building independence, communication and interpersonal skills.⁶¹

57. The Children's Commissioner cited a number of different pieces of research which linked access to green spaces to children's physical development and activity. She said that for children who did not live near green spaces being able to access outdoor education was "vital to help support their health and

⁵⁵ [CYPE Committee, 24 January 2024, Record of Proceedings, paragraph 165](#)

⁵⁶ [Written evidence, ROE 18, Public Health Wales](#)

⁵⁷ [Written evidence, ROE 27, Welsh NHS Confederation, paragraph 23](#)

⁵⁸ [Written evidence, ROE 03, Outdoor Education Advisers' Panel \(OEAP\)](#)

⁵⁹ [Written evidence, ROE 10, Countryside Alliance \(Wales\), paragraph 2](#)

⁶⁰ [Written evidence, ROE 06, National Association of Head Teachers Union \(NAHT\) Cymru](#)

⁶¹ [Written evidence, ROE 14, PGL Travel](#)

development” before noting that it was also an “important aspect of every child’s development.”⁶²

58. Most of the parents / carers we spoke to were supportive of residential outdoor education, and felt that it contributed positively to children’s development. They highlighted benefits such as developing children’s independence, life skills, and interpersonal skills. One parent of a disabled child said:

“My son came home and he’d made a friend and he got invited to tea, and he’s still friends with him now, 6 years later. And that person’s become a real advocate for him.”⁶³

59. The Minister said outdoor education has “incredible benefits”. He said it is “beyond doubt” the positive impacts it can have on children and young people:

“It helps them develop, helps them grow, helps them make connections with the world around them, helps with that sense of wonder, that sense of awe, which is where curiosity comes from.”⁶⁴

60. A potential benefit, highlighted by the Welsh NHS Confederation, was that for those children who don’t have much outdoor experience, it could give an “insight into a world of employment which may not have occurred to them or their families.”⁶⁵

61. The Welsh Language Commissioner said that outdoor education can provide “important opportunities” for children to both use and hear Welsh outside of classrooms and “in informal and fun settings.” She said it could also “contribute substantially” to the aims of Cymraeg 2050.⁶⁶

Residential element of outdoor education

62. Estyn said there was “something about staying away overnight that is special, that is unique, and if it’s done in an inclusive way, so that every child can take part,

⁶² [Written evidence, ROE.15, Children’s Commissioner for Wales](#)

⁶³ [CYPE Committee, Residential Outdoor Education \(Wales\) Bill, Engagement Findings, January 2024, paragraph 19](#)

⁶⁴ [CYPE Committee, 24 January 2024, Record of Proceedings, paragraph 195](#)

⁶⁵ [Written evidence, ROE.27, Welsh NHS Confederation, paragraph 18](#)

⁶⁶ [Written evidence, ROE.13, Welsh Language Commissioner](#)

then great...". They said being away is the "unique feature" of residential outdoor education.⁶⁷

63. The Outdoor Education Advisers' Panel highlighted the 'Learning Away' strategy, which showed:

*"... that by participating in a residential visit, there is a unique interplay between the natural environment, challenge and staying away from home that brings about pro-environmental behaviours, as well as enhancing learning, achievement and well-being of children and young people."*⁶⁸

64. Snowdonia-Active also cited this work saying that it shows how "quality residential learning" has a range of positive benefits, which can also help "transform the learning experience of students; can help to transform schools; and does not need to be expensive."⁶⁹

65. Public Health Wales said it was "challenging to find evidence that can distinguish between the value of outdoor learning experiences which can be delivered through normal day to day curriculum activity and day activities and the specific, additional impact, if any, of a residential experience." Although they did say there was "some evidence" that indicates the positive impacts of outdoor education. They said that it was not "in our view, possible to isolate the specific contribution of 'residential' outdoor education compared to non-residential outdoor learning to children and young people's development...". They said:

*"... the evidence base for the benefit of residential outdoor learning, particularly compared to other possible learning experiences and needs, makes it difficult to support the Bill".*⁷⁰

66. The Royal College of Paediatrics and Child Health raised similar issues, saying that the data on impact is limited because it's often "studied alongside other factors which makes it difficult to assess the specific impact." If the Bill was passed, they said there would need to be effective monitoring of both implementation and impact.⁷¹ (We look at issues around monitoring in the next Chapter.)

⁶⁷ [CYPE Committee, 14 December 2023, Record of Proceedings, paragraphs 165-166](#)

⁶⁸ [Written evidence, ROE.03, Outdoor Education Advisers' Panel \(OEAP\)](#)

⁶⁹ [Written evidence, ROE.21, Snowdonia-Active](#)

⁷⁰ [Written evidence, ROE.18, Public Health Wales](#)

⁷¹ [Written evidence, ROE.20, Royal College of Paediatrics and Child Health \(Wales\)](#)

67. The Minister said if the “value in the activity is the residential element” he was unclear why it is “attached to outdoor education as opposed to a music course or a drama course or some other activity.”⁷²

68. The Member in Charge said that he “absolutely” acknowledged that there may not be “empirical evidence that says that, per night stayed away, it will have x impact on a child’s life...”⁷³

69. His Support Staff said that a “lack of evidence of impact is not a lack of impact—it just means that the evidence hasn’t been gathered yet.” He also cited some of the evidence within the EM. He said that there is a “complex” mix of things that happen on a residential, including “challenge events ... overnight ... conditions that surround all of that.” The combination of all these elements, and the development of relationships between staff and students can be lost without the residential element of the experience.⁷⁴

70. The Member in Charge also accepted the concerns that had been raised (see paragraph 54 about the potential for residential outdoor education to impact on healthcare spending. But he said that while you can’t “necessarily put a pound sign” against it, there is “clear evidence” that outdoor experiences and contact with nature “positively impacts on people’s mental health.”⁷⁵

Equality of access

71. Equity of access and opportunity was highlighted by a large number of stakeholders.

72. The Member in Charge said that “access and opportunity of access” was fundamental to the Bill, indicating that the data has shown that only 9 out of 30 special schools had undertaken residential outdoor education in the last year. He accepted this may be due to “all sorts of reasons” but that the Bill “would look to level that playing field.”⁷⁶

73. The Institute for Outdoor Learning said it was “inequitable and counter to the Welsh Government’s Child poverty strategy” that the benefits of residential outdoor education “are exclusively available to those in certain schools and with

⁷² [CYPE Committee, 24 January 2024, Record of Proceedings, paragraph 208](#)

⁷³ [CYPE Committee, 1 February 2024, Record of Proceedings, paragraph 29](#)

⁷⁴ [CYPE Committee, 1 February 2024, Record of Proceedings, paragraphs 30-32](#)

⁷⁵ [CYPE Committee, 1 February 2024, Record of Proceedings, paragraphs 34 - 40](#)

⁷⁶ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 42](#)

certain household incomes”.⁷⁷ While the Outdoor Education Advisers’ Panel said that “core values of fairness, equality and social justice” were at the heart of the Bill.⁷⁸

74. Snowdonia-Active highlighted that children living in the most affluent areas in Wales “are twice as likely” to participate in residential outdoor education than those “living in areas with high levels of deprivation.”⁷⁹

75. The Children’s Commissioner described the “importance and necessity” of the Bill, saying there was currently a “large postcode lottery, both in terms of whether or not your school offers such activities, and whether or not this is affordable to attend.” She said that the reality was without this Bill, “many children” will not have these experiences. She also highlighted that these experiences can expose children from low income families to activities such as canoeing or rock climbing which they may otherwise not have the opportunity to experience.⁸⁰

76. Cardiff and Vale University Health Board said the Bill would help reduce inequalities because it would ensure all children have opportunities to access residential outdoor education.⁸¹

77. Sports Wales said broadly that schools are “the only setting that can potentially impact on every child regardless of income and thus gives young people opportunities that they might not otherwise be able to participate in.”⁸² An aspect that the Welsh NHS Confederation also highlighted.⁸³

78. While the Royal College of Paediatrics and Child Health highlighted existing health inequalities in Wales, and the impact it has on children’s physical and mental health.⁸⁴

79. The Association of Heads of Outdoor Education Centres said they saw children missing out on these opportunities. Often, they said, these can be children who may be “... considered problematic or difficult with their behaviour and some of their needs...”. They also cited a “big tranche of children in the middle

⁷⁷ [Written evidence, ROE.1, Institute for Outdoor Learning, paragraph 21](#)

⁷⁸ [Written evidence, ROE.03, Outdoor Education Advisers’ Panel \(OEAP\)](#)

⁷⁹ [Written evidence, ROE.21, Snowdonia-Active](#)

⁸⁰ [Written evidence, ROE.15, Children’s Commissioner for Wales](#)

⁸¹ [Written evidence, ROE.11, Cardiff and Vale University Health Board](#)

⁸² [Written evidence, ROE.19, Sports Wales](#)

⁸³ [Written evidence, ROE.27, Welsh NHS Confederation, paragraph 8](#)

⁸⁴ [Written evidence, ROE.20, Royal College of Paediatrics and Child Health \(Wales\)](#)

that just get on with things they're also not able to afford it, and that comes down to that equity issue." They asked:

"Do we want to have a curriculum that is available to all and to give equity and opportunity, or do we want to have something that is, how shall we say it, a postcode lottery and which depends on where you live, what you earn, how much you can afford, I think?"⁸⁵

80. NASUWT said that children themselves recognise and are "highly concerned" about not being able to participate and are "acutely aware of their own situation in not being able to go." They said there was "no dispute" about the inequity in access, with disadvantaged children having "poor access."⁸⁶ NEU said the "offer could particularly benefit those children from disadvantaged backgrounds, who otherwise may be unable to afford a residential school trip."⁸⁷ The Countryside Alliance also felt that those who could most benefit from these experiences may be those for whom their "personal and family circumstances" do not enable them to participate.⁸⁸

81. Estyn said that inequity of access was "not right and needs to be addressed". If the Bill is passed, they said it was important for schools to be "judicious in choosing activities that enable all pupils to participate in those activities." They acknowledged this would vary from school to school, but that the system will need to ensure there are no inequities in implementation.⁸⁹ They also said that if this is part of the curriculum that "every child should be able to go on that trip and cost should not be a barrier to that."⁹⁰

82. Parentkind shared the findings of a survey they had done with parents in Wales on the Bill. This survey found that:

"... More than two in five (45%) of all parents say they would appreciate these activities being offered at their child's school. For families living on a lower income, this need was higher still with nearly half (49%) requesting this option. ... This suggests that many parents of all backgrounds would recognise the

⁸⁵ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 263](#)

⁸⁶ [Written evidence, ROE 07, NASUWT Cymru, paragraphs 7 and 12](#)

⁸⁷ [Written evidence, ROE 08, National Education Union Cymru \(NEU\)](#)

⁸⁸ [Written evidence, ROE 10, Countryside Alliance \(Wales\), paragraph 2](#)

⁸⁹ [CYPE Committee, 14 December 2023, Record of Proceedings, paragraph 141](#)

⁹⁰ [CYPE Committee, 14 December 2023, Record of Proceedings, paragraph 133](#)

wellbeing benefits of their child experiencing a week of outdoor education.”⁹¹

83. Learning Disability Wales noted that:

“... provision for people with a learning disability is embedded in the legislation, in practice this may prove more challenging given differing and often unique needs of individuals. An unintended consequence of the legislation may be that those needs go unmet because of the pressure to provide opportunities for the majority of young people who do not have a learning disability. ... Children and young people with a learning disability might be among those who would benefit the most from the experiences outdoor education offers. There need to be assurances that they do not miss out on such experiences, that the offer provided by the legislation is equitable despite the extra costs that might incur from inclusive access.”⁹²

84. Issues of unequal access to residential experiences have been highlighted throughout our inquiry into disabled access into education and childcare. In our engagement on this inquiry, a number of participants felt that it was important disabled children and young people had opportunities to access residential outdoor education, because they may be more limited in their opportunities to access such opportunities than other children and young people.

“More so, I would say for children with special needs and the reason...they already have limited access to the world.”⁹³

85. UCAC said that in terms of securing equity of provision “legislation like this is certainly the way forward.”⁹⁴ They also “applaud the desire to ensure equal opportunities for all pupils.” They called it an admirable ambition.⁹⁵ (Although they did not support the progression of the Bill in its current form at the current time. We explore these issues in the next Chapter.)

⁹¹ [Written evidence, ROE 09, Parentkind](#)

⁹² [Written evidence, ROE 16, Learning Disability Wales](#)

⁹³ [CYPE Committee, Residential Outdoor Education \(Wales\) Bill, Engagement Findings, January 2024, paragraph 12](#)

⁹⁴ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 356](#)

⁹⁵ [Written evidence, ROE 05, Undeb Cenedlaethol Athrawon Cymru, paragraph 1.2](#)

86. Snowdonia-Active said “fair and universal access” could have wider impacts in particular “economic, social and environmental benefits.”⁹⁶

Links with the Curriculum for Wales

87. We were told about how the Bill links with the Curriculum for Wales. The Urdd said that residential outdoor education “contributes to the four objectives in the new curriculum”,⁹⁷ a view supported by the Outdoor Education Advisers Panel for England and Wales,⁹⁸ UCAC,⁹⁹ and Learning Disability Wales.¹⁰⁰

88. Some, however, raised concerns about how the Bill fitted within the curriculum. ASCL said there was a need to be “very wary in terms of how the Bill would sit within the wider Curriculum for Wales.” They were concerned that there was a risk of this provision being “shoehorned” into the learning journey of a child which would be contrary to the progressive approach to learning in the curriculum.¹⁰¹

89. UCAC also asked why residential outdoor education was being given priority and made statutory at the potential expense of other types of experiences such as trips abroad. They said there is a danger in making particular elements compulsory.¹⁰²

90. The Welsh Government said that the curriculum already “makes ample provision for outdoor experiences” and that the case has not been made as to why residential outdoor education must be offered.¹⁰³

91. The Minister said that making residential outdoor education mandatory was “not consistent ... with the vision underpinning the curriculum.” He says the Bill “undermines that flexibility for schools to design a local curriculum that meets the needs of the particular pupils that they are serving.”¹⁰⁴

⁹⁶ [Written evidence, ROE 21, Snowdonia-Active](#)

⁹⁷ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 192](#)

⁹⁸ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 198](#)

⁹⁹ [Written evidence, ROE 05, Undeb Cenedlaethol Athrawon Cymru, paragraph 1.4](#)

¹⁰⁰ [Written evidence, ROE 16, Learning Disability Wales](#)

¹⁰¹ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 198](#)

¹⁰² [Written evidence, ROE 05, Undeb Cenedlaethol Athrawon Cymru, paragraph 2.3](#)

¹⁰³ [Written evidence, ROE 24, Welsh Government, paragraph 2.2](#)

¹⁰⁴ [CYPE Committee, 24 January 2024, Record of Proceedings, paragraph 192](#)

A continuum of outdoor education

92. From different perspectives we heard about the importance of residential outdoor education being seen within the context of a breadth of different outdoor education experiences. For some, this continuum clearly supported the policy intention behind the Bill, for others they felt it was picking out one element of outdoor education at the possible expense of others.

93. The Outdoor Education Adviser's Panel said that a residential was part of a "continuum" which starts being introduced in school, can move to "first steps into your local park" with the residential then seeing "youngsters blossom in different ways." They said that often "youngsters who are very quiet in a classroom come to the fore, and then they take that experience back to school."¹⁰⁵

94. WLGA said that outdoor education has to be embedded throughout a child's whole school career. The provision within this Bill should not be seen as the sole element of outdoor education.¹⁰⁶ The Children's Commissioner also highlighted the opportunities for linking the provision back to activities when back at school, which will enable children to continue to have a connection to the natural environment and their sense of place.¹⁰⁷

95. NASUWT had concerns about how the experiences of one week of residential outdoor education would link back into the full breadth of a child's time in school. They called for a "bigger, stronger framework to ensure that any learning that would be gained from a week out of a 10-year school career" would be consolidated, and linked back to both the school and the wider community the child lives in.¹⁰⁸ They said without it being embedded outdoor learning "remains vulnerable to funding and policy changes."¹⁰⁹

96. NASUWT said there can be lots of different outdoor experiences that are local to the school and the area, for example forest schools, field trips, gardening on site, or linking up with third sector groups within the area.¹¹⁰ UCAC agreed saying that these opportunities are part of the broader package and that "one week can't really be the be-all and end-all as far as that's concerned."¹¹¹

¹⁰⁵ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 198](#)

¹⁰⁶ [CYPE Committee, 24 January 2024, Record of Proceedings, paragraph 26](#)

¹⁰⁷ [Written evidence, ROE 15, Children's Commissioner for Wales](#)

¹⁰⁸ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 305](#)

¹⁰⁹ [Written evidence, ROE 07, NASUWT Cymru, paragraph 20](#)

¹¹⁰ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 314](#)

¹¹¹ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 367](#)

- 97.** Sports Wales said it was important that the Bill did not come to be seen as ticking the box for physical activities for a year group. They said outdoor learning needed to be integrated into learning, and that the Bill’s provisions should be “seen as an enrichment to develop and build on important life skills needed in an inclusive environment.”¹¹²
- 98.** Estyn said it was important for schools to think about how they can incorporate outdoor learning throughout a child’s school career, highlighting that some of these opportunities can be “cost neutral”.¹¹³ They said they were “keen” to emphasise this regardless of whether the Bill is passed.¹¹⁴ NAHT agreed with Estyn. They said there were opportunities within the current system, and that schools and others in the sector could be encouraged to “really take this issue seriously” and that with a “little bit more definition, we can push it.”¹¹⁵
- 99.** NASUWT supported calls for more focus on outdoor learning, saying that there isn’t enough clarity on what works well. They said that “outdoor learning hasn’t really been focused or recorded or, you know, outcome measures garnered et cetera...” and as a result welcomed the focus on outdoor education arising from the Bill.¹¹⁶
- 100.** The Royal College of Paediatric and Child Health also said that there were opportunities to incorporate the aspirations of the Bill into the new curriculum. They called on the Welsh Government to widen access and opportunities for children to engage with different outdoor education “with an emphasis on the importance of physical activity.”¹¹⁷
- 101.** UCAC said the “emphasis on ‘cynefin’ means that outdoor activities will perfectly suit the requirements of the new curriculum.”¹¹⁸
- 102.** The Welsh Government said they “consider the most effective way to develop learners’ positive behaviours around and relationship with the outdoors to be a continuous experience of outdoor learning throughout their learning journey.”¹¹⁹

¹¹² [Written evidence, ROE 19, Sports Wales](#)

¹¹³ [CYPE Committee, 14 December 2023, Record of Proceedings, paragraphs 148](#)

¹¹⁴ [CYPE Committee, 14 December 2023, Record of Proceedings, paragraphs 167](#)

¹¹⁵ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 245](#)

¹¹⁶ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 305](#)

¹¹⁷ [Written evidence, ROE 20, Royal College of Paediatrics and Child Health \(Wales\)](#)

¹¹⁸ [Written evidence, ROE 05, Undeb Cenedlaethol Athrawon Cymru, paragraph 13](#)

¹¹⁹ [Written evidence, ROE 24, Welsh Government, paragraph 5.12](#)

103. The Minister also emphasised the “continuum of learning from 3 to 16” within the curriculum. He therefore did not believe it was “sensible ... to legislate for individual approaches or activities...” He added that if you went down this particular path it would be difficult to “distinguish particular interventions for forest schools, sports days, nature walks all sorts of other particular interventions.”¹²⁰ He also said he was concerned that the focus would be on delivering this specific provision “rather than the broader set of outdoor learning experiences that the curriculum currently provides.”¹²¹

104. The Minister also noted that access to outdoor education can be cheaper than residential outdoor education (even with the cost of the provision itself funded by the Bill). (We look at the issues around cost in the section on barriers to accessing residential outdoor education.) He said there are lots of different ways in which “schools can and are delivering that outdoor learning experience very, very effectively.”¹²²

105. The Minister said he felt the same objectives of the Bill could be achieved by focusing on “how outdoor learning can be a larger part of the curriculum.” He said he was keen to work together with the Member in Charge on how resources and guidance can be expanded.¹²³

106. The Member in Charge agreed that the progression element of outdoor education and that it is a “journey ... of learning...” with elements which support children to be outdoors. But he said that residential outdoor education experiences are “an important part of that progression, an important part of memory making, which will last a lifetime.”¹²⁴

Current provision

107. The EM sets out the current rates of participation in residential outdoor education. It uses data from the EVOLVE visit notification system, which is used by all Welsh local authorities, except Neath Port Talbot. The EM notes that in using this data, they have used school-level data rather than pupil-level data to avoid

¹²⁰ [CYPE Committee, 24 January 2024, Record of Proceedings, paragraph 193](#)

¹²¹ [CYPE Committee, 24 January 2024, Record of Proceedings, paragraph 215](#)

¹²² [CYPE Committee, 24 January 2024, Record of Proceedings, paragraph 196](#)

¹²³ [CYPE Committee, 24 January 2024, Record of Proceedings, paragraph 252](#)

¹²⁴ [CYPE Committee, 1 February 2024, Record of Proceedings, paragraphs 28-29](#)

multiple counting in instances where pupils may have participated on more than one occasion.¹²⁵

“In the academic year 2022/23, approximately two thirds (67%) of Welsh primary schools and middle (all-age) schools organised an outdoor education residential for their Key Stage 2 pupils. This means that one third, or nearly 400 schools, and their children, did not access an outdoor education residential at Key Stage 2.

▪ *Just over half (54%) of secondary and middle (all-age) schools organised an outdoor education residential for their Key Stage 3 (Years 7 to 9) pupils in 2022/23 and less than half (48%) organised an outdoor education residential for their Key Stage 4 (Years 10 to 11) pupils. This means that just under half, or around 90 schools and their children, did not access an outdoor education residential at Key Stage 3. Over half, or around 100 schools and their pupils, did not access an outdoor education residential at Key Stage 4.*

▪ *Of the 37 special schools in Wales, 9 (24%) organised outdoor education residentials in 2022/23.”¹²⁶*

108. It notes that while there may be some impact on visits because of the pandemic, that the EVOLVE data for 2018/19 indicates that “2022/23 levels reflect the long-term picture rather than simply a post-pandemic effect.”¹²⁷ It also reflects on data from the Outdoor Education Advisers Panel Cymru, which indicated that even when schools do organise residential outdoor education, not all pupils will participate. Data from a recent survey indicated that “in over a third of schools responding (118 out of 329), of those children offered the opportunity ... fewer than 75% ... take part.”¹²⁸ We look at the barriers to accessing residential outdoor education in the next section.

¹²⁵ [Sam Rowlands MS. Residential Outdoor Education \(Wales\) Bill: Explanatory Memorandum, footnote 25. 24 November 2023](#)

¹²⁶ [Sam Rowlands MS. Residential Outdoor Education \(Wales\) Bill: Explanatory Memorandum, paragraph 40. 24 November 2023](#)

¹²⁷ [Sam Rowlands MS. Residential Outdoor Education \(Wales\) Bill: Explanatory Memorandum, paragraph 41. 24 November 2023](#)

¹²⁸ [Sam Rowlands MS. Residential Outdoor Education \(Wales\) Bill: Explanatory Memorandum, paragraph 44. 24 November 2023](#)

109. The Member in Charge’s Support staff said that the EVOLVE data gave “a much greater depth of understanding” in terms of current provision, and that because it covers 21 out of 22 local authorities it gives “quite a lot of confidence in what we’ve got.” They said the information they have is “as good as we can get at this point.”¹²⁹

110. While the Senedd Researcher supporting the Member in Charge said that the data showed variation across different local authorities and areas of Wales, “essentially, pupils have more chance of getting to go on an outdoor residential, depending on where they live.”¹³⁰

111. One of the reasons for this variation in provision was, said the Member in Charge, because currently it’s an enrichment activity rather than an entitlement.¹³¹ He said this Bill is trying to resolve the inequity of access.¹³²

112. The Member in Charge reflecting on this data said it:

“... comes back to the fundamental reason why I think the Bill should exist because, which is equity of access for all, which I think is something that the Welsh Government would be keen to support as well.”¹³³

Barriers to accessing residential outdoor education provision

113. The Bill aims to mitigate one of the key barriers to accessing residential outdoor education provision: the cost of such visits. The EM states that the Bill will address “economic inequality and other factors” that lead to children missing out on these opportunities, either because their school simply does not offer it, or if their school does offer it they cannot participate due to the costs.¹³⁴ Although, as the EM outlines, this is not the only barrier. We explore the different barriers and the extent to which the Bill can address these.

¹²⁹ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraphs 27-28](#)

¹³⁰ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 30](#)

¹³¹ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 45](#)

¹³² [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 52](#)

¹³³ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 31](#)

¹³⁴ [Sam Rowlands MS, Residential Outdoor Education \(Wales\) Bill: Explanatory Memorandum, paragraph 15, 24 November 2023](#)

Financial barriers

114. The EM cites the data from the Outdoor Education Advisers Panel survey which indicated “that by far the greatest barrier” to participation are financial constraints, which was cited by 59% of schools responding to this question.¹³⁵ The Member in Charge also said that the “No. 1 barrier is financial constraints”.¹³⁶

115. This was reflected in the evidence we received. Parentkind said the National Parent Survey results show that there is “considerable parental anxiety over school costs”, and that school trips are seen as one of the biggest concerns. They said that 50% of parents in Wales are concerned about the costs of trips, which is slightly higher than the UK overall rate of 44%. These rates increase for those who are eligible for free school meals or have a child with additional learning needs. They said reliance on parental financial contributions creates barriers for families on low incomes, as well as larger families who have more children to pay for.¹³⁷ Parentkind also said ensuring that having the costs of travel, accommodation and meals fully funded was “particularly important” to the parents who responded to their survey on the proposals.¹³⁸

116. While the Children’s Commissioner cited the findings from her “largescale national survey” where the major issue raised was cost of living and poverty. She said 56.5% of respondents worried about paying for school trips. While 86.2% of professionals were concerned about these costs. Yet she said when children and young people were asked what would make their lives better, “more trips and activities” was cited.¹³⁹

117. Estyn said that unless the cost of residential is “completely” covered that “inevitably” some will miss out. They said schools would need to “select experiences that do not bring those additional costs along in order that every child can equally access those opportunities.”¹⁴⁰

Impact of rising costs

118. We also heard that the current cost of living pressures mean that families who may previously been able to afford these expenses are finding “their priorities

¹³⁵ [Sam Rowlands MS, Residential Outdoor Education \(Wales\) Bill: Explanatory Memorandum, paragraph 45, 24 November 2023](#)

¹³⁶ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 45](#)

¹³⁷ [Written evidence, ROE 09, Parentkind](#)

¹³⁸ [CYPE Committee, 24 January 2024, Record of Proceedings, paragraph 134](#)

¹³⁹ [Written evidence, ROE 15, Children’s Commissioner for Wales](#)

¹⁴⁰ [CYPE Committee, 14 December 2023, Record of Proceedings, paragraph 131](#)

are elsewhere.”¹⁴¹ NASUWT said the “working poor are deeply affected by this crisis.”¹⁴² While ADEW said that there “will be increased pressure on families” at the moment.¹⁴³

119. Other financial barriers that could prevent children attending, could include those children who are also carers, and whether there would be money available for respite care for the people the children usually care for. This was raised by NEU Cymru.¹⁴⁴

120. The Urdd said:

“... Not every child can afford to come. There are classes where they're not necessarily full when they come to us. Where there would be a class of 120, perhaps around 90 of them would come to us in the Urdd.

We're also seeing a reduction. We had, for example, a primary school, ... 56 per cent of them had free school meals. That school no longer comes to us. ... That's not necessarily true for every school, ... There's clearly that desire to bring those children to the residential centres.

But also, on top of that, the cost of transport is increasing. It's not just the cost of the residential centres themselves, which puts a lot of pressure on schools, but we've seen an increase in cost—. The cost of staying in our residential centres is around £250 for two nights, when we think about schools in particular. So, that's something we need to consider, because that effects not just those schools from disadvantaged areas. Perhaps it's that squeezed middle that's being affected also. They can sometimes be forgotten about because this is seen as more of a luxury, where it could be an essential thing.”¹⁴⁵

¹⁴¹ [Written evidence, ROE 1, Institute for Outdoor Learning, paragraph 19](#)

¹⁴² [Written evidence, ROE 07, NASUWT Cymru, paragraph 16](#)

¹⁴³ [CYPE Committee, 24 January 2024, Record of Proceedings, paragraphs 43](#)

¹⁴⁴ [Written evidence, ROE 08, National Education Union Cymru \(NEU\)](#)

¹⁴⁵ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraphs 193-195](#)

121. The parents we spoke to also said that the costs were a barrier to their children going on residential outdoor education. Most of those we spoke to supported the Bill’s proposals that costs would be covered.¹⁴⁶

122. PGL said they are seeing groups moving from longer five day residential to shorter three day residential. They said that “over 90%” of those who go to PGL “are from establishments with PDG levels of 40% or less”. They said it was “quite clear that financial constraints were a key barrier to travel.”¹⁴⁷ The Outdoor Adviser’s Panel for England and Wales said that in North Wales while the number of schools visits is back to pre-pandemic levels “the number of youngsters participating has often dropped off, and that’s due to cost.”¹⁴⁸

123. As we highlight in paragraph 80, there can also be stigma attached to children being very aware of the reasons why they might not be able to participate. This was highlighted by ADEW.¹⁴⁹ The Institute for Outdoor Learning said that some schools may not offer opportunities to some children “to avoid the social stigma of not being able to afford to attend” and that this can extend to whole schools in more deprived areas simply not offering opportunities because they know “very few” families can afford them.¹⁵⁰

124. NASUWT said children can be very aware that if they go on visits that cost money that might cause financial difficulties for their family. They said a child had described it as “creating their own inbuilt denier to going on trips”.¹⁵¹

Accessing financial support

125. In relation to setting eligibility criteria, the Children’s Commissioner said:

“The difficulty with setting a cut off point for eligibility of this kind is the squeeze that this would put on families that sit just above the threshold in particular. This is clearly seen with the very low threshold for free school meal eligibility (which relates to other grant funding eligibility too), where the impact of the costs of food, school uniform and many other costs will hit hard, notwithstanding all the other current cost of living pressures.”

¹⁴⁶ [CYPE Committee, Residential Outdoor Education \(Wales\) Bill, Engagement Findings, January 2024, paragraph 23](#)

¹⁴⁷ [Written evidence, ROE 14, PGL Travel](#)

¹⁴⁸ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 197](#)

¹⁴⁹ [CYPE Committee, 24 January 2024, Record of Proceedings, paragraph 43](#)

¹⁵⁰ [Written evidence, ROE 1, Institute for Outdoor Learning, paragraph 20](#)

¹⁵¹ [Written evidence, ROE 07, NASUWT Cymru, paragraph 28](#)

That bar is currently set far too low and my office and I have repeatedly called for this to be reviewed. I would not support this threshold being used for eligibility in this nature, as it will exacerbate the gap between the haves and the have nots, ...”¹⁵²

126. These concerns were shared by others, including the Institute for Outdoor Learning who said that while some can access financial support they will often be “the poorest in the school” and that those who are just above thresholds, such as the “working poor” are unable to go on trips because of the costs and a lack of support.¹⁵³ The NASUWT said targeted interventions would exclude the working poor and “aggravate” further existing inequalities.¹⁵⁴ While Parentkind said that for parents “universal accessibility and eligibility is an important point”. As with the Children’s Commissioner they highlighted that not all low income families meet the eligibility criteria for free school meals.¹⁵⁵

Associated costs of trips for families

127. We heard that it was important to ensure that the associated costs of trips were kept to a minimum to ensure that financial factors did not continue to create a barrier, even if the core elements of the residential (travel, accommodation, meals and activities) are covered by the funded element of the Bill.

128. Parentkind said that it was “essential” that the Bill is “free of charge” to ensure that cost does not remain a barrier to larger families, families who are eligible for FSM or other lower income families.¹⁵⁶

129. The Welsh NHS Confederation said “outdoor education should be minimal cost to allow for all children to participate. Travel, equipment, clothing should be provided alongside the cost of the actual residential opportunity.”¹⁵⁷

130. NAHT said that the additional items “can be pretty straightforward” and that at the representative’s school they “advise pupils to wear old clothing, tracksuit bottoms and a T-shirt and some old trainers, because we know that people are going to be engaged in that. So, it can be less of an expense.” However, they noted the “social pressures” and that even if children have been told they don’t need

¹⁵² [Written evidence, ROE 15, Children’s Commissioner for Wales](#)

¹⁵³ [Written evidence, ROE 1, Institute for Outdoor Learning, paragraph 19](#)

¹⁵⁴ [Written evidence, ROE 07, NASUWT Cymru, paragraph 16](#)

¹⁵⁵ [Written evidence, ROE 09, Parentkind](#)

¹⁵⁶ [Written evidence, ROE 09, Parentkind](#)

¹⁵⁷ [Written evidence, ROE 27, Welsh NHS Confederation, paragraph 12](#)

certain items or numbers of items, “they often want to make sure that they are looking at least like their peers” and that this could be “quite insidious”.¹⁵⁸

131. ADEW said that for some families they may only have one coat and one set of shoes for their child.¹⁵⁹ UCAC also raised this, saying if children are asked to take “an old pair of trainers” that means taking their present trainers and then needing a new pair of trainers.¹⁶⁰ They said that even if there are not requirements to buy “specific equipment” that “buying an extra pair of shoes, a raincoat or a sleeping bag is going to be a burden for some families.”¹⁶¹ NEU said that some children may not have a bag.¹⁶² The Wales Council for Outdoor Learning said their members have had some children and young people not having “sufficient day to day clothing.”¹⁶³

132. We explored to what extent outdoor education centres will provide equipment and suitable clothing. NEU said that providers will usually provide “equipment” needed for particular activities, it can be the amount of “suitable clothing” or other items, such as bags which can add costs, and which children won’t necessarily already have.¹⁶⁴ ASCL agreed and said that while centres are good at providing equipment it’s the “peripheral items” that “bump up the cost”. Citing things like the clothes to wear to travel and for when they are not doing the activities.¹⁶⁵ NAHT also flagged food costs saying “the amount of snacks and the pressure to provide them is significant in its own right.”¹⁶⁶

133. The Outdoor Partnership said that schools and centres “work together” to remove as many participation barriers as possible. They said schools will “often” have “strategies” to support families with costs. They said that “many if not all centres” provide a “range of equipment ... including hats, fleeces, gloves, rucksacks, wellingtons and boots. Some even can provide water bottles and loan thermos flasks.” They said that “Kit lists’ are usually produced by schools prior to residential visits and many providers will offer to attend a parent briefing where clothing requirements are usually covered.”¹⁶⁷ The Wales Council for Outdoor Learning said

¹⁵⁸ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraphs 216-217](#)

¹⁵⁹ [CYPE Committee, 24 January 2024, Record of Proceedings, paragraph 43](#)

¹⁶⁰ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 356](#)

¹⁶¹ [Written evidence, ROE 05, Undeb Cenedlaethol Athrawon Cymru, paragraph 5.1](#)

¹⁶² [CYPE Committee, 11 January 2024, Record of Proceedings, paragraphs 353](#)

¹⁶³ [Written evidence, ROE 26, Wales Council for Outdoor Learning \(WCfOL\)](#)

¹⁶⁴ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 353](#)

¹⁶⁵ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 227](#)

¹⁶⁶ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 232](#)

¹⁶⁷ [Written evidence, ROE 12, The Outdoor Partnership](#)

it's important for centres to communicate what can be provided by centres "to provide reassurance."¹⁶⁸

134. The Association of Heads of Outdoor Education Centres said:

"... Having known the education centres in the area that I operate in north Wales, I wouldn't say any of them require those things. There's a standard kit. ... they've all got their red waterproofs and their rucksack, they'll have walking boots provided for them, they'll have a fleece, and some of that is because not only may the parents not be able to afford it, but the kit might not be appropriate, and it's unreasonable to expect a parent who doesn't know about the outdoors—. ... So, the centres will provide quite a lot of that, and even to the degree that some will provide—. Literally, the children need a change of clothes and their normal school shoes. In the same way that school uniform banks will operate to give to them, some schools have that in operation, where they'll be able to give something for the children to take with them. ... And I think that's ad hoc at the moment; it's not an organised process. But I think, certainly with the residential centres that I work with in north Wales, we've not encountered a need, because the centres provide that equipment. Some of that—footwear in particular—you could consider that personal protective equipment when you're out hill walking, to actually be something that it's really important to have for good ankle support, good foot support and keeping their feet dry."¹⁶⁹

135. While the Outdoor Education Adviser's Panel for England and Wales said that in the centre run by the representative's local authority, they have "a bank of clothing" for children while bedding is provided. They said "generally speaking, they need to come with their clothes that they're in."¹⁷⁰

136. These issues were also raised by the parents / carers we spoke to, with one saying they were worried about "the true costs." Another parent said:

"They need to be really conscious about what their expectations are of parents, because even though they're saying it's free, if

¹⁶⁸ [Written evidence, ROE 26, Wales Council for Outdoor Learning \(WCfOL\)](#)

¹⁶⁹ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 233](#)

¹⁷⁰ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 235](#)

they're expecting so much from parents for them to provide, it's not realistic for some."¹⁷¹

137. Although some parents / carers felt that the overall benefits outweighed the barriers:

*"So getting extra boots and things like that, it's minimal in the scheme of things as to what your child will benefit from during this opportunity."*¹⁷²

138. The Children's Commissioner called for sharing of good practice in terms of centres providing support and supplying "relevant items". She said that through consideration of the Bill this issue could take "greater prominence" with a "cultural shift" taking place, so that there is an "expectation that there is a way of providing for and supporting cases of potential hardship."¹⁷³

139. The Wales Council for Outdoor Learning said one way of dealing with these challenges could be recycling clothing, which also supports the circular economy. They said a centralised approach could help, with schools and community groups involved. They also said some Council members have "sponsorship arrangements with outdoor clothing providers." They suggested exploring this further could "underpin clothing costs for those most in need?"¹⁷⁴

140. They also said that some schools currently "include the cost of a basic fleece and/or t-shirt in the package" for a residential. They said this helps ensure all children have a "minimum of appropriate clothing" but that it also "levels the playing field" in relation to branded items. They said the cost of this could be "covered by an additional payment to each school based on FSM criteria."¹⁷⁵

141. The representative of NAHT said that at their school they currently run an uniform bank, which includes "outdoor coats and trainers". But they said that the Bill could lead to an increase in capacity which "would be a challenge for us, I think."¹⁷⁶

¹⁷¹ [CYPE Committee, Residential Outdoor Education \(Wales\) Bill, Engagement Findings, January 2024, paragraph 40](#)

¹⁷² [CYPE Committee, Residential Outdoor Education \(Wales\) Bill, Engagement Findings, January 2024, paragraph 41](#)

¹⁷³ [Written evidence, ROE 15, Children's Commissioner for Wales](#)

¹⁷⁴ [Written evidence, ROE 26, Wales Council for Outdoor Learning \(WCfOL\)](#)

¹⁷⁵ [Written evidence, ROE 26, Wales Council for Outdoor Learning \(WCfOL\)](#)

¹⁷⁶ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 218](#)

142. The Minister said that while the Bill places an obligation on the Government to fund residential outdoor education “there are implications for families that go beyond that” which need to be taken into account.¹⁷⁷

143. The Member in Charge said the Bill could not “realistically ... remove every single cost necessary for a child to have this experience.” But that there is “evidenced understanding” that centres “have significant amounts of the equipment and clothing necessary for children to undertake these experiences.” He also said there are also “mechanisms ... safety nets in place, that exist already, that don’t need new legislation to create them, which would support children who may not have some of those essential items.”¹⁷⁸

144. The Member in Charge said that centres have all the equipment on site, and that “the most” a child may be expected to provide would be “a pair of wellies” although the centres he had visited, also had “stocks of wellies”. He said that the Bill does provide that “funding must be provided to ensure that these experiences are available”, this therefore gives Welsh Ministers the opportunity to adjust things that may be covered.¹⁷⁹

145. The Member in Charge said that there was also a “conversation for providers” but that if the Bill is passed that conversation is:

“... more secure... around the types of expectations... in particular, the expectations that they may have on parents. ... there's a conversation that could be had with them as to the expectations they put on children and families for the types of things that would be expected to come along.”¹⁸⁰

Support for associated costs

146. We also considered whether schemes such as the Schools Essentials Grant or the Pupil Development Grant could help cover these associated costs. This suggestion initially came from the Senedd Researcher supporting the Bill saying it “maybe” could be used “by families to buy things like coats and suitable footwear...”¹⁸¹

¹⁷⁷ [CYPE Committee, 24 January 2024, Record of Proceedings, paragraph 199](#)

¹⁷⁸ [CYPE Committee, 1 February 2024, Record of Proceedings, paragraphs 108-110](#)

¹⁷⁹ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraphs 47-49](#)

¹⁸⁰ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 56](#)

¹⁸¹ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 50](#)

147. NEU said eligibility for support should extend to all families on Universal Credit, because eligibility for the Schools Essential Grant is currently “very minimal”. They also said that the value of the grant would need increasing “otherwise this would be a cut to the Grant, which is needed by families on a low income to buy uniform.”¹⁸² ADEW agreed that this grant is being “absorbed” by the cost of uniform.¹⁸³

148. The Children’s Commissioner said use of the Schools Essentials Grant to cover these costs would be an “unrealistic expectation” because of the extent to which this money has to stretch to cover all other school related costs. Like NEU, she noted the eligibility criteria for the Grant, saying that it is only available to “families on very low incomes” and that families above the threshold report struggling with the costs of school uniform.¹⁸⁴

149. ADEW said that there is “very specific guidance” around how schools can use the Pupil Development Grant and that the amount varies between schools. They said:

“There may be some benefit, perhaps, in being more explicit around how that funding may be used to achieve those core principles of reducing inequity, because we know the value of outdoor education and residential experiences on children’s development academically, in terms of their confidence, their social skills, and their health, both physical and emotional. So, I think there could be some benefit to exploring that.”¹⁸⁵

150. WLGA agreed that the rules for this grant “are quite strict”. They also said they are being used for other purposes, and cannot be spent twice.¹⁸⁶

151. In responding to concerns that the School Essentials Grant would not be sufficient to cover the additional costs, the Member in Charge accepted this, but said that if the grant isn’t large enough “then it should be topped up.” He said if the Bill was passed then there could be “consideration” by the Minister to “ensure that the school essentials grant is topped up further if there is a requirement to do so.”¹⁸⁷

¹⁸² [Written evidence, ROE 08, National Education Union Cymru \(NEU\)](#)

¹⁸³ [CYPE Committee, 24 January 2024, Record of Proceedings, paragraph 44](#)

¹⁸⁴ [Written evidence, ROE 15, Children’s Commissioner for Wales](#)

¹⁸⁵ [CYPE Committee, 24 January 2024, Record of Proceedings, paragraphs 42](#)

¹⁸⁶ [CYPE Committee, 24 January 2024, Record of Proceedings, paragraph 46](#)

¹⁸⁷ [CYPE Committee, 1 February 2024, Record of Proceedings, paragraph 109](#)

Mental health and anxiety barriers

152. After financial barriers, one of the other big barriers to participation are child or parental anxiety / mental health issues. Parentkind said it was “the secondary consideration that is nonetheless important.” They also made the connection between the low income households and lower levels of wellbeing, saying that children from these households would “stand to benefit the most” from outdoor education. They said that open communication was “important” in overcoming barriers, particularly those children who have mental health issues, who may “have the most to gain” from these opportunities.¹⁸⁸ They also said some parents / carers may not find it easy to “voice” their concerns because of “perceptions around stigma and shame. ...”¹⁸⁹

153. The Association of Heads of Outdoor Education Centres said that since the pandemic there are more children “developing anxiety issues around leaving home, parents being anxious with their children leaving ...”. But they felt that residential outdoor education can “offer a supported way of helping the children overcome that.”¹⁹⁰

154. Public Health Wales outlined the different personal barriers from both the child’s and parent / carer’s perspective. They said the child’s barriers may include “participation, social or separation anxiety, barriers associated with unfamiliarity of the setting or activities, barriers associated to physical or emotional needs such as specialised diets, medication, accessibility and neurodiversity.” While the adult’s barriers will also be varied, and could include “parental anxiety and associated financial barriers may include caring responsibilities and barriers associated with geographical distance.”¹⁹¹

155. NASUWT said that anxieties around residential outdoor education may be because of “poor mental health” or because of a “lack of familiarity” with residential outdoor education.¹⁹²

156. Bendrigg highlighted that for parents of children with additional needs or disabilities there could be additional anxieties, in particular “low confidence” that the provider can “adequately cater for any additional needs or adaptations.”¹⁹³ This

¹⁸⁸ [Written evidence, ROE 09, Parentkind](#)

¹⁸⁹ [CYPE Committee, 24 January 2024, Record of Proceedings, paragraph 152](#)

¹⁹⁰ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 221](#)

¹⁹¹ [Written evidence, ROE 18, Public Health Wales](#)

¹⁹² [Written evidence, ROE 07, NASUWT Cymru, paragraph 22](#)

¹⁹³ [Written evidence, ROE 17, Bendrigg](#)

chimed with what we heard from our engagement, with participants agreeing that there was heightened anxiety for these parents. However, we also heard examples of how good communication and a good understanding of individual children’s needs would help with these concerns. Although, one parent said “there’s not enough information to give parents the confidence of letting their children go away overnight.”¹⁹⁴

Possible ways to overcome mental health and anxiety barriers

157. We heard that there are a number of ways in which these barriers can be overcome. Stakeholders such as:

- NASUWT,¹⁹⁵
- Parentkind,¹⁹⁶
- Bendrigg,¹⁹⁷
- Calvert Exmoor,¹⁹⁸ and
- Wales Council for Outdoor Learning¹⁹⁹

emphasised the importance of clear, accessible and open communication. Parentkind said that direct communication may be better for those who struggle with literacy or who don’t have English as their first language which can help families and schools make the right decision for a child.²⁰⁰

158. NAHT said that there needed to be a focus on “targeting pupils who lack that confidence or the parental support at home, just around attitudes in parents not seeing this as being something of that level of importance.” They said that more affluent families are more likely to encourage their children to participate, as they themselves may have taken part in these experiences when they were at school. They said that “deprivation and poverty are issues that are not just linked to the obvious financial concerns.”²⁰¹

¹⁹⁴ [CYPE Committee, Residential Outdoor Education \(Wales\) Bill, Engagement Findings, January 2024, paragraphs 47-51](#)

¹⁹⁵ [Written evidence, ROE 07, NASUWT Cymru, paragraph 22](#)

¹⁹⁶ [Written evidence, ROE 09, Parentkind](#)

¹⁹⁷ [Written evidence, ROE 17, Bendrigg](#)

¹⁹⁸ [Written evidence, ROE 25, Calvert Exmoor](#)

¹⁹⁹ [Written evidence, ROE 26, Wales Council for Outdoor Learning \(WCfOL\)](#)

²⁰⁰ [Written evidence, ROE 09, Parentkind](#)

²⁰¹ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 237](#)

159. Estyn emphasised the importance of “good local working” between schools and families. They said that it was also down to schools having “good working relationships” so that they can “accommodate every child’s needs in that planning stage.” In relation to mental health and anxieties:

“... what provisions can we put in place to enable those children to take part in that activity, working with that parent, even in the design stage of an activity, rather than a school planning an activity and then discovering further down the road that some children are not going to be able to take part in it.”²⁰²

160. The Urdd said they provide information packs for schools as well as a VR video “so parents can see where their children are going, not just the activities, but where they’ll stay, where they’ll meet, where they’ll be eating, and we feel that those sorts of steps can help to ease any concerns of children and parents.”²⁰³

161. Public Health Wales emphasised the importance of an “individual approach” to understanding anxieties, and that this would “improve uptake of the offer.”²⁰⁴ This view was echoed by Calvert Exmoor, which said that having direct conversations with parents is the most “successful way of encouraging participation”.²⁰⁵

162. The Outdoor Partnership said they were aware of schools that have the first overnight stay “within the school grounds” which as well as being cost effective means children are using toiletry, catering facilities which both families and children are familiar with. Then, when longer residential opportunities are offered later in the school career, “anxieties and fears should be allayed.”²⁰⁶ The Wales Council for Outdoor Learning also said that confidence can be built by “staying away overnight progressively – 1 overnight initially.”²⁰⁷ The Outdoor Education Adviser’s Panel also called for a “progressive programme of outdoor learning” within schools, which could help mitigate anxieties. They said that this was already happening in some schools in Monmouthshire.²⁰⁸

163. Bendrigg advocated “improved literature, images, films showing disabled and non-disabled people participating in outdoor activities alongside each other.

²⁰² [CYPE Committee, 14 December 2023, Record of Proceedings, paragraph 135](#)

²⁰³ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 249](#)

²⁰⁴ [Written evidence, ROE 18, Public Health Wales](#)

²⁰⁵ [Written evidence, ROE 25, Calvert Exmoor](#)

²⁰⁶ [Written evidence, ROE 12, The Outdoor Partnership](#)

²⁰⁷ [Written evidence, ROE 26, Wales Council for Outdoor Learning \(WCfOL\)](#)

²⁰⁸ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraphs 244-245](#)

This helps to ‘normalise’ the experience for everyone” and could help reduce anxieties for families with disabled children. They also said training for centre staff is “important”, as having staff with “knowledge, skills, confidence and infrastructure” to support disabled children “would provide more reassurance to children and their families”.²⁰⁹

164. The importance of having appropriately skilled staff leading these experiences was also highlighted by Public Health Wales²¹⁰ and Calvert Exmoor.²¹¹

165. Other suggestions to help with anxiety include offering pre-visit meetings, either online or in person. Bendrigg²¹² suggested this, along with Wales Council for Outdoor Learning,²¹³ and the Welsh NHS Confederation.²¹⁴ While the Outdoor Education Adviser’s Panel for England and Wales said that “most schools” have a meeting with parents before the residential.²¹⁵

166. The Member in Charge said that the first anxiety which is whether families can afford it would, if the Bill was passed, “go some way to deal” with some of these anxieties. He also said the Bill would also put in place a “programme where those options are available to build that experience of independence” which in the longer term could help with some of the issues around mental health well-being and anxiety.²¹⁶

167. He said that for those with separation anxiety, it’s “really important that we help to put things in place that help develop independence” but emphasised that the Bill does not compel people to have these experiences.²¹⁷ (We look at the issue of the mandatory nature of the provision in the next Chapter.)

168. He also said that there is already a lot of “great work” centres are doing in to help with these issues. He emphasised the role of teachers and headteachers, saying that they understand the benefits of these experiences, in particular for those with anxieties, and that they can have the conversations to “try and alleviate any of those worries as well.”²¹⁸

²⁰⁹ [Written evidence, ROE 17, Bendrigg](#)

²¹⁰ [Written evidence, ROE 18, Public Health Wales](#)

²¹¹ [Written evidence, ROE 25, Calvert Exmoor](#)

²¹² [Written evidence, ROE 17, Bendrigg](#)

²¹³ [Written evidence, ROE 26, Wales Council for Outdoor Learning \(WCfOL\)](#)

²¹⁴ [Written evidence, ROE 27, Welsh NHS Confederation, paragraph 14](#)

²¹⁵ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 242](#)

²¹⁶ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraphs 64-67](#)

²¹⁷ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 65](#)

²¹⁸ [CYPE Committee, 1 February 2024, Record of Proceedings, paragraphs 112-113](#)

Cultural barriers

169. While the main barriers cited were either financial or anxiety related, we also heard about cultural barriers which may make residential outdoor education less attractive to some groups of children and young people. The Welsh NHS Confederation said that if “it is unusual for children to participate in outdoor education then it will be more difficult for families to participate.” They also said that those families where English or Welsh are “second and third languages” may face barriers to participation.²¹⁹

170. NASUWT said there are “cultural and equalities barriers to accessing this specific world of outdoor adventure and conservation in the Western world, which are not explored in this Bill.”²²⁰ They said that addressing some of these “structural and cultural barriers is a monumental task” but they said only focusing on removing financial barriers will not deliver on the “social justice the Bill is aiming to address.”²²¹ They also said that if the “norms of the young people run counter to the messaging or packaging of outdoor residential experience” then children and young people won’t engage.²²²

171. NASUWT also described different assumptions about “what engaging with nature is” which can impede on engagement with outdoor learning.²²³ They said this lack of match can be “as personal and individual as the understanding of a first generation immigrant from the Indian sub continent, where walking is associated with poverty, why would this child want to be walking, when culturally they are told they have escaped that.”²²⁴

172. The Wales Council for Outdoor Learning said “collaborative planning” can help ensure cultural needs are supported.²²⁵

173. During one of our engagement activities, we heard from parents / carers who said that “family time” was important to them culturally. They said they as a result they preferred being able to travel as a family rather than children going on school residential. We also heard of the need for residential to be culturally

²¹⁹ [Written evidence, ROE 27, Welsh NHS Confederation, paragraph 11](#)

²²⁰ [Written evidence, ROE 07, NASUWT Cymru, paragraph 14](#)

²²¹ [Written evidence, ROE 07, NASUWT Cymru, paragraph 25](#)

²²² [Written evidence, ROE 07, NASUWT Cymru, paragraph 27](#)

²²³ [Written evidence, ROE 07, NASUWT Cymru, paragraph 30](#)

²²⁴ [Written evidence, ROE 07, NASUWT Cymru, paragraph 31](#)

²²⁵ [Written evidence, ROE 26, Wales Council for Outdoor Learning \(WCfOL\)](#)

sensitive, which included ensuring meeting dietary requirements and having appropriate activities. One parent said:

*"I sent my son on a trip recently and he had nothing to eat because there was no halal meat and he was only offered vegetables and he wouldn't eat them."*²²⁶

Need for legislation

174. When we asked the Member in Charge why legislation was needed he said:

*"... fundamentally, you legislate for what you think is important, and if you want something to be guaranteed, to be certain for people, then you put that into law. We have a case at the moment where, yes, many children do experience these opportunities, but it's not an entitlement; it's seen as an enrichment to their education."*²²⁷

175. He said that because he had chosen to put the provision within the curriculum primary legislation was "needed."²²⁸

176. Estyn said that if it is to be an entitlement for every child, then legislation was needed. While noting that there is an "awful lot of outdoor education" currently happening, and that there are ways to further "encourage, promote and support schools to promote the benefits of outdoor education and learning". They said that doing this did not need legislation, but making it an entitlement did.²²⁹

177. The Institute for Outdoor Learning supported "legislative change to eradicate inconsistency in provision ..." saying that there was a need for legislation to guarantee provision and to move it from being an enrichment activity to being a core entitlement.²³⁰ Ramblers Cymru said that legislation was the "most effective way" of addressing the inequality and inconsistency in current provision.²³¹

178. The WLGA noted that putting something in legislation "puts it onto a different level". Again, they noted that schools are already engaged in this activity.

²²⁶ [CYPE Committee, Residential Outdoor Education \(Wales\) Bill, Engagement Findings, January 2024, paragraphs 13-14, 31](#)

²²⁷ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 7](#)

²²⁸ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 15](#)

²²⁹ [CYPE Committee, 14 December 2023, Record of Proceedings, paragraph 114](#)

²³⁰ [Written evidence, ROE 1, Institute for Outdoor Learning, paragraphs 15, 17 and 18](#)

²³¹ [Written evidence, ROE 22, Ramblers Cymru](#)

They said if the Bill was passed there should be a review after a certain period to assess implementation.²³²

179. ADEW said that putting the requirement into legislation was the “only way to effectively guarantee that all learners could have access to a residential experience as part of their engagement in outdoor education.” As with Estyn and WLGA, they noted that schools do currently make provision but it’s not universal.²³³

180. The Welsh Government said that the Bill was “unnecessary” because schools already have the legal powers to offer residential outdoor education “if they wish.” It added that it believes the legal effect of the Bill is “unclear and is defective.” (We cover some of these issues in the next Chapter, in particular the sections on the guidance and the mandatory nature of the provision.) It says that the amendments this Bill would make to the 2021 Act are inappropriate because they do not “fit with the legislative scheme or the principles of that Act.”²³⁴ It goes on to say that because the Bill makes residential outdoor education compulsory it “undermines” the flexibility of the 2021 Act.²³⁵

181. The Minister said:

“... if the intention of the Bill is to require the Government to secure residential outdoor education to be offered and to fund it, specifically, then there is a need for primary legislation; if what is wanted is just to make residential outdoor education a mandatory part of the curriculum, then that can be achieved by regulations under the existing legislative framework.”²³⁶

182. In response to the Minister’s views, the Member in Charge said:

“The first key theme I felt was worth pointing out was the Minister suggesting that there wasn't a need for legislation in this area, because I think the phrase used was that schools already have legal powers to provide residential outdoor education, if they wish. Of course, that 'if they wish' is the important bit within that, and just a reminder that this legislation is seeking to enable all children in all schools in

²³² [CYPE Committee, 24 January 2024, Record of Proceedings, paragraph 10](#)

²³³ [CYPE Committee, 24 January 2024, Record of Proceedings, paragraph 13](#)

²³⁴ [Written evidence, ROE 24, Welsh Government, paragraph 2.1](#)

²³⁵ [Written evidence, ROE 24, Welsh Government, paragraph 3.3](#)

²³⁶ [CYPE Committee, 24 January 2024, Record of Proceedings, paragraph 201](#)

Wales to have that guaranteed opportunity, not whether a school wishes it or not, because I and many others fundamentally believe that this is a really important part of a child's education. So, that is why there is a need for legislation—
...²³⁷

183. The Legal Adviser to the Member in Charge said that the Bill does a number of things which require primary legislation, including the funding but also the duty it places on Welsh Ministers to ensure that residential outdoor education is on the curriculum. Additionally, it places a course of residential outdoor education on the face of the 2021 Act, which would not be possible through subordinate legislation.²³⁸

Our view on general principles and the need for legislation

184. We could not come to a consensus view on the general principles of the Bill. We are unanimous in supporting the intentions behind the Bill, and agree with the policy objectives. However, we cannot come to a single view on general principles because some of us have concerns about financing and implementing the Bill. Other Members believe that these concerns should be addressed by the Member in Charge through the scrutiny process, and as a result the Bill should therefore proceed. As a result, we are not making a recommendation as to whether the Senedd should approve general principles of the Bill.

185. However, we do believe there is merit in us outlining our views on some of the implementation and financial issues, on which we are agreed. We therefore have made recommendations throughout this report either for the Member in Charge to address, or suggestions for potential amendments if the Bill does progress in the rest of the report. All of our subsequent recommendations should be considered within that context.

186. In the next two chapters we look at some of the ways in which the barriers detailed in this Chapter could be mitigated or addressed.

²³⁷ [CYPE Committee, 1 February 2024, Record of Proceedings, paragraph 7.](#)

²³⁸ [CYPE Committee, 1 February 2024, Record of Proceedings, paragraph 50.](#)

5. Implementation and practical issues

There are a number of practical issues which we believe need further thought or clarification. In some places, we are recommending potential amendments if the Bill progresses. These include issues around the guidance Welsh Ministers must issue and capacity within the sector.

Current pressures faced by schools

187. One of the issues we explored during our scrutiny was the timing of the Bill, amidst the other pressures faced by schools. There were mixed views as to whether it was an opportune time.

188. The Member in Charge said it was the perfect time to introduce the Bill, because the implementation of the Curriculum was still in its “... fairly early days...” and was not yet “... set in stone...”.²³⁹

189. The Member in Charge acknowledged the current pressures faced by schools and school staff. Alongside the implementation of the new curriculum there is also implementation of the ALN reforms, as well as post-pandemic recovery. He believed, however, that this Bill could “really help support on the delivery on some of that...” and felt that the Bill would “... complement the work of the new curriculum.” He cited the positive impact on pupil well-being.²⁴⁰ He felt that this Bill could help with some of the “issues that our young people are working through post COVID.”²⁴¹

190. Additionally, he said, because the Bill includes all children in maintained settings, it was relevant to ALN reforms, because children and young people with additional learning needs are not excluded from the entitlement.²⁴²

²³⁹ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 10](#)

²⁴⁰ [CYPE Committee, 1 February 2024, Record of Proceedings, paragraphs 84-87](#)

²⁴¹ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 11](#)

²⁴² [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 12](#)

191. Estyn, while not giving a definitive view as to whether now was the right time, said that the Bill did not bring in a new requirement, as the Curriculum for Wales guidance already “promotes outdoor learning considerably” and that fitting the provision into the broader curriculum offer should not be an issue for schools. They said the only change was that it would become a statutory entitlement meaning schools would have to plan, ensuring it was made available to children during their time in school.²⁴³

192. The links with the broader curriculum were raised by others, including the Minister. But for some this link was an argument against the need for the Bill. We look at the links with the curriculum in the previous Chapter.

193. Of those who felt it was not the right time to introduce such legislation, the education unions were the most vocal. UCAC asked if it was “timely to put extra pressure on teachers and schools” when there were already dealing with numerous changes.²⁴⁴ While ASCL also highlighted other pressures such as the consultation on changes to the school year and funding pressures, they were concerned that this change would be an “additional pressure” at an already pressurised time.²⁴⁵ NAHT added qualification reform into the mix of pressures schools are currently facing. They said they believed this Bill was “an unnecessary and additional burden” which they were “deeply concerned about.”²⁴⁶

194. The Welsh Government agreed with the teaching unions describing implementation of the new curriculum as “huge change” not just for schools but also for other settings, and that they all need “time and support” to fully embed these reforms. They said that the Bill “... will place additional burdens on them and detract them from that mission.”²⁴⁷

Capacity in the sector

195. As part of our scrutiny we wanted to explore whether there is capacity within Wales to support the expansion of provision that this Bill would entail if passed. In particular, we were interested in both Welsh medium provision, and accessible and inclusive provision.

196. At the outset, the Member in Charge told us:

²⁴³ [CYPE Committee, 14 December 2023, Record of Proceedings, paragraphs 156-162](#)

²⁴⁴ [Written evidence, ROE 05, Undeb Cenedlaethol Athrawon Cymru, paragraph 4.1](#)

²⁴⁵ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 181](#)

²⁴⁶ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 247](#)

²⁴⁷ [Written evidence, ROE 24, Welsh Government, paragraph 6.6](#)

“... we are blessed in Wales with the number of outdoor activity centres that there are. I believe that there are around 50 here in Wales at the moment, which is pretty significant, considering the size of the nation that we are. Many of those centres aren't open 12 months of the year, so there's definitely capacity in terms of that; many of them shut between December and March, not necessarily the nicest time of the year for our learners to be out in the wilds—I completely accept that—but there is definitely capacity from a calendar point of view for that.”²⁴⁸

197. The Member in Charge also shared details of the survey he had undertaken with the sector, in which 31 providers said they would have capacity for additional residential stays. He said there was an acknowledgement that provision was “currently not maximised...” but if the Bill was passed it would provide incentives for the sector to invest in their current provision. He said that at the moment expansion of current provision comes with a bigger risk for providers.²⁴⁹

198. The Association of Heads of Outdoor Education Centres told us that the “capacity issue is quite complex” explaining that it’s about more than the beds that might be available. For example, not all centres can take a whole year group. They said it was more “nuanced” than simply whether there is sufficient capacity. They also flagged the differences between areas within Wales, and the additional complexity of which schools go to which areas of the country.²⁵⁰

199. The Association of Heads of Outdoor Education said there was currently “unused capacity” because those that are third sector or community interest groups will not operate when they don’t have clients. In particular, centres tend to be closed during the winter, specifically December and January. This then results in staffing models based on seasonal work. However, if centres were open more often this would provide “greater consistency” from a staffing perspective.²⁵¹

200. The Wales Council for Outdoor Learning said there could be more flexibility in using the current facilities that are available. Some of the suggestions they made included:

²⁴⁸ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 91](#)

²⁴⁹ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraphs 94-95](#)

²⁵⁰ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraphs 276-277](#)

²⁵¹ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 276](#)

- Using facilities such as camping, hostels, hotels or holiday parks, and not just outdoor education centres;
- Ensuring full use of centres that are run by commercial providers and English local authorities;
- Potential use of the summer holidays to deliver the opportunities (although recognising that would require further funding); and
- Spreading the entitlement across school years.²⁵²

201. The NAHT said they had some concerns about capacity saying that it's already quite difficult to access.²⁵³ They were also concerned about "... new centres beginning to spring up to meet a new capacity that may not exist there...".²⁵⁴

202. The WLGA said that capacity had been reduced over time, citing north Wales as an example. They said that the north Wales coast had once been "littered with centres" but that as a result of a starving of resources over "many years" outdoor education has had to "take its share of cuts" that local government has and continues to face.²⁵⁵

203. Both NAHT and NASUWT raised concerns about capacity being released in the autumn / winter months. NAHT said that there is a "quite a finite amount of time that these children would be able to go on a trip..." meaning all schools would be looking to arrange these trips in a "...very short window" of the spring and summer terms.²⁵⁶ While NASUWT said that capacity would be "no good in the winter months" adding that they would want to know that there wasn't an expectation that children would be going in the winter when centres would not usually be booked.²⁵⁷ UCAC also highlighted that there will be particular times of the year that will be more popular.²⁵⁸

Welsh medium capacity

204. The Bill states that the guidance which Welsh Ministers would be required to issue must include that residential outdoor education be provided in Welsh, subject to availability, where requested by a school. The EM states that this is in

²⁵² [Written evidence, ROE 26, Wales Council for Outdoor Learning \(WCfOL\)](#)

²⁵³ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 236](#)

²⁵⁴ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 195](#)

²⁵⁵ [CYPE Committee, 24 January 2024, Record of Proceedings, paragraph 17](#)

²⁵⁶ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 236](#)

²⁵⁷ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 375](#)

²⁵⁸ [Written evidence, ROE 05, Undeb Cenedlaethol Athrawon Cymru, paragraph 3.1](#)

line “with the generally accepted principle that learners should receive education in their preferred language medium of English or Welsh.” But it goes on to say that this will be subject to capacity and availability. It also acknowledges that with the Urdd provision aside the capacity to deliver on this “is limited to only a handful of other providers.” This it says is primarily because of the low numbers of Welsh speaking instructors, but cites work to create “a generational change in capacity.”²⁵⁹

205. We will look at the issue around the content of the guidance later in this chapter, but we were particularly interested in the issue of capacity within the Welsh medium sector. A number of stakeholders raised this as a potential issue.

206. The Member in Charge acknowledged that there was a challenge in ensuring more Welsh-medium provision was available. He cited the work being done by the Outdoor Partnership in training more Welsh-speaking outdoor educators. But he did describe it as “a bit of a chicken-and-egg situation” because while you are training more staff, there is also a need for children being able to access this provision at the same time.²⁶⁰

207. The Member in Charge’s Support Staff said this chicken and egg situation was “really significant” but that there is a “real opportunity” to help develop and expand on this provision. He also said the work of the Outdoor Partnership was starting to bear fruit.²⁶¹

208. ADEW queried whether expectations would be placed on new providers coming into the market as a result of this legislation in relation to Welsh medium provision.²⁶² They believed that there would need to be a “more creative and collective approach” to expanding Welsh-medium provision. They did not believe that the costs of expanding this provision could be “borne solely” by providers.²⁶³

209. The Association of Heads of Outdoor Education Centres said there is not likely to be enough Welsh medium capacity at the moment, and that the Urdd cannot be relied on to provide all this provision.²⁶⁴ NAHT said “if you try and book

²⁵⁹ [Sam Rowlands MS, Residential Outdoor Education \(Wales\) Bill: Explanatory Memorandum, paragraph 138, 24 November 2023](#)

²⁶⁰ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 102](#)

²⁶¹ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 104](#)

²⁶² [CYPE Committee, 24 January 2024, Record of Proceedings, paragraph 109](#)

²⁶³ [CYPE Committee, 24 January 2024, Record of Proceedings, paragraph 111](#)

²⁶⁴ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 277](#)

a trip to Glan-llyn for your pupils, that, particularly during the summer terms, it's virtually impossible to get in."²⁶⁵

210. UCAC said they thought Welsh medium provision “could be there” but work was needed to develop it, including training and development opportunities in Welsh, which they acknowledged was currently happening. They cited their own experiences in which they did not have issues accessing Welsh medium provision, but that they “... were keen to book it ahead of time.” They also highlighted the importance of ensuring there are opportunities for schools who are “lower down on the language continuum” that help create opportunities to use Welsh outside of the classroom.²⁶⁶

211. The Urdd highlighted that currently 60 percent of those who go to Urdd centres are from English medium schools. These schools go to Urdd centres to support use of Welsh outside of a classroom setting. But if there were to be an increase in this percentage seeking to come to Urdd centres “then it's going to be very difficult for us as an organisation to provide for all the requirements that will arise from that.”²⁶⁷

212. The Welsh Language Commissioner said it would be “useful” to understand more about the current capacity of the sector to deliver Welsh medium provision.²⁶⁸

213. ASCL said that there are already recruitment challenges in Welsh-medium education and that “presumably” this is a similar issue in outdoor education provision.²⁶⁹ The Minister agreed that this was an issue within “the mainstream system”, and said that if the Bill was passed, the Government would have to:

“... to look at developing this aspect, a specific recruitment plan, with the outdoor education sector, to recruit staff that have been trained suitably for the service. I would argue that there is a beneficial conversation and discussion to be had with the sector, whatever the course of this Bill, to see what more we can do to increase the provision as it is under the current system.”²⁷⁰

²⁶⁵ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 184](#)

²⁶⁶ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 373](#)

²⁶⁷ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraphs 286-288](#)

²⁶⁸ [Written evidence, ROE 13, Welsh Language Commissioner](#)

²⁶⁹ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 268](#)

²⁷⁰ [CYPE Committee, 24 January 2024, Record of Proceedings, paragraph 262](#)

214. The Deputy Head of the School of Education at Bangor University (who was also representing the Association of Heads of Outdoor Education Centres and the North Wales regional committee, Institute for Outdoor Learning) said that there are now career pathways which lead to qualified teacher status. They also highlighted the Agored Cymru programmes, which are now available up to level 3 in Welsh. They also cited the work of the Outdoor Partnership saying it had given opportunities to local people which were not there previously, and that, longer term, the pathways that are now in place will starting blossoming.²⁷¹

215. The Urdd told us about their apprenticeship programme which supports Welsh medium capacity. They highlighted that issues of Welsh-medium capacity was broader than the providers, and that there was a need to look at the sector as a whole.²⁷²

Inclusive provision

216. All children in maintained schools would be eligible for a course of residential outdoor education, and this includes children with disabilities or additional learning needs. This was welcomed by many.

217. The EM cites the Bendrigg Trust's view that:

*"... 'high-quality residential provide "opportunities for students with disabilities to be engaged in physical activities" which is greatly needed as 86% of families with disabled children go without leisure activities'."*²⁷³

218. The EM also states that school census statistics indicate around 13% of primary age pupils have ALN, which can mean learning, physical or sensory needs. It also states that the majority of these children are unlikely to need additional support to go on a residential outdoor education trip, and that most residential centres "can and do adapt their provision to cater for pupils with ALN..." It notes that while there isn't any specialised provision in Wales for those with "more severe complex needs" that there is high quality specialised provision in Cumbria and Exmoor.²⁷⁴

²⁷¹ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 281](#)

²⁷² [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 284](#)

²⁷³ [Sam Rowlands MS, Residential Outdoor Education \(Wales\) Bill: Explanatory Memorandum, paragraph 78, 24 November 2023](#)

²⁷⁴ [Sam Rowlands MS, Residential Outdoor Education \(Wales\) Bill: Explanatory Memorandum, paragraph 394, 24 November 2023](#)

219. Bendrigg which runs one of these centres says that specialist providers in England could “play an important role” in filling this capacity gap, but that this should only be viewed as a “short to mid-term solution as Welsh centres should be working to become more inclusive for everyone.”²⁷⁵

220. This is an issue we are particularly mindful of because, during our current inquiry looking at access to education and childcare for disabled children and young people, we have heard multiple stories of how residential experiences are often an experience that disabled children and young people will miss out on.

221. We wanted to understand better whether there would be capacity within the sector to manage the increased demand for inclusive and accessible provision.

222. PGL Travel said that overnight capacity for those who are more severely disabled “simply” does not currently exist “in enough numbers ... across the UK to fully cater for this provision.” However, they did say that if the Bill was passed and there was more guaranteed need for this provision it would “enable businesses to plan with more certainty and be able to adapt or build new facilities to accommodate ...”²⁷⁶

223. In terms of capacity, the Association of Heads of Outdoor Education Centres said that there was a need for scoping work to understand the capacity of accessible and inclusive provision. They believed that there was the will to ensure that children were able to access high quality experiences regardless of any needs, especially from an “altruistic point of view” to ensure as many children can share in these outdoor opportunities.²⁷⁷

224. ADEW felt there was a potential risk of not having sufficient provision which will meet the needs of all learners. They agreed with the Association of Heads of Outdoor Education Centres in calling for a “robust assessment” of provision currently available. They said that the Bill could potentially provide an opportunity for more providers to “move into the marketplace in Wales” and said this could potentially bring in provision to meet needs.²⁷⁸ Echoing the views of PGL set out in paragraph 222.

²⁷⁵ [Written evidence, ROE 17, Bendrigg](#)

²⁷⁶ [Written evidence, ROE 14, PGL Travel](#)

²⁷⁷ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 294](#)

²⁷⁸ [CYPE Committee, 24 January 2024, Record of Proceedings, paragraph 78](#)

225. Learning Disability Wales said that inclusivity “can only truly happen if funding capacity is sufficient to accommodate specialist provision.”²⁷⁹

226. UCAC asked to what extent consideration had been given to Welsh medium specialist provision.²⁸⁰ The lack of availability of Welsh medium support and resources was a issue raised during our recent work on disabled access to education and childcare. Through this work, we are aware that it can be difficult to secure Welsh medium support and provision.

227. The WLGA said that children with complex needs would not currently be able to go to some existing centres because the centres have not got the right adaptations such as specialist toileting facilities and changing rooms.²⁸¹ Bendrigg said some providers may need “some financial support” to buy specialist equipment.²⁸²

Supporting the needs of all children

228. The Association of Heads of Outdoor Education Centres said that centres will have to meet legal requirements, such as those set out in equalities legislation. They also cited examples of accessible provision in north Wales. In describing this provision, they acknowledged that some of this was “specialist provision” which is not available in every centre, but that the sector does have capacity for such provision. They said it was also something “to think about as part of a development process.”²⁸³

229. As well as the need to have the right equipment, we were told by the Association of Heads of Outdoor Education Centres who is also the Deputy Head of the School of Education, Bangor University that ensuring staff have the right training and development was “really important”. They said that while their staff may have knowledge and understanding there was “perhaps” the need for a more “central or co-ordinated approach to training and development”. They felt that there was an opportunity to further develop this, saying that there was a desire from staff for this as they want to support children coming to their centre as best they can. This training can also include specialist equipment training.²⁸⁴

²⁷⁹ [Written evidence, ROE 16, Learning Disability Wales](#)

²⁸⁰ [Written evidence, ROE 05, Undeb Cenedlaethol Athrawon Cymru, paragraph 9.1](#)

²⁸¹ [CYPE Committee, 24 January 2024, Record of Proceedings, paragraph 75](#)

²⁸² [Written evidence, ROE 17, Bendrigg](#)

²⁸³ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 253](#)

²⁸⁴ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraphs 254 - 255](#)

230. Bendrigg believed “many” providers could do more than currently to provide inclusive provision. They said that training was “key”, and would help “challenge perceptions, change attitudes” and ensure staff have the “skills, knowledge, and confidence to work with disabled people.”²⁸⁵

231. The Outdoor Education Adviser’s Panel for England and Wales said that centres are “well used to asking key questions” about the needs of anyone coming to their centres, and that there are “a number of ways” in which support can be provided.²⁸⁶

Defining residential outdoor education

232. The Bill does not include a definition of residential outdoor education, however Welsh Ministers would be able to define it either in the statutory Code or guidance it would be required to issue as a result of this Bill. The EM does provide a broad definition of residential outdoor education:

“Outdoor education residentials encompass a range of activities that take place in a residential setting, involving participants living together in a temporary community away from home. The activities involve being outdoors as a central part of the experience, can have a challenging, adventurous element that often involves some physical activity, always respect the natural environment, and seek to use the outdoor environment as a vehicle for transforming the experience into knowledge, skills, attitudes and behaviours. The activities include recognised sports such as climbing, kayaking, orienteering or sailing, outdoor leisure pursuits such as camping or hill walking, and outdoor activities purposely designed for their educational impact such as rope courses, trails and initiative challenges.”²⁸⁷

233. The Member in Charge said that while the definition is not on the face of the Bill, it is “clearly outlined” in the EM.²⁸⁸ At the end of our scrutiny he said it was “something I’d be happy to consider, whether within the code or guidance...”²⁸⁹

²⁸⁵ [Written evidence, ROE 17, Bendrigg](#)

²⁸⁶ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 257](#)

²⁸⁷ [Sam Rowlands MS, Residential Outdoor Education \(Wales\) Bill: Explanatory Memorandum, paragraph 20, 24 November 2023](#)

²⁸⁸ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 23](#)

²⁸⁹ [CYPE Committee, 1 February 2024, Record of Proceedings, paragraph 68](#)

234. We heard a range of views about the lack of a definition being on the face of the Bill, and also what the definition should cover.

235. UCAC asked “what exactly is meant by outdoor activities?” saying that there is “considerable variety...”²⁹⁰ They supported a clearer definition being made.²⁹¹ They said they thought a clearer definition “would be beneficial” because it was unclear whether some provision, such as the Urdd’s provision in Cardiff and Llangrannog would “fit in”.²⁹²

236. The Urdd also raised this point saying Llangrannog isn’t “an open-air centre in the pure sense” and that neither is their Cardiff centre or Pentre Ifan. They highlighted that the Urdd’s Cardiff offer “is something very important” because of the opportunities to visit the Senedd and learn about democracy. They felt there was too much “emphasis on activities” and that the Bill was an “opportunity for Wales to be slightly different and to put an emphasis on language and culture...”. They also wanted to see the Bill to be “clearer” in relation to activities taking place in Wales.²⁹³

237. NAHT said that there needs to be “a very clear understanding” of what the Bill is delivering, because it will be schools who will have to implement the Bill, and also have to manage parents’ expectations. They said it was important not to introduce something that would create more inequity. They said a definition “becomes really important...”.²⁹⁴ NEU also supported a clearer definition on the face of the Bill, saying that without one, it “effectively” creates extra work for the school and teachers.²⁹⁵

238. ASCL said defining it in “a specific way” could potentially have unintended consequences on “curriculum planning in terms of outdoor learning having many, many potential interpretations” in the curriculum.²⁹⁶ A view supported by ADEW, who said a “narrow definition” could “perhaps devalue” the curriculum principles. They highlighted that the Curriculum for Wales principles are a “range of outdoor learning experiences at every stage of education should be an integral part of the

²⁹⁰ [Written evidence, ROE 05, Undeb Cenedlaethol Athrawon Cymru, paragraph 6.1](#)

²⁹¹ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraphs 322](#)

²⁹² [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 320](#)

²⁹³ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 227](#)

²⁹⁴ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 192 and 194](#)

²⁹⁵ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 324](#)

²⁹⁶ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraphs 197](#)

curriculum offer...”.²⁹⁷ They said there was a need for “local flexibility”, as a “standardised offer” could make it more difficult for schools to deliver upon.²⁹⁸

239. Estyn said that both ‘residential’ and ‘outdoor’ have “quite clear meanings.” However, they accepted that different outdoor residential education visits can look very different. They linked it back to the curriculum and said that schools should have “autonomy” to develop their own curriculum which meets the needs of the pupils, and the context of the school. This would enable schools to decide what type of outdoor activities best suit their own schools and pupils.²⁹⁹ They said that the type of variation that would arise from this type of approach:

“... shouldn't matter; as long as core issues are addressed around accessibility, inclusivity, addressing equity and ensuring those experiences are safe, then the benefits should be fairly similar in terms of the impact on the actual learning for the pupils.”³⁰⁰

240. NASUWT also supported the need for schools to decide what is best for their own school. They also highlighted that there are a “whole range of possible outdoor activities ... they all could bring different character developments ... it’s important that we have an understanding of what we might expect from different activities...”.³⁰¹

241. The Minister also emphasised that the principles of the curriculum are to provide schools with the flexibility to decide how to deliver on the “key knowledge and skills and experiences ...”. He said that outdoor learning is “far broader than residential outdoor education”.³⁰² He also added that a lack of definition of what residential outdoor education “comprises ... is a problem.” Although he noted that the number of days the provision comprises is defined within the Bill (which we look at later in this Chapter) and that he was unconvinced that the definition of length of stay “is the definition required to drive the outcomes in the Bill...”.³⁰³

242. One of the issues raised in relation to defining residential outdoor education was the extent to which provision should take place in Wales. This relates to capacity issues within the sector which we look at in the preceding section. For

²⁹⁷ [CYPE Committee, 24 January 2024, Record of Proceedings, paragraph 25](#)

²⁹⁸ [CYPE Committee, 24 January 2024, Record of Proceedings, paragraph 82](#)

²⁹⁹ [CYPE Committee, 14 December 2023, Record of Proceedings, paragraphs 122-123](#)

³⁰⁰ [CYPE Committee, 14 December 2023, Record of Proceedings, paragraph 154](#)

³⁰¹ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraphs 326-327](#)

³⁰² [CYPE Committee, 24 January 2024, Record of Proceedings, paragraphs 192-193](#)

³⁰³ [CYPE Committee, 24 January 2024, Record of Proceedings, paragraph 207](#)

example, there is currently no provision within Wales which can currently accept those children with complex needs. It also relates to the issues raised in the section later in this Chapter looking at Welsh medium provision and promoting Welsh language and culture.

243. UCAC asked whether provision would have to take place in Wales, adding that they believed all visits should have a “Welsh element attached to it.”³⁰⁴ The Urdd also noted that the Bill did not make provision for provision to be in Wales, and said they would like to see that “made clearer in the Bill.”³⁰⁵

Eligibility for entitlement

244. The entitlement to residential outdoor education is only for pupils in maintained settings. It therefore does not apply to those who are in education otherwise than at school (“EOTAS”). Children in EOTAS may be those who are in pupil referral units (“PRU”). The Bill also does not cover children who are electively home educated. The EM states that the Bill does not prevent these children from taking up residential outdoor education opportunities, and that many of this cohort already do take up such opportunities. However, it says that because the 2021 Act “sets different curriculum requirements” for EOTAS, this Bill “follows suit.”³⁰⁶

245. The EM acknowledges the benefits of residential outdoor education for this cohort of learners and that it is “hoped” that the Welsh Government “will consider how they can be offered it, whether as part of the statutory entitlement or by other means.”³⁰⁷

246. We heard from a range of stakeholders that this was considered a gap within the legislation.

247. Estyn said that as an entitlement, it should be available to all children in Wales, and it “shouldn’t matter whether you’re in a mainstream school, whether you’re in a special school, a pupil referral unit, or you’re educated other than at

³⁰⁴ [Written evidence, ROE 05, Undeb Cenedlaethol Athrawon Cymru, paragraph 11.3](#)

³⁰⁵ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 227](#)

³⁰⁶ [Sam Rowlands MS, Residential Outdoor Education \(Wales\) Bill: Explanatory Memorandum, paragraph 119, 24 November 2023](#)

³⁰⁷ [Sam Rowlands MS, Residential Outdoor Education \(Wales\) Bill: Explanatory Memorandum, paragraph 119, 24 November 2023](#)

school.” This, they said, is an element of the Bill that would need careful thought if the Bill progresses.³⁰⁸

248. Parentkind said that to ensure provision was as “inclusive as possible” further consideration was needed in how those in EOTAS could be included, as well as ensuring access was “as broad as possible”.³⁰⁹ They also said that there was a need to be “ambitious” for those children who would potentially benefit most from these types of experiences. They also highlighted the number of children who do not enjoy school or the learning delivered in a school environment.³¹⁰

249. NASUWT asked if “we’re talking about social justice, what are we doing for those groups [those in PRUs and home educated]?”³¹¹ UCAC asked if “depriving” these groups “would create more problems?”³¹²

250. NEU said it was a “particular anomaly” and that these were groups of children who may most benefit from these experiences.³¹³ The Children’s Commissioner agreed.³¹⁴ NEU said it was therefore “particularly important” they had these opportunities.³¹⁵ They also highlighted that those children who are in PRUs will:

“... often be on roll at a mainstream school. They should therefore have access to this offer, regardless to whether the curriculum has been disapplied.”³¹⁶

251. The Children’s Commissioner also had concerns about part of the curriculum being disapplied. She noted that while the curriculum can be disapplied for EOTAS, she would “not encourage this to be the presumption or standard approach.” She noted that for those who are in EOTAS for anxiety or school attendance reasons, and are comfortable in that setting “there should be no reason why they can’t access a full curriculum.” She was also concerned about the potential messaging this can send about EOTAS provision and the curriculum

³⁰⁸ [CYPE Committee, 14 December 2023, Record of Proceedings, paragraph 142](#)

³⁰⁹ [Written evidence, ROE 09, Parentkind](#)

³¹⁰ [CYPE Committee, 24 January 2024, Record of Proceedings, paragraph 163](#)

³¹¹ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 369](#)

³¹² [Written evidence, ROE 05, Undeb Cenedlaethol Athrawon Cymru, paragraph 10.1](#)

³¹³ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 371](#)

³¹⁴ [Written evidence, ROE 15, Children’s Commissioner for Wales](#)

³¹⁵ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 371](#)

³¹⁶ [Written evidence, ROE 08, National Education Union Cymru \(NEU\)](#)

more generally, saying that disapplication should be an “option to be applied in specific circumstances, on a case by case basis.”³¹⁷

252. NAHT said that they would be concerned if an unintended consequence of the Bill was that EOTAS pupils were excluded from these types of visits. They said that often these children are “left out of those types of experiences when they were in their host schools” but that they are a group who “absolutely benefit”. They called for careful consideration to be given to ensure that if a provision is being made to everybody “it is to everybody and that, irrespective of pupil need, there is an opportunity to do these types of things.”³¹⁸

253. The Children’s Commissioner for Wales was “disappointed” that the eligibility did not extend to those in EOTAS provision. She highlighted the high numbers of those eligible for free school meals and / or with additional learning needs that are in this provision. She said that these were the learners who may “benefit the most from learning outside of the classroom environment ...” Additionally, with ongoing issues post pandemic of some children struggling to settle in classrooms “it feels important that all children have the opportunity”. She called for amendments to the Bill so that for those in EOTAS it would also become a mandatory part of the curriculum.³¹⁹

254. The Minister also raised this issue, which he acknowledged was “for reasons I do understand”.³²⁰ The Welsh Government also raised a practical issue with the eligibility in the Bill as currently drafted:

“... Therefore, if a pupil ceases to be registered as a pupil at a school in Wales at any time and for any reason - e.g. in order to leave Wales, to attend a PRU, or is provided with EOTAS then the Welsh Ministers will have failed in that duty. That would be an untenable position for the Welsh Ministers as they simply cannot know when each and every pupil will cease to be registered at a school in Wales.”³²¹

255. The Member in Charge told us that he had “grappled” with this issue while preparing the Bill. He said that he “absolutely” recognised that it’s an area which could be strengthened, but said there would need to be “lots of further

³¹⁷ [Written evidence, ROE 15, Children’s Commissioner for Wales](#)

³¹⁸ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 238](#)

³¹⁹ [Written evidence, ROE 15, Children’s Commissioner for Wales](#)

³²⁰ [CYPE Committee, 24 January 2024, Record of Proceedings, paragraph 250](#)

³²¹ [Written evidence, ROE 24, Welsh Government, paragraph 6.18](#)

considerations” of how it could be delivered.³²² This was rooted in considerations of where the Bill best fit, and he considered that this was within the 2021 Act. He acknowledged that children in PRUs may be those who would particularly benefit from the experience. But he also noted that the Bill does not prevent the Welsh Government to “provide this opportunity” if they felt it was “appropriate and necessary.”³²³

256. He subsequently said that it was an area he wanted to “consider further” to see how it could be included in the Bill, and agreed there was a need for consideration as to how these groups could be supported to have these experiences.³²⁴

Length of a residential outdoor education experience

257. The Bill provides that a course of residential outdoor education will be required to consist of at least four nights and five days, but this can either be taken as a single visit, or spread over multiple visits. The EM states that tracking will be necessary to ensure that pupils receive their entitlement.³²⁵ We look at issues around tracking provision and monitoring outcomes later in this chapter.

258. The EM states that there is research which shows that longer visits “have greater personal and social development impacts than shorter ones.” But the feedback from the consultations during the development of the Bill “indicated there is mixed opinion about the best length”, in particular that a four night and five day stay “may not be appropriate for all children and young people” so the Bill provides “for flexibility in the length of visits” that make up the full entitlement.³²⁶

259. The views we have heard also mirrored that of the consultations undertaken by the Member in Charge. There was a consensus that the length of the stay should be informed by the individual school and cohort of children’s needs.

260. The Association of Heads of Outdoor Education Centres said the evidence on length of stay was “mixed”. They also highlighted that due to financial pressures, some schools are reducing the length of their visits from a week to shorter stays on the basis that a shorter stay “ ‘ is better than nothing.’” They said that if the Bill

³²² [CYPE Committee, 1 February 2024, Record of Proceedings, paragraph 26](#)

³²³ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraphs 72-76](#)

³²⁴ [CYPE Committee, 1 February 2024, Record of Proceedings, paragraph 90](#)

³²⁵ [Sam Rowlands MS, Residential Outdoor Education \(Wales\) Bill: Explanatory Memorandum, paragraph 128, 24 November 2023](#)

³²⁶ [Sam Rowlands MS, Residential Outdoor Education \(Wales\) Bill: Explanatory Memorandum, paragraphs 129 and 131, 24 November 2023](#)

was prescriptive on the length of stay it could be harder for schools to implement.³²⁷ Bendrigg, while noting that the evidence shows the benefit for longer stays, said a shorter stay is better than no stay. They also highlighted that a longer stay has more value for money than a shorter stay, but that some of their visitors prefer a shorter visit.³²⁸

261. The Outdoor Education Adviser’s Panel for England and Wales cited the research which shows the “long-term benefits” of a longer stay, and that transport costs can be reduced if a single, longer trip is organised. Ultimately though, they said, it was for schools to decide on the length of a visit.³²⁹ While PGL Travel said that a longer stay enables for a fuller programme of activities, while also creating “a sense of independence which often a single overnight simply will not.”³³⁰ Calvert Exmoor advised against residential shorter than two nights because, they said, “there is data to show that the development of resilience through a residential is proportional to the length...”³³¹

262. The Urdd agreed that the length of a stay should be a decision for individual schools. They said that for some schools even a two night stay could be a “lot of time” and that decisions need to be based on the “requirements and needs of the children”. They also flagged issues around capacity within centres and the varying sizes of schools, citing examples of centres which may only have 30/40 beds while some primary schools may have a much larger cohort.³³²

263. The NAHT said the best length of a visit will “vary from child to child” and that it can differ for different age groups.³³³ PGL Travel agreed with this.³³⁴ The NAHT also said that it could vary depending on how you choose to define it, and other factors such as funding and the impact of time away from school and family life.³³⁵

264. The Children’s Commissioner raised a practical issue when the entitlement is split over multiple visits. She said the accompanying guidance would need to set out how this would be managed, particularly in relation to ensuring there is an alignment and discussion between schools in a cluster area and feeder primary

³²⁷ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 202](#)

³²⁸ [Written evidence, ROE 17, Bendrigg](#)

³²⁹ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraphs 204-205](#)

³³⁰ [Written evidence, ROE 14, PGL Travel](#)

³³¹ [Written evidence, ROE 25, Calvert Exmoor](#)

³³² [CYPE Committee, 6 December 2023, Record of Proceedings, paragraphs 207-208](#)

³³³ [Written evidence, ROE 06, National Association of Head Teachers Union \(NAHT\) Cymru](#)

³³⁴ [Written evidence, ROE 14, PGL Travel](#)

³³⁵ [Written evidence, ROE 06, National Association of Head Teachers Union \(NAHT\) Cymru](#)

schools.³³⁶ We look at the issue of tracking and monitoring implementation later in this Chapter.

265. NEU called for an amendment to the Bill in relation to this provision, calling for section 64A(3) to be amended so that a course of residential outdoor education “‘may’ be comprised of four nights rather than ‘must’, so that it’s clear, from everywhere in the legislation, that there’s more flexibility.”³³⁷

266. The Welsh Government had concerns about the fact the four nights, five day requirement was on the face of the Bill and how this interacts with the guidance making power.

“In any event it is not advisable to include such restrictions on the Welsh Minister guidance making power. The very nature of guidance making powers is that they are to be used to help those with functions better exercise those functions. In order to do that, the guidance needs to have the scope to evolve over time. It may be that evidence will suggest in the future that the 4- day requirement is not best practice. In that case we would have to amend primary legislation before we could amend the guidance. That is not workable and inappropriate in our view.”³³⁸

267. The Member in Charge told us that there was a lot of evidence that suggested longer stays “do make a significant difference.” This is because:

“... the first night, everyone’s pretty lively and not necessarily in the learning zone, as it were; the second night, you’re kind of getting used to the experiences, and by the third and fourth night, and those days, really engaging, really getting to know their surroundings.”³³⁹

The guidance

268. Many of the practical issues covered in the rest of this Chapter, will be covered by the guidance that the Bill places a duty upon Welsh Ministers to issue. In relation to the over-arching issues around the guidance, we did not gather

³³⁶ [Written evidence, ROE 15, Children’s Commissioner for Wales](#)

³³⁷ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 346](#)

³³⁸ [Written evidence, ROE 24, Welsh Government, paragraph 6.25](#)

³³⁹ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 146](#)

much evidence. However, the Minister raised some concerns, which we outline below.

269. The Member in Charge told us that the guidance provisions meant that the Bill was “very flexible in terms of what it looks to do and how it looks to provide it”. He said there was a lot of flexibility both in terms of the guidance but also for schools and how they implement it.³⁴⁰

270. The Welsh Government said that issuing guidance under a new section 71A of the 2021 Act causes “several problems”:

“The section 71 guidance making power is a power and not a duty i.e. it is discretionary. It is not appropriate to turn the discretionary guidance making power into a mandatory making guidance making power for the purposes of ROE. If mandatory guidance making was wanted, then it should be a free-standing provision and not linked to section 71. The proposed section 71A would introduce an inconsistency in the approach to guidance making powers in the 2021 Act. It is not clear why ROE guidance is treated differently to guidance on other important matters in the new curriculum e.g. RVE, RSE or any of the AoLEs. As it is, the Bill presents a confusing and misleading picture to the reader.”³⁴¹

271. They add that it is “unclear” who the “target audience” is for the guidance. They say the existing section 71 has a “wide target audience but most of that audience is not relevant to the functions in section 64A”. (Section 64A is the section which would introduce the provision of residential outdoor education into the 2021 Act.) This, they say, would result in the Welsh Ministers issuing guidance to a wider audience that have no functions in relation to residential outdoor education.³⁴²

272. The Minister told us that he had concerns that the guidance would “introduce mandatory elements to a scheme that otherwise the Bill doesn’t make mandatory.” He said any mandatory elements should be introduced either through the Bill or in secondary legislation, rather than ministerial guidance “which can only provide, you know, advice. It’s guidance, isn’t it?” He thought this

³⁴⁰ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 19](#)

³⁴¹ [Written evidence, ROE 24, Welsh Government, paragraph 6.21](#)

³⁴² [Written evidence, ROE 24, Welsh Government, paragraph 6.22](#)

approach was “very confusing.”³⁴³ He added that the guidance is doing a lot of the “heavy lifting” with the Bill, but that the guidance cannot change what the Bill does.³⁴⁴

273. In correspondence to the Committee, the Member in Charge addressed some of the issues raised by the Welsh Government in their written evidence. He said that he had considered issues around using the same guidance making power under section 71 of the 2021 Act, but that it his understanding is that:

“... there is no legal difficulty with the Bill including a power to issue guidance on some matters (i.e Welsh Ministers may issue guidance), and a duty to issue guidance on other matters (i.e Welsh Ministers must issue guidance.) This is not an inconsistent approach, it is simply taking a different approach for different things.”³⁴⁵

274. In subsequent correspondence to the Legislation, Justice and Constitution Committee, the Member in Charge provided a selection of “recent examples of legislative provisions that compel certain elements to be included in guidance.” The examples provided included the Tertiary Education and Research (Wales) Act 2022 (which we scrutinised during its progress through the Senedd.) Other examples included the Social Partnership and Public Procurement (Wales) Act 2023 and the Historic Environment (Wales) Act 2023.³⁴⁶ We note that the examples are not quite directly comparable to the issues raised by this Bill.

Age or school year

275. The Bill does not set an age in which the course of residential outdoor education should be provided. Although the guidance that must be issued under section 1(3) “may set out the age or ages, or school year or school years...” in which the provision happens.³⁴⁷ The EM sets out that the consultation published in January 2023 had reflected that “Year 6 is a common age...” for residential outdoor education experiences, and that this can support transition between primary and secondary schools. However, it says there were calls for flexibility as benefits “can

³⁴³ [CYPE Committee, 24 January 2024, Record of Proceedings, paragraphs 226-227](#)

³⁴⁴ [CYPE Committee, 24 January 2024, Record of Proceedings, paragraph 231](#)

³⁴⁵ [Letter from the Member in Charge to Chair, CYPE Committee, Residential Outdoor Education \(Wales\) Bill, 23 January 2024](#)

³⁴⁶ [Letter from Member in Charge to Chair, LJAC Committee, Residential Outdoor Education \(Wales\) Bill, 12 February 2024](#)

³⁴⁷ [Residential Outdoor Education \(Wales\) Bill \[as introduced\], section 1\(3\)\(3\)\(a\), November 2023](#)

also accrue at other ages” and that this will be a matter for the Welsh Government to consider when implementing the Bill, if passed.³⁴⁸

276. We also explored this issue through our consideration of the Bill, and our responses mirrored those of the consultations undertaken by the Member in Charge, in that there were a range of views about the optimum age for these experiences. We also heard about practical challenges arising from not setting a specific age or school year for the provision.

277. Some stakeholders did provide views on the best age for this provision. NAHT said that children aged 7-11 gained the most benefit.³⁴⁹ ADEW said that upper key stage 2 was a suitable age.³⁵⁰ PGL Active said that children as young as 7 / 8 can benefit from these experiences, but that provision for younger children needs to be tailored, and may take place over multiple shorter stays.³⁵¹

278. The Outdoor Education Adviser’s Panel for England and Wales said that practically, it can be “easier” to work with primaries because “you can pick up a whole class year group...” Whereas for secondary pupils, it’s more likely to be subject based, so “it’s unlikely to be a whole-school or whole-class experience.”³⁵²

279. NASUWT said that while there will be different outcomes depending on the age, “we tend to assume that children are going to get the most benefit when they’re over 12...”³⁵³ Parentkind said for residential experiences of five days and four nights, that would “likely be of benefit to older children of around secondary age, or close to it.” They said that a longer stay would could be “potentially quite a long period for a young child.”³⁵⁴

280. Estyn said that the benefits of these experiences “are not exclusive to any age group...” with different benefits depending on age and development of the child, and the types of activities being offered.

“... you can put cases for carrying out these types of activities with children of any age, and I think that's why it's important that the schools have autonomy to consider their own

³⁴⁸ [Sam Rowlands MS, Residential Outdoor Education \(Wales\) Bill: Explanatory Memorandum, paragraph 140, 24 November 2023](#)

³⁴⁹ [Written evidence, ROE 06, National Association of Head Teachers Union \(NAHT\), Cymru](#)

³⁵⁰ [CYPE Committee, 24 January 2024, Record of Proceedings, paragraph 28](#)

³⁵¹ [Written evidence, ROE 14, PGL Travel](#)

³⁵² [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 223](#)

³⁵³ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 337](#)

³⁵⁴ [CYPE Committee, 24 January 2024, Record of Proceedings, paragraph 142](#)

*situations and when it may be best suited for them to carry out these activities for their learners.*³⁵⁵

281. The Children’s Commissioner said that the evidence on the best age was “mixed” with “no optimum point from which the most benefit will be derived...”. She therefore understood why an age had not been specified in the Bill.³⁵⁶

282. The NEU said that while there were advantages and disadvantages to specifying a year, it was probably better to not specify, so that schools can take into account that children will be ready to go away at different ages.³⁵⁷ ADEW said that “flexibility is the answer” on this issue.³⁵⁸

283. UCAC described the potential complexities of managing provision across different primary and secondary schools:

*“... If a pupil went to Primary School A and Secondary School B, one of those schools would have to provide the residential outdoor activities. Another pupil at Secondary School B could have gone to Primary School C where residential outdoor activities were arranged, and then another pupil within the same year at Secondary School B could have attended Primary School D where they had the opportunity to attend a residential outdoor activity for two nights. That pupil would need residential provision for two nights at Secondary School B. It seems that there could be quite a bit of complexity to ensure provision for all and to ensure that no pupil slips through the net.”*³⁵⁹

284. NAHT said that some of these issues could be managed with the “cluster work” and that secondary schools “all engage closely with our primary clusters”. But that ultimately it would be a “challenging area”.³⁶⁰ NEU also raised the complexities of different schools (primary / secondary) taking different approaches and how this can be tracked and managed.³⁶¹

³⁵⁵ [CYPE Committee, 14 December 2023, Record of Proceedings, paragraph 125](#)

³⁵⁶ [Written evidence, ROE 15, Children’s Commissioner for Wales](#)

³⁵⁷ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 333](#)

³⁵⁸ [CYPE Committee, 24 January 2024, Record of Proceedings, paragraph 29](#)

³⁵⁹ [Written evidence, ROE 05, Undeb Cenedlaethol Athrawon Cymru, paragraph 2.2](#)

³⁶⁰ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 207](#)

³⁶¹ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 333](#)

285. The Countryside Alliance raised similar issues, saying that a “rigid age-based” approach could see children missing out on the opportunity. They called for the guidance to make it clear that the “requirement to offer the opportunity attaches to each individual child, and that schools must be flexible enough in their offers to fulfil it.”³⁶²

286. UCAC added it would need both a robust tracking system and “ a great deal of co-operation between local authorities and schools... ” this could be complex and children could still “slip through the net.”³⁶³ We look at the issues around tracking provision later in this Chapter.

287. Other practical considerations highlighted by ASCL included that children may miss out on experiences if a year or age is set, and they then join the school after this point. They also said that by setting a specific school year or age this “pins down the experience to a particular type of experience...” noting that an experience in a primary year will be different to a secondary year. They said there was a need for an “awful lot of careful thought” before specifying an age or school year.³⁶⁴

288. NAHT said there could be “unintended consequences” from specifying a year. They said primary age children have “very many different needs and support needs” than a secondary aged cohort, but that managing teacher cover in a secondary setting is more challenging. They said if the Bill is passed there would need to be “much further discussion” on this issue.³⁶⁵ ADEW also raised the additional complexities of arranging teacher cover in secondary settings compared to primary.³⁶⁶

289. The Member in Charge said that the Bill is not prescriptive in a number of different ways because he wanted to retain the flexibility for schools to tailor this provision in a way that best suits their own learners. In particular he cited the decision to not specify the age / school year because he felt the:

“... right thing to do is put it in the hands of teachers and schools as to what they think is best for the children, and what they’re learning at the time. It may be a great experience that relates

³⁶² [Written evidence, ROE 10, Countryside Alliance \(Wales\), paragraph 5](#)

³⁶³ [Written evidence, ROE 05, Undeb Cenedlaethol Athrawon Cymru, paragraph 8.1](#)

³⁶⁴ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 201](#)

³⁶⁵ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 203](#)

³⁶⁶ [CYPE Committee, 24 January 2024, Record of Proceedings, paragraphs 29](#)

*to their area of learning. ... I trust teachers to make that decision in the best way possible.*³⁶⁷

290. He accepted that there could be practical challenges with implementation, and that there are details that would have to be worked through. He said much of these issues would be worked through the guidance, and he would expect the Welsh Government to consider “how that can be practically be worked out.” As an example, he said the Government may decide to be more specific in the guidance, such as setting out that this provision is made in year 6, which would make it easier for tracking and implementation purposes.³⁶⁸

Mandatory nature of the provision

291. The Bill states that the guidance Welsh Ministers must issue:

*“(b) must provide that residential outdoor education is not compulsory for pupils to attend;”*³⁶⁹

292. The EM states that the intention of the Bill is that pupils are given the opportunity “and encourage them to take it” but that they “must not be compelled” to participate in residential outdoor education opportunities.³⁷⁰

293. We have already considered in the previous chapter some of the barriers to accessing residential outdoor education. While this Bill may remove some of these barriers, it will not remove all barriers. There may be a range of reasons why, even with this Bill in place, some children and young people will not want to participate in residential outdoor education.

294. The Children’s Commissioner said she understood the reasons for not making residential outdoor education mandatory, but that she was “unsure how well this sits” with the other mandatory parts of the curriculum, where there is no opt-out.

“The mandatory elements of the curriculum are, rightly, areas that all learners should have involvement with and exposure too because they are core elements of learning. If residential

³⁶⁷ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 80](#)

³⁶⁸ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraphs 158-159](#)

³⁶⁹ [Residential Outdoor Education \(Wales\) Bill \[as introduced\], section 1\(3\)\(3\)\(b\), November 2023](#)

³⁷⁰ [Sam Rowlands MS, Residential Outdoor Education \(Wales\) Bill: Explanatory Memorandum, paragraph 136, 24 November 2023](#)

*outdoor learning is decided to be a mandatory element then it should be mandatory for all.*³⁷¹

295. The Children’s Commissioner also indicated that the suggestion that those who may not wish to participate in residential outdoor education (for example either parents / carers or children managing anxiety) may be “precisely those who stand to benefit substantially from the offer[of a course of residential outdoor education].” The positive impacts on mental wellbeing are “strongly documented across the evidence” and that does not “sit comfortably alongside a presumption that those with anxiety won’t attend. In other words, the way things are currently framed almost prompts or suggests to those people that this isn’t for them.”³⁷² We have looked at some of the ways in which anxieties can be managed in the previous Chapter.

296. The Welsh Government said the provisions in relation to this element of the Bill are “inconsistent.” This is because the guidance must provide that residential outdoor education is not compulsory, but this conflicts with the substantive provisions of the Bill, which have the effect of making it compulsory.³⁷³

297. The Welsh Government said it was unclear what would happen if a child or parent did not want to participate. They said that if it is a compulsory part of the curriculum then there must be sanctions for failing to participate. This would “presumably ... involve disciplinary action being taken for non-attendance ... in the same way as it would for not attending a normal class session.” It adds “whilst the EM states it is to be voluntary that is not the legal effect of the Bill.”³⁷⁴

298. The Welsh Government raised two practical issues in relation to it being a compulsory element of the curriculum. One, in relation to inspection, saying that as a compulsory element of the curriculum “presumably Estyn will need to inspect.” They say that it is unclear how this would happen as this provision would be off site, and often run by private business.³⁷⁵ We look at issues around licensing of provision later in this Chapter. Secondly, that both the compulsory element combined with it being organised by the school means that the school would be “in locus parentis” meaning that the school would be held legally responsible for all pupils attending. They note that while this is the case when children are at

³⁷¹ [Written evidence, ROE 15, Children’s Commissioner for Wales](#)

³⁷² [Written evidence, ROE 15, Children’s Commissioner for Wales](#)

³⁷³ [Written evidence, ROE 24, Welsh Government, paragraphs 6.23-6.24.](#)

³⁷⁴ [Written evidence, ROE 24, Welsh Government, paragraph 6.13](#)

³⁷⁵ [Written evidence, ROE 24, Welsh Government, paragraph 6.16](#)

school, that it is “a more onerous task if attending ROE on a 3rd party bodies premises and using its equipment.”³⁷⁶

Opting-out of a course of residential outdoor education

299. The WLGA said there should be no compulsion, and that it was for the child and family to decide. They said if it was being set as compulsory in legislation that there should also be a “very explicit” opt-out clause in the Bill.³⁷⁷ ADEW agreed, saying that it would be important to have a clear way of recording and maintaining records of decisions made to not participate. In particular to “prevent or mitigate potential future litigation and complaints over something that may have happened several years previously.”³⁷⁸

300. When asked whether section 42 of the 2021 Act could provide an “opt-out” (as it enables disapplication of part of the curriculum), the Minister stated that while in theory it could, that is not how the provision was intended to be used. He said “it’s not a blunt instrument for the job it currently does; it’s a blunt instrument for the job that the Bill requires it now to do.” He explained that this was because in order to get an exemption under section 42, the applicant must state why they are seeking that exemption which he considered to be, in the context of a school residential trip, “a particularly onerous way of dealing with it from a parent’s point of view and a school’s point of view.”³⁷⁹

301. The Minister accepted that using the existing mechanism in the 2021 Act (which this Bill is amending) did make sense from a “consistency point of view”. Although he said that the section 42 provision is “used very rarely in practice” due to the construction of the curriculum. He described it as an important “fall-back”. He felt it would be less effective at dealing with opt-outs of residential outdoor education.³⁸⁰

302. The Minister said that because of the nature of residential outdoor education there would be a heightened risk of the section 42 temporary exception not being used, and potentially sanctions taken. Although he could not imagine that happening in practice, he said that “it isn’t clear on the legislative proposal in front of us what the consequence of that would be.”³⁸¹

³⁷⁶ [Written evidence, ROE 24, Welsh Government, paragraph 6.17](#)

³⁷⁷ [CYPE Committee, 24 January 2024, Record of Proceedings, paragraphs 51-52](#)

³⁷⁸ [CYPE Committee, 24 January 2024, Record of Proceedings, paragraph 53](#)

³⁷⁹ [CYPE Committee, 24 January 2024, Record of Proceedings, paragraph 221](#)

³⁸⁰ [CYPE Committee, 24 January 2024, Record of Proceedings, paragraph 232](#)

³⁸¹ [CYPE Committee, 24 January 2024, Record of Proceedings, paragraph 234](#)

303. When we raised these issues with the Member in Charge he said that it was something he could “consider making clearer within the guidance elements” in the Bill on how it could “practically work.” He said that the spirit of the legislation was that all children were given the opportunity and encouraged to participate, but that it would not be compulsory, and that there were “vehicles” in current legislation to allow for this.³⁸²

304. The Legal Adviser outlined the legal position, confirming that the Bill does provide for a course of residential outdoor education, that because it is on the curriculum it “will be compulsory. It will have to be offered by the schools.” But that, as outlined in the EM and to be clarified in the guidance, children would not be compelled to participate. In terms of how the section 42 “opt-out” out would work, she said:

“There’s an existing provision in the 2021 Act, under section 42. Regulations have been made under that section, which allow for a headteacher to disapply elements of the curriculum in relation to individual children. This applies to the curriculum as a whole. When making a determination under these regulations, the pupil must be notified, the parents, the governing body, and the local authority. Therefore, there’d be a record of any children who make it clear that they do not wish to undertake the residential outdoor education. Therefore, the effect in the round is that, yes, it’s on the curriculum, and, therefore, compulsory. However, it can be temporarily disapplied, using the mechanism that’s in the Bill [correction: the Act].

On the fact that the guidance says that it’s not to be compulsory, the intention is that the guidance would make it clear that this provision already exists in the 2021 Act, and the expectation is that headteachers would use the powers under section 42.”³⁸³

305. Both the Member in Charge and the Legal Adviser spoke about the decision to use the existing provision in the 2021 Act. The Legal Adviser said that creating a similar provision to provide for a specific opt-out for residential outdoor education

³⁸² [CYPE Committee, 1 February 2024, Record of Proceedings, paragraphs 52-54](#)

³⁸³ [CYPE Committee, 1 February 2024, Record of Proceedings, paragraphs 57-59](#)

could potentially lead to “overlap and some confusion”.³⁸⁴ While the Member in Charge said that there would be criticism whichever approach was taken.³⁸⁵

306. When responding to questions around what would happen if there was a disagreement between a family and school as to whether a child should go on a residential outdoor education visit, the Member in Charge said that he didn’t envisage it getting to that stage, and that he had faith in headteachers to make the “right decisions”.³⁸⁶

Welsh medium provision and promoting Welsh language and culture

307. The guidance that must be issued by Welsh Ministers sets out two different provisions which relate to the Welsh language and culture. We have already considered the issues around whether the Bill should define residential outdoor education and whether in this definition should stipulate that it should be in Wales (see the earlier sections in this Chapter).

308. The duty placed upon Welsh Ministers to issue guidance states that the guidance:

“(d) must provide that residential outdoor education be provided in Welsh, subject to availability, where requested by a school;

(e) may provide that residential outdoor education promotes an understanding of Welsh language and culture.”³⁸⁷

309. The EM states that section 1(3)(3)(d) is “in line with the generally accepted principle” that learners receive their education in their preferred language of English or Welsh. Although it says that this will “be subject to capacity and availability”.³⁸⁸ (We have looked at the issue of Welsh medium capacity earlier in this Chapter.)

³⁸⁴ [CYPE Committee, 1 February 2024, Record of Proceedings, paragraph 63](#)

³⁸⁵ [CYPE Committee, 1 February 2024, Record of Proceedings, paragraph 64](#)

³⁸⁶ [CYPE Committee, 1 February 2024, Record of Proceedings, paragraph 66](#)

³⁸⁷ [Residential Outdoor Education \(Wales\) Bill \[as introduced\], section 1\(3\)\(d\) and \(e\), November 2023](#)

³⁸⁸ [Sam Rowlands MS, Residential Outdoor Education \(Wales\) Bill: Explanatory Memorandum, paragraph 138, 24 November 2023](#)

310. In relation to section 1(3)(3)(e), the EM says there are “clear potential links” between residential provision and “being exposed to the Welsh language and learning about Welsh heritage and culture.” It accepts this might not be possible “on every occasion”, but that in implementation, the Welsh Government could consider how it could help address other policy drivers such as Cymraeg 2050 and connection to “cynefin”.³⁸⁹

311. The Member in Charge said that the Welsh medium provision was subject to availability because there is not currently enough capacity. It also provides for schools and teachers to make their own decisions about the type of provision they access. He said that the Bill did provide a “challenge for the sector and for Government to see how that provision can be expanded.” He argued that the provision is “strong”.³⁹⁰

312. UCAC said that they had concerns that the provision around Welsh language provision was subject to availability. They said that residential outdoor education should be available in both English and Welsh, and that it should be available before implementation “with due respect as well to the language continuum in each and every school as well.”³⁹¹ They called for English medium schools to be “encouraged” to combine residential outdoor education with “opportunities to do so through the medium of Welsh” saying that it was also a chance to “learn about the culture and context of various areas in Wales.”³⁹²

313. The Welsh Language Commissioner urged a strengthening of these parts of the Bill. As currently drafted, the Commissioner said they do not offer any certainty that provision will be available in Welsh. They also do not “maximise the potential of such residential courses to contribute to providing opportunities for all pupils to hear and use the Welsh language.” They called for amendments to be made to the Bill, they wanted to see 1(3)(3)(d) and (e) to be amended and a new 1(3)(3)(f) inserted:

“must provide that all residential outdoor education providers be able to provide through the medium of Welsh”

“in line with the requirements of the curriculum for Wales, must provide that residential outdoor education offers opportunities

³⁸⁹ [Sam Rowlands MS, Residential Outdoor Education \(Wales\) Bill: Explanatory Memorandum, paragraph 141, 24 November 2023](#)

³⁹⁰ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraphs 128-130](#)

³⁹¹ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 341](#)

³⁹² [Written evidence, ROE 05, Undeb Cenedlaethol Athrawon Cymru, paragraph 7.1](#)

for all pupils to learn and have experiences through the medium of Welsh”

*“must provide that residential outdoor education promotes an understanding of Welsh language and culture”*³⁹³

314. The Welsh Language Commissioner said these amendments would ensure that these elements would become an “integral” part of residential outdoor education provision. They said such a change would make an “important contribution” to other policies such as Welsh in Education Strategic Plans, schools’ Welsh Language Charter and curriculum requirements.³⁹⁴

315. Towards the end of our scrutiny, the Member in Charge said that he was open to consider any recommendations to strengthen 1(3)(3)(e) on promotion of Welsh language and culture. He said the Bill “is much better than what currently exists...” noting that there are no current requirements for any promotion of Welsh language or culture, or for provision to be delivered in Welsh. He said the Bill would give “a much, much stronger guarantee than currently exists.”³⁹⁵ He added he was “happy” to change the “may” to a “must” saying that would be “really quite strong”.³⁹⁶

316. The Member in Charge also reiterated his views that the Welsh language provision would be “a real incentive to the sector ... to really see where they can ramp up their Welsh provision.”³⁹⁷

317. The Senedd Researcher supporting the Member in Charge said that it was “hard to see” how the Bill could work without the two caveats (availability and when a school requests it) in relation to Welsh language provision. He said “if provision is not available, it can’t really be delivered, and if a school doesn’t request it, would we be suggesting that the school would be forced” to access Welsh medium provision. He believed the Bill “has tried to go as far as it can in that regard.”³⁹⁸

³⁹³ [Written evidence, ROE 13, Welsh Language Commissioner](#)

³⁹⁴ [Written evidence, ROE 13, Welsh Language Commissioner](#)

³⁹⁵ [CYPE Committee, 1 February 2024, Record of Proceedings, paragraphs 71-73](#)

³⁹⁶ [CYPE Committee, 1 February 2024, Record of Proceedings, paragraph 82](#)

³⁹⁷ [CYPE Committee, 1 February 2024, Record of Proceedings, paragraph 75](#)

³⁹⁸ [CYPE Committee, 1 February 2024, Record of Proceedings, paragraph 74](#)

Licensing of providers

318. The Bill does not make any provision for licensing or quality assurance of providers. However, the guidance Welsh Ministers must introduce “may set requirements that must be satisfied before a person is permitted to provide residential outdoor education”.³⁹⁹

319. The EM states that some residential outdoor education may be subject to statutory licensing under the Activity Centres (Young Person’s Safety) Act 1995 and the Adventure Activities Licensing Regulations 2004. It notes that there are a number of voluntary accreditation schemes for those activities that are not regulated by these pieces of legislation. In particular it cites the Learning Outside the Classroom Quality Badge which it says is “a nationally recognised indicator of good quality education provision.” It also cites the Outdoor Education Advisers Panel guidance which is endorsed by the Welsh Government.⁴⁰⁰

320. The Member in Charge said it was something that they had “chewed over a lot” but that there is already a number of schemes. He reminded us that the purpose of the Bill was around delivering equity of access, and removing barriers to access. He reiterated the EM by highlighting the “already existing quality badges and quality assurance schemes ...”⁴⁰¹ The Legal Adviser said that because there is already legislation in place for certain activities that the decision was made not to “overlap” with existing legislation.⁴⁰² While the Senedd Researcher reminded us that the Bill “isn’t creating this industry from scratch.”⁴⁰³

321. Others concurred with the range of already existing schemes. The Outdoor Education Adviser’s Panel said:

*“There are a number of existing accreditations for providers of outdoor activities at the moment. One key one is the learning outside the classroom quality badge ... There’s only one statutory requirement. If you’re delivering hill walking, rock climbing, paddle sports, caving to under-18-year-olds, there is a Health and Safety Executive adventure activities licence. ...”*⁴⁰⁴

³⁹⁹ Residential Outdoor Education (Wales) Bill [as introduced], section 1(3)(3)(f), November 2023

⁴⁰⁰ Sam Rowlands MS, Residential Outdoor Education (Wales) Bill: Explanatory Memorandum, paragraph 142, 24 November 2023

⁴⁰¹ CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 109

⁴⁰² CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 115

⁴⁰³ CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 118

⁴⁰⁴ CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 299

322. Other stakeholders highlighted the Learning Outside the Classroom Quality badge as a means of providing assurances. They included the Outdoor Partnership;⁴⁰⁵ NASUWT;⁴⁰⁶ PGL Travel;⁴⁰⁷ and Bendrigg.⁴⁰⁸ Although NASUWT did say that it may “need re-assessing” in light of some equality issues.⁴⁰⁹ While PGL Travel highlighted other accreditation schemes including “AHOEC, BAPA etc, assisted by the OEAP...”⁴¹⁰ Bendrigg said that providers should hold an “AALA Licence” as well as adhering to all other relevant legislation. Wales Council for Outdoor Learning flagged the “Visit Wales Adventure Activities Assurance Scheme.”⁴¹¹

323. The Association of Heads of Outdoor Education Centres described the role of the Outdoor Education Adviser’s Panel in this work. They said part of the adviser’s role (who are employed by local authorities) is to “discharge their health and safety in education quality duties.” They said that the EVOLVE system supports the process of verification which is already existing.⁴¹² The Panel themselves said that there is a “support network” in which advisers will talk as a group about “any issues with any organisations or providers ...”⁴¹³

324. Some stakeholders, in particular the education unions, expressed concerns that the Bill could lead to provision being set up “without really clear guidance on standards and expectations, and licensing ...”. Having said this, NAHT said that while they thought these issues could be addressed, they were concerned about being able to guarantee safety, which they described as a headteacher’s “primary job”. They talked about how schools develop trust and relationships with centres that they work with over a number of years.⁴¹⁴

325. UCAC emphasised the importance of health and safety, and said that “licensing is essential, and ensuring that there is consistent compliance ...”.⁴¹⁵ They also asked who would be accountable for safety at centres.⁴¹⁶ NASUWT said there was a “need to ensure standards” are being adhered to. ASCL also said there was

⁴⁰⁵ [Written evidence, ROE 12, The Outdoor Partnership](#)

⁴⁰⁶ [Written evidence, ROE 07, NASUWT Cymru, paragraph 15](#)

⁴⁰⁷ [Written evidence, ROE 14, PGL Travel](#)

⁴⁰⁸ [Written evidence, ROE 17, Bendrigg](#)

⁴⁰⁹ [Written evidence, ROE 07, NASUWT Cymru, paragraph 15](#)

⁴¹⁰ [Written evidence, ROE 14, PGL Travel](#)

⁴¹¹ [Written evidence, ROE 26, Wales Council for Outdoor Learning \(WCfOL\)](#)

⁴¹² [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 301](#)

⁴¹³ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 309](#)

⁴¹⁴ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraphs 275-276](#)

⁴¹⁵ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 378](#)

⁴¹⁶ [Written evidence, ROE 05, Undeb Cenedlaethol Athrawon Cymru, paragraph 12.1](#)

the need for “some kind of standards that would need to be adhered to, and potentially licensing.”⁴¹⁷

326. Learning Disability Wales highlighted the “heightened risk” that children with a learning disability are of being exploited. They said opportunities “must come with an assurance that such environments are safe and responsible and operate under a robust regulatory framework.” They highlighted the benefits would extend to all children.⁴¹⁸

327. The WLGA said that safety standards need to be “high” because of the responsibility of children and young people taking in part in “adventurous activities” can be “very onerous”. They called for responsibilities to be “clearly demarked”.⁴¹⁹ ADEW supported the need for “clearly defined standards and independent mechanism for the regular monitoring and certification of providers...” They highlighted that increasing litigation against schools has also affected “schools’ confidence and staff willingness to deliver educational visits and trips.”⁴²⁰

328. The Children’s Commissioner highlighted that the OAEP guidance is only advisory, but that making this mandatory guidance “would not only protect pupils ... but also provide reassurance to parents and carers...”. She noted that while the Welsh Government currently endorses this guidance, the Bill provides “the opportunity to incorporate this as a requirement.” She encouraged consideration of amendments to the Bill to give effect to this.⁴²¹

329. The Minister said that licensing agreements are “complex” which need “very careful consideration of the implications of that.” He did not agree with the approach being taken by the Bill, in which the guidance issued by Welsh Ministers could set requirements for provision.

“I don't think that's appropriate in terms of ensuring a system that works, it's not a way to introduce a licensing system, and that, to be honest, is what I think it's trying to do. So, it's not appropriate for that. ... using the guidance to drive a

⁴¹⁷ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 280](#)

⁴¹⁸ [Written evidence, ROE 16, Learning Disability Wales](#)

⁴¹⁹ [CYPE Committee, 24 January 2024, Record of Proceedings, paragraph 113](#)

⁴²⁰ [CYPE Committee, 24 January 2024, Record of Proceedings, paragraph 114](#)

⁴²¹ [Written evidence, ROE 15, Children’s Commissioner for Wales](#)

fundamental part of the system, and fundamental in a mandatory way, if you like, is not appropriate.”⁴²²

330. At the end of our scrutiny, we revisited this issue with the Member in Charge. In particular, if there was a risk that there would an influx of providers into Wales to meet new demand who would not meet the requisite standards. His Support Staff said that while concerns raised on this issue were “fair” that there are “some very strong systems and structures in place” which mean it would be unlikely.

“... The schools are required to undertake checks to make sure that the providers they're using meet certain standards. So, the EVOLVE system asks people to log the details of the trip that they're planning to do, the educational advisers in those local authorities review those forms and the Welsh Government itself signposts all educational visit organisers to the national guidance of the Outdoor Education Advisers' Panel. Part of that has a statement that says if an organisation has a Learning Outside the Classroom Quality badge, then you don't need to worry, in effect, about asking a lot of other questions. If they haven't, then there is a provider form to fill in. So, there's a process there.

Where activities fall under statutory regulation, then there is the adventure activities licensing regulations, and so, adventurous activities, anyone providing those must have an activity licence in this context that we're talking about. So, licensing already exists in a statutory framework,...”⁴²³

Tracking provision and monitoring outcomes

331. As we have highlighted earlier in this Chapter, in particular in relation to issues around the age / school year in which children go on residential outdoor education, tracking provision being taken up will be critical. Closely linked to this is the need to monitor outcomes from residential outdoor education. (This is also an issue that we have touched upon in Chapter 4.)

⁴²² [CYPE Committee, 24 January 2024, Record of Proceedings, paragraph 266](#)

⁴²³ [CYPE Committee, 1 February 2024, Record of Proceedings, paragraphs 99-100](#)

Tracking provision

332. At the outset of scrutiny, the Member in Charge said there were already existing ways of tracking activities, such as the EVOLVE system. Although he noted that currently EVOLVE does not track individuals, but rather tracks the number of trips a school takes and the number of pupils going on these trips.⁴²⁴ In terms of monitoring compliance with the Bill, he said the Government has already got systems in place to monitor compliance for a whole range of schemes and projects, and that he did not envisage this being any different in principle. He said it would “just” be a “different line within that reporting of compliance, to different expectations that Welsh Government would have.”⁴²⁵

333. Estyn agreed that some of this information is currently collected “to some extent through current systems”. Although they said there may be an need for a more consistent approach, because it would be a legal entitlement, so it is important to be able to identify whether the entitlement has been “delivered”.⁴²⁶

334. The education unions, however, were concerned that the administration would fall upon schools. ASCL asked who would be responsible for this, at a time when there is a move to “streamline workload for teachers to make the profession more attractive...”.⁴²⁷ They were also concerned that funding would be needed to ensure tracking which would be taking away funding from front-line services.⁴²⁸ NAHT said they would expect the “burden” to fall upon administration and senior leadership within a school. Although this data may be reported to local authorities “the hard work will be done by the school.”⁴²⁹ They said there would need to be “very detailed conversation with local authorities” about capacity because schools “don’t” have the capacity to do it.⁴³⁰ NEU said that if tracking entitlement was the responsibility for the school it would “be a significant extra workload”.⁴³¹

335. ADEW also raised similar concerns. They said it would be putting pressure on a system “that is already struggling to maintain core educational activity.” They said that recruitment and retention of staff is already an issue, without placing further requirements on staff (echoing the views of the unions.) They also said

⁴²⁴ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 149](#)

⁴²⁵ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 165](#)

⁴²⁶ [CYPE Committee, 14 December 2023, Record of Proceedings, paragraph 188](#)

⁴²⁷ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 249](#)

⁴²⁸ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 254](#)

⁴²⁹ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 256](#)

⁴³⁰ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 260](#)

⁴³¹ [Written evidence, ROE 08, National Education Union Cymru \(NEU\)](#)

local authority staff “are cut to the bone” and would not have capacity to do any further monitoring as a result of this legislation.⁴³²

336. The Minister said that the Government would:

“... more likely that we would amend the regulations under which schools report this to local authorities, and we have an existing mechanism for obtaining that data on an aggregate basis from local authorities, as you know, so I think that would be the more practical way of doing it. But the truth is, inevitably, this is an extra layer of reporting on schools, which I'm certain would be unwelcome, and perhaps the broader point is that no other part of the curriculum has a reporting requirement of anything like this specificity.”⁴³³

337. We revisited these issues with the Member in Charge and his team at the end of our scrutiny. The Senedd Researcher supporting the Member in Charge said that they had looked at the cost implications of systems to track provision. Discussions with local authorities had indicated that there are already management systems in place, and that this could be incorporated within these systems. He said the costs of this would be “pretty negligible” and had been taken account of in the regulatory impact assessment.⁴³⁴

Monitoring outcomes

338. The Member in Charge said there would be a role for schools and governing bodies to monitor implementation, as they have “oversight and responsibility for all aspects of children’s learning.”⁴³⁵ In terms of outcomes for children, he said this should be measured in the same way the rest of the Curriculum is measured.⁴³⁶

339. The Senedd Researcher supporting the Member said that if the Bill was passed, and residential outdoor education becomes part of the curriculum, it could be “included in the scope of general Estyn inspections.” He added that if the Welsh Government was “so minded” that it could remit Estyn to look at the quality of residential outdoor education.⁴³⁷

⁴³² [CYPE Committee, 24 January 2024, Record of Proceedings, paragraphs 118-120](#)

⁴³³ [CYPE Committee, 24 January 2024, Record of Proceedings, paragraph 236](#)

⁴³⁴ [CYPE Committee, 1 February 2024, Record of Proceedings, paragraph 130](#)

⁴³⁵ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 150](#)

⁴³⁶ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 153](#)

⁴³⁷ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 119](#)

340. When we shared this suggestion with Estyn, they said they do not get to observe residential. They said that they may go to a school for an inspection and “half the children” are on a residential. While they do not observe residential experiences “first hand” they will discuss them with schools:

“... as part of the discussion about the curriculum, what experiences do they offer to their children, how does that fit in with their curriculum, and, very importantly, we ask them those questions around inclusion, how accessible are the experiences that they offer, are they affordable et cetera.”

They added that it would be very difficult during an on-site school inspection visit to form any views about residential outdoor education the school had participated in. The only way they could look at it in any detail would be to undertake thematic work.⁴³⁸

341. Estyn voiced a word of caution about trying to identify particular impacts of individual parts of the curriculum, saying this “can be very challenging. Correlation does not equal causation.” They said that the voice of pupils is “really important in terms of evaluating these kinds of learning experiences.” They also said parental and professional views are important too. Ultimately, “the starting point for monitoring and evaluation would be the schools themselves.”⁴³⁹ They said this approach shouldn’t place additional administrative “burden” on schools as they will already be self evaluating, and tracking individual children’s skills and development throughout a school year.⁴⁴⁰

342. At a national level, Estyn, said it was more challenging to monitor outcomes. They noted that it would be easier to “focus on things like equity and look at participation rates”. To understand the “actual benefits” would need “ a very well-designed longitudinal study.”⁴⁴¹ ASCL also questioned how outcomes could be tracked.⁴⁴²

343. The specific issue of monitoring who isn’t participating was raised by Cardiff and Vale University Health Board. They said monitoring the characteristics of those who do not go is important to ensure “no disparity between different

⁴³⁸ [CYPE Committee, 14 December 2023, Record of Proceedings, paragraphs 170-171](#)

⁴³⁹ [CYPE Committee, 14 December 2023, Record of Proceeding, paragraph 183](#)

⁴⁴⁰ [CYPE Committee, 14 December 2023, Record of Proceedings, paragraphs 185](#)

⁴⁴¹ [CYPE Committee, 14 December 2023, Record of Proceedings, paragraph 186](#)

⁴⁴² [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 254](#)

groups.”⁴⁴³ Learning Disability Wales also supported a “robust monitoring system to ensure a rich source of data” to understand the characteristics of those groups attending and those who are not.⁴⁴⁴

344. The Minister said monitoring and reporting on outcomes “would be burdensome” and would be inconsistent with “the level of obligation we have in other parts of the curriculum, generally speaking.”⁴⁴⁵

345. The Member in Charge’s team said that there were systems in place, with centres having their own evaluation systems. His Support Staff said it would not be “a large step to arrive at an outcomes framework or a system that allows people to import their own data.” He said there were ways in which schools would not have to do that, and that it could come from the sector.⁴⁴⁶

Our view on implementation and practical issues

346. As we have highlighted there are a number of issues that have been highlighted by stakeholders. Below we outline our views on some of those issues and make a number of recommendations.

Our view: Current pressures faced by schools

347. As part of our wider work, including our Senedd long inquiry into implementation of education reforms and scrutiny of the Welsh Government’s draft budget, we are acutely aware of the wide-range and complex nature of the pressures faced by local authorities, schools, and school staff. In particular, schools, along with other public sector bodies, are facing one of the most challenging financial climates. These pressures are alongside implementation of far-reaching reforms to both the curriculum and ALN system. All of this is against the backdrop of pandemic recovery. We do not underestimate the challenges faced by all in the school sector, in particular, head teachers, teachers, teaching assistants and support staff.

348. In particular, the finances of the Bill are one of the most pressing challenges, and we look at the financial implications of the Bill in the next Chapter.

⁴⁴³ [Written evidence, ROE 11, Cardiff and Vale University Health Board](#)

⁴⁴⁴ [Written evidence, ROE 16, Learning Disability Wales](#)

⁴⁴⁵ [CYPE Committee, 24 January 2024, Record of Proceedings, paragraph 238](#)

⁴⁴⁶ [CYPE Committee, 1 February 2024, Record of Proceedings, paragraph 133](#)

349. This is one of the areas where we struggled to come to an agreed collective position. For some Members this was a factor in not wishing to support general principles. For other Members, they believed there was space to seek further information from the Member in Charge as to how he envisaged ensuring this Bill would not place more pressures on an already strained system and workforce.

Our view: Capacity in the sector

350. We explore some of the issues around the guidance and Welsh medium provision later in this Chapter. However, it is important to note the concerns raised by those about capacity within the sector for accessible and inclusive provision; and Welsh medium provision. If the Bill proceeds, we think more work needs to be done to better understand capacity within the sector in Wales, in particular these types of provision.

351. . We know currently there is not any provision within Wales for children and young people with complex needs. Although we did hear that some centres can provide accessible provision for lower level need. It would be helpful to understand what is available, and for this information to be widely available to support schools in organising visits which meet the needs of all their learners.

352. In relation to Welsh medium provision, this is provision which can only be delivered within Wales, and therefore we cannot rely on provision from outside of Wales to meet capacity gaps.

353. A better understanding of capacity in Wales will help support implementation of the Bill if it is passed. It will identify areas or types of provision where there are gaps, and enable the sector and partners to seek to develop provision to meet the needs of all learners across Wales.

Recommendation 1. If the Bill is passed, the Welsh Government should commission a review of capacity within the residential outdoor education sector, which must include assessment of capacity for accessible and inclusive provision; and Welsh medium provision. This review should be published, and information about provision made available to schools to help inform their planning and design of residential outdoor education experiences.

Our view: Defining residential outdoor education

354. We believe the right balance has been struck in relation to defining residential outdoor education. We think putting a definition on the face of the Bill would be too prescriptive, and not provide enough flexibility to amend it if necessary. It is also in line with the broad approach of the Curriculum for Wales which provides local flexibility for schools to decide how this provision fits within their wider curriculum offer. We note that there is also the opportunity for a definition to either form part of the Code or the Guidance.

355. In particular we note the comments from UCAC and the Urdd about how some Urdd provision such as that in Cardiff Bay or Pentre Ifan might not comply with a tightly drawn definition. (See paragraphs 235 and 236.) Yet these centres provide opportunities which are not necessarily available in other provision. We would not want to see this type of provision ruled out because of a very specific definition. Therefore if a definition is to be included in the Code or the Guidance, we would want to see this being broad which does not restrict the provision such as that delivered by the Urdd or other similar types of provision.

356. We understand calls for the Bill to specify that the provision should be offered in Wales. We would certainly want to see schools prioritise funding opportunities within Wales, which also enable them to have Welsh language experiences, and exposure to Welsh culture and “cynefin”. However, we accept that it may not always be possible for schools to secure provision within Wales. We do not believe the Bill should restrict schools to delivering this provision outside Wales, if either this is better for their school’s individual needs or because they are unable to secure appropriate provision within Wales. It is also clear that at the current time there is not sufficient capacity within the sector to support all schools meeting the requirements of this Bill within Wales. This may well change in time, and this could be potentially revisited later.

357. We would not want to be in a position where schools were unable to meet their statutory duty for reasons beyond their own control, such as being unable to secure provision in Wales in a way and time that suits their pupils. We are also concerned that by stipulating that the provision must be in Wales, this could cause an unintended consequence of driving up prices, as demand would (at least in the early years of implementation) far outstrip supply. This could lead to price inflation, making the costs of the Bill more expensive for the Welsh Government. Heledd Fychan MS does not support the conclusions in paragraphs 356 and 357 and believes the Bill should be amended to stipulate that provision

must be delivered in Wales, on the basis that Welsh public money should be spent in Wales.

Our view: Eligibility for entitlement

358. While acknowledging some of the practical issues with how EOTAS pupils can be included within the eligibility of the Bill, we agree with all the stakeholders who raised concerns about this potential gap in the Bill. The EM is very clear that the current lack of equity in opportunities is a social justice issue, and this is one of the underpinning reasons for bringing forward this Bill. We agree, and think it's important that all children and young people have the opportunity to go on a residential outdoor education experience. Without this expansion, the Bill is not the universal provision it aims to be.

359. We heard that those children and young people in EOTAS may be the cohort of pupils who could most benefit from the broader experiences offered during residential outdoor education. We acknowledge that the Member in Charge has considered this throughout the development of the Bill, but believe it is important the Bill, if passed, is amended to ensure that EOTAS pupils are eligible for the entitlement. We also note the Children Commissioner's views that disapplication of the curriculum for those in EOTAS should be done on a case by case basis, rather than an assumption that all pupils in EOTAS will have the curriculum disappplied.

Recommendation 2. The Member in Charge should bring forward amendments at Stage 2 to widen the eligibility criteria to include pupils in education other than at school.

Our view: Length of a residential outdoor education experience

360. There was a clear theme throughout all the evidence we gathered on this issue, which is that decisions on the length of a residential outdoor education should be based on the needs of individual schools and cohorts of students, taking into account the specific needs of individual learners. We therefore do not think the Bill should make any prescriptions about the length of residential outdoor education. We note that the Bill currently states that the course can be taken either as a single visit or in multiple visits, but even with this, we think it is still too prescriptive. For some children and young people, a single overnight visit may be sufficient or preferable. This is also linked to the issues we cover elsewhere in this chapter on the mandatory nature of the provision.

361. We believe this level of detail would be more appropriate in the guidance that would follow, and which would enable schools to make decisions that best suit their individual school needs. We also note that prescribing a particular length of stays may have an impact on availability of provision, particularly provision in Wales, or Welsh language provision. This will be a particular issue in the early years of the implementation of the Bill when there is a need for further development of capacity within the sector to deliver on this Bill.

Recommendation 3. The Member in Charge should bring forward amendments at Stage 2 to remove the provision that residential outdoor education should consist of four nights and five days to ensure that there is greater flexibility on the length of a residential outdoor education experience which is linked to children and school's individual needs.

Our view: The guidance

362. It would seem that at the heart of the issues around the guidance is that the guidance provision in the Bill places a duty on Welsh Ministers to produce guidance that conflicts with the legal effect of the Bill (in relation to the mandatory element of residential outdoor education.) We comment on this in later in this section.

363. On a separate issue we would like to see the guidance to cover an additional area. As we noted in paragraph 173, we have heard of child's basic dietary requirements not being met, resulting in them not eating meals during their residential. In this instance, it was because halal meat was not provided, but dietary requirements could span a range of different types of requirements, and it is critical that providers meet the needs of all the children coming to their centres. We think this is important enough to be an issue which should be covered in the guidance.

Recommendation 4. The Member in Charge should bring forward amendments at Stage 2 to specify that the guidance must provide that all children's dietary requirements are catered for.

Our view: Age or school year

364. There are a range of views as to whether there is an optimum age for a child to experience residential outdoor education, and then to when that might be. Based on the information we have received, we do not feel we can come to a decision to answer either of these questions. But we do think it's right that the Bill

does not prescribe the age or school year on the face of the Bill, as we believe this would be too prescriptive, and too much detail for primary legislation.

365. We also note that being too prescriptive could lead to unintended consequences with some children losing out on the opportunity for factors beyond their control. There are clearly some practical matters which need further consideration in terms of potential implementation, and we would expect the Welsh Government in drawing up the guidance to undertake further consultation to understand how these can be dealt with. One of those issues would be around ensuring that funding follows a child, so that those who may change schools do not miss out. We note that there may be some groups of children who are more likely to change schools regularly, and we would not want there to be particular groups of children who did not have the same opportunities as their peers.

Our view: Mandatory nature of provision

366. It is clear from the evidence we have heard, and from our own legal advice, that this Bill makes residential outdoor education a compulsory part of the curriculum. If the intention was to make provision optional, the Bill should have been drafted to that effect.

367. However, it is also clear from the Member in Charge's evidence that he does not intend for any child to be compelled to attend residential outdoor education. We believe this intention needs to be put on the face of the Bill to provide clarity.

Recommendation 5. The Member in Charge should bring forward amendments at Stage 2 to put on the face of the Bill that it is not mandatory for children to take part in residential outdoor education provision offered under this Bill.

368. As the Bill is currently drafted if children do not want to attend they will need to opt-out. From the evidence we have heard it is apparent that the intention is to use section 42 of the 2021 to create an 'opt-out'. The Minister described this as a "blunt instrument" raising concerns about potential unintended consequences if this process was not followed and a child did not attend. The Member in Charge in response explained that it was felt less likely to lead to complications to follow the process already set out in the 2021 Act, than creating a new system to opt-out of one element of the curriculum.

Our view: Welsh medium provision and promoting Welsh language and culture

369. We note the issues we have detailed previously in this Chapter about Welsh medium provision. While there currently is not sufficient Welsh medium provision, this Bill, if passed, could provide an opportunity to develop and expand Welsh medium provision. We would expect as part of the implementation of the Bill, if passed, there to be further work in this area, and for the Welsh Government to play a role in encouraging the expansion of the provision. With this in mind, we are persuaded by the arguments made by stakeholders that there is a need to strengthen the provisions as they relate to the Welsh medium, and to bring them in line with the approach to education we have in Wales, which is that people can choose to be educated in the language of their choice.

370. We are persuaded by the Welsh Language Commissioner evidence, and believe that the amendments proposed should be made to the Bill.

Recommendation 6. The Member in Charge should bring forward amendments at Stage 2 to give effect to the proposed amendments of the Welsh Language Commissioner, in order to ensure:

- that there is sufficient Welsh language provision;
- that residential outdoor education provision offers opportunities for all children to learn and have experiences through the Welsh language; and
- that residential outdoor education must promote an understanding of Welsh language and culture.

Our view: Licensing of providers

371. We received evidence that outlined the statutory requirements that residential outdoor education providers must comply with; alongside these there are a range of voluntary schemes which many centres are signed up to. Considering this evidence, we are assured that the approach taken in the Bill to not require new licensing schemes for this specific type of provision is the right one.

Our view: Tracking provision and monitoring outcomes

372. We think there is the need for some more information on how tracking provision would work in practice. In particular, what happens in those instances where a child moves schools, and misses out on an opportunity, how can this be tracked, and what steps could be taken to ensure the child does not miss out on their entitlement.

373. We note the evidence from the unions, and ADEW, in which they said that neither schools nor local authorities have the capacity to take forward any additional monitoring. We note this contradicts the evidence we received from the Member in Charge who indicated that it should be reasonably straight forward to add an additional field to already existing information management system. We had mixed views as to how straight forward this could be.

Recommendation 7. The Member in Charge ahead of the Stage 1 debate provides details on how he envisages the tracking of provision to work in practice.

6. Financial implications of the Bill

At the heart of concerns about the general principles of the Bill is the issue of financing, and whether it is currently affordable.

374. We have already looked at the issues around financial barriers preventing children taking up opportunities in Chapter 4. We have covered the aspects of how the additional costs incurred by families could be dealt with in that chapter. We have not interrogated the RIA, as that is the role for the Finance Committee. However, as the funding of the Bill is a key part of the legislative proposals, we have considered this element of the Bill. One of the key questions at the heart of this Bill is whether the Welsh Government should be tied to a financial commitment within legislation.

Financing the Bill

Regulatory Impact Assessment

375. The Regulatory Impact Assessment (“the RIA”) (which is part of the EM) estimates that the total cost of the Bill over the first five years would be between £74 million and £96 million. The average annual costs of the Bill would be between £15 million and £19 million.⁴⁴⁷

376. The RIA states that the costings have been based on “every pupil taking up the offer to attend a residential outdoor education experience as a result of the Bill.”⁴⁴⁸

377. The RIA also cites evidence in relation to potential economic benefits and impacts on public services. It states that “studies have demonstrated a positive social return on investment (SROI) into outdoor learning experiences, which can be quantified.” It cites a number of different pieces of research which indicate a range of different economic impacts of different outdoor education and activity. It

⁴⁴⁷ [Sam Rowlands MS, Residential Outdoor Education \(Wales\) Bill: Explanatory Memorandum, paragraphs 208-209, 24 November 2023](#)

⁴⁴⁸ [Sam Rowlands MS, Residential Outdoor Education \(Wales\) Bill: Explanatory Memorandum, paragraph 235, 24 November 2023](#)

also indicates that outdoor experiences and contact can lead to improved mental and physical health.⁴⁴⁹

378. The Institute for Outdoor Learning;⁴⁵⁰ and Ramblers Cymru;⁴⁵¹ echoed these examples and studies.

379. The RIA also provides estimate of costs for children with “severe learning difficulties”. It says that the estimates “assume provider costs” for this provision will be “approximately double those charged for pupils not requiring support.” It says that there will also be pupils who have disabilities which are not categorised as having an additional learning need, but “it is assumed a provider would absorb potential costs arising from providing the necessary support if it has the capacity.”⁴⁵²

380. Alongside the Member in Charge, other stakeholders also supported the financial expenditure in implementing the Bill. The Institute for Outdoor Learning acknowledged that the cost of the Bill is “clearly a significant expenditure” but they believed it would be “money well spent and the investment would have significant benefits” for children and the wider economy of Wales.⁴⁵³

Investing in residential outdoor education

381. The Association of Heads of Outdoor Education Centres said that it was a question of priorities “in how we spend money as a nation, what we do with it.” They felt it was a good opportunity to demonstrate that residential outdoor education and its benefits are valued.⁴⁵⁴

382. The Royal College of Paediatrics and Child Health said that while it wasn’t a “significant” element of the overall budget, that in the current financial climate “it could be considered such”. While they said as a preventative intervention it could potentially “be paid back” this would need “extensive monitoring”. They said more “in-depth research” was needed on this before they could come to a view as to whether the Bill would have a “defined cost benefit.”⁴⁵⁵

⁴⁴⁹ [Sam Rowlands MS, Residential Outdoor Education \(Wales\) Bill: Explanatory Memorandum, paragraphs 213 -224, 24 November 2023](#)

⁴⁵⁰ [Written evidence, ROE 1, Institute for Outdoor Learning, paragraphs 8-12](#)

⁴⁵¹ [Written evidence, ROE 22, Ramblers Cymru](#)

⁴⁵² [Sam Rowlands MS, Residential Outdoor Education \(Wales\) Bill: Explanatory Memorandum, paragraphs 279-286, 24 November 2023](#)

⁴⁵³ [Written evidence, ROE 1, Institute for Outdoor Learning, paragraph 6](#)

⁴⁵⁴ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 263](#)

⁴⁵⁵ [Written evidence, ROE 20, Royal College of Paediatrics and Child Health \(Wales\)](#)

383. The sector highlighted the benefits that increased demand would have. PGL Travel said that the season length and occupancy would “be likely to increase.” This, they said, would mean providers could operate more efficiently, reduce costs which “could then help in supporting the overall costs of the Bill.”⁴⁵⁶ The Outdoor Education Advisers’ Panel also said that the Bill would help “contribute” to the sector’s sustainability.⁴⁵⁷

384. While the Countryside Alliance said although the Bill does not stipulate the provision must be in Wales, :

“... its attractiveness to external audiences strongly suggests that the domestic sector would benefit greatly. It would in turn stimulate sectoral growth, further confirming Wales as a destination of choice for outdoor education and increasing revenues of both public and private funds into the Welsh rural economy.”⁴⁵⁸

Budgetary pressures

385. We heard concerns about the amount of money the Bill would cost, and how that could potentially impact on the Welsh Government’s education budget, and subsequently individual school budgets. The education unions were particularly concerned about this element of the Bill, especially in the current challenging financial climate.

386. The Children’s Commissioner acknowledged the financial pressures facing local authorities and schools, but because these pressures mean that such activities will not be prioritised felt this was a reason for making the provision a statutory entitlement. However, she added that schools would have to be “properly funded” to deliver the provision.⁴⁵⁹

387. UCAC had “real” concerns that the funding for this Bill would be taken from “core school budgets”. They highlighted that school budgets are currently “tight” with schools struggling to fund current provision, and that there was a “real danger” it could result in schools losing staff.⁴⁶⁰

⁴⁵⁶ [Written evidence, ROE 14, PGL Travel](#)

⁴⁵⁷ [Written evidence, ROE 03, Outdoor Education Advisers’ Panel \(OEAP\)](#)

⁴⁵⁸ [Written evidence, ROE 10, Countryside Alliance \(Wales\), paragraph 4](#)

⁴⁵⁹ [Written evidence, ROE 15, Children’s Commissioner for Wales](#)

⁴⁶⁰ [Written evidence, ROE 05, Undeb Cenedlaethol Athrawon Cymru, paragraphs 4.1 and 4.5](#)

388. This was a view shared by NAHT, who said they were concerned how both the direct and indirect costs arising from the Bill would have on the “many competing demands on the finite and limited budget” of Welsh schools. They said it would have a “considerable cost implication” and that the funding would have to come from savings “on other (unspecified) public services.” They also said that without a “dedicated and ringfenced pot of “new” money” it would “drain resources out of classrooms” as well as reducing the ability of schools to pay for staff, equipment and resources. They also suggested that there would be some children for whom this provision “may not be desirable nor the best use of limited funding, so making it a requirement would be wasteful.”⁴⁶¹ They said that any money within the education budget “needs to be prioritised to where school leaders and teachers think it will best benefit learners ... to protect those front-line services.”⁴⁶²

389. NAHT said that on “a rough calculation” the annual costs of the Bill would equate to around “450 full-time teachers on the average wage for a teacher” saying they would prefer that money to be spent on front-line teaching and learning.⁴⁶³ UCAC agreed saying this would be millions of pounds not being spent on putting “teachers and qualified staff in the classroom.”⁴⁶⁴

390. NEU called for any additional costs relating to implementation of the Bill to be “met by the government” which should then be passed to local authorities in “hypothecated / specific grant funding” because existing school budgets cannot cover these costs.⁴⁶⁵

391. The WLGA said that the Bill “would need to be fully funded at inception and also allow for future potential increased costs ...”⁴⁶⁶

392. Although it was not just education unions who raised the current challenges across all the public sector, with Public Health Wales,⁴⁶⁷ and Sports Wales also highlighting this. Sports Wales said that the current financial climate needed to be considered, and called for a “wider discussion” on delivery models and the financial impact different models could have.⁴⁶⁸

⁴⁶¹ [Written evidence, ROE 06, National Association of Head Teachers Union \(NAHT\), Cymru](#)

⁴⁶² [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 189](#)

⁴⁶³ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 210](#)

⁴⁶⁴ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 301](#)

⁴⁶⁵ [Written evidence, ROE 08, National Education Union Cymru \(NEU\)](#)

⁴⁶⁶ [Written evidence, ROE 23, Welsh Local Government Association](#)

⁴⁶⁷ [Written evidence, ROE 18, Public Health Wales](#)

⁴⁶⁸ [Written evidence, ROE 19, Sports Wales](#)

393. ADEW said there was a “significant risk” that the costings outlined “wouldn’t be sufficient to deliver on the objectives.” They also said that there were concerns that the increasing costs such as inflation, or pay awards would “drive costs up.” They highlighted the pressures local authorities are facing in setting balanced budgets, which are “inevitably resulting in cuts to core education services and schools’ delegated budgets.” They said the funding had to come centrally as schools and local authorities “cannot bear any additional cost” arising from the Bill. They then raised concerns about where the Welsh Government would find the money to fund this provision.⁴⁶⁹

394. The WLGA agreed and said while local authorities cannot fund this provision, it would also be “grossly unfair” to pass the cost onto schools. They said schools are already struggling, and would continue to struggle as they set budgets for the coming financial year.⁴⁷⁰

Specialist provision

395. Specialised provision is that which can cater for those children with more severe complex needs. Bendrigg said that it was “difficult” to find comparisons for specialised provision, but that fees for this provision “are significantly higher” and it is a fair assumption that the cost will be around “double”,⁴⁷¹ a view supported by Calvert Exmoor.⁴⁷² Neither Bendrigg or Calvert Exmoor pass on this full cost because it would be “unaffordable” for people wishing to come.⁴⁷³

396. Reasons for increased costs include “Higher instructional staffing ratios, specialist equipment and infrastructure and increased administration costs.” Bendrigg said it “is no coincidence” that all specialist providers “have charity status and require additional funding” to offset the gap between costs and the fees charged.⁴⁷⁴

397. Bendrigg also highlighted additional costs arising from carers accompanying disabled children because of the need to provide “for the ‘bed and board’ of the carer”. They said that for those with complex needs, they may need more than

⁴⁶⁹ [CYPE Committee, 24 January 2024, Record of Proceedings, paragraphs 92-94](#)

⁴⁷⁰ [CYPE Committee, 24 January 2024, Record of Proceedings, paragraph 97](#)

⁴⁷¹ [Written evidence, ROE 17, Bendrigg](#)

⁴⁷² [Written evidence, ROE 25, Calvert Exmoor](#)

⁴⁷³ [Written evidence, ROE 17, Bendrigg](#)

⁴⁷⁴ [Written evidence, ROE 17, Bendrigg](#)

one support worker, but that when there are groups going, sometimes support worker will be shared and “the care, per person, is reduced.”⁴⁷⁵

398. Calvert Exmoor also echoed the views of Bendrigg, saying that their specialist facilities “aren’t commercially sustainable” for the same reasons Bendrigg had highlighted. They said that accessible and inclusive provision in Wales will need to be invested in, and subsidised.⁴⁷⁶

Financing the Bill

399. The financial cost of the Bill is one of the reasons why the Welsh Government is not supporting the Bill. They said it will “put significant and unnecessary additional pressure on education budgets at national, local authority and school level ... Our view ... is that the Bill is unaffordable at this present time.”⁴⁷⁷

400. They outlined the challenges of the current financial climate, describing the recent 2024-25 draft budget as the “most difficult ... since devolution ...”. They said that within the Education and Welsh Language portfolio they have “reprioritised funding so we can protect school funding as much as possible.” But that they have not been able to do everything they would want to do.⁴⁷⁸

401. Along with the cost of the Bill, they say that during the latest budget they have proposed simplification and streamlining of funding to local authorities and schools to provide greater flexibility on how they use their funding. They say that the Bill’s approach to providing “very specific and directed funding goes against our principle and approach to provide more flexibility in the use of grant funding.”⁴⁷⁹ The Minister described this as “going in exactly the opposite direction” of the Welsh Government’s current approach.⁴⁸⁰

402. The Welsh Government say that the “absolute statutory duty” of the Bill means that the Welsh Government would have to fund all provision “whatever that may be, and whatever the cost.” They say that while they are sympathetic to the principles that it “is simply not affordable” and that prioritising funding for this

⁴⁷⁵ [Written evidence, ROE 17, Bendrigg](#)

⁴⁷⁶ [Written evidence, ROE 25, Calvert Exmoor](#)

⁴⁷⁷ [Written evidence, ROE 24, Welsh Government, paragraph 7.19](#)

⁴⁷⁸ [Written evidence, ROE 24, Welsh Government, paragraphs 7.2- 7.3](#)

⁴⁷⁹ [Written evidence, ROE 24, Welsh Government, paragraph 7.4](#)

⁴⁸⁰ [CYPE Committee, 24 January 2024, Record of Proceedings, paragraph 243](#)

specific provision “will mean less funding in other priority areas in educations, such as school budgets.”⁴⁸¹

403. While they note that the costings are “largely in-line” with their estimates they note that the costs are unlikely to reduce over the five year period, as set out in the RIA, because of current inflation rates. They also add that there is a risk the costs “could become unaffordable in the future”. They also say that “committing to forecast costs with no indicative budgets [post May 2025] is risky.”⁴⁸²

404. They said they are aware of the “significant pressures” on school budgets, and that schools are “needing to make very difficult decisions.” They also highlighted that they do not fund schools directly, but that is a matter for local authorities, which is based on a local funding formula.⁴⁸³

405. The Minister said that by making one part of the curriculum a “specific statutory requirement” it would draw “attention and resources away, at a school level, from designing a set of sustained experiences ...”⁴⁸⁴

406. The Minister said that the costs of the Bill were “at the heart” of his concerns about the proposals. He said that the Bill “effectively” attaches a “a level of priority” to this funding element which is not “replicated across other funding requirements.” He described it as elevating one element of the curriculum above others. He accepted that local authorities would expect this to be funded by the Welsh Government. But he said with the other financial pressures within the system currently, he would want to direct the cost of this Bill to “other demands” which should have that funding “first.” He said it would be “very challenging” for him to make the case that residential outdoor education should be prioritised for additional funding.⁴⁸⁵

407. He accepted that there is a risk that this type of provision may not be funded as well as it has in the past, but that this type of risk was there in other areas. He was unsure that the solution was to “ring-fence” a particular element of the budget.⁴⁸⁶

408. The Member in Charge accepted it is a “challenging question” as to how the Bill will be funded, but said that the “Government finds money for things that it

⁴⁸¹ [Written evidence, ROE 24, Welsh Government, paragraphs 7.5-7.6](#)

⁴⁸² [Written evidence, ROE 24, Welsh Government, paragraphs 7.7- 7.8](#)

⁴⁸³ [Written evidence, ROE 24, Welsh Government, paragraphs 7.10-7.12](#)

⁴⁸⁴ [CYPE Committee, 24 January 2024, Record of Proceedings, paragraph 199](#)

⁴⁸⁵ [CYPE Committee, 24 January 2024, Record of Proceedings, paragraphs 240-241](#)

⁴⁸⁶ [CYPE Committee, 24 January 2024, Record of Proceedings, paragraph 244](#)

thinks are important and are a priority.” He said that the costs were not “hugely significant” in the context of the Welsh Government’s “£22 billion” budget. He called the proposals in the Bill as “great lever” to be pulled that can make a difference to learners and schools, with a industry and sector that already exists.⁴⁸⁷

409. He cited the “cross-departmental, cross-budget impact” of the proposals, highlighting the social return on investment information in the EM. He also pointed to the “human cost” of mental health pressures, and the related costs to the public purse.⁴⁸⁸

410. He emphasised to us that he sees “no obligation” that the funding for the Bill should have to come from the Education and Welsh Language budget. He said that while the Minister “continues to assert” that it would have to, there was “no need for that at all” and that the Welsh Government could find it from “all sorts of different funding pots”. He cited as a comparable example, funding for free school meals, where the Welsh Government “found funding from elsewhere to enable that to happen...”.⁴⁸⁹

411. He stated that the Bill has an impact on a wide range of areas other than just education, which the Welsh Government is responsible for, including physical and mental health, sport, recreation and climate change. He said there was “no reason why different ministerial departments can’t come together to understand how they can contribute to this”. He said ultimately that it is a “political choice” whether this offer is funded, and then how it is funded.⁴⁹⁰

412. We sought the Member in Charge’s views on whether he would consider decoupling the funding from the mandatory nature of the provision (e.g. removing the requirements within the Bill for the provision to be funded.) He said that he would consider it, but that:

“... fundamentally, for me, these two things work hand in hand. The delivery of residential outdoor education on the curriculum clearly can't happen without the funding to back that up. And the reason I put the funding-specific part within this was to help protect existing school budgets, because I recognise they are under pressure and will always be under pressure. This is about putting additional money into schools and education to

⁴⁸⁷ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraphs 135-137](#)

⁴⁸⁸ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraphs 138 and 143](#)

⁴⁸⁹ [CYPE Committee, 1 February 2024, Record of Proceedings, paragraph 9](#)

⁴⁹⁰ [CYPE Committee, 1 February 2024, Record of Proceedings, paragraphs 138-139](#)

*enable this to happen. Now, there are all sorts of creative ways that a Welsh Government Minister could do that, but I do think it's important that these two elements, as has been described by the Minister, are seen as one and of the same to a certain extent. ...*⁴⁹¹

Additional costs for schools including staffing costs

413. We heard that currently residentials are run primarily with staff volunteering out of goodwill. We were told that if residential outdoor education becomes mandatory this may raise the need for overtime to be paid to staff (which would increase the cost of the Bill).

414. The education unions highlighted concerns about financing and securing costs for supply cover. UCAC said consideration was needed as to the securing of supply staff to cover for those staff away on the residential.⁴⁹² NAHT said there were “significant cost implications” regarding teaching staff, highlighting the combined costs of having to provide staff to go on the residential outdoor education along with having to secure teaching cover for children who don’t go away.⁴⁹³

415. The NAHT had concerns about the estimates of costs in the RIA, but in particular those around supply costs. They said it was difficult to calculate these when you cannot identify how much backfill is needed, because that will be specific to each individual trip and school. They also said it can be difficult to secure supply cover.⁴⁹⁴

416. The costs of overtime were also raised by the education unions. UCAC said that if the provision becomes a statutory entitlement, the Bill does not take into account potential overtime or directed hours.

“Very soon, by going on a residential, teachers will have put in 48 hours, 60 hours, of work, over and above what would happen in the classroom. Now, that's not to say that teachers would not do this. Two thirds of all primary school and half of all secondary school teachers volunteer to do the very things that are very important to the development of their students

⁴⁹¹ [CYPE Committee, 1 February 2024, Record of Proceedings, paragraph 49](#)

⁴⁹² [Written evidence, ROE 05, Undeb Cenedlaethol Athrawon Cymru, paragraph 4.2](#)

⁴⁹³ [Written evidence, ROE 06, National Association of Head Teachers Union \(NAHT\) Cymru](#)

⁴⁹⁴ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 210](#)

and their pupils. However, if legislation is put in place, how are we going to ensure that teachers are given a voice in this? And to get volunteers to go away is one thing—are we getting the correct teachers going away? So, it's a concern of mine, and, as far as the financials are concerned, that would perhaps double or treble the financials being dealt with here. We're in constant discussion about teacher pay and making sure that it's a profession that appeals to people. Well, we've got an issue, then, if we're looking at asking teachers—or telling teachers, 'You must go on a residential.'"⁴⁹⁵

417. NASUWT raised other potential hidden costs that have not been included, such as teacher time for developing and recording learning outcomes, lesson development and linkages with the curriculum.⁴⁹⁶

418. The Welsh Government also raised concerns that the RIA does not cover the pay related implications of the Bill:

*"... in terms of the likely required changes to the School Teachers Pay and Conditions Document (the STPCD), which has provision around the maximum hours worked in the year and when a teacher can be required to work additional hours. Supervising pupils on a week residential would be outside normal school session times and, at the moment, we presume schools manage this by asking for volunteers from teaching staff. There are also specific limits for those teachers working part-time. If a residential trip was to become compulsory, the STPCD would likely need to be amended to reflect that as that will need to be supported by teachers. The STPCD are given legal effect by an order and the content of the STPCD is negotiated with trade unions."*⁴⁹⁷

419. The Member in Charge said that teacher cover costs are clearly calculated within the RIA. He said that for many, there is not a need for cover as the teachers "happily go along with their class" but he acknowledged that in secondary settings it's "more complicated".⁴⁹⁸ He said that the guidance "would ensure that

⁴⁹⁵ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraph 342](#)

⁴⁹⁶ [CYPE Committee, 11 January 2024, Record of Proceedings, paragraphs 348-349](#)

⁴⁹⁷ [Written evidence, ROE 24, Welsh Government, paragraph 7.9](#)

⁴⁹⁸ [CYPE Committee, 6 December 2023, Record of Proceedings, paragraph 84](#)

that funding comes through to schools to support that as well...” He also said it was “important” that schools have “certainty that they’d have financial support for this.”⁴⁹⁹

420. In relation to the issues around overtime, he said this would be a “piece of work” the Welsh Government would have to undertake once the Bill had been passed.⁵⁰⁰ He accepted it might not be “straightforward” but that it was his role to bring forward the legislation that guarantees the provision for every child in Wales.⁵⁰¹

Our view on financial implications of the Bill

421. We note that this Bill is very unusual in that it places a requirement on Welsh Ministers to fund a very specific activity. We have been unable to identify any comparable examples in legislation, which are related to such specific areas of expenditure. We would welcome clarity from the Member in Charge of other examples where such an approach has been taken.

Recommendation 8. The Member in Charge ahead of the Stage 1 debate should provide examples where legislation has placed a requirement on Ministers to fund a very specific type of activity.

422. We heard a range of concerns about the financial implications of the Bill. We are pleased that the Member in Charge did not hide away from these challenges, and seemed open to exploring potential alternative funding models, that could make the Bill more financially viable, in the current financial climate.

423. We agree with the Member in Charge that there is nothing preventing the Welsh Government from finding the funding for the Bill from elsewhere within its budget. It is not prescribed that it must come from the Education and Welsh Language budget. If the Bill is passed, the Welsh Government must consider this new funding requirement from within the totality of its budget and not assume it should come from the Education and Welsh Language budget line, budgets can be transferred into this budget from other areas of expenditure to fund the provision.

424. We would not want to see the funding for the Bill to come from within existing education budgets. We are very well aware of the pressures schools and

⁴⁹⁹ [CYPE Committee, 1 February 2024, Record of Proceedings, paragraph 94](#)

⁵⁰⁰ [CYPE Committee, 1 February 2024, Record of Proceedings, paragraph 94](#)

⁵⁰¹ [CYPE Committee, 1 February 2024, Record of Proceedings, paragraph 136](#)

local authorities are facing in delivering the basics of education. The Welsh Government must find additional funding to support the implementation of this Bill.

425. In relation to the additional costs which schools may be incurred, we understand the challenges that schools face in securing supply cover, particularly in Welsh medium schools. We are also aware that there may be further additional costs if more support workers are needed such as for those children with additional needs, or those in PRUs and EOTAS (if the eligibility of the provision is widened as we are calling for in recommendation 2.)

Annex 1: List of oral evidence sessions.

The following witnesses provided oral evidence to the committee on the dates noted below. Transcripts of all oral evidence sessions can be viewed on the [Committee's website](#).

Date	Name and Organisation
6 December 2023	<p>Sam Rowlands MS, Member in Charge</p> <p>Dr Dave Harvey, Member of the Senedd Support Staff</p> <p>Michael Dauncey, Researcher, Senedd</p> <p>Jen Cottle, Legal Services, Senedd</p> <p>Ceren Roberts, Director of Cardiff Residential Centre, Urdd Gobaith Cymru</p> <p>Geraint Williams, Deputy Director, Cardiff Residential Centre, Urdd Gobaith Cymru</p> <p>Graham French, Deputy head of the School of Education, Bangor University, Chair of the North Wales region for the Association of Heads of Outdoor Education Centres and Chair of the North Wales regional committee of the Institute for Outdoor Learning</p> <p>Clare Adams, Outdoor Education Adviser for Monmouthshire County Council, Outdoor Education Adviser's Panel for England and Wales</p> <p>Mike Rosser, Education Visits Adviser for Denbighshire, Flintshire and Wrexham, Project Lead for Welsh Government review of Visit Leader Training within FE Colleges, Outdoor Education Adviser's Panel for England and Wales</p>
14 December 2023	<p>Mark Champion, Acting Assistant Director, Estyn</p>
11 January 2024	<p>Chris Parry, President, National Association of Head Teachers Union Cymru (NAHT)</p>

Date	Name and Organisation
	<p>Laura Doel, National Secretary Wales, National Association of Head Teachers Union Cymru (NAHT)</p> <p>Catherine Falcus, Education and Leadership Policy Officer, Association of School and College Leaders Cymru (ASCL)</p> <p>Mary van den Heuvel, Senior Policy Officer Wales, National Education Union Cymru (NEU)</p> <p>Urtha Felda, Policy and Casework Official The National Association of Schoolmasters Union of Women Teachers (NASUWT)</p> <p>Ioan Rhys Jones, General Secretary, Undeb Cenedlaethol Athrawon Cymru (UCAC)</p>
<p>24 January 2024</p>	<p>Cllr Ian Roberts, Education Spokesperson, Welsh Local Government Association</p> <p>Claire Homard, Chair, Association of Directors of Education in Wales</p> <p>Frank Young, Director of Policy and Research, Parentkind</p> <p>Jeremy Miles MS, Minister for Education and Welsh Language Welsh Government</p> <p>Lloyd Hopkin, Deputy Director, Curriculum, Welsh Government</p> <p>Ceri Planchant, Lawyer, Welsh Government</p>
<p>1 February 2024</p>	<p>Sam Rowlands MS, Member in Charge</p> <p>Dr Dave Harvey, Member of the Senedd Support Staff</p> <p>Micheal Dauncey, Researcher, Senedd</p> <p>Manon Huws, Legal Services, Senedd</p>

Annex 2: List of written evidence

The following people and organisations provided written evidence to the Committee. All Consultation responses and additional written information can be viewed on the [Committee's website](#).

Reference	Organisation
ROE 01	Institute for Outdoor Learning
ROE 02	Urdd Gobaith Cymru
ROE 03	Outdoor Education Advisers' Panel (OEAP)
ROE 04	Mudiad Meithrin
ROE 05	Undeb Cenedlaethol Athrawon Cymru (UCAC)
ROE 06	National Association of Head Teachers Union Cymru (NAHT)
ROE 07	The National Association of Schoolmasters Union of Women Teachers (NASUWT)
ROE 08	National Educational Union Cymru (NEU)
ROE 09	Parentkind
ROE 10	Countryside Alliance Wales
ROE 11	Cardiff and Vale University Health Board
ROE 12	The Outdoor Partnership
ROE 13	Welsh Language Commissioner
ROE 14	PLG Travel Ltd
ROE 15	Children's Commissioner for Wales
ROE 16	Learning Disability Wales
ROE 17	Bendrigg
ROE 18	Public Health Wales
ROE 19	Sport Wales
ROE 20	Royal College of Paediatrics and Child Health (Wales)
ROE 21	Snowdonia-Active

Reference	Organisation
ROE 22	Ramblers Cymru
ROE 23	Welsh Local Government Association
ROE 24	Welsh Government
ROE 25	Calvert Exmoor
ROE 26	Wales Council for Outdoor Learning (WCfOL)
ROE 27	Welsh NHS Confederation

Additional Information

Title	Date
Parentkind	1 February 2024
Association of Directors of Education in Wales (ADEW)	15 February 2024
Sam Rowlands MS, Member in Charge	19 February 2024