



# The Implementation of education reforms

## Response to the CYPE Committee interim report (July 2024)

11/09/2024

The Children, Young People and Education Committee is monitoring the implementation of two key education reforms as they are being rolled out throughout the Sixth Senedd.

In July 2024 following the third check-in the Committee decided to publish an interim report on the findings to date. The report includes 8 recommendations.

This is the Welsh Government's response to those recommendations.

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# 1. Introduction

In Wales, Education is Our National Mission. The implementation of our education reforms will achieve high standards and aspirations for all. Together the reforms to the Curriculum for Wales (CfW) and the Additional Learning Needs (ALN) system are acting as a catalyst for change.

There remains broad support for the new curriculum and new ALN system in Wales, for the new way of working, and commitment across the sector to get it right. This is set against a backdrop of wider reforms including the whole school approach to mental health and wellbeing, the new approach to school evaluation, improvement and accountability, and supported by the approach to national Professional Learning. These reforms are also happening in the context of ongoing challenges, including the continued legacy of the impact of the pandemic on learning and wellbeing, challenges with attendance, an increase in children and young people with complex needs, as well as workforce, and budgetary pressures.

The Implementation of the new ALN system is now in the third year, and by September 2025 we will complete the initial phase to move learners from the SEN to the ALN system. It is still early days in implementation of our ALN reforms which is a systemic and cultural change to improve practice to identify and support learners with additional learning needs.

## 2. Response to the 8 recommendations

### Recommendation 1

The Committee recommends that:

As part of its review into the ALN Act and Code, the Welsh Government should review the clarity and accessibility of the legislation and statutory guidance. A focus of that work should be what constitutes, or at least is commonly understood as, so-called 'universal provision' by exploring the extent to which routine teaching across mainstream schools should meet the learning needs of children with low to moderate additional needs, and the point at which routine differentiation should tip into Additional Learning Provision.

**Response:** Accept

The Cabinet Secretary communicated her commitment to review the ALN legislative framework to ensure it is clear and understood at the Children, Young People and Education (CYPE) Committee's scrutiny session on 8 May. This includes considering the clarity and accessibility of the Act and statutory guidance to identify next steps to increase consistency of implementation across Wales.

The scoping of this work will be completed by November 2024 and informed by existing evidence, including the report by the CYPE Committee and initial findings from our four-year evaluation. An update to the Senedd on the progress and findings of the review is expected by Summer 2025.

In addition, work is underway to acquire further knowledge on what provision is 'generally available' to learners of the same age in Wales. Whilst 'universal provision' is not a term referenced in the ALN Act or Code, the term is widely used in the sector to describe the day-to-day practice which happens in every classroom to respond to educational needs, secure individual progress and ensure that all children and young people can thrive in their setting.

**Financial implications:** Accommodated in existing budgets

### Recommendation 2

The Committee recommends that:

As part of its review into the ALN Act and Code, the Welsh Government should review how ALN provision is funded in mainstream schools. This work should include consideration of local authorities' funding formulae, sets of principles, and other funding arrangements to:

- ensure that local authorities are passing on appropriate levels of funding to schools to support pupils with ALN;
- ensure that the balance between provision funded by schools and by local authorities is as intended in the ALN Act and Code;
- investigate whether local authorities have changed how they fund ALN compared to how they funded SEN under the old system, and whether this is appropriate;
- promote transparency about how ALN is funded for the benefit of schools and families; and, most importantly
- ensure that a lack of funding or resources is not a reason for children being wrongfully denied an IDP.

**Response:** Accept in part

The Cabinet Secretary for Education continues to prioritise investment in ALN in Wales and it is the statutory responsibility of local authorities to pass on appropriate levels of funding to schools to support pupils with ALN.

The Welsh Government provides funding to local authorities to support their funding of pre-16 provision in schools in Wales mainly through the local government revenue settlement. The settlement is not ring-fenced; the funding allocated to each authority is available to the authority to spend as it sees fit across the range of services for which it is responsible, including schools.

As part of the duty on local authorities to ensure there is suitable education provision for children, they must make sure their arrangements for learners with ALN are sufficient to meet the needs of children and young people in their area. This is in line with the Welsh Government's policy that local authorities are best placed to judge local needs and circumstances and to fund schools accordingly. Annual statistics on budgeted expenditure on Special Educational Needs (SEN) and Additional Learning Needs (ALN) provision are published [here](#).

We are currently conducting a review of local authority mainstream school funding formulae across Wales. The review will identify the total funding that each local authority delegates to schools to meet the needs of pupils with ALN and the different distribution methods used.

The review will enable us to consider how the system can be improved to make a fairer funding system, to enable more transparent, comparable and consistent funding across Welsh schools.

Phase 1 of the funding review is due to be completed in September 2024. A report on the analysis and recommendations for improvement is due to be published in the Autumn term. Following this, phase 2 of the funding review includes consultation and redrafting of the school funding regulations, alongside a programme of work aimed at supporting and improving the school funding system, including the funding of ALN provision within mainstream schools. This work is subject to legislative process and timetabling.

**Financial implications:** None

### **Recommendation 3**

The Committee recommends that:

The Welsh Government should ensure that every health board appoints its own dedicated DECLO as soon as is practicable to do so.

**Response:** Accept

The recommendation is accepted as every Health Board has a designated DECLO, in accordance with the ALN Act.

The ALN Act places a duty on all Health Boards to designate an officer to have responsibility for co-ordinating the Health Board's functions in relation to children and young people with ALN.

The role of the DECLO is to operate strategically to coordinate the Health Board's functions in relation to children and young people with ALN. The role has been positively received by both education and health sector and is driving forward standardisation and improvements at a national level.

The DECLOs have brought about improvements in communication, collaboration and joint working between authorities and the Health Boards and examples of this are cited in the CYPE Committee findings. In particular working regionally across local authorities and Health Boards to reduce variation, sharing of effective practice and lessons learnt, as well as establishing ALN champions within each service to create a sustainable structure for managing and responding to education requests.

The concerns raised by the committee are known to both education and health sectors. These operational capacity issues include longer than expected waiting times, lack of Allied Health Professional capacity to support assessments and attend review meetings, as well as inefficiencies and bottlenecks within the multi-agency ALN process.

The ALN Multi-agency Group are working together to resolve the operational challenges by agreeing shared expectations and national key performance indicators to monitor performance and compliance to statutory timelines. The Welsh Government will be considering schools' rights under the Act to make section 65 and section 20 requests as part of the legislative review, and responding to evidence and data from our four-year evaluation.

**Financial implications:** None

## **Recommendation 4**

The Committee recommends that:

As part of its review into the ALN Act and Code, the Welsh Government should explore the impact of the Act and Code specifically on collaboration between health and education. That review should include consideration of: Implementation of education reforms:

- whether health bodies are consistently responding to referrals and requests for information from local authorities in a timely manner (and if not why not);
- whether the timescales for health board responses to local authorities provided for in the Act and subordinate legislation are appropriate;
- whether the requirement for referrals/requests for information to be made to health boards from local authorities – rather than from schools - is appropriate, and whether any changes could be made to make that collaboration more efficient; and
- whether there are any other bottlenecks in the ALN Act and Code that are hampering collaboration between health and education.

**Response:** Accept

The ALN Multi-Agency Collaboration Working Group is already exploring the impact of implementation of the Act and Code on collaboration, particularly between health and education. Key Performance Indicators are being developed for Health which will report on statutory performance data.

The Welsh Government has already committed to a review of the ALN legislation, and the scope of the review will be completed by November. This will consider areas within the Act and the Code that may have an impact on creating barriers to the operational processes between education and health.

**Financial implications:** Accommodated in existing budgets

## **Recommendation 5**

The Committee recommends that:

The Welsh Government should remit the ALNCo task and finish group to undertake further work examining the pay and terms and conditions of teaching staff working wholly or partially as deputy/assistant ALNCoS. The task and finish group should consider the training that individuals holding such posts should receive, the key tasks and responsibilities that they could expect to have, and considerations governing bodies should take into account when setting their pay.

**Response:** Reject

The Welsh Government ALNCo task and finish group was a time-limited group to consider the remuneration and non-contact time of Additional Learning Needs Coordinators (ALNCoS). It has completed its work and a report was published and shared with the Independent Welsh Pay Review Body (IWPRB) for their consideration.

Further insights into the workload of ALNCoS and that of the team around them are being gained from a variety of additional sources. This includes the four-year evaluation of the implementation of the ALN system which will survey the workforce, a doctoral thesis, a Ministerial ALNCo roundtable, and on-going discussions with delivery partners.

Following the publication of the Fifth Report of the IWPRB, Welsh Government will respond to any recommendations and consider any further actions.

**Financial implications:** None

## **Recommendation 6**

The Committee recommends that:

The Welsh Government should publish the findings and recommendations of the teaching assistant task and finish group first established in February 2022.

**Response:** Accept in principle



The teaching assistant task and finish group is a sub-group to the Schools Social Partnership Forum (SSPF), which is made up of representatives from unions, employers and Welsh Government.

The task and finish group has been tasked by the SSPF with securing evidence to contribute to a wider agenda in reaching a position where there is parity across Wales for teaching assistants (TAs).

The task and finish group submitted the Teaching Assistant Job Description Review to the SSPF in January 2024 and it has subsequently been shared with ADEW (1 March 2024) and the WLGA Human Resource Development (HRD) Network Group (which constitutes the human resource directors of all local authorities) (18 July 2024).

Once all relevant groups and stakeholders have had the opportunity to comment on the Review, the SSPF will then need to agree a final report and at this stage, as the current chair of the SSPF, I will ask members for their agreement to publish.

**Financial implications:** None

## **Recommendation 7**

The Committee recommends that:

The Welsh Government should remit the teaching assistant task and finish group to undertake further work examining the pay and terms and conditions of teaching assistants working wholly or partially alongside the ALNCo as part of a central ALN team. The task and finish group should consider the training that individuals holding such posts should receive, the key tasks and responsibilities that they could expect to have, and considerations that governing bodies and local authorities should take into account about their pay.

**Response:** Accept in principle

As outlined in response to recommendation 6, the teaching assistant task and finish group is a sub-group to the Schools Social Partnership Forum (SSPF). It is therefore a matter for the SSPF to discuss and agree collectively on how this recommendation is taken forward.

Pay and terms and conditions of teaching assistants remains the responsibility of local authorities and / or schools, with individual authorities having different approaches within their local pay frameworks to reflect local considerations. Therefore, it is important that local authorities, as the employers, are happy for the task and finish group to take forward this recommendation.

I will ask the WLGA as secretariat to the SSPF to include this recommendation for discussion on the agenda of the next meeting in order to agree a way forward.

**Financial implications:** None

## **Recommendation 8**

The Committee recommends that:

The Welsh Government should set out its views on the following in relation to the Made for Wales GCSEs:

Does publishing the new GCSEs just one year before secondary schools are required to teach them provide enough time for effective preparation?  
How will the Welsh Government mitigate the risk that, despite having a new flexible curriculum, a fixed set of qualifications will encourage secondary schools in particular to 'teach to the test', thereby undermining this flexibility and autonomy afforded to them under the Curriculum for Wales?  
To what extent, if at all, does the Welsh Government consider having one single qualifications provider is a barrier to school flexibility under the Curriculum for Wales?

**Response:** Accept

**Does publishing the new GCSEs just one year before secondary schools are required to teach them provide enough time for effective preparation?**

Our new Made-for-Wales qualifications have been built from the ground up to align with the Curriculum for Wales, published in 2020. The Welsh Government has been clear in its communications to secondary schools that preparing for and implementing the curriculum itself is preparation for the new suite of qualifications, as these build upon

and seek to assess the learning provided under the new curriculum. In addition, we have been clear that curriculum experiences of learners beyond age 14 should not solely be based on qualifications. In February 2024, the Welsh Government published draft guidance on 14-16 learning in the Curriculum for Wales to help set out for schools both the legal requirements and the Welsh Government's policy expectations for a school's curriculum for 14 to 16-year-old learners under the Curriculum for Wales. The final guidance will be published in September 2024 and accompanied by a package of professional learning and resources to support schools in designing, implementing, and reviewing their curriculum for years 10 and 11.

The overall timeline for the roll-out of reformed made-for-Wales 14-16 qualifications strikes a balance between the time needed to design and develop high quality qualifications and the time needed by the workforce to prepare for teaching. Work started on the design of these qualifications once the Curriculum for Wales was finalised so that the first cohort of learners under Curriculum for Wales will be able to undertake the first wave of reformed GCSEs as part of their curriculum offer. Qualifications Wales worked closely with practitioners during the development period of Curriculum for Wales and have continued to do so in the development of the new suite of qualifications.

It is now standard practice for qualification specifications to be made available a year before first teaching, not just for GCSE qualifications in Wales, but for other reformed qualifications in Wales and across the UK. New qualification specifications were not always published this far in advance, and this is a lesson learned from previous reforms. In line with this practice, full specifications for those reformed GCSEs that will be taught from September 2025 will be published in September this year.

Learning from past experiences, the introduction of these new qualifications is being supported by more information, more frequently, and sooner than before. The publication of the final specifications does not, therefore, represent the first opportunity for teachers to have sight of what is coming. For example, Qualifications Wales consulted on design proposals for the GCSE qualifications in autumn 2022 and published Approval Criteria in June 2023. WJEC subsequently consulted on qualification outline documents in the autumn term in 2023, and published draft GCSE specifications in July 2024.

WJEC have also published a schedule of professional learning events to introduce schools and others to the new qualifications. For the first wave of GCSEs these include specification walk-throughs in September/October, live qualification online briefings and Q&A sessions in November/December and an unprecedented Pan-Wales series of in-person events in the spring of 2025.

**How will Welsh Government mitigate the risk that, despite having a new flexible curriculum, a fixed set of qualifications will encourage secondary schools in particular to 'teach to the test'. Thereby undermining this flexibility and autonomy afforded to them under the Curriculum for Wales?**

The Curriculum and Assessment (Wales) Act, 2021 and accompanying Framework Guidance, clearly outlines the agency of schools and settings to design learning that best meets the needs of learners within their context, within the mandatory and statutory obligations of the Curriculum for Wales Framework.

Educational research is clear that 'teaching to the test' results in the narrowing of a learner's curriculum, often negatively influencing classroom practice by focusing only on the assessment. The range of reforms since 2015 have been designed to respond to this risk and mitigate this problem, outlined in Successful Futures as a feature of the previous National Curriculum.

We have reiterated the need to consider a wide range of information about how well a school is serving its learners – it is clear that a sole focus on assessment outcomes creates unhelpful incentives and does not provide a true reflection of a school's overall performance. Our new approach to school evaluation, improvement and accountability makes this clear, underpinned by guidance and supporting materials to support school self-evaluation and improvement, and working with our partners to identify emerging issues, align priorities and effectively support our schools to improve. The Welsh Government's commitment to a broader information ecosystem – ensuring that at all levels of the system we use a range of information in obtaining a holistic understanding of the education system and the progression and outcomes of our learners – is intended to provide greater clarity on system performance, while mitigating the risk to classroom practice and maintaining the principle of subsidiarity within the Curriculum for Wales.

All qualifications have been designed to support the Curriculum for Wales and to enable schools to deliver them in a way that suits the needs of learners within their context and as part of, not wholly, their curriculum offer after age-14. The aim of a school's curriculum should be to support learner progression towards the four purposes, mitigating the risk to focus solely on qualifications outcomes. Whilst the qualifications have been developed to reflect these aspects of the Curriculum for Wales, curriculum design within secondary schools is intended to be wider in scope than just qualifications, ensuring that the flexibility and agency afforded to schools and settings within the national Curriculum for Wales framework is secured.

Assessment guidance within the Curriculum for Wales Framework is clear on the purpose of assessment within Curriculum for Wales. Assessment plays a fundamental role in ensuring each individual learner is supported and challenged accordingly. It should contribute to developing a holistic picture of the learner, their strengths, the ways in which they learn, and their areas for development, in order to inform next steps in learning and teaching. This should be achieved by embedding assessment into day-to-day practice in a way that engages the learner and makes it indistinguishable from learning. This allows the practitioner to respond to the individual needs of the full range of learners within their classroom on an ongoing basis. This cannot be achieved through simply 'teaching to the test'.

In addition, the qualifications are not 'fixed' in many respects. For example, centres can focus on different topics or areas within the History specification over time. In English, they may change which texts they teach and their approaches to teaching them, to best reflect the changing nature of their cohorts. In other subjects, there are opportunities to contextualise learning, building on the understanding and experiences of learners, enabling practitioners to design learning that effectively responds to the strengths and developmental needs of their learners.

Nevertheless, in order that learners are fairly and consistently assessed both over time and across Wales, it is important that there is commonality between the knowledge, skills and understanding that are expected of them to achieve their qualifications.

Supporting practitioners to understand this within the new specifications is a crucial element of the professional learning that will be provided to schools from autumn 2024. As qualifications continue to evolve, we will explore the scope for them to consistently assess understanding of concepts and abilities while giving more choice over the content used to develop and demonstrate these, as can be seen in systems elsewhere.

The role of the mandatory Progression Code to support learners to become increasingly effective, to deepen their understanding of a range of disciplines within the Areas, to increasingly make connections and transfer their learning to new contexts, will broaden the expectations of assessment within the new qualifications. 'Teaching to the test' is not just down to how flexible a qualification is. It also relates to how predictable the assessments are, and the stakes associated with the assessment. Adopting a broader range of assessment methods across the Made-for-Wales GCSE suite and the other National 14-16 Qualifications should mean that, on balance, the assessments will be less narrow and act as a safeguard to reduce teaching to the test, enabling schools to devise locally relevant experiences and assessment opportunities for learners to demonstrate their understanding and strengths. The Welsh Government and its education partners will continue to support schools to realise this ambition.

**To what extent, if at all, does Welsh Government consider having one single qualifications provider is a barrier to school flexibility under the Curriculum for Wales?**

The Curriculum for Wales guidance is clear that a learner's curriculum is wider than the qualifications they choose. Headteachers and Governing Bodies/Management Committees have a responsibility to secure learning that is broad and balanced, meeting the needs of learners within their context.

WJEC is the current provider of approved GCSEs (and A Levels) in Wales and will continue to be the provider of the new Made-for-Wales GCSEs. Prior to the start of Qualifications Wales's co-construction work to develop new Made-for-Wales GCSEs to support the Curriculum for Wales, they wrote to all four awarding bodies that are recognised in Wales to offer GCSE qualifications. Only WJEC expressed an interest in committing to offering the full suite of new GCSEs. The main reasons for other awarding bodies not wanting to offer the GCSEs in Wales were the small market size and the need to offer qualifications bilingually: a key principle of reformed, Made-for-Wales qualifications.

We do not, however, consider that having a single qualifications provider is necessarily a barrier to school flexibility. Having one provider can help deliver qualifications that are based upon a shared understanding of the ethos of the Curriculum for Wales. For example, in developing all of the new GCSEs, WJEC have considered where there are opportunities to embed the cross-cutting themes and to develop the integral and cross-curricular skills of the curriculum. Working with one provider can also help monitoring and consideration of standards, when the GCSEs have gone live.

A wider range of awarding bodies will be involved in the development of the other qualifications that make up the National 14-16 Qualifications, alongside the new Made-for-Wales GCSEs.

**Financial implications:** None.