

School Standards and Organisation (Wales) Bill

Consultation response form

Your name: Dr Philip Dixon

Organisation (if applicable): ATL- The Association of Teachers and Lecturers

e-mail/telephone number: cymru@atl.org.uk

Your address: 1st Floor, 64 B Newport Road, Cardiff, CF24 0DF

Responses should be returned by 5 January 2012 to:

**Legislation Team
Corporate Services Division
Department for Education and Skills
Welsh Government
Freepost NAT 8910
Cathays Park
Cardiff
CF10 3NQ
Tel: 029 2082 1522**

or completed electronically and sent to:

e-mail: EducationWalesBill2012@wales.gsi.gov.uk

Section 1

1. Do you agree with the proposals for intervention in schools causing concern?		
Agree with most	Agree/Disagree with some	Disagree with most
	X	

2. If you disagreed, please tell us about it below.	
Issue	Your concerns
	We welcome the following: <ul style="list-style-type: none">• The intention to clarify and codify the relevant legislation, and to establish on

	<p>the face of the bill the current state of the law.</p> <ul style="list-style-type: none"> • The proposal to issue a document relating to statutory guidance • The proposal that Welsh Ministers be granted powers to direct compliance • The proposal to provide clarification on expectations in relation to the use of comparative data, data analysis, self-evaluation, target setting and performance management. <p>We would give a more cautious welcome to the proposed changes to current legislation for the issuing of warning notices to governing bodies. We would wish to broaden the circumstances in which a warning notice may be issued, in particular to include cases where trust has irrevocably broken down in the management of a school.</p> <p>We have serious concerns if intervention were to be triggered by the schools banding classification alone, as we believe the banding system still needs a rigorous amount of work to make it an accurate reflection of a school's progress. The current banding has thrown up several anomalies which need to be corrected. We would not want to see any proceedings against schools taking place solely on a low banding grade.</p> <p>We believe the Bill should clarify if the Local Authority will have a power or duty to intervene in relevant schools.</p> <p>As one member commented:</p> <p>'The problem is not with the powers, especially as this is essentially a re-statement of existing provisions. Teachers need to be confident that the basis of the judgement that a school is failing is sound and based on reliable evidence - something much better than the dubious</p>
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	measures used for banding, or the inconsistent methods currently in use by teams bought in by ESTYN'.
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Section 2

3. Do you agree with the proposals for school improvement guidance?		
Agree with most	Agree/Disagree with some	Disagree with most
	X	

4. If you disagreed, please tell us about it below.	
Issue	Your concerns
	<p>We welcome guidance which will enable the best to become available to all schools. We are aware of situations in which schools are not able to access such guidance because of failings in the Local Authority. We urge that the Bill takes account of this and imposes a statutory duty on Local Authorities to ensure that the guidance they give to schools is up to date and accurate.</p> <p>While we welcome the proposal that Welsh Ministers be given power to direct bodies to comply, we believe that such guidance must take account of the professional expertise that lies within the teaching profession. The profession needs to be actively engaged in the evaluation of such guidance.</p>

Section 3

5. Do you agree with the proposals for changes to the way schools are organised?		
Agree with most	Agree/Disagree with some	Disagree with most
	X	

6. If you disagreed, please tell us about it below.	
Issue	Your concerns
	<p>We welcome the streamlining and speeding up of the process. All too often schools are closed by a lingering process of attrition.</p> <p>We agree that those who can object to a school closure should be limited to those that have a direct interest in the school. We agree by and large with the specific categories of such statutory objectors as identified in the consultation document. School reorganisation has for too long become a football for other causes.</p> <p>We agree with the consultation that 'where at the January census point a primary school has fewer than 10 pupils on roll, local authorities/governing bodies may undertake a specified curtailed procedure to bring about an official closure- the requirement of consultation being waived'.</p> <p>We have received several concerns however about the proposals relating to sixth forms. One member commented that the financial basis of proposals to close 6th forms have been very suspect and fail to include the whole range of additional costs involved in 6th form closures from redundancies to transport and impact on the community.</p> <p>Concerns were also expressed about the minister's impartiality, or his ability to take decisions in the interest of students, or that</p>

	<p>reflect the wishes of parents or students with respect to school 6th forms.</p> <p>With reference to the proposed decision making panel, one member commented:</p> <p>'It has become apparent (e.g. on Scrutiny Committees) that including a degree of professional expertise, through union or governor associations, rather than exclusively elected members (whose knowledge base is not always sufficient to inform decisions), materially assists the quality of decision-making.'</p> <p>The composition and servicing of the panel therefore needs more attention.</p>
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Section 4

7. Do you agree with the proposals for placing Welsh in Education Strategic Plans on a statutory basis?		
Agree with most	Agree/Disagree with some	Disagree with most
	X	

8. If you disagreed, please tell us about it below.	
Issue	Your concerns
	<p>While we are prepared to accept this proposal the timing of it seems awry: LAs are currently preparing WESPs, before regional consortia come into operation. In the longer term, a regional overview would be appropriate, albeit circumstances will differ widely and fundamentally within and across e.g. North Wales, so the submission will need to be LA rather than regionally based.</p>

Section 5.1

9. Do you agree with the proposals for annual parents' meetings?

Agree with most	Agree/Disagree with some	Disagree with most
X		

10. If you disagreed, please tell us about it below.

Issue	Your concerns
	We welcome this. The annual parents' meetings have not proved to be an effective method of communication. The investigation of an alternative method to communicate with parents is necessary.

Section 5.2

11. Do you agree with the proposals for post-16 learners with special educational needs in schools?

Agree with most	Agree/Disagree with some	Disagree with most
	X	

12. If you disagreed, please tell us about it below.

Issue	Your concerns
	<p>We accept the logic of these proposals, but there is grave concern about the future funding implications.</p> <p>One member commented: 'Provided this does not lead to further cuts in funding and hence provision at the chalk face'. While another was equally robust: 'There is logic to post-16 SEN funding being placed in the hands of LAs BUT absorption in the RSG must not lead to a 'fogging' of available funding.'</p>

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Section 5.3

13. Do you agree with the proposals in relation to free school breakfasts?		
Agree with most	Agree/Disagree with some	Disagree with most
X		

Section 5.4

15. Do you agree with the proposals in relation to schools-based counselling?		
Agree with most	Agree/Disagree with some	Disagree with most
X		

16. If you disagreed, please tell us about it below.	
Issue	Your concerns
	<p>The idea of all children in Wales having access to counselling is excellent but members have an issue with the quality control issues of some counselling services which often struggle to meet demand. This has resulted in some establishments resorting to using student counsellors.</p> <p>With the duty should come adequate funding, not just for the actual counselling, but also for the management of appointments and referrals all of which currently falls on the schools.</p>

Section 5.5

17. Do you agree with the proposals to allow for flexible charging for school meals?

Agree with most	Agree/Disagree with some	Disagree with most
X		

18. If you disagreed, please tell us about it below.

Issue	Your concerns
	The Bill should also make statutory the production of systems, preferably cashless, which ensures that no child in receipt of a free school meal is identifiable to their peers or staff.

19. We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

The Bill must show, as appropriate, how these proposals will work out in practice in light of the new consortia working arrangements which are currently being developed.

Some of the outlined proposals seem to be common-sense tidying up and as such can be welcomed.

We particularly welcome the youth/children friendly versions of this document.

Responses to consultations may be made public – on the internet or in a report. If you would prefer your response to be kept confidential, please tick here: