
Ymateb i Ymgynghoriad / Consultation Response

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Dyddiad / Date:	08.05.24
Pwnc / Subject:	14 to 16 learning under the Curriculum for Wales

Background information about Estyn

Estyn is the Office of His Majesty's Inspectorate for Education and Training in Wales. As a Crown body, we are independent of the Welsh Government.

Our principal aim is to raise the standards and quality education and training in Wales. This is primarily set out in the Learning and Skills Act 2000¹ and the Education Act 2005. In exercising its functions, we must give regard to the:

- Quality of education and training in Wales;
- Extent to which education and training meets the needs of learners;
- Educational standards achieved by those receiving education and training in Wales;
- Quality of leadership and management of those education and training providers, including whether the financial resources made available to those providing education and training are managed efficiently and used in a way which provides value for money;
- Spiritual, moral, social and cultural development of learners; and,
- Contribution made to the well-being of learners.

Our remit includes (but is not exclusive to) nurseries and non-maintained settings, primary, secondary, special and all age schools, independent schools, pupil referrals units, further education, adult community learning, local government education services, work-based learning, and initial teacher training.

We may give advice to the Welsh Parliament on any matter connected to education and training in Wales. To achieve excellence for learners, we have set three strategic objectives:

- Provide accountability to service users on the quality and standards of education and training in Wales;
- Inform the development of national policy by the Welsh Government;
- Build capacity for improvement of the education and training system in Wales.

¹ This act to be replaced by the Tertiary Education and Research (Wales) Act 2022 when the quality provisions are commenced.

This response is not confidential.

Response

Introduction

We welcome the attempt to provide schools with guidance about the requirements regarding the 14-16 curriculum. We have highlighted positive aspects which include the clarity around:

- RVE
- The two-year GCSE course in Years 10 and 11
- The guidance on mandatory elements

We have also highlighted some important areas for consideration. These include:

- considering how the guidance could provide sufficient clarity about all aspects of curriculum for school leaders and staff, so this can also be communicated clearly to learners and parents
- ensuring the use of consistent and clear language throughout the guidance
- considering how the guidance could be refined to only include a precise and clear overview of statutory expectations
- the current wording around the study of science subjects
- the overuse of the term four purposes
- the way in which the guidance aims to provide equity to all learners
- the impact of this guidance on the Welsh language
- the way in which the lack of clarity may increase the workload of school leaders and staff; and
- providing clarity about how VCSEs can support pupils.

We welcome the approach to provide schools with an overview of expectations and would encourage Welsh Government to consider if this guidance could be reduced to only include the statutory requirements and to provide a brief and clear overview for schools (around two to three pages) so that they can plan and develop their 14-16 curriculum.

Consultation questions

Do you work in or support the delivery of education?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
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(i) If yes, what is your organisation? (If no continue to (iii) below)

Estyn

(ii) What is your primary role?

His Majesty's Inspectorate of Education and Training in Wales

(iii) If you do not work in or support the delivery of education, in what capacity would you like to provide feedback?

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(iv) Are you providing feedback on behalf of an organisation or group?

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
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(v) If 'yes', please specify.

Estyn

Question 1 – To what extent do you agree that the 14 to 16 Learning Guidance helps you to understand your statutory obligations for 14 to 16 learners under Curriculum for Wales?

Strongly agree	<input type="checkbox"/>	Agree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Strongly disagree	<input type="checkbox"/>
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Question 2 – To what extent do you agree that the 14 to 16 Learning Guidance helps you to understand how the qualifications offer should be used to support a 14 to 16 curriculum offer for learners under Curriculum for Wales?

Strongly agree	<input type="checkbox"/>	Agree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Strongly disagree	<input type="checkbox"/>
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Question 3 – To what extent do you agree that the 14 to 16 Learner Guidance helps you to understand how a 14 to 16 curriculum offer should be designed?

Strongly agree	<input type="checkbox"/>	Agree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Strongly disagree	<input type="checkbox"/>
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Question 4 – To what extent do you agree that the 14 to 16 Learning Guidance contains a sufficient level of detail?

Strongly agree	<input type="checkbox"/>	Agree	<input type="checkbox"/>	Neither agree nor disagree	<input type="checkbox"/>	Disagree	<input checked="" type="checkbox"/>	Strongly disagree	<input type="checkbox"/>
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Question 5 – We would like to know your views on the effects that the policy outlined in the 14 to 16 Learning Guidance will have on the school workforce, including any impact it might have on workloads.

We welcome Welsh Government’s aim to provide clarity for schools about the requirements of 14-16 learning. We recognise that communicating this complex policy is challenging. However, currently this guidance is currently difficult to interpret, and there is a risk that it increases the workload of school leaders and staff because it may create confusion about mandatory requirements and optional elements. Important aspects are ambiguous and open to significant interpretation. This will make is challenging to ensure an individual school’s curriculum meets statutory requirements and that this is consistency of offer for learners across Wales.

We welcome the clarity provided around RVE in 5.12.4 and would encourage Welsh Government to provide similar clarity for all other aspects. This guidance also provides clear and precise information about the requirements of GCSEs being a two-year course in Years 10 and 11.

This guidance makes regular reference to the four purposes and whilst we recognise the importance of ensuring all pupils make progress towards these important aspects, currently there is too strong a focus in some schools on planning and assessing for the four purposes to the detriment of pupils’ learning and progress overall. It would be helpful to make clear the requirements around the four purposes and that they should be viewed in a holistic way as part of broader whole-school curriculum design. Currently in schools where teachers are planning individual lessons about the four purposes, we see an increase in staff workload and often pupils make less than expected progress in their knowledge understanding and skills. In addition, an over focus on the four purposes can result in teachers and leaders not planning well enough to support pupil progress. They often make tenuous links to the purposes at the expense of pupils’ learning. We would encourage Welsh Government when you refine this guidance to reduce the reference to the four purposes throughout.

Overall, this guidance does not provide sufficient clarity for schools. The guidance is lengthy and will take leaders and teachers time to process and apply to their settings. Schools would benefit from more succinct guidance that provides clarity about mandatory elements and those that are not mandatory and therefore recommended. In important

places, the language is too vague and does not provide sufficient clarity for school leaders to support their curriculum design process.

The list of mandatory elements provides a suitable overview and includes the term 'must' which helps schools to be clear on what is required. However, there is other terminology in the guidance that is less clear, such as 'encouraged' and 'strongly advised'. This makes aspects seem more optional to schools.

Some examples of this are:

- This guidance does not place a strong enough emphasis on the need for pupils to study science up to 16. The terminology of 'strongly recommended' makes it seem that this subject is optional. This alongside the changes to qualifications in science is a concern.
- When considering the Welsh language, the guidance states that schools are strongly advised to consider how they will ensure all learners make suitable progress in their skills. This is too vague and does not place high enough expectations on schools to improve pupils' Welsh language skills. It would be helpful to ensure that this guidance aligns to the Welsh Bill due to be published.
- The guidance states that schools are encouraged to offer international languages, there is risk that schools will remove this from their curriculum offer.

We welcome the clarity provided around the mandatory requirement for pupils to study literacy and mathematics and numeracy up until 16. This is clear and will help schools to ensure all pupils access these important aspects. It would be helpful to provide similar clarity for subjects such as Welsh in English medium schools, science and the requirements for the qualifications that encourage breadth in the curriculum.

Currently, it is unclear what the guidance means when it refers to a curriculum being broad and balanced. We feel it is essential that this guidance provides clarity about how a school must ensure that they offer the range and depth of learning across different areas of learning and experience.

In the first section of the guidance about mandatory requirements, it makes clear that schools must ensure that pupils are provided with opportunities to apply and develop their skills. However, in the sections about individual areas of learning and experience it states that schools should provide these opportunities. It would be helpful to use consistent language to provide clarity for school leaders to reduce their workload when interpreting and applying guidance.

There are other aspects of the guidance that lack clarity and will increase school leaders' and teachers' workload when interpreting and applying this guidance. Some examples of this are:

- the guidance states that 'we advise that this time should be focused on supporting individuals to develop their effectiveness as learners, where they are given support and challenged to think about their strengths, areas for improvement...'
- the guidance states that 'we strongly advise schools to consider how they propose to ensure all learners are making suitable and challenging progress in their skills'

In both examples, the lack of clarity about terminology and referring to aspects such as learner effectiveness could promote unhelpful practice in schools. We also feel that

including these aspects in statutory guidance is likely to increase the workload of the whole workforce as they will feel they have to evidence meeting these requirements.

We welcome this approach to providing an overview of expectations of schools and would encourage Welsh government to consider if this guidance could be reduced to only include the statutory requirements and to provide a brief (around two to three pages) and clear overview for schools so that they can plan and develop their 14-16 curriculum.

Whilst it is helpful that the guidance repeats important information, such as the requirements for courses to be two-years' overall it would be helpful to ensure that this guidance is organised in a clear and concise way to avoid repetition of information and minimise any additional workload in attempting to understand a few aspects of the guidance.

Question 6 – We would like to know your views on the effects that the policy outlined in the 14 to 16 Learning Guidance will have on the diverse needs of individual learners, including those from disadvantaged backgrounds and those who share protected characteristics (as set out under the Equality Act 2010).

Overall, the lack of clarity in this guidance makes it difficult to see how the guidance is aiming to tackle the impact of poverty or to support pupils from a range of backgrounds. There is no reference to disadvantage, poverty or supporting pupils with additional learning needs.

When considering positive approaches to tackling the impact of poverty and ensuring equity in our education system, we know that the most important step at this stage for a young person to move out of poverty is accessing and high-quality teaching and achieving a range of qualifications that support their next steps in learning. Whilst this guidance refers to important mandatory elements, including literacy and numeracy it does not make sufficiently clear that pupils living in poverty should have access to a broad range of helpful qualifications that help them to progress to further education, training or employment.

We would encourage Welsh Government to provide clarity about the expectation of all pupils engaging in meaningful and challenging qualifications that support their next steps in learning.

The reference that schools could consider how digital learner portfolios may support to collate information could have a negative impact on those pupils living in poverty. To ensure equity, schools would need to ensure all pupils have equal access to digital systems.

Question 7 – What, in your opinion, would be the likely effects of the 14 to 16 Learning Guidance on the Welsh language in Years 10 and 11? We are particularly interested in any likely effects on opportunities to use the Welsh language and on not treating the Welsh language less favourably than English.

Do you think that there are opportunities to promote any positive effects?

Do you think that there are opportunities to mitigate any adverse effects?

Supporting comments

The use of the term 'strongly advise' the section on Welsh does not make the expectations for schools clear. We would welcome more clarity for schools of the high expectations of developing pupils' Welsh language skills to continue to promote the positive effects of learning the language.

We welcome that the guidance addresses each language category. However, it does not define clearly what the expectations are on schools in each category and the courses they should offer to meet their pupils' language needs.

As we have stated previously, it is not clear what it means when saying 'we strongly advise schools to consider how they propose to ensure all learners are making suitable and challenging progress in their skills.' We would encourage Welsh government to provide clarity of expectations in this aspect.

In addition, where the guidance states that 'this will allow schools to satisfy the requirement to include this subject as a mandatory part of their curriculum' it suggests that any qualification for Welsh will meet requirements despite pupils' language ability.

When referring to the subjects of Welsh and English language and literature, the guidance notes that 'The double award has been introduced to provide the most appropriate qualification for the majority of learners' and 'The single award provides an alternative route for the small proportion of learners'. We have concerns that the expectation that only a majority of pupils being expected to follow the dual award is too low. There is a notable risk that too many pupils will not have access to these important qualifications which will also help to tackle the impact and effect of poverty.

The guidance also states that 'New joiners to category 3 schools should be provided with an opportunity to attend a late immersion centre'. This provision is not currently available in all areas across Wales and would be a barrier for a number of pupils. We would encourage Welsh Government to consider whether aspirations in the guidance can be applied consistently for all pupils.

The language used in the section for category 1 English medium schools (5.5.5) does not make clear the expectations on schools. As a result, the Learning Guidance on the Welsh language in Years 10 and 11 for these schools are unclear providing schools with opportunities to treat the language less favourably than English.

Section 5.5.6 does not make it clear that category 2 schools must ensure that their learners progress on the continuum language route. As the guidance is vague, it alleviates opportunities for these schools to allow pupils to change their language route and follow the Cymraeg Core rather than Cymraeg language and literature. This will have a negative effect on the language.

In 5.5.7 the language used is too vague, for example, 'Learners in category 1 and 2 schools who have undertaken prior study in a Welsh medium setting should have an opportunity to study qualifications from the suite of qualifications that are most appropriate to their level of ability. This includes the opportunity to study GCSE Cymraeg language and literature and the level 2 award in additional core Cymraeg, where their school judges these qualifications to be most appropriate to their level of ability'. The use of the word 'should' allows schools to treat the Welsh language and its continuum less favourably than English and therefore have an adverse effect on the Welsh language and literature in particular.

When considering the issues outlined above there is a risk that this guidance has a negative impact on pupils' opportunities to learn and develop their Welsh language skills. It will be important that this guidance aligns to the Welsh Bill being published this year.

Question 8 – In your opinion, could the 14 to 16 Learning Guidance be formulated or changed so as to:

- have positive effects or more positive effects on using the Welsh language and on not treating the Welsh language less favourably than English; or
- mitigate any negative effects on using the Welsh language and on not treating the Welsh language less favourably than English?

We would encourage Welsh Government to provide clarity to schools through consistent use of language to describe expectations.

For example, the word 'should' or 'can' needs to be changed to '**must**' in the following sentences to mitigate any negative effects on the use of the Welsh language:

- As part of 'Qualifications in literacy and numeracy' in years 10 and 11, all learners in category 3 Welsh-medium schools **should** follow a challenging and ambitious course that leads to a qualification in Welsh.
- For category 1 English-medium schools, the made-for-Wales GCSE suite of qualifications offers courses to ensure that all learners can continue to make progress, and receive a qualification at 16, in Welsh.
- For category 2 dual-language schools, the made-for-Wales GCSE suite of qualifications similarly offers courses to ensure that all learners **can** continue to make progress, and receive a qualification at 16, in Welsh.
- Learners in category 1 and 2 schools who have undertaken prior study in a Welsh medium setting **should** have an opportunity to study qualifications from the suite of qualifications that are most appropriate to their level of ability.

In addition, this sentence 'settings should have an opportunity to study qualifications from the suite of qualifications that are most appropriate to their level of ability' is open to interpretation and risks pupils not following a language continuum based on their prior learning.

Question 9 – 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:

We welcome that the Welsh Government are aiming to provide more guidance to support schools in developing their 14-16 offer. We agree with the importance of GCSEs and being two-year courses and welcome that Welsh Government are encouraging schools to ensure pupils have access to a range of disciplines or subjects. However, we would encourage Welsh Government to consider how this guidance could be refined to provide more clarity of expectations for school leaders and staff. It would also be helpful to provide some example models of curriculum for pupils in Years 10 and 11 to support schools in their design process. It would be helpful to consider how VCSEs can support pupils to broaden their knowledge and skills and consider the appropriate use of these qualifications. We would encourage Welsh Government to provide more clarity about post-16 planning and supporting young people to make informed decisions about their future.

We have notable concerns about the way in which this guidance refers to the study of science until 16. There is a risk that this is seen as an optional subject, and we recognise the importance of pupils studying science courses. The fact that guidance only strongly advises this could result in some schools interpreting that this is not a requirement.

We would encourage Welsh Government to ensure that any performance measures support this guidance and ensure that all pupils in Wales have access to relevant, meaningful and helpful qualifications that prepare them for their next steps.

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here: