

Consultation on the Curriculum and Assessment (Wales) Bill

Evidence submitted to the [Children, Young People and Education Committee](#) for Stage 1 scrutiny of the Curriculum and Assessment (Wales) Bill.

About you

Organisation: Children in Wales

1. The Bill's general principles

1.1 Do you support the principles of the [Curriculum and Assessment \(Wales\) Bill](#)?

Yes

1.2 Please outline your reasons for your answer to question 1.1

(we would be grateful if you could keep your answer to around 1500 words)

Children in Wales welcomes the intent to create an education system which is inclusive, focused on developing pupils' skills through 6 Areas of Learning and Experience (AoLE) providing opportunities for all learners to grow and develop, and to enable all children and young people be the best they can be.

We support the principles of the Bill and agree that there is need for legislation in this area to support intent. We are content that the approach taken is evidence based and has been formulated through extensive engagement with a range of stakeholders, including experts in the field of education reform, teachers, public and third sector organisations and children and young people. Children in Wales have provided detailed responses to successive Welsh Government consultations on the new curriculum, including a response to more detailed guidance in respect of proposed changes to RSE and RVE.

We have consistently called for human rights education to be incorporate into both the content of the new curriculum and across the whole education process and school environment, as part of a whole school approach to embedding children's rights.

We are disappointed that a due regard duty to the United Nations Convention on the Rights of the Child (UNCRC) does not appear on the face of the Bill.

Both the Concluding Observations of the UN Committee on the Rights of the Child (2016) and more recently, the Committee on the Elimination of Discrimination against Women (2019) have called for the promotion of human rights education in schools to be strengthened echoing successive reports to the UN from young people and civil society organisations. Whilst we welcome publication of a Child Rights Impact Assessment alongside guidance issued in January 2020 committing to embedding human rights education across each of the AoLEs and making it a mandatory element within the new curriculum, we do not believe this is sufficient alone. Guidance can be subject to change, and indeed, the Bill provides Welsh Ministers with significant powers to make future amendments. Guidance does also not have the same recognised status as primary legislation, and will not provide sufficient clarity for frontline professionals.

The Bill must include a duty of due regard to the UNCRC on its face, which would ensure parity with existing duties placed on public bodies and individuals already secured through the Additional Learning Needs and Education Tribunal (Wales) Act 2018, and the Social Services and Well-Being (Wales) Act 2014. A mandatory duty on the Bill would ensure that the inconsistencies currently witnessed between schools around human rights education are addressed, by embedding the UNCRC within a coherent legislative national framework which applies to every learner in every school in Wales.

This is a once in a lifetime opportunity. We are in agreement with the Children's Commissioner for Wales that a rights-based education must be secured across Wales with a due regard duty to the UNCRC placed firmly on the face of this Bill.

We have previously expressed our support for the recommendation of the Expert Panel in respect of Relationship and Sex Education (RSE), to reform the context to better support learners to become healthy confident individuals who are better able to form and maintain positive relationships. We also support proposals for making age and developmentally appropriate RSE mandatory for 3-16 year olds, with professional learning pathways within teacher training education, both initial and in-practice, to provide staff with the necessary knowledge and skills to deliver the new arrangements with confidence. The compulsory element is critical if the new arrangements are to address many of the issues and challenges which young people have consistently raised in respect of existing arrangements, and to ensure that some children don't fall through any gaps if different arrangements were to apply between different schools.

We are content with the approach taken to enhance the teaching and learning of Welsh for learners, particularly proposals which will seek to improve the Welsh language skills amongst learners in English medium schools. The approach is evidence based, and if steps are taken to enhance the Welsh language skills of teachers in English medium schools, should contribute towards the 2050 vision.

We are supportive of the mandatory elements and the cross cutting themes which will ensure that all children, regardless of which school they attend, will receive consistency. Whilst we support flexibility for schools to determine aspects of the new curriculum, we do hope that pupils will not be disadvantaged if they move between schools. This is particularly applicable to care experienced children who experience changes in placement which can lead to school moves and significant disruption of their education.

We also welcome the enhanced status given to digital competency, and for this to have equal priority alongside numeracy and literacy. Reform of Religious Education to Religion, Values and Ethics (RVE) is also a welcome step to develop ethically informed learners as a core part of the new humanities AoLE

1.3 Do you think there is a need for legislation to deliver what this Bill is trying to achieve?

(we would be grateful if you could keep your answer to around 500 words)

Yes, for the reasons set out above

2. The Bill's implementation

2.1 Do you have any comments about any potential barriers to implementing the Bill? If no, go to question 3.1

(we would be grateful if you could keep your answer to around 500 words)

The greatest risk to the current timetable for implementation of the new curriculum is the significant disruption caused by the impact of the COVID-19 pandemic and the need for

teaching staff to have sufficient time to design and prepare the curriculum locally within the national framework

The pandemic has also highlighted significant levels of digital exclusion amongst parts of the population, despite additional funding from the Welsh Government to enable pupils to have access to technology.

There is also need for training for teaching staff and on-going investment to support implementation.

2.2 Do you think the Bill takes account of these potential barriers?

(we would be grateful if you could keep your answer to around 500 words)

Yes, as best it can given the uncertainty surrounding the long term impact and duration of the COVID-19 pandemic

3. Unintended consequences

3.1 Do you think there are there any unintended consequences arising from the Bill? If no, go to question 4.1

(we would be grateful if you could keep your answer to around 500 words)

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4. Financial implications

4.1 Do you have any comments on the financial implications of the Bill (as set out in Part 2 of the [Explanatory Memorandum](#))? If no, go to question 5.1

(we would be grateful if you could keep your answer to around 500 words)

The financial details provided alongside this bill is welcome

5. Powers to make subordinate legislation

5.1 Do you have any comments on 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](#)). If no, go to question 6.1.

(we would be grateful if you could keep your answer to around 500 words)

The powers within the Bill for Welsh Ministers to be able to amend the AoLEs and mandatory cross curricular skills if necessary through subordinate legislation are proportionate. Any future changes as the curriculum evolves should be informed by proposals announced to monitor implementation and be in consultation with a wide range of stakeholders.

6. Other considerations

6.1 Do you have any other points you wish to raise about this Bill?

(we would be grateful if you could keep your answer to around 1000 words)

No

