

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: Roman Catholic Archdiocese of Cardiff

1. The Bill's general principles

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

Partly

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)

The principle of a broad and balanced curriculum which is purpose-led and which allows teachers the freedom to use their professional skills and knowledge to create a curriculum relevant to their local community and to the experiences of learners is one we support.

However we do not feel that the Bill recognises the professionalism of staff working in our 50 schools, and that it does not consider the particular context of the Catholic community. This is despite the role of Diocesan authorities as significant providers of education, and key partners with local authorities across the whole of Wales.

As we said in our response to the consultation on access to the full curriculum we disagree with the change of name of Religious Education to Religion, Values and Ethics. Values and ethics are an integral part of the Catholic education which our schools provide and curriculum Religious Education is a rigorous subject in its own right which contributes to that all-round education.

We are very concerned that Catholic schools (along with other Voluntary Aided schools) are being expected to deliver a second RE syllabus, possibly at the request of families of just one or two pupils. Catholic curriculum RE

is broad, balanced and pluralistic, covering a range of religions and philosophical convictions. No other schools will be required to teach more than one RE syllabus and this will provide significant additional burdens of workload and staffing costs for VA schools. This clearly discriminates not only against Catholic schools but also the parents who have exercised their legitimate right to choose a Catholic education for their children. The requirement for a VA school governing body to provide a separate RE syllabus would mean that it would be breaching its legal duty to comply with the objects of its Trust Deed.

We are also concerned, again as emphasised in our response to the earlier consultation that the right of parents to withdraw their children from RE and RSE lessons is being removed. This is a fundamental erosion of the rights of parents as primary educators of their children. In our 54 schools no parents have exercised that right, because they have been able to enter into dialogue with the school to explore any issues or concerns they might have.

Catholic families who, for reasons of geography, are not able to access a Catholic school need to have the right to withdraw their from RE or RSE lessons which do not reflect their beliefs.

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)

In some areas there is no need to change existing legislation. For instance at the moment if a request is made to a Catholic school to provide agreed syllabus RE to a child rather than Catholic curriculum RE, this can be provided at an alternative LA school, if it is unreasonable (eg because of cost, additional staffing etc) for the Catholic school to deliver it.

Another instance is that current legislation recognises the Trust deeds of VA schools. Yet the Bill proposes that schools would be required to deliver an additional RE syllabus which does not comply with the objects of the Trust Deed.

The Bill would give Welsh Government powers to introduce Regulations which could change the content of subjects delivered at the post-14 stage, including RE, which would also be a breach of Trust Deeds.

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)

We have serious concerns that the Welsh Government seems intent on ignoring the legitimate concerns of the Catholic education community about the Bill's proposals. We have worked in partnership with local authorities and Welsh Government for many years and a number of the Primary and Secondary schools within the Archdiocese have played a significant part in the early development of the new Curriculum through their work as Pioneer schools.

Yet despite this, no account was taken of concerns raised in a joint letter to the First Minister earlier this year, signed by our 50 headteachers, along with all the other Catholic heads in Wales.

Headteachers at all schools in Wales, not just Catholic ones, are operating under tremendous strain during this pandemic. While staff in other sectors are still being encouraged to work from home that is not an option for school staff who have, in the words of one headteacher, become Covid martials rather than teachers. Yet despite all the burdens of operating schools under the Covid restrictions, and wondering when the next "bubble" of children is going to have to be sent home, teachers still have to ensure that their pupils are receiving a broad and balanced education. We have significant concerns about Headteacher and staff well-being and it is difficult if not impossible for them to fully engage in consultations about legislation which will have a major impact on them.

Those are challenges facing all schools but the requirement to prepare, cost and deliver an additional RE syllabus is an added burden for staff in Catholic schools.

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)

No we don't think the Bill takes account of these barriers.

Firstly despite the ongoing pandemic no change has been made to the Bill's timetable. The fact that the Bill was introduced during the last 3 weeks of the Summer Term, when schools were totally immersed in carrying out the Education Minister's exhortation for pupils to "check in" with their teachers after such a lengthy absence, and before a consultation on changes to the teaching of RE ended, displays a complete lack of awareness of the challenges which schools are currently facing.

Then as we have said before the Bill takes no account of the discriminatory nature of its proposals in relation to Catholic schools and the additional burdens which its provisions would place on those schools.

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)

Yes. These include:

the breaching of the legal duty to comply with Trust Deeds where VA schools have to provide an additional RE syllabus;

the additional burden placed on VA schools having to prepare, cost and staff the additional RE syllabus;

the discrimination against Catholic schools caused by the above;

the implication that Catholic schools do not currently provide a broad, balanced and rigorous RE curriculum, despite the lack of any evidence for this;

the negative impact on parents' right to choose a Catholic education in line with their beliefs.

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)

As mentioned before the Bill will place a cost burden on Catholic and other VA schools to deliver a second RE curriculum. These costs would not apply to non-VA schools.

Welsh Government and LA budgets will be under enormous pressure as a result of Covid 19, and this is bound to impact funds for curriculum development including the costs of supply cover.

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)

We are concerned that the Bill will give the ability for Welsh Government to bring in regulations, under a far more limited amount of scrutiny and challenge than is the case with Primary legislation. This could lead to changes which would impact on the provision of Religious education. This is particularly significant as RE is a fundamental part of the Catholic curriculum, taught for at least 10% of total curriculum time. Any changes which impact on the ability of our schools to deliver their RE curriculum, could lead to the closure of Catholic schools, which across the 10 local authorities of South Central and South East Wales currently educate around 18,000 pupils.

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)

We are extremely concerned about the proposed amendments to the existing legislation relating to RSE (Relationships and Sex Education). This removes important protections for schools in Wales including:

the requirement that RSE is provided in a way to encourage due regard to moral considerations and the value of family life;

that guidance issued by Welsh Ministers must be designed to secure that pupils learn about the nature of marriage and its importance for family life and the raising of children;

that children are protected from teaching and materials that are inappropriate having regard to their age, religious culture and background.

These important protections under the existing legislation enable Catholic schools to continue to provide RSE in a way that places it within the teachings of the Catholic Church. Over several years officers from the Archdiocese have discussed our RSE programmes with Welsh Government officials who have indicated that they felt those programmes, which are set against an important moral background, would help young people in our schools in their development and enable them to deal with social pressures they might encounter.

