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**Ymateb i Ymgynghoriad / Consultation Response**

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| <b>Dyddiad / Date:</b>     | 31 October 2021  |
| <b>Pwnc / Subject:</b>     | Assessment arrangements: subordinate legislation resultant of the Curriculum and Assessment (Wales) Act 2021 |

**Background information about Estyn**

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

Estyn's 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 2000 and the Education Act 2005. In exercising its functions, Estyn 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 education and training providers in Wales;
- Quality of leadership and management of those education and training providers;
- Spiritual, moral, social and cultural development of learners; and,
- Contribution made to the well-being of learners.

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

Estyn may give advice to the Senedd Cymru on any matter connected to education and training in Wales. To achieve excellence for learners, Estyn has 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.

This response is not confidential.

**This response is also available in Welsh.**

## Response

**Estyn's detailed feedback is available below but if it would be helpful to discuss the feedback in more detail, please contact us to arrange.**

### Introduction

In general, the consultation is clear in its meaning and wording, although there are a few areas where further clarity is required. Estyn welcomes the Welsh Government's moves to ensure that the focus of assessment is to support each individual learner to make effective progress.

The consultation identifies that assessment arrangements are described on 'the face of the 2021 Act as "arrangements for assessing the progress of individual learners against a relevant curriculum, the next steps in their progression and the teaching and learning needed to make the progression to the next step.' This helpful message about the purpose of assessment under the Curriculum for Wales will help provide schools and settings with clear direction when deciding on assessment arrangements. We think it appropriate and realistic to ask schools and settings to undertake an on-entry assessment. We have identified a few areas in this section which need clarification.

We recognise the positive moves within guidance to ensure that schools develop a shared understanding of progression but have identified a few points that need further clarity. We welcome the Welsh Government's drive to ensure that assessment is seen as integral to learning and teaching, and supports effective learner progress. However, we also recognise that this is an area where leaders and practitioners need further support and guidance to ensure that this becomes a reality.

We support fully Welsh Government's aim to ensure that learners are supported effectively in their transition between primary and secondary schools. We also recognise and support fully the aim to ensure that progression in learning and teaching are developed and maintained, so that learners' progress is not hampered at this juncture in their education. However, we identify a very few issues in the current proposals.

We acknowledge the importance of developing and maintaining positive relationships with parents and carers and support fully the Welsh Government's moves to support 'two-way communication' between school and home. However, this section on reporting is not always clear enough.

To maintain this beneficial focus on assessment, we are unsure of the advantage of including in 'assessment arrangements' a range of wider issues and practices, such as reporting to parents and transition. While both of these practices benefit from schools having a strong understanding of learners' strengths and areas for development, they are not directly part of assessment and placing them within the same guidance may contribute further to leaders' and practitioners' misunderstandings in this important area.

We believe that any guidance brought forward to support assessment legislation needs to be succinct, clear and focused, with exemplification where appropriate.

## Consultation questions

**Question 1** – In responding to the consultation, what is your primary role?

|                          |                          |                            |                                     |
|--------------------------|--------------------------|----------------------------|-------------------------------------|
| Learner                  | <input type="checkbox"/> | Parent or carer            | <input type="checkbox"/>            |
| Teacher                  | <input type="checkbox"/> | Governor                   | <input type="checkbox"/>            |
| Practitioner             | <input type="checkbox"/> | Challenge advisor          | <input type="checkbox"/>            |
| Senior leader            | <input type="checkbox"/> | School improvement officer | <input type="checkbox"/>            |
| Headteacher              | <input type="checkbox"/> | Inspector                  | <input checked="" type="checkbox"/> |
| Principal/vice-principal | <input type="checkbox"/> | Other (please specify):    | <input type="checkbox"/>            |

**Question 2** – Which setting or organisation are you responding from?

|                                       |                          |   |                                     |
|---------------------------------------|--------------------------|---|-------------------------------------|
| Maintained nursery setting            | <input type="checkbox"/> | Governing body                          | <input type="checkbox"/>            |
| Funded non-maintained nursery setting |                          | Regional consortia                      | <input type="checkbox"/>            |
| Primary school                        | <input type="checkbox"/> | Local authority                         | <input type="checkbox"/>            |
| Secondary school                      | <input type="checkbox"/> | Private training provider               | <input type="checkbox"/>            |
| Middle school                         | <input type="checkbox"/> | Third sector                            | <input type="checkbox"/>            |
| Pupil referral unit (PRU)             | <input type="checkbox"/> | Government                              | <input type="checkbox"/>            |
| Special school                        | <input type="checkbox"/> | Awarding organisation                   | <input type="checkbox"/>            |
| Further education college             | <input type="checkbox"/> | Teaching union                          | <input type="checkbox"/>            |
| Private training provider             | <input type="checkbox"/> | Regulatory body (includes Inspectorate) | <input type="checkbox"/>            |
| Adult community learning              | <input type="checkbox"/> | Other (please specify): Estyn           | <input checked="" type="checkbox"/> |

**Question 3** – Are you providing feedback on behalf of an organisation or group?

|     |   |    |                          |
|-----|---|----|--------------------------|
| Yes | ✓ | No | <input type="checkbox"/> |
|-----|---|----|--------------------------|

If 'yes', please specify:

|  |
|--|
| Estyn - Her majesty's inspectorate of education and training in Wales. |
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## Assessment arrangements

We would first like to explore your views on the duties and expectations that the proposals place on settings and schools to make, implement and review assessment arrangements. The proposals surrounding Section 56(1) can be found on pages 4 to 10 of the consultation document.

**Question 4** – Are the expectations placed on settings and schools towards assessment arrangements clear?

| Very unclear             | Slightly unclear         | Neither clear nor unclear | Slightly clear | Very clear               |
|--------------------------|--------------------------|---------------------------|----------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>  | ✓              | <input type="checkbox"/> |

Please explain your answer:

|   |
|---|
| <p>In general, the consultation is clear in its meaning and wording, although there are a few areas where further clarity is required.</p> <p>4.1 notes that 'current arrangements will remain in force for those who remain on the current curriculum'. In light of the Welsh Government's announcement on 6 July giving 'additional flexibility' with regard to implementation of the Curriculum for Wales for learners in Year 7, the guidance is not clear about the expectation on schools for learners in Year 7 in the academic year 2022-2023.</p> <p>4.4 a and b. From these two bullets it is not clear whether the responsibility for assessment arrangements lies with the headteacher or the governing body of a maintained school or maintained nursery school. In the later paragraph (4.9) it appears that the duty lies with the headteacher, but in 4.12 it again notes that both are responsible.</p> <p>4.4 c. The guidance needs to be clearer about who will be responsible for assessment arrangements in a funded non-maintained setting. The term 'provider' is not specific enough and leaves a lack of clarity about who has responsibility for the assessment arrangements. For example, in a privately owned setting does this responsibility lie with the owner, the responsible person or the setting leader?</p> <p>4.4 d and e. These two bullets mean that guidance is not clear whether the responsibility for assessment arrangements in a PRU lies with the teacher in charge or the governing body of a pupil referral unit. Paragraph 4.25 appears to place this duty solely on the teacher in charge, however 4.24 mentions both.</p> |
|---|

4.24 includes bracketed text that identifies that the Act places a duty on a management committee, 'where there is one'. As management committees are statutory for PRUs, the inclusion of this extra text may cause confusion.

**Question 5** – To what extent do you agree or disagree that the duties and expectations placed on settings and schools will effectively support learner progression in line with the Curriculum for Wales?

| Strongly disagree        | Disagree                 | Neither agree nor disagree | Agree                    | Strongly agree |
|--------------------------|--------------------------|----------------------------|--------------------------|----------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>   | <input type="checkbox"/> | ✓              |

Please explain your answer:

We welcome the Welsh Government's moves to ensure that the focus of assessment is to support each individual learner to make effective progress. The consultation identifies that assessment arrangements are described on 'the face of the 2021 Act as "arrangements for assessing the progress of individual learners against a relevant curriculum, the next steps in their progression and the teaching and learning needed to make the progression to the next step.' This clear message about the purpose of assessment under the Curriculum for Wales will help provide schools and settings with clear direction when deciding on assessment arrangements.

Ensuring that guidance emphasises points, such as those identified in 4.7 and 4.8, will continue to help focus assessment arrangements to the benefit of learners.

4.11 Emphasises the important point that 'assessment arrangements need to be considered and discussed at the same time as discussions around the design of the curriculum itself'. This should remain clear in guidance to emphasise the point that assessment does not come after learning but is a vital part of learning and teaching.

4.15 While this paragraph identifies usefully the importance of the progression code in helping schools to understand whether different groups of learners are making progress, it would be helpful to emphasise that these arrangements should help school to identify whether 'individuals' are making this progress as well.

**Question 6** – In responding to the duties and expectations surrounding assessment, are there any practical considerations or challenges that you think should be reflected in the proposals?

4.9. This paragraph places a duty on the headteacher to make assessment arrangements for the school's learners that must 'assess the progress made by learners in respect of the adopted curriculum, the next steps in their progression and the teaching and learning needed to make that progress.' It must be recognised that these strategies will require considerable professional learning and support for schools and practitioners to ensure high-quality teaching and assessment arrangements are embedded and used effectively.

4.16 This section identifies that assessment should be used to 'identify strengths and areas for improvement in both the school curriculum and daily practice, including consideration of how the needs of learners as individuals have been met'. It goes on to recognise that this 'is a means for schools to ensure their curriculum, and the learning and teaching, helps raise standards'. However, it is vitally important that any guidance emphasises the importance of focusing on the quality of teaching as a vital element of school improvement. Improvements in teaching must go hand-in-hand with the introduction of the Curriculum for Wales if we are to ensure that we raise standards for all learners.

4.16. This paragraph identifies that assessment can form a useful part of a school's self-evaluation and continuous improvement process. However, it could present challenges. While it is important that the outcomes of assessment contribute to self-evaluation, there is a danger that this principle could drive unhelpful habits, such as schools trying to create unnecessary data from their assessment of learners. For example, they may try to enumerate the principles of progression or the descriptions of learning to create numerical data in an attempt to show that pupils are making 'progress'. Where information about standards and progress is used well, this can contribute effectively to self-evaluation processes. School leaders must consider assessment in the context of helping children get better, rather than trying to 'prove' that learners are making progress for external accountability.

4.32 and 4.34 note that 'schools should not undertake specific assessment activities at each progression step to make a judgement about a learner's progression at a set age or point in time' and that 'regulations will not require any judgements to be made at a set point in time or in relation to any levels'. Guidance should be clear that no external body should ask schools for this information.

4.33 identifies that 'Schools should not try to break down descriptions of learning into a set of fixed assessment criteria that are used as a tick list as this does not help understand whether learners are making meaningful progress'. This is a helpful statement and should remain in guidance.

While professional learning for teachers and schools staff is vital to ensure that effective assessment practices improve learning, professional learning for regional staff and support officers will also be important to ensure that they play their part on taking forward these reforms in the manner set out in guidance.

The proposals also contain provisions surrounding entry assessments. These seek to build an understanding of the learner and should be conducted when they are first registered or enter a setting or school. The details of the proposals surrounding entry assessments can be found on page 10 of the consultation document.

**Question 7** – Is the duty placed on settings and schools to undertake an entry assessment appropriate and realistic?

We think it appropriate and realistic to ask schools and settings to undertake an on-entry assessment. We have identified a few areas in this section which need clarification.

4.45 b. Schools should be able to accept an assessment done by a setting or other school when it is in line with the school's own assessment procedures. For example, if learners in the setting normally transition onto the school.

4.45 c. We are not clear whether this point means that there is a requirement to repeat the assessment if it was done in the nursery at the same school.

4.45 f. A few secondary schools fund learners to attend EOTAS provision for practical based skills. Requiring them to assess all learners on first entry may cause difficulty for these providers.

4.45 g. It would be helpful to clarify in this sentence that assessment should be undertaken on their permanent return from an EOTAS setting or PRU.

4.47.

- The consultation outlines the possible use of a ‘summative approach’ to assessment as a way of assessing learners on entry. It is not clear what is meant by this, however if this refers to ‘testing’, such as paper-based tests then this not appropriate for young learners on entry to nursery.
- When the consultation identifies assessing ‘numeracy and literacy skills’ on entry, it needs to be clear how this will be taken forward for those from English speaking homes entering Welsh-medium settings or schools.
- The consultation identifies assessing learners’ well-being ‘abilities’. This term is unclear and not used elsewhere in curriculum documentation.

## Shared understanding of progression (SUP)

In order to develop a shared understanding of progression and assessment across Wales, the proposals include duties and expectations on settings and schools to engage in professional dialogue, training and support. These provisions are outlined on pages 10 to 14 of the consultation document.

**Question 8** – Are the expectations placed on settings and schools towards developing a shared understanding of progression clear?

| Very unclear             | Slightly unclear         | Neither clear nor unclear | Slightly clear                      | Very clear               |
|--------------------------|--------------------------|---------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Please explain your answer:

We recognise the positive moves within guidance to ensure that schools develop a shared understanding of progression. We have identified a few points that need further clarity.

5.4. This paragraph identifies the need for the relevant person to put into place ‘arrangements within a school/setting to develop a shared understanding of progression’. The guidance goes on to note (5.5) that dialogue should take place ‘as a minimum’ once a term. It would be helpful to identify to whom this regulation applies, for example would this include support assistants, staff providing one-to-one support or staff leading intervention groups?

The first few paragraphs in the section on a ‘shared understanding of progression’ outline arrangements within schools and the subsequent paragraphs focus on arrangements

'across schools'. The guidance should be clear whether there is an expectation that there are, or are not, links between these meetings and groups.

5.8. This paragraph identifies helpfully that school 'groups' are not the same as 'school clusters' and that professional dialogue should take place more broadly than the cluster to develop a shared understanding of progression widely. While we support this view fully and agree with the benefits of schools meeting in groups wider than their clusters, care needs to be taken that guidance does not discourage schools from meeting this way as well. It will be vital that secondary schools and their partner primary schools meet to consider their curricula and ensure that progress in learning is planned and developed carefully to ensure that learners continue to make effective progress from one school to the next.

5.17 identifies that guidance will 'provide advice about the most useful inputs and evidence to support discussions between practitioners within and between schools'. It is vital that any requirements in this area do not become overburdensome, nor deflect the discussions away from being a supportive discussion about progression and towards accountability or proving the effectiveness of a particular curriculum.

5.17 identifies that 'guidance will clarify the important role that local authorities and consortia could play in supporting this process, ensuring that all practitioners have opportunity to participate in meaningful professional dialogue'. We recognise that regional officers have much to offer and can contribute beneficially to this process. However, their role should be identified clearly. Care needs to be taken that the focus and purpose of these meetings is not impacted adversely by the attendance of others and no further requirements are placed upon schools attending, other than those in Welsh Government guidance.

**Question 9** – To what extent do you agree or disagree that the duties and expectations placed on settings and schools will effectively support the development and implementation of a shared approach to progression?

| Strongly disagree        | Disagree                 | Neither agree nor disagree | Agree | Strongly agree           |
|--------------------------|--------------------------|----------------------------|-------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>   | ✓     | <input type="checkbox"/> |

Please explain your answer:

5.9 identifies the importance of secondary schools belonging to more than one group. We agree that it is important that all secondary schools should meet with other secondary schools in order to help develop a strong understanding of progression for learners up to the age of 16. However, the focus of these meetings will be what drives this understanding and subsequent improvement. There needs to be clear guidance on what is important at these meetings and what is not.



**Question 10** – In responding to the duties and expectations surrounding the promotion of a shared understanding of progression, are there any practical considerations or challenges that you think should be reflected in the proposals?

The guidance (5.10) recognises ‘that some settings have multiple primary schools into which they feed and it would be impractical to require settings to establish processes to develop a shared understanding of progression with each of their related primary schools’. The same is true of some primary schools that partner with multiple secondary schools. It would be helpful if there were further guidance to these primary schools on the best way for them to ensure a shared understanding of progression from their curriculum to the different number of secondary schools they partner with (other than the school with whom they have a transition plan).

**Question 11** – What additional information would be beneficial to support the overall process of developing a shared understanding of progression?

We understand and support the Welsh Government’s desire to develop a methodology where meetings between schools become a positive vehicle for the development of a strong understanding of progression and promote subsequent improvement. In order to do this, we believe that more guidance will be required to help schools to follow the timescales in (5.5) and to ensure that the substance of these meetings is beneficial for schools.

- If those outside schools, for example officers from regional consortia, are to be involved then there needs to be clear guidance as to their role.
- It would be beneficial to outline what, if any, reporting and/or recording requirements will be placed upon these meetings. Overburdensome requirements in this area could mean that the focus of these meetings is subverted and they could then lack the impact intended.

While this guidance identifies well the importance of meetings to develop a shared understand of progression, guidance needs to be clear that these discussions should not just be about progress in curriculum content. Progress takes many forms, such as applying the same skills in a different context or undertaking a task with less support. Guidance will need to support these meetings to consider widely how different schools support progress, for example through different teaching approaches.

The proposals outline that settings and schools should come together on a termly basis to discuss and agree a shared understanding and approach to progression.

**Question 12** – Is the suggestion to meet on a termly basis appropriate and realistic?

While we can see that schools meeting together to develop a shared understanding of progression could have positive effect on driving improvement, it will be vital to consider the problems that could be faced by small schools. In a small primary school, for example one with two practitioners, care will need to be taken that legislation does not pose an overburdensome load upon them.

Meetings on a termly basis could be realistic if support and guidance is clear and helpful in this area.

- Schools will need support to facilitate the release of staff on a regular basis.

- Guidance will need to help identify who should attend these meetings. For example, if only leaders attend too many of these meetings, this may not ensure that improved practice is spread widely enough.
- Support and professional development will need to be given to all staff to help them to identify effective progression, so they can contribute to these meetings purposefully.
- Guidance will need to ensure these meetings have the right ethos: that they are supportive and not competitive; that they are about develop a better understanding and not about proving a particular curriculum is better than another.

## Transitions

The proposals outline a range of duties on feeder settings and primary schools in sharing information in order to support learner transitions into secondary settings. This includes developing transition plans for each learner. The provisions are outlined on pages 14 to 16 of the consultation document.

**Question 13** – Are the proposals clear on which schools will be required to undertake transition plans?

| Very unclear             | Slightly unclear         | Neither clear nor unclear | Slightly clear | Very clear               |
|--------------------------|--------------------------|---------------------------|----------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>  | ✓              | <input type="checkbox"/> |

Please explain your answer:

6.10. This section identifies that ‘Given that the Curriculum for Wales will be implemented from September 2022, with the first cohort of Year 6 pupils transitioning to Year 7 under the new curriculum in September 2023, we are seeking that these new plans are legislated for and drawn up ahead of the 2022/23 academic year’ and ‘it is intended that curriculum design and implementation can support continuity of learning for this first, and subsequent cohort of Year 6 pupils to effectively transition to Year 7’. With the announcement on 6 July giving ‘additional flexibility’ with regard to implementation of the Curriculum for Wales for learners in Year 7, the guidance is not clear about the expectation on schools in the academic year 2022-2023.

**Question 14** – To what extent do you agree or disagree that the new proposals for information proposed within transition plans and the processes feeding into their development will effectively support continuity of learning and progression?

| Strongly disagree        | Disagree                 | Neither agree nor disagree | Agree | Strongly agree           |
|--------------------------|--------------------------|----------------------------|-------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>   | ✓     | <input type="checkbox"/> |

Please explain your answer:

We support fully the Welsh Government’s aim to ensure that learners are supported effectively in their transition between primary and secondary schools. We also recognise

and support fully the aim to ensure that progression in learning and teaching are developed and maintained, so that learners' progress is not hampered at this juncture in their education. However, we identify a few issues in the current proposals.

- Paragraph 6.7 identifies well that transition plans 'should take account of continuity of learning, how that will be supported through teaching and learning when being developed'. This is an important point, as successful transition depends not just upon continuity in planning, but teaching also. However, when paragraph 6.11 itemises the requirements of transition plans, there is no clear mention of teaching as a consideration.
- Paragraph 6.11 identifies that Governing Bodies will be required to include in transition plans, 'How continuity of learning will be achieved for year 6 pupils moving to year 7, through curriculum design and planning'. However, some schools and clusters already go beyond this requirement, for example they begin transition work in Year 5 (or below) and/or extend it beyond Year 7. Where these helpful practices exist, we would not want new legislation to hamper them. We would suggest identifying that transition for Year 6 to Year 7 is a minimum. Further guidance could also exemplify how transition can be extended beneficially beyond these year groups.

**Question 15** – In responding to the duties and expectations surrounding transitions, are there any practical considerations or challenges that you think should be reflected in the proposals?

Estyn recognises the importance of transition practices taking account of learners' wellbeing. However, paragraph 6.7 identifies that plans should take account of a learner and 'their mental health and emotional well-being'. As noted previously, we are concerned at the seeming requirement for teachers to assess learners' mental health and would suggest this term is reconsidered.

Paragraph 6.8 notes that as with the current arrangements, 'the secondary school will hold one single transition plan', that 'must take account of, and accommodate, the different provisions amongst its feeder primary schools.' Coupled with paragraph 6.13 that notes that plans should be reviewed to ensure that arrangements remain up-to-date, this could place a significant burden on secondary schools. Secondary schools' transition arrangements usually require them to liaise with a range of primary schools. If these primary schools change and/or review their curricular at different points, the secondary school could be required to review and alter their plans regularly.

## Reporting to parents and carers

The proposals also contain provisions on reporting learner progression to parents and carers. These provisions are outlined on pages 17 to 20 of the consultation document.

**Question 16** – Are the expectations placed on settings and schools around reporting to parents and carers clear?

| Very unclear             | Slightly unclear         | Neither clear nor unclear | Slightly clear                      | Very clear               |
|--------------------------|--------------------------|---------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Please explain your answer:

We acknowledge the importance of developing and maintaining positive relationships with parents and carers. We support fully the Welsh Government's moves to support 'two-way communication' between school and home. However, this section on reporting is not always clear enough.

- In the guidance document, paragraph 7.3 identifies 'Currently legislation only requires schools to communicate with parents/carers and adult pupils by way of an end year written report'. However current legislation does not identify the end of a school year, but states 'school must make available, each school year'. This may cause confusion as currently not all schools wait until the end of the year to send out a written report.
- 7.8. This paragraph identifies that schools will provide 'a brief summary about their progress in learning across the breadth of the curriculum'. Further clarity will be required to help leaders and practitioners understand what is meant by 'the breadth of the curriculum', particularly in terms of older pupils in secondary schools who will have made choices about what they study.
- 7.10 identifies that 'We also believe that the discussions and outcomes of the processes to be put in place by schools under the section 57 Direction, Shared Understanding of Progression, should be considered as part of the overall considerations of a learner's progress and thus influence the feedback to parents. It is not clear what this means in practice.
- Paragraph 7.11 outlines that schools will provide at least one update per term. Guidance will need to be clear about what constitutes an 'update'. For example, will the report identified in 7.7 will count as one of those updates?

**Question 17** – In responding to the duties and expectations surrounding reporting to parents and carers, are there any practical considerations or challenges that you think should be reflected in the proposals?

Paragraph 7.8 identifies that schools should report on learners' 'mental health'. While we support fully the importance of sharing messages about learners' wellbeing, as an important part of information sharing between home and school, requiring that schools evaluate and report on learners' mental health is a requirement that should not be placed upon teachers.

This guidance identifies well that communicating effectively with parents/carers on an ongoing basis is an important way to foster positive relationships. As such, it may be beneficial to recognise that reporting termly is a minimum requirement. This will encourage those schools who already have more flexible and fluid arrangements to continue effective practices.

Overall, as there is no stipulation that schools provide a written report at any point under these proposed changes, it would be beneficial for guidance to identify strongly the importance of schools liaising closely with parents to ascertain their wishes, for example if they want a written report.

We would like to see further guidance that focused on how schools could develop a more dynamic and continual dialogue with parents/carers.

The proposals outline that settings and schools should provide regular communications with parents and carers.

**Question 18** – Is the suggestion to provide termly communications with parents and carers appropriate and realistic?

Estyn supports fully the Welsh Governments wish to improve communication between parents/carers and school. We can see the benefits of ongoing communication and engagement with parents/carers and adult pupils in respect of progression. However, further guidance will need to be clear to ensure that these termly updates do not become overburdensome on teachers. Our thematic review 'Communication between schools and parents of school-aged children' (June 2018) provides information and guidance which may support this work helpfully.

Learner progress is not linear and may not be apparent over shorter timescales. As such, there will need to be clear guidance on the nature of reporting to ensure that there is no expectation that each termly update tries to report consistent progress.

The information provided to parents and carers should include a brief summary of the well-being and progress of a learner, as well as advice on how parents and carers can support progression. For a full list of the information that should be included in communications, please see page 18 of the consultation document.

**Question 19** – Would sharing the types of information outlined in the proposals with parents and carers support learning and progression?

It would be helpful for guidance to identify effective ways for progress to be shared, that is useful for parents. For example, we would not want to see practices that reduced elements of the curriculum to numbers and then reported on increasing numbers as this does not provide parents/carers or learners with helpful information on progress and next steps.

Paragraph 7.5 recognises that the current 'narrow focus on one aspect of communicating a learner's progression does not really support the effective two-way communication and engagement envisaged for Curriculum for Wales'. Also, 7.6 notes that there is need for an approach 'which facilitates two-way communication and engagement and truly allows the parent/carer/adult pupil to actively play a role in the learner's progression'. However, it is not clear from this guidance document what role parents/carers have a role in the proposed reporting practices. For example,

- Will there be an opportunity for parents to respond to and discuss any reports (particularly written reports)?
- Will parents/pupils have any opportunity to contribute to reports?

## Language

**Question 20** – We would like to know your views on the effects that this legislation would have on the Welsh language, specifically on:

- i) opportunities for people to use Welsh
- ii) treating the Welsh language no less favourably than the English language.

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

### Supporting comments

These proposals have the potential to increase the opportunities for pupils to use Welsh if they are monitored and reviewed carefully. However, the guidance could state more clearly the ability to use Welsh and English equally to give equal status to each language. This would have a positive effect and increased opportunities for people to use the Welsh language.

With regards to duties and expectations placed on settings and schools to support learner progression effectively in line with the Curriculum for Wales, it is vital that the Welsh language is considered and highlighted here. Progression in language is vital to ensure continuity and to meet the need of the Welsh Government policy of 'Cymraeg 2050: A Million Welsh Speakers'

**Question 21:** Please also explain how you believe this legislation could be formulated or changed so as to have:

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

### Supporting comments

The need for and availability of on-entry assessments through the medium of Welsh is important. The relevant person who is responsible for ensuring that an 'on entry assessment' is undertaken for each learner or child when they are registered at a Welsh medium school or setting must also be able to communicate through the medium of Welsh at an appropriate level to ensure accuracy, fairness and equality.

When assessing where a child is in respect of the 3-16 continuum at any point on-entry to a school or setting as identified in guidance, it will be important that all learners/settings can access bilingual documentation, assessments and guidance to ensure this is fulfilled accurately, fairly and equitably.

In respect of learners transitioning from primary to secondary school, we believe that arrangements for continuity of language need to be clear in all transition plans.

Both professional learning and professional dialogue across all settings need to be available in Welsh and English. Leaders and teachers need to be able to access bilingual

documentation and guidance to support the language progression of Welsh speaking children and learners.

Equity for the Welsh language is needed to ensure that learners can transition between all funded non-maintained settings, primary and secondary schools, EOTAS and PRU settings in English or Welsh.

It is vital that transition arrangements are reviewed and are fit for purpose to support effective language progression along the learning continuum for learners who are educated through the medium of Welsh.

Bilingual communication is vital in providing assurances to parents and carers in respect of their child's progress. This must be clear in guidance.

**Question 22** – We have asked a number of specific questions. If you have any related issues which we have not been specifically addressed, please use this space to report them.

We recognise and support fully the Welsh Government's drive to ensure that assessment is seen as integral to learning and teaching, and supports effective learner progress. However, we also recognise that this is an area where leaders and practitioners need further support and guidance to ensure that this becomes a reality. To maintain this beneficial focus on assessment, we are unsure of the advantage of including in 'assessment arrangements' a range of wider issues and practices, such as reporting to parents and transition. While both of these practices benefit from schools having a strong understanding of learners' strengths and areas for development, they are not directly part of assessment and placing them within the same guidance may contribute further to leaders' and practitioners' misunderstandings in this important area.

We believe that any guidance brought forward to support assessment legislation needs to be succinct, clear and focused, with exemplification where appropriate.

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: