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**Ymateb i Ymgynghoriad / Consultation Response**

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| <b>Dyddiad / Date:</b>     | 29.09.23  |
| <b>Pwnc / Subject:</b>     | <b>Proposed lists of unions and bodies eligible to nominate associate members of the Commission for Tertiary Education and Research</b> |

**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 2000<sup>1</sup> 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;

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<sup>1</sup> This act to be replaced by the Tertiary Education and Research (Wales) Act 2022 from 1 April 2024 when the quality provisions are commenced.

- 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.

## Response

### Introduction

The establishment of the Commission for Tertiary Education and Research provides a unique opportunity for new associate members of the Board to be appointed with broad learner and workforce representation. In practice, this will be a challenge to ensure that the views and perspectives of those from smaller sectors – of part-time community-based adult learning, apprenticeship delivery in independent training providers and learners and staff in school sixth forms – are appropriately represented on the board.

It would be helpful for there to be further consideration of how the use of a national annual learner voice survey and focus groups for learners across different provisions (such as sixth form learners, adult learners in the community and apprentices) could be developed to capture broader learners' views and inform the Board.

## Consultation questions

**Question 1** – Do you agree with the lists of unions? Are there other unions operating in the Welsh tertiary education sector who you think could be added to the lists?

|              |   |                 |                          |                                   |                          |
|--------------|---|-----------------|--------------------------|-----------------------------------|--------------------------|
| <b>Agree</b> | ✓ | <b>Disagree</b> | <input type="checkbox"/> | <b>Neither agree nor disagree</b> | <input type="checkbox"/> |
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The list of the unions includes named unions operating across the tertiary education and training sector.

There is no single union that represents the workforce of independent training providers who deliver apprenticeships. Would a body, such as the National Training Federation for Wales, which does represent the independent training providers, be considered to be included on this list? Assessors and trainers in this sector may find the distinction between using the term 'academic' and 'non-academic' tertiary education workforce to be too hierarchical.

**Question 2** – Do you agree with the learner representation body named? Are there other learner representation bodies operating in the Welsh tertiary education sector who you think could be added to the list to represent learners?

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|--------------|--------------------------|-----------------|--------------------------|-----------------------------------|---|
| <b>Agree</b> | <input type="checkbox"/> | <b>Disagree</b> | <input type="checkbox"/> | <b>Neither agree nor disagree</b> | ✓ |
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We agree that the NUS Wales should be named as one of the learner representation bodies on the list. However, this organisation currently does not represent the learner voice across the whole of the tertiary education and training system. For example, there are learners who are not represented by NUS Wales in smaller sectors such as the part-time learners in adult community learning and further education, or sixth form learners in secondary schools. While the NUS Wales does have some representation for apprentices, it does not currently represent all learner experiences in all apprenticeship providers across Wales.

There is a gap in the Welsh tertiary education and training sector for the development of other learner representation bodies for these smaller sectors mentioned above.

**Question 3** – How could the Commission best hear and represent the views and voices of the learner?

We believe that the Commission could best hear the views and voices of the learner through developing a national annual learner voice survey. This could possibly be developed and adapted from the current student satisfaction survey that is administered in higher education and lessons could be learned from the previous Welsh Government funded national further education and training 'Learner Voice' survey. At the moment, we carry out learner surveys prior to any inspection activity we undertake, which could also provide helpful feedback to the Commission if a national survey isn't developed.

In addition to representation on the Board, it may be beneficial for the Commission to arrange periodic focus groups of learners from sectors other than higher and further education where the NUS Wales does not represent the views of all learners.

**Question 4 – Equal Opportunities**

The Commission will become a listed body under the Equality Act 2010 and be held responsible for eliminating inequality of opportunity, unlawful discrimination, harassment, and victimisation, and foster good relations between different groups. It will take all steps necessary to ensure educational inequalities narrow and standards rise.

We would like to know your views on the effects that including the appointments of associate members on the Board who represent education workforce and learners, would have on equality of opportunity.

What effects do you think there would be on the equality of opportunity? How could positive effects be increased, or negative effects be mitigated?

Assessors and trainers in the apprenticeship sector may find the distinction between using the term 'academic' and 'non-academic' to describe the tertiary education workforce denigrating or imply that their delivery of vocational training is not equal to those who work in higher education or on academic qualifications.

It would be helpful to try and ensure that board members themselves are diverse in terms of their backgrounds.

**Question 5** – We would like to know your views on the effects that including the appointments of associate members on the Board who represent education workforce and learners, would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English.

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

**Supporting comments**

There is currently insufficient Welsh-medium and bilingual provision across the tertiary education sectors. The inclusion of UCAC in the list of unions is helpful due to their representation of many Welsh-speaking staff. It would be helpful to consider how learner representation adequately represents the needs of Welsh-speaking learners.

**Question 6** – Please also explain how you believe the proposed policy on including the appointments of associate members on the Board who represent the wider tertiary education workforce and learners could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favorably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favorably than the English language.

**Supporting comments**

**Question 7** – 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:

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: