



PRIME MINISTER

Slap

**EDUCATION REFORM BILL: PUBLICITY**

David Norgrove's letter of 20 November to Ceri Thomas expressed your concern about some aspects of our proposed explanatory document on the national curriculum in Wales, and summarised your conversation with Wyn Roberts.

I have looked again at the document and there are a number of drafting changes that can be made to meet your concerns.

The document was intended to reflect as closely as possible the decisions taken at E(EP) on 28 October about the position of the Welsh language in the national curriculum.

Before I put my proposals to E(EP) I took great trouble to consult very fully with the Party. I am of course lucky that nobody knows the political problems of the language question better than Wyn Roberts. I also consulted Party activists in areas like Gwent, and a number of our brighter Parliamentary candidates. I am sure we reached the right solution and that is confirmed by the reaction to the publication of the Bill. The extremists are of course far from satisfied, but sensible moderate opinion ... is entirely with us. I enclose, for example, the editorial from the Daily Post, together with their front page story which shows that it is expected that I will use my unique exemption power - perhaps widely.

In practice, I shall want to include appropriate exemptions from the beginning when I make orders implementing the national curriculum.

I do not believe that our consultation requirements will present serious difficulties; the Curriculum Council, which is the main body I have to consult, will be appointed by me. But if Kenneth Baker wishes to simplify the procedures for England and Wales, I am perfectly happy to discuss this with him. Our legal advice is that if the Bill were not to prescribe any consultation procedure for making exemptions, we should be more rather than less open to risk of judicial review. The Courts have recently been setting their own consultation requirements in cases of legislation where no procedures are laid down.

/...





You asked us to check the document thoroughly to ensure it is consistent with proposals in England. This we have done and you will have seen Kenneth Baker's note of 20 November to Wyn Roberts agreeing to publication. Nevertheless we propose a number of amendments designed to meet your express concerns. In particular, we should make clear that our definition of Welsh medium education is not as sweeping as the draft may have suggested and that a subject working group would be working within a framework of policy guidance and that we shall not be bound by its recommendations.

I firmly believe that any fundamental change of commitment at this stage would cause considerable political difficulty and arouse the anger of moderate opinion as has happened on a previous occasion.

/ I am copying this minute to the Lord President and to members of E(EP) and to Sir Robert Armstrong.

25 November 1987

P W



## Doing better in school

IT was a Labour Prime Minister James Callaghan who called for a 'great debate' on education, realising that all was not well in our state schools.

Since that time recurrent industrial disruption had added to the problems, and all parties now agree that fundamental change is needed.

Yesterday Education Secretary Kenneth Baker published his solution to the problem in the form of his Education Reform Bill, hailing it as a 'charter for better education.'

His political opponents and the teaching unions were not impressed, and though the bill seems near certain to become law, it will prove a stormy passage.

Mr Baker's proposals are far reaching and are designed to improve the educational standards of pupils and school leavers through the twin pillars of a national curriculum with tests for pupils at the ages of seven, eleven, fourteen and sixteen, and through increased competition between schools.

National Union of Teachers' general secretary Fred Jarvis described the bill measures as divisive, and warned 'chaos will follow in its wake.'

Chaos in schools is something Mr Jarvis and his members know all about, of course, having done their part to cause it in recent years in furtherance of their pay claims.

In fact most parents will surely welcome the imposition of the national curriculum which will give a shape and discipline to schooling — and will welcome their new right of appeal if they are not satisfied with their child's education.

For schools in Wales, the Government has taken the sensible compromise course of including the Welsh language as a core curriculum subject in Welsh language schools, and including it as a foundation subject in all other schools unless local parental pressure prompts him to issue an exclusion order.

That will not please the Welsh language lobby, but it is a recognition of the fact that in some parts of Wales, non-Welsh speakers may not want their children to learn the language.

Persuasion not coercion has to be the right course for those who believe them to be wrong. Interest in the Welsh language is growing and needs encouragement, but enforcement on reluctant parents and pupils would be counter productive.

**END OF THE WEEK**



# Vi as

by Peter Beal

A DISGRACED day jailed for acts of indecent boy in his vicarage.

The Rev Day would take the "counselling" and embrace Manchester City.

Once they met of each other.

Crossley, Vic Church, Swintchester, pleaded recently assaulting him when committing an offence with him when he was a

## Sue the Office tells v

A JUDGE suggests of a burglar who after he was allowed consider suing





# DAILY POST

Saturday, November 21, 1987

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**HOLYHEAD TO  
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**Shock call-up for  
Welsh teenager: Page 35**

## Day to day in Wales



**CHARLES  
QUANT**

## Model event

IF YOU are appalled by plastic gnomes squatting on suburban lawns then applaud the enterprise of Crickieth Festival who are offering prizes of £750 and £250 for Culture for Gardens.

Selection for display and judging will be by drawings, photographs or slides.

The top prize from the selected entries will be decided by professional judges and the other prize by popular vote.

Submissions must be in by February 1, so get cracking all you Welsh sculptors or rather, get carving, modelling, moulding, welding or whatnot.

Nothing to be bigger than two men can lift.

It all depends on the men, of course.

I should like to see it taken a stage further with an offer by an appropriate industry to cast limited editions of the winning entries. Why not? Somebody makes a fortunes out of gnomes.

Step forward the Welsh Development Agency.

● For a country that already has a foothold in the language industry with its domestic bilingualism, I'm surprised that Wales has left it to Liverpool University to blaze a new trail with a Language-Export Centre aimed strictly at languages for people in commerce and industry.

It is well established that the third and subsequent languages are so much easier to learn than the second, so Wales has a head start.

I am not talking about literature, with Moore or Dan Owen in the original but languages for a multilingual EEC and wider world that is smaller than ever before.

Surely Mr Baker's Dozen of core subjects would be flexible enough to achieve more linguists than the wretched handful we now produce.

Step forward you bright county education committees.

● THERE'S one thing about living in Wales. It costs less to buy a house site than anywhere else in the UK - an average of £3,900 per plot compared with £6,000 in the North of England, £8,200 in the West Midlands, and £23,000 in London.

## 'Opt-out' plan in new reform package

# WELSH 'CAN BE DROPPED BY SCHOOLS'

## Soccer rocker



Elton John - flamboyance and soccer success

ROCK star Elton John quit as chairman of Watford FC last night, then sold the club to publishing magnate Mr Robert Maxwell's printing subsidiary BPCC.

The deal was struck at £2m.

However, Elton John will not sever completely all his links with the club he had been chairman of since May 1976, when it was in Division Four.

As part of the deal he will become life president and will remain on the board.

"I've spent eleven very enjoyable years as chairman of Watford and will continue to be involved in the club and give it my full support," he said.

The first indication that

## Elton's sell-out stuns Watford

he might be prepared to sell came last April, after newspaper allegations about his private life.

Now Mr Maxwell has an interest in three First Division clubs. He is chairman of Derby County and one of his sons, Kevin, is chairman of Oxford United.

## Artist dies in disaster

A WELSH artist who recently moved to London was among the victims of the Kings Cross blaze disaster.

Mr Ivan Tarassenko (25), a sculptor and artist, lived until recently with friends on an isolated smallholding at Pengraig Uchaf, near Whitland, Dyfed. His sculptures, made from junk metal, had been exhibited at the Edinburgh Festival fringe shows.

● Tube disaster - Page 6

by Chris Walker and  
Steve Brauner

**WELSH lessons may end in some schools in Wales when the Government's new schools reform proposals are implemented.**

For though the Welsh language will be a part of the new curriculum, the Welsh Secretary will be given powers to grant exemption to schools and areas in Wales where parents do not want their children to learn Welsh.

But it has not yet been decided how widely he will wield that power.

Last night, North Wales education chiefs said they were confident that all the schools in Clwyd and Gwynedd would continue to teach Welsh or teach in Welsh.

The Education Bill published yesterday seeks to impose a national curriculum of subjects which all schools must teach.

Welsh language is designated as a core subject in

Welsh-speaking schools.

This means it will form a central part of the school timetable and all children up to the age of 16 will be taught it.

In English-speaking schools, Welsh will be compulsorily timetabled as a foundation subject - except where exemption has been given.

Comment: Page 2

The Government's proposals for shaking up education - the most radical for more than 40 years - are in for a stormy passage through Parliament.

The plan to allow schools to opt out of local authority control is likely to attract the most controversy and is in danger of defeat in the Lords.

Other key reforms include: ● National tests for all children at the ages of seven, 11, 14 and 16.

● Giving headmasters and governing bodies of all secondary schools and larger primary schools control of their own budgets.

● Scrapping artificial limits on the number of pupils so that if there is the demand from parents schools have to take as many children as they can fit into their buildings.

Education Secretary Kenneth Baker claimed his proposals would stimulate better standards all round.

But his Labour shadow, Jack Straw, said they would damage standards, cut opportunity and, if the Tory Right had their way, lead to the partial introduction of fee-paying.

Gwynedd's primary schools committee chairman County Councillor Dafydd Orwig said the new proposals did not go far enough.

"Ideally I would like to see Welsh taught as a core subject in every school," he said.

"Surveys have shown that in all parts of Wales a large percentage of parents want their children to be taught Welsh."

County Councillor Robin Roberts, Clwyd's education chairman, backed the Bill's measures on Welsh teaching.

"I don't think for one moment that schools in Clwyd will want to opt out of teaching Welsh," he added.

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EDUCATION: Policy Pt 16



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*From the Private Secretary*

27 November 1987

**EDUCATION REFORM BILL: PUBLICITY**

The Prime Minister has seen your Secretary of State's minute of 25 November about the proposed explanatory document on the national curriculum in Wales, and is content that the document should be published as amended.

The Prime Minister has noted that an amendment to clause 4(6) of the Bill will need to be introduced at Committee stage so that - in line with the explanatory document (page 2) - a Welsh speaking school will be defined as one where children receive the greater part of their tuition through the medium of Welsh, rather than as a school where subjects other than Welsh are taught (wholly or partly) in Welsh.

I am copying this letter to the Private Secretaries to the Lord President, members of E(EP) and Sir Robert Armstrong.

D. R. Norgrove

Jon Shortridge, Esq.,  
Welsh Office.

*Handwritten mark:* ll



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The Rt Hon Peter Walker MP  
Secretary of State for Wales  
Welsh Office  
Gwydyr House  
Whitehall  
London SW1A 2ER

1 December 1987

NBR

**EDUCATION REFORM BILL - PUBLICITY**

Thank you for copying to me your minute of 25 November to the Prime Minister.

The drafting changes you have made to your document seem to me sensible and appropriate. Like you, I find no inconsistencies between what it says and what is proposed for England, as expressed in the Bill and in other literature.

You raise the question whether we should simplify the consultation procedures set out in the Bill. I believe that to do so would be a mistake - for the reason you give on the risk of judicial review, and also because to do so would be seen as contrary to our commitment to securing desirable agreement on the substance of the national curriculum. There is no doubt that the highly public procedures we have proposed, including the requirements for proper consultations, are seen as an important safeguard against the abuse of power by a Secretary of State. To change the Bill now would attract very considerable criticism.

I am copying this letter to the Prime Minister, the Lord President, members of E(EP) and Sir Robert Armstrong.





Education

Policy

1576



F0245

Mr Wilson  
through Mr Monger

EDUCATION BILL

I have read through the Education Bill and, in the attached note, suggest some points which seem to me, at first glance, at odds with what was agreed collectively or with the Prime Minister.

2. I have not covered Part II Chapter II (Clauses 82-95) which deals with higher education. DES are sending me copies of consultation papers which relate to this, and I will need to look at this part in the light of these. The Bill also covers (Chapter iv, Part iv, clauses 130-136) the question of academic tenure; I have not covered this in the attached note, but will try to track down where Mr Baker got policy approval (H?) and check its consistency with what was agreed.

3. Much as I would like to, I cannot pretend this is an exhaustive scrutiny of the Bill. The eyes tend to glaze over after 5 or 6 clauses. I therefore intend to return to the Bill when in need of light relief and will let you know whether and if I find any further discrepancies.

D P Walker

D P WALKER

27 November 1987



EDUCATION REFORM BILL1. Clause 2 (a) (Attainment Targets)

This Clause speaks of "securing that there is implemented... a basic curriculum for all registered pupils of compulsory school age (to be known as "the National Curriculum") which comprises the core and other foundation subjects and specifies in relation to each of them -

the knowledge, skills and understanding which pupils of different abilities and maturities are expected to have by the end of each key stage (in this Chapter referred to as "attainment targets")".

This seems to me inconsistent with the Prime Minister's wish that there should be guidelines rather than attainment targets for art, music, and physical education. David Norgrove's letter of 6 November says: "the legislation should enable (the Education and Science Secretary) to issue guidelines rather than attainment targets for these subjects...".

2. Clause 3 (i)(b) et seq (Welsh)

This Clause says that Welsh will be a core subject in schools in Wales which are Welsh-speaking schools. Clause 3 (6) of the Bill says "a school in Wales is a Welsh-speaking school if subjects other than Welsh are taught (wholly or partly) in Welsh." Clause 3(2)(c) places Welsh as a foundation subject in schools in Wales which are not Welsh-speaking schools. Clause 3(4)(b) enables the Secretary of State to exempt schools by order from Clause 3(2)(c). The consultation procedures for making such an exemption order are set out in Clause 12.

These parts of the Bill will need to be reconsidered in the light of the Prime Minister's meeting with Wyn-Roberts on 19 November. At that meeting, the Prime Minister said -

"the right arrangement would be for Welsh to form part of the core curriculum for schools where the greater part of teaching was carried out in Welsh. For other schools, Welsh could be taught as the second language envisaged as one of the foundation subjects, but it should not be compulsory. The consultation provisions for the exemption power were grossly elaborate and some aspects, for example the requirement to publish a summary of the views expressed by people consulted by the Secretary of State (Clause 12 (3)(a)(iii)) would be vulnerable to judicial review."

The Prime Minister has asked for a very early report on ways in which her concerns might be met.



### 3. Clause 4 (2) (Attainment Targets)

yes. This Clause says that "the Secretary of State may by order specify in relation to each of the foundation subjects (a) such attainment targets; (b) such programmes of study; and (c) such assessment arrangements, as he considers appropriate for that subject." Does this provide sufficient flexibility to issue guidelines rather than attainment targets for art, music and physical education?

### 4. Clause 13 (1) (b)(i)

Refers to the PCFC funding sector. The PCFC is the Polytechnics and Colleges Funding Council - but you have to look to Clause 93 (1) to find out!

### 5. Clause 14 (1)

A minor point. Line 2 - presumably Mr Baker means "a" school or "any" school?

### 6. Clause 26 (withdrawal of financial delegation)

yes, but may be too late. This Clause provides (in section 1) an LEA with powers to withdraw financial delegation in certain circumstances. It gives (in <sup>sub-</sup>Section 8) the governing body the right to appeal to the Secretary of State; and it gives (in <sup>sub-</sup>Section 9) the Secretary of State the right to allow or reject the appeal. Are these arrangements acceptable?

### 7. Clause 27 (1)(3) (b) (Budget shares under allocation formula)

yes. This Clause states that "the allocation formula ... may include provision for taking into account any other factors affecting the needs of individual schools which are subject to variation from school to school". Is this formulation too general. The consultation paper on financial delegation to schools was more specific. It said (in paragraph 5 (b)):

"The development of an appropriate formula for its area would be a matter for the LEA, in consultation with the governing bodies of its schools. Legislation, and subsequent regulations, would set out a broad framework within which a formula should be constructed, and would require, in particular, that it should take account of the number and ages of registered pupils at each school. Factors such as differential social need, and different types and sizes of school, would also require consideration."

### 8. Schedule 2, Clause 1 (3) (b) (Appointment of headteacher and deputy headteacher)

This states that "the (local education) authority shall appoint the person recommended (by the governing body) unless they are not satisfied that he meets any staff qualification requirements which are applicable in relation to his appointment". According to Section (4) of this clause the requirements can relate to



yes. qualifications; health and physical capacity; or fitness on educational grounds or in any other respect. Does this give the LEA too much scope for frustrating the wishes of the Governing Body in these appointments? The Schedule does not say what recourse the Governing Board has if the LEA refuses to make the recommended appointment. Mr Baker's paper to E(EP) said, on appointments, that "the governing body is to have sole responsibility" (paragraph 4a, first line, of E(EP)(87)10).

9. Clause 45 (3) and (4)

yes. These sections set out the procedures for a ballot of parents for GM status. Should they be less onerous?

10. Clause 46 (1) (Acquisition of GM status)

Good  
fair. This Clause states that it "applies where in the case of any school which is eligible for grant-maintained status the result of a ballot held in accordance with Section 45 of this Act shows a simple majority in favour of seeking grant-maintained status for the school". A simple majority of what? Of those voting? Of those eligible to vote? The consultation document said it would be a simple majority of those voting (paragraph 5 b); I would have thought it best to be explicit.

11. Clause 61 (8)

- A minor point. This speaks of "a local education authority who are required ....!"

12. Clause 67 (Discontinuance of GM status)

yes. This Clause contains none of the flavour of paragraph 27 of the Consultative Document - that discontinuance of GM status would be "exceptional", or that the Secretary of State "would not normally expect to approve discontinuation proposals... within the first 10 years of the school acquiring (GM) status".

13. Clause 104 (4)

- This states that "the (local education) authority shall not be required by virtue of subsection 3 (b) above to appoint any person if they are not satisfied that he meets any requirements of any regulations made under Section 27 of the 1980 Act (school and further education regulations) which are applicable in relation to his appointment". I have asked the library to send me a copy of the 1980 Education Act. Is this clause unduly restrictive? E(EP) on 15 July concluded it would be wrong to restrict GM schools to using teachers with professional qualifications.



14. Clause 105 (Withdrawal of delegated powers)

The same considerations apply to this Clause as apply to Clause 26 in paragraph 6 above.

15. Clause 107 (5) (Further Education)

Yes  
This section says: "Notwithstanding any provision made by the instrument of government by virtue of any of the preceding provisions of this section, the local authority concerned shall appoint all the members of the governing body of any such instruction as first constituted in accordance with this section". This needs to be read in conjunction with Clause 107 (6), (7) and (8). Is it acceptable?

16. Clause 115 (1) (Reserve powers on ILEA)

rel PM  
subsequently  
accepted  
had to  
be quan-  
titative.  
This Clause gives the Secretary of State powers to transfer from ILEA to each of the remaining Councils the functions of local education authority for that council's area. 115 (1) states that this section "applies if, at that time, the number of inner London councils to which functions have been or are proposed to be transferred under Section 114 of this Act is eight or more; and in this section as it so applies "the remaining councils" means the five or fewer inner London councils to which functions have not been and are not proposed to be so transferred." This seems at odds with the E(EP) discussion on 28 September (which preferred a qualitative rather than a numerically precise trigger) and with paragraph 12 of Mr Baker's minute of 3 October to the Prime Minister (which suggested, as possible formulae that the Secretary of State would require inner London boroughs to submit applications for assuming LEA responsibilities where either: -

(i) "the geographical or other circumstances of the boroughs remaining in ILEA, or which would remain in ILEA following the opting out of other boroughs, were such that the maintenance of an effective education service would no longer be possible, or possible only at disproportionate cost; or

ii. there would, without a major restructuring of the electoral arrangements for ILEA, be too few elected members for the effective discharge of their responsibilities.")



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PRIME MINISTER

WELSH

Peter Walker has now revised the explanatory document about the Welsh curriculum to reflect the concerns you expressed at your meeting with Wyn Roberts. The Welsh Office have done a conscientious job. Brian Griffiths' comments are below.

The main problem now is the provisions in the Bill. In one respect the Bill is better than I at least had realised: Welsh is to be a foundation subject in addition to a modern foreign language, so it will not supplant French or German even if it reduces the amount of attention these receive.

The consultation provisions however remain very elaborate. The provisions here are much the same in England as in Wales, except that in England the Curriculum Council rather than the Secretary of State will have the lead responsibility for carrying out the consultation. I do not think anything can be done about this paraphernalia.

On the Welsh language itself, Mr Walker is surely right to point to the difficulty of scrapping the provisions which have now been published. But it is inconsistent with the rest of the Education Bill that so much power rests with LEAs and the Secretary of State rather than with governors and parents. One possibility might be to require that a majority of parents should vote in favour of designation as a Welsh language school before a school can be so designated (in addition to a requirement that schools should only be Welsh speaking where the greater part of teaching is carried out in Welsh) and that where the majority of parents vote against designation of Welsh as a foundation subject the Secretary of State would be required to initiate consultations towards making an Exemption Order. In both cases the majority would be defined as a majority of those voting, for consistency with the provisions on opting out.

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Do you wish to propose that amendments should be tabled along these lines?

Mr Walker would also need to table an amendment to provide that a Welsh speaking school will be a school where the greater part of teaching of subjects other than Welsh is carried out in Welsh. (The present definition is that a school is a Welsh speaking school "if subjects other than Welsh are taught (wholly or partly) in Welsh".)

I attach the relevant pages from the Bill.

David - this amendment  
could be tabled at committee stage.

DN

As Brian Griffiths thinks the  
revised version is all right and there  
seems (as yet) no public objection,  
we will not at present pursue the  
matter further

not

David Norgrove

26 November 1987



## PART I

## Principal provisions

## The National Curriculum.

2. The provisions of this Chapter shall have effect for the purpose of securing that there is implemented, as part of the curriculum for every maintained school, a basic curriculum for all registered pupils of compulsory school age (to be known as "the National Curriculum") which comprises the core and other foundation subjects and specifies in relation to each of them—

5

(a) the knowledge, skills and understanding which pupils of different abilities and maturities are expected to have by the end of each key stage (in this Chapter referred to as "attainment targets");

10

(b) the matters, skills and processes which are required to be taught to pupils of different abilities and maturities during each key stage (in this Chapter referred to as "programmes of study"); and

15

(c) the arrangements for assessing pupils at or near the end of each key stage for the purpose of ascertaining what they have achieved in relation to the attainment targets for that stage (in this Chapter referred to as "assessment arrangements").

## Foundation subjects and key stages.

3.—(1) Subject to subsection (4) below, the core subjects are—

20

(a) mathematics, English and science; and

(b) in relation to schools in Wales which are Welsh-speaking schools, Welsh.

(2) Subject to subsection (4) below, the other foundation subjects are—

25

(a) history, geography, technology, music, art and physical education;

(b) in relation to the third and fourth key stages, a modern foreign language specified in an order of the Secretary of State; and

(c) in relation to schools in Wales which are not Welsh-speaking schools, Welsh.

30

(3) Subject to subsections (4) and (5) below, the key stages in relation to a pupil are as follows—

(a) the period beginning with his becoming of compulsory school age and ending at the same time as the school year in which the majority of pupils in his class attain the age of seven;

35

(b) the period beginning at the same time as the school year in which the majority of pupils in his class attain the age of eight and ending at the same time as the school year in which the majority of pupils in his class attain the age of eleven;

40

(c) the period beginning at the same time as the school year in which the majority of pupils in his class attain the age of twelve and ending at the same time as the school year in which the majority of pupils in his class attain the age of fourteen;



## PART I

- (d) the period beginning at the same time as the school year in which the majority of pupils in his class attain the age of fifteen and ending with the majority of pupils in his class ceasing to be of compulsory school age.

5 (4) The Secretary of State may by order—

- (a) amend the foregoing provisions of this section;
- (b) provide that, in relation to such schools in Wales as are not Welsh-speaking schools and are of a description specified in the order, subsection (2) (c) above shall not apply; or

- 10 (c) provide that, in relation to any subject specified in the order, subsection (3) above shall have effect as if for the ages of seven and eight there mentioned there were substituted such other ages, less than eleven and twelve respectively, as may be so specified.

- 15 (5) The head teacher of a school may elect, in relation to a particular pupil and a particular subject, that subsection (3) above shall have effect as if any reference to the school year in which the majority of pupils in that pupil's class attained a particular age were a reference to the school year in which that pupil attained that age.

20 (6) In this section—

“class”, in relation to a particular pupil and a particular subject, means the teaching group in which he is regularly taught that subject or, where there are two or more such groups, such one of them as may be designated by the head teacher of the school;

- 25 “school”, except in subsection (5) above and the above definition, includes part of a school;

and for the purposes of this section a school in Wales is a Welsh-speaking school if subjects other than Welsh are taught (wholly or partly) in Welsh.

- 30 4.—(1) It shall be the duty of the Secretary of State so to exercise the powers conferred by subsection (2) below as—

- (a) to establish a complete National Curriculum as soon as is reasonably practicable (taking first the core subjects and then the other foundation subjects); and

- 35 (b) to revise that Curriculum whenever he considers it necessary or expedient to do so.

- 35 (2) The Secretary of State may by order specify in relation to each of the foundation subjects—

- (a) such attainment targets;
- (b) such programmes of study; and

- 40 (c) such assessment arrangements,
- as he considers appropriate for that subject.

- (3) An order under subsection (2) above may provide that, in such cases as may be specified in the order, the provisions made by the order shall have effect with such modifications as may be so specified.

Duty to establish the National Curriculum by order.



## PART I

(4) An order under subsection (2) above may, instead of containing the provisions to be made, refer to provisions in a document published by Her Majesty's Stationery Office and direct that those provisions shall have effect or, as the case may be, have effect as amended by the order.

Courses leading to external qualifications.

5.—(1) No course of study leading to a qualification authenticated by an outside person shall be provided for pupils of compulsory school age in any maintained school unless the qualification has been approved by the Secretary of State or by a designated body and either—

- (a) a syllabus provided by the outside person for the purposes of the course has been approved by such a body; or
- (b) criteria so provided for determining a syllabus for those purposes have been so approved.

(2) An approval under this section may be given either generally or in relation to particular cases.

(3) In this section—

“designated” means designated by the Secretary of State;

“outside person”, in relation to a school, means a person other than a member of staff of the school.

Duties with respect to certain requirements.

6.—(1) In relation to any maintained school and any school year, it shall be the duty of the local education authority and the governing body to exercise their functions with a view to securing, and the duty of the head teacher to secure—

- (a) that the National Curriculum as subsisting at the beginning of that year is implemented;
- (b) that section 5 of this Act is not contravened; and
- (c) that section 25(2) of the 1944 Act (compulsory religious instruction) is complied with.

(2) In relation to any time before the beginning of the school year following the establishment of the National Curriculum so far as relating to a particular subject and a particular key stage, subsection (1)(a) above shall have effect as if that Curriculum required that subject to be taught for a reasonable time during that stage.

### Curriculum and Assessment Councils

Establishment of Councils.

7.—(1) There shall be established—

- (a) a body corporate known as the National Curriculum Council;
- (b) a body corporate known as the Curriculum Council for Wales; and
- (c) a body corporate known as the School Examinations and Assessment Council,

each of which shall perform the functions assigned to it by this Chapter.



(2) Each Council shall consist of not less than ten or more than fifteen members appointed by the Secretary of State, of whom—

- (a) one shall be so appointed as chairman; and
- (b) another may be so appointed as deputy chairman;

5 and members so appointed shall include persons having relevant knowledge or experience in education.

(3) The general functions of the Curriculum Council, that is to say, the National Curriculum Council in relation to England and the Curriculum Council for Wales in relation to Wales, shall be—

- 10 (a) to keep all aspects of the curriculum for maintained schools under review;
- (b) to advise the Secretary of State on such matters concerned with the curriculum for maintained schools as he may refer to it or as it may see fit;
- 15 (c) to advise the Secretary of State on, and if so requested by him assist him to carry out, programmes of research and development for purposes connected with the curriculum for schools; and
- 20 (d) to publish and disseminate, and to assist in the publication and dissemination of, information relating to the curriculum for schools.

(4) The functions of the School Examinations and Assessment Council shall be—

- (a) to keep all aspects of examinations and assessment under review;
- 25 (b) to advise the Secretary of State on such matters concerned with examinations and assessment as he may refer to it or as it may see fit;
- (c) to advise the Secretary of State on, and if so requested by him assist him to carry out, programmes of research and development for purposes connected with examinations and assessment;
- 30 (d) to publish and disseminate, and to assist in the publication and dissemination of, information relating to examinations and assessment;
- 35 (e) to make arrangements with appropriate bodies for the moderation of assessments made in pursuance of assessment arrangements; and
- (f) to advise the Secretary of State on the exercise of his powers under section 5(1) of this Act.

40 (5) It shall be the duty of each Council—

- (a) to furnish the Secretary of State with such reports and other information with respect to the exercise of its functions as he may require; and



## PART I

- (b) in exercising its functions, to comply with any directions given, and to act in accordance with any plans approved, by the Secretary of State.

(6) Schedule 1 to this Act shall have effect with respect to each Council.

Transfers of  
property and staff  
to Councils.

8.—(1) References below in this section to the Council are references to each of the following bodies—

- (a) the National Curriculum Council;
- (b) the Curriculum Council for Wales; and
- (c) the School Examinations and Assessment Council.

(2) The Secretary of State may by order provide for the transfer to the Council of—

- (a) such of the property of its predecessor; and
- (b) such of the rights and liabilities of its predecessor (other than rights and liabilities arising under contracts of employment),

as, in his opinion, require to be so transferred for the purpose of enabling the Council properly to perform its functions; and an order under this subsection may contain such incidental, consequential and supplementary provisions as appear to the Secretary of State to be necessary or expedient.

(3) Subsection (4) below applies to any person who—

- (a) immediately before the establishment of the Council is employed by its predecessor under a contract of employment; and
- (b) is as respects the Council designated by order of the Secretary of State.

(4) The contract of employment between a person to whom this subsection applies and the predecessor shall have effect from the commencement date of the order under subsection (3) above as if originally made between him and the Council.

(5) Without prejudice to subsection (4) above—

- (a) all the predecessor's rights, powers, duties and liabilities under or in connection with a contract to which that subsection applies shall by virtue of that subsection be transferred to the Council on the commencement date of the order under subsection (3) above; and
- (b) anything done before that date by or in relation to the predecessor in respect of that contract or the employee shall be deemed from that date to have been done by or in relation to the Council.

(6) Subsections (4) and (5) above are without prejudice to any right of an employee to terminate his contract of employment if a substantial change is made to his detriment in his working conditions but no such right shall arise by reason only of the change in employer effected by subsection (4) above.



(7) An order under subsection (3) above may designate a person either individually or as a member of a class or description of employees.

(8) No order under this section shall be made more than six months after the date on which the Council is established; and any order under this section made before that date shall come into force on that date.

(9) In this section—

“commencement date”, in relation to an order under subsection (3) above, means the date on which the order comes into force;

“predecessor” means—

(a) in relation to the National Curriculum Council or the Curriculum Council for Wales, the School Curriculum Development Committee; and

(b) in relation to the School Examinations and Assessment Council, the Secondary Examinations Council.

#### *Special cases*

9.—(1) For the purpose of enabling development work or experiments to be carried out, the Secretary of State may direct as respects a particular maintained school that, for such period as may be specified in the direction, the provisions of the National Curriculum—

Development work and experiments.

(a) shall not apply; or

(b) shall apply with such modifications as may be so specified.

(2) A direction under subsection (1) above may apply either generally or in such cases as may be specified in the direction.

(3) A direction shall not be given under subsection (1) above except—

(a) in the case of a county, controlled or maintained special school, on an application by the local education authority with the agreement of the governing body or by the Curriculum Council with the agreement of both the local education authority and the governing body;

(b) in the case of a grant-maintained, aided or special agreement school, on an application by the governing body or by the Curriculum Council with the agreement of the governing body.

(4) The Secretary of State may make it a condition of a direction under subsection (1) above that any person by whom or with whose agreement the request for the direction was made should, when so directed or at specified intervals, report to the Secretary of State on any matters specified by him.

(5) The Secretary of State may by a direction under this subsection vary or revoke a direction under subsection (1) above.

10. A statement under section 7 of the 1981 Act of a pupil's special educational needs may direct that the provisions of the National Curriculum shall apply as respects the pupil with such modifications as may be specified in the statement.

Pupils with special educational needs.



## PART I

## Supplementary

Procedure for  
making certain  
orders: England.

11.—(1) This section applies where the Secretary of State proposes to make an order under section 3(4) or 4(2)(a) or (b) of this Act which relates to maintained schools in England.

(2) The Secretary of State shall refer the proposal to the National Curriculum Council (in this section referred to as “the Council”) and give to it directions as to the time within which it is to report to him. 5

(3) The Council shall give notice of the proposal—

(a) to such associations of local education authorities, bodies representing the interests of school governing bodies and organisations representing school teachers as appear to it to be concerned; and 10

(b) to any other persons with whom consultation appears to it to be desirable,

and afford them a reasonable opportunity of submitting evidence and representations as to the issues arising. 15

(4) The report of the Council to the Secretary of State shall contain—

(a) a summary of the views expressed during the consultations;

(b) its recommendations as to the proposal; and

(c) such other advice relating to the proposal as it thinks fit; 20

and the Council shall, after submitting its report to the Secretary of State, arrange for the report to be published.

(5) Where the Council has reported to the Secretary of State, he shall—

(a) publish in such manner as, in his opinion, is likely to bring them to the notice of persons having a special interest in education— 25

(i) a draft of the proposed order and any associated document; and

(ii) a statement explaining his reasons for any failure to give effect to the recommendations of the Council;

(b) send copies of the documents mentioned in paragraph (a) above to the Council and to each of the persons consulted by the Council; and 30

(c) allow a period of not less than one month for the submission of evidence and representations with respect to the issues arising.

(6) When the period so allowed has expired, the Secretary of State may make the order, with or without modifications. 35

Procedure for  
making certain  
orders: Wales.

12.—(1) This section applies where the Secretary of State proposes to make an order under section 3(4) or 4(2)(a) or (b) of this Act which relates to maintained schools in Wales.

(2) The Secretary of State shall give notice of the proposal— 40

(a) to the Curriculum Council for Wales; and



- (b) to any other persons with whom consultation appears to him to be desirable,

and afford them a reasonable opportunity of submitting evidence and representations as to the issues arising.

- 5 (3) After considering any representations submitted to him under subsection (2) above, the Secretary of State shall—

- (a) publish in such manner as, in his opinion, is likely to bring them to the notice of persons having a special interest in education—

- 10 (i) a draft of the proposed order and any associated document;

- (ii) a statement giving such explanation of the provisions of the order as he thinks fit; and

- (iii) a statement containing a list of the persons consulted by him and a summary of the views expressed;

- 15 (b) send copies of the documents mentioned in paragraph (a) above to each of the persons consulted by him; and

- (c) allow a period of not less than one month for the submission of evidence and representations with respect to the issues arising.

- 20 (4) When the period so allowed has expired, the Secretary of State may make the order, with or without modifications.

20 13.—(1) The Secretary of State may by order direct that the provisions of sections 5 and 6(1)(b) of this Act shall have effect as if—

Extension of certain provisions.

- 25 (a) any reference to pupils of compulsory school age included a reference to persons in secondary education or full-time further education who are over that age but have not attained the age of nineteen;

- 30 (b) any reference to a maintained school included a reference to an institution required to be covered by a scheme made under section 96 of this Act and, except in relation to a local education authority—

- (i) any institution within the PCFC funding sector; and

- (ii) any institution (other than a university) which provides further education and is an assisted institution or a grant-aided institution; and

- 35 (c) any reference to the head teacher of such a school included a reference to the principal or other head of such an institution.

35 (2) An order under this section may make such consequential modifications of section 7(4) of this Act as appear to the Secretary of State to be necessary or expedient.

- 40 14.—(1) The Secretary of State may make regulations requiring, in relation to school to which this section applies, the local education authority, the governing body or the head teacher to make available either generally or to prescribed persons, in such form and manner and at such times as may be prescribed—

Provision of information.



PRIME MINISTER

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26 November 1987

The National Curriculum in Wales - A Policy Statement

Peter Walker has now sent you a revised version of their earlier paper. You suggested that they make six specific changes to the text. They have redrafted or omitted passages to accommodate five of the proposed changes. The proposed change which you suggest on page 11 (which deals with the subject working group for Welsh), has not been accepted. Instead of omitting four paragraphs, these have been redrafted to accommodate the basic point which you made, namely, that the Secretary of State should retain power over the content of Welsh teaching so as not to allow it to be taken over by the Welsh language working group.

After reading the revised document and talking to Ministers and officials in the Welsh Office, the position regarding policy is roughly as follows:

- (a) Welsh will be a core subject only in bilingual schools (more accurately described as Welsh schools) or in parts of schools (mainly in rural areas - examples given were secondary schools in Tregaron and Llandeilo) where in the early years of secondary education many subjects may be taught in Welsh: the children in these schools or parts of schools would almost invariably be from Welsh speaking homes.
- (b) For other schools in Wales, Welsh will be a foundation subject, but will not have priority over French or other foreign languages.



- (c) Within these other schools, the Secretary of State will be able to make orders exempting such schools or parts of schools, from having Welsh imposed as a foundation subject: the procedure for making such orders (Clause 12 of the Bill) is very similar to the procedure for making orders regarding other matters in England (Clause 11 of the Bill):

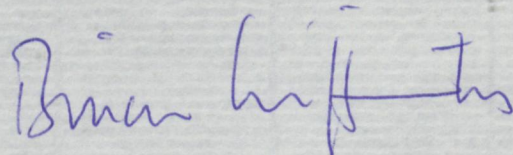
The Welsh Office would expect such requests to be made in areas such as Pembrokeshire, and what used to be Monmouthshire. Indeed the Chairman of the Gwent LEA has already said that something like 75% of schools in that area could well opt out of arrangements for the teaching of Welsh as a foundation subject.

- (d) The publication of the <sup>Bill</sup>~~document~~ has resulted so far in very little opposition (the case quoted above being the only example). By comparison the press, the Welsh Conservative agent, local constituency candidates and our own supporters seem very happy with the document and the arrangements.

### Conclusion

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The revised document meets your objections and would seem to reflect public opinion in Wales. It should be accepted.



BRIAN GRIFFITHS



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FROM THE PRIVATE SECRETARY  
TO THE SECRETARY OF STATE  
FOR WALES

26 November 1987

CONFIDENTIAL

Dear David

THE NATIONAL CURRICULUM IN WALES - A POLICY  
STATEMENT

... I enclose as promised the revised version of our  
policy statement on the national curriculum in  
Wales. I have highlighted the main changes.

Yours sincerely

J D SHORTRIDGE

David Norgrove Esq  
Private Secretary to  
The Prime Minister



## THE NATIONAL CURRICULUM IN WALES - A POLICY STATEMENT

### Introduction

The Government's proposals to introduce legislation to provide for a national curriculum in maintained schools in England and Wales were published as a consultation document in July 1987. An intensive consultation exercise was carried out. In Wales, written responses were received from more than 100 organisations, including the Welsh Joint Education Committee, all local education authorities and teacher unions, and from many individuals. Meetings were held at the Welsh Office with the WJEC, the Welsh Consultative Committee for Local Government Finance, Directors of Education, all the teacher unions in Wales, the Parent/Teacher Associations of Wales, Parents for Welsh Medium Education, and the Welsh Language Education Development Committee.

Legislation to set the framework for the national curriculum in England and Wales has been laid before Parliament as this paper is published. The purpose of this paper is to set out the Secretary of State for Wales' policy on the implementation of the national curriculum in Wales. In doing so it incorporates many of the comments made in the course of the consultation exercise. It is intended to inform debate on the Education Reform Bill and to provide greater detail for teachers, parents and others about the Government's proposals as they affect Wales.

### The Framework

The Education Reform Bill prescribes the framework for the national curriculum. The relevant provisions are, for the most part, common to England and Wales; but there are specific provisions to cover the Welsh language and to prescribe separate consultation machinery for Wales.



The legislation will not itself prescribe any of the content of the National Curriculum, beyond setting out what the core and other foundation subjects shall be. The details of content are to be prescribed by order, and separate orders may be made for England and Wales.

The National Curriculum will consist of

- core and other foundation subjects
- attainment targets
- programmes of study
- arrangements for assessment including testing.

The core and other foundation subjects are to be listed in the legislation, and the legislation will also provide a procedure for amending this list by Order. In Wales, the foundation subjects for all ages from 5 to 16 will be mathematics, science, English, Welsh, technology, history, geography, art, music and physical education. A modern foreign language will be a foundation subject from ages 11 to 16. Of these foundation subjects the core subjects will be mathematics, science and English. For those children who receive the greater part of their tuition through the medium of Welsh, whether or not they are in designated bilingual schools, Welsh will also be a core subject. The Secretaries of State will have a duty to establish a complete national curriculum as soon as practicable, taking first the core subjects and then the other foundation subjects. The legislation will allow considerable flexibility about the extent to which attainment targets, programmes of study and assessment and testing arrangements are prescribed.

#### Implementation in Wales

The legislation will set out comprehensive arrangements for the consultation that is to be required before orders are made prescribing attainment targets and programmes of study. These arrangements are



somewhat different in Wales from those which will apply in England. They reflect established organisational arrangements and consultation mechanisms which include:

- the existence of the statutory Welsh Joint Education Committee (which has no equivalent in England), acting as a committee of local education authorities with representative and co-ordinating functions and as an examination board.
- the possibility of close and informal consultation made possible by the relatively small scale of Wales and the resulting close contact and good working relationships between local education authorities and the Welsh Office.
- established contacts between the Welsh Office, MSC and WJEC which have contributed to successful progress in implementing the Technical and Vocational Education Initiative. The Secretary of State for Wales has responsibilities both for education and for the activities of MSC in Wales. TVEI will now need to be taken forward in the context of the national curriculum.

It was therefore considered appropriate that responsibility for consultations about the national curriculum in Wales should rest with the Secretary of State.

The first stage in specifying the national curriculum in Wales is a non-statutory one and has already been put in hand. Subject working groups for the core subjects of mathematics and science, soon to be followed by English, have already been set up with a remit to make recommendations for the content of the national curriculum in these subjects. These groups have been set up on a joint England and Wales basis. The Secretary of State for Wales will be setting up a subject working group on Welsh in the near future. In parallel with these groups, a Task Group on Assessment and Testing has been set up, also on an England and Wales basis, to consider and make recommendations about a national system of assessment. The



considerations which this group is addressing include the various concerns and reservations about testing which were expressed in response to the consultation exercise.

After conducting each consultation, the Secretary of State will publish a draft order together with a statement giving an account of the consultations which he has carried out and with an explanation of the order's provisions. All those previously consulted will have a further chance to comment on the draft order before it is made. Orders made in this way, for each individual core and foundation subject, will specify the attainment targets and programmes of study which, together with assessment and testing arrangements will make up the national curriculum.

The Secretary of State for Wales will look to the Curriculum Council for Wales to carry a major responsibility for curriculum development in Wales. CCW will be funded by the Welsh Office and the Secretary of State will wish to agree an annual programme of work with it. The operation of CCW will have much in common with the Consultative Committee on the Curriculum in Scotland.

In setting up the CCW as an additional body - for which there was strong support in responses to the consultation exercise - the Secretary of State is aware that there is a clear danger of overlap and duplication with existing bodies, and in particular the WJEC and the Welsh Language Education Development Committee. To avoid this and to ensure that the best use is made of resources the Secretary of State will want to agree with each body clear lines of demarcation and arrangements for co-operation. The CCW will also need to keep in close touch with the new National Curriculum Council in England and with the School Examinations and Assessment Council.

The CCW will take over the present functions of the School Curriculum Development Committee's Committee for Wales. SCDC is to be wound up and its functions in England will pass to the National Curriculum Council. The SCDC is at present responsible for curriculum development projects some of which involve Welsh LEAs. The possibility of Welsh involvement in NCC projects will be safeguarded.



## General Principles of the National Curriculum

The development of the national curriculum takes place against a background of many years of previous development. Although the consultation machinery will operate by taking individual subjects in turn, it must do so against the background of a general philosophy about the whole school curriculum.

The school curriculum as a whole needs to be a balanced and broadly-based one which promotes the spiritual, moral, cultural, mental and physical development of pupils at the school and of society. It needs to prepare pupils for the opportunities, responsibilities and experiences of adult life. It is intended that the legislation should lay a specific duty on the Secretary of State, LEAs, governing bodies and headteachers to exercise their functions, as far as the national curriculum is concerned, to serve these requirements.

Many respondents to the consultation exercise referred to the HMI publication "The Curriculum from 5-16", and often expressed concern that the national curriculum would be incompatible with it. It is not, however, the Government's intention that the specification of the national curriculum - in terms of foundation subjects - should cut across the wider needs of the curriculum. These include:

- the principles of breadth, balance, relevance and differentiation
- the elements of learning: knowledge, concepts, skills and attitudes
- the full range of areas of learning and experience:
  - aesthetic
  - human and social
  - linguistic and literary
  - mathematical
  - moral



- physical
- scientific
- spiritual
- technological

"The Curriculum from 5-16" itself pointed out that these areas of learning and experience were two complementary perspectives which were "not in conflict with the ways in which schools commonly organised teaching and learning; topics, themes or subjects need to support some or all of the facets of the 'whole education,' which the two perspectives describe in helping to achieve the school's aims and objectives". They were intended as analytical tools and were not meant to dictate how the curriculum should be timetabled.

The foundation subjects of the national curriculum will be expressed as appropriate in terms of the attainment targets, programmes of study and assessment and testing. For art, music and physical education there will be guidelines rather than specific attainment targets. Within this framework, the way in which teaching is organised and the teaching approaches used will be for schools to determine.

A number of responses to the consultation document argued that the proposals were not compatible with or appropriate to current practice in Welsh schools - in particular project-based approaches or integrated work in primary schools. However HMI in Wales as elsewhere find many examples where project based approaches lack clarity about the objectives they are intended to achieve, and the national curriculum framework will help to reinforce good practice in this area. The existence of a national curriculum framework should be a help to the development of the curriculum at the school level.

It is not intended to prescribe the proportion of time which schools should spend on foundation subjects. It will be for schools themselves to determine what is necessary to achieve the attainment targets and for worthwhile study of a subject. It is the Secretaries of State's firm intentions that the specified national curriculum should leave a good deal



of room for choice and variation. This clearly implies that pupils in years 4 and 5 of secondary school should not be required to study all of the foundation subjects at the full level currently required for GCSE or equivalent qualifications; but some continued study of each is necessary to preserve breadth in the curriculum for all the pupils, and appropriate attainment targets can be set.

In prescribing appropriate attainment targets, programmes of study and assessment and testing arrangements for Wales, the Secretary of State would want to be sure that these were appropriate to meet the needs of Wales. Relevant factors would include:

- the role of the Welsh language, both as a subject and as a medium of instruction
- a generally earlier starting age than in England: most children in Wales begin school at age 3 or 4 in either nursery or primary schools
- an improving but still relatively poor position in the number of school-leavers who have no qualifications. The WJEC's Certificate of Education, aimed at improving this position, has no direct equivalent in England. It will need to be reviewed in the context of the national curriculum
- the curricular policies of LEAs. As in England, individual LEAs have been developing their own curricular policies. Those in Wales were summarised in "Local Authority Reviews of the School Curriculum in Wales" (Welsh Office, June 1986) but there have been further developments since.

The Secretary of State would also expect the national curriculum in Wales to be responsive to the world outside school. Key factors, some particular to Wales, others common with England, to which he would expect the curriculum to respond include:



- **The changing economy.** Wales' longstanding dependence on the basic industries, of coal and steel, has reached an end. The development of the Welsh economy on a new and much more diverse basis is now moving very quickly. A wide variety of manufacturing and service industries, including tourism, are changing the economic character of the country. The pace and nature of this change puts a heavy burden on the education system, which needs to equip children, to the best of their ability, to sustain and benefit from a changing economy. Children need an education which is relevant and which makes available the best and most up-to-date information on career prospects. Narrowly relevant training will not do. The new economy depends on educated, adaptable citizens, with an awareness of the society around them and the ability to make the most of their talents.
  
- **History and culture.** There are distinctive elements in Welsh history and culture to which the school curriculum needs to respond. An understanding of the elements of Welsh history together with some knowledge of its language and culture are an essential element in understanding the present day experience of living in Wales. Education in Wales has traditionally been seen as having a role in perpetuating and giving vitality to a cultural tradition. For the individual child, the identification of "roots", of a personal and local heritage, provides a valuable counter-balance to uncertainty and insecurity. An understanding of the community in which the child grows up can contribute to a better awareness of its value and a greater sense of involvement in it.

Effective learning proceeds from the familiar to the unfamiliar. A curriculum which draws on what is familiar and local can help to provide a sound basis for a wider perspective and more abstract knowledge.



- **Openness to the wider world.** The curriculum in Wales needs to balance the value of what is distinctively Welsh with the need for a positive awareness and response to the wider world. Wales is a part of the United Kingdom and the European Community. World influences play a strong role in its contemporary life.
- inward investment plays a major role in the changing Welsh economy
- tourism is increasingly important both as a source of employment and as an influence on the character of Wales
- the culture of other ethnic groups living in Britain gives rise to a need to understand cultural diversity
- the communications media in Wales reflect a mixture of Welsh, British and international influences, of world and local events
- there is inward and outward migration to and from Wales: education in Wales needs to meet the needs of those coming in from outside and Welsh people need to be equipped with an education which will stand them in good stead wherever they may go.

The Secretary of State believes that there is a need for a curriculum which responds to the nature of education in Wales and the wider needs of Wales. Within a national curriculum framework that is common to England and Wales this needs to build on our particular strengths and address our particular weaknesses. As far as the core subjects of English, mathematics and science are concerned, there is no justification for differing standards between England and Wales and it is to be expected that pupils will work towards the same attainment targets at age 16. Testing arrangements will provide for English and Welsh medium teaching. In the early years of school, there may need to be different attainment levels in English for children receiving a Welsh medium education: but by the age of 16, the same standards must apply.



### Welsh in the Curriculum

The Government's policy about the provision of Welsh in the curriculum was set out in "Welsh in Schools" (July 1981) - that some experience of the language is an important component of a broadly balanced curriculum for pupils in Wales; that in predominantly English-speaking areas all pupils should be given the opportunity of acquiring a sufficient command of Welsh to allow for communication in Welsh, while bilingual education should be available to pupils whose parents desire it for them. The consultation document on the national curriculum set out this policy again as background to the present proposals. There was strong support in the responses for the inclusion of Welsh in the national curriculum though there was also a widespread recognition that the varied linguistic pattern in Wales and in Welsh education did not permit a simple uniform solution.

It is therefore proposed that Welsh should be a core subject for those children who are receiving a bilingual education. These children are already in general receiving the greater part of their tuition through the medium of Welsh. In order to achieve this the Bill distinguishes those schools or parts of schools where subjects other than Welsh are taught (wholly or partly) in Welsh. This recognises that bilingual education is not confined to designated bilingual schools and that in schools which contain Welsh medium units where Welsh would be appropriate as a core subject, it will not always be appropriate as a core subject in the rest of the school.

For other schools Welsh would be a foundation subject unless the Secretary of State made an exemption order. The Bill contains a specific power for the Secretary of State to make orders exempting schools or parts of schools from having Welsh as a foundation subject.

The status of Welsh as a foundation subject means that the Secretary of State could prescribe attainment targets, programmes of study and appropriate assessment and testing arrangements. For Welsh, it would be necessary to prescribe more than one set of attainment targets in order to



cover the various forms in which the subject is taught. These will need to encompass Welsh as a first language and Welsh as a second language, both of which are commonly studied to GCSE or equivalent level. There will also be a need to provide appropriately for a basic level of attainment in Welsh appropriate for pupils in all parts of Wales who would not necessarily expect to study the subject to GCSE standard.

In order to implement the national curriculum, it will be necessary to appoint a subject working group for Welsh to consider and make recommendations about appropriate attainment targets, programmes of study and assessment and testing. The Secretary of State will be considering the terms of reference and detailed guidance to the group with a view to an early start on its work. He will want the group to consider appropriate levels of attainment for first language, second language and other pupils which can accommodate the varying linguistic pattern in Wales. The Bill provides for the possibility of orders which make different provisions for different circumstances.

The Secretary of State will want to use the recommendations of the subject working group as the basis for statutory consultation in accordance with the requirements which will be set out in the legislation. In particular he will want to seek LEAs' views about which of the attainment targets would be appropriate to each of their schools taking account of their linguistic character, present practice and parental wishes.

The Secretary of State will also wish to consult LEAs on whether they consider he should use his power to exempt individual schools or parts of schools in their area from having Welsh as a foundation subject. In doing so he would want to take full account of LEAs' existing Welsh language policies. In the order-making powers for setting attainment targets or exemptions for Welsh, he will therefore have the power to provide appropriately for the wide variety of schools in Wales.



The Education Reform Bill also includes proposals for grant maintained schools. The provisions of the national curriculum - including the provisions on Welsh - will apply to grant maintained schools. If, in due course, the governing body of a grant maintained school wishes to change the way in which the national curriculum order on Welsh applies to the school an application will need to be made to the Secretary of State who will take account of the views of the Governing Body and parents. The Welsh language policies applied in LEA maintained and grant maintained schools will therefore take account of parental views.

#### Assessment Arrangements

Much concern was expressed in responses to the consultative document about the Government's proposals for assessment and testing at about 7 and at the ages of 11, 14 and 16. Particular concerns were expressed about testing at the age of 7 and about publication of test results and possible misinterpretation of them.

Nevertheless arrangements for assessment and testing remain a key part of the proposals in the legislation because of their essential role in checking the progress of pupils against clear objectives set by the national curriculum, which is needed to raise standards. The Government recognises that there are dangers in the use of tests and these must be avoided. The Task Group on Assessment and Testing is addressing the issues and bringing to bear some of the best professional expertise in this area. It is not envisaged that testing can consist merely of national written tests: a more sophisticated system is called for which reflects the variety of purposes which assessment needs to serve.

It is envisaged that there will be a range of assessment approaches, including written, practical and oral tests. Pupils taught through the medium of Welsh will be assessed in Welsh. Most assessment will be done in schools by teachers, but arrangements will be made for external moderation.



There are a number of purposes which assessment, including testing, may fulfil. These include diagnostic or formative purposes to identify what stage a pupil has reached and plan the appropriate next step and summative purposes to record overall achievement, particularly compared with appropriate attainment targets. In addition assessment and testing can be used to publicise and evaluate the work of individual schools or local education authorities. The particular needs in Wales are illustrated by an examination of present practice.

The monitoring and assessment of pupils' work are processes which occur continuously in most schools - and this was widely acknowledged by respondents to the consultation exercise as being an essential part of effective teaching. Assessment may take the form of questioning of a class, group or individual pupil or of the marking of written tasks done at home or in school. More formal testing may occur periodically, for example at the end of a unit of work or at the end of the term or school year. Questions devised by teachers are usually the main elements in these assessment procedures. However, many parents may not be aware that standardised tests are also widely employed, especially around the ages of 7 and 11, to provide objective measures of the ability and attainment of whole year groups and individual pupils. They are important elements in the identification of pupils whose learning difficulties may warrant additional help, and in the process whereby pupils with more profound and persistent learning difficulties may be formally "statemented" in accordance with the requirements of the 1981 Education Act. All LEAs in Wales test children at the age of 7 for this purpose.

In secondary schools, in recent years, there has been a reduction in the incidence of formal examinations, usually to once (at most) per year; this has been accompanied by the development of various forms of periodic or continued assessment, for example termly grades or tests at prescribed intervals. Increasing attention is being paid to record keeping in all kinds of school, though there is a tendency to record pupils' progress and achievement more in terms of how far they have progressed through schemes



of work than in terms of skills mastered or specific difficulties encountered. The development of Records of Achievement in many secondary schools seeks to monitor pupils' development of a range of skills and attributes and to provide a framework for regular diagnosis of pupils' progress and learning needs.

Despite these developments it is the view of HMI that not enough of the assessment or testing even in the better planned systems is used for truly diagnostic purposes. Assessment should be designed to identify strengths and weaknesses and should be used to remedy the weaknesses and build on the strengths that are revealed. Such a process is fundamental to the effective use of assessments. It needs to be built into pupils' programmes of work through the provision, at regular and frequent intervals, of appropriately demanding tasks and assignments which probe what pupils can and cannot do. The results need to be systematically followed up with pupils. Assessment of this kind needs to be an inherent part of the national curriculum.

It is the Government's firm view that parents should be kept informed about the progress of their children in school. Arrangements for assessment and testing have a clear role in this and there is a strong case for making available information about the performance of schools as a whole. This needs to take account of the wider factors affecting the performance of pupils in schools and the Secretary of State will wish to discuss with LEAs appropriate formats for the provision of information. He will want to take account of the advice of the Task Group on Assessment and Testing. The proper interpretation of information about the results of tests will depend on the quality of information provided: it will put a particular premium on good communications between schools and parents.

For the implementation of assessment and testing on the national curriculum in Wales, the Secretary of State will want to discuss arrangements with the WJEC and other interested parties.



The legislation also provides for the appointment of a School Examinations and Assessment Council, which will be an England and Wales body replacing the existing non-statutory Secondary Examinations Council and having wide-ranging functions for the maintenance of standards of assessment, including testing. The SEAC will be responsible for arrangements for quality control at an England and Wales level.

### The Way Ahead

The consultation exercise on the national curriculum proposals led to an intensive series of meetings and discussions in Wales. These were of great value in informing the development of the specific Welsh provisions in the legislation. But the legislation sets only the framework since the detailed content of the national curriculum remains to be determined. It is the Secretary of State's view that the discussions should continue. They should build upon the relationships already established. The implementation of the national curriculum ultimately rests with the individual teacher in the classroom, supported by the constructive involvement of parents. The activities of headteachers, LEAs and governing bodies will all be vital to success. The existing channels of communication as well as the new ones to be established - the subject working groups and the CCW in particular - all have a role to play in the exchange of information that will be essential to developing a national curriculum which meets the needs of education in Wales. This paper is intended as a contribution to that process.





pc

10 DOWNING STREET

Prime Minister <sup>2</sup>

These are the only  
two significant documents  
we could find on the Welsh  
language. — SS/Wales to SS/DES 20/7/87  
E(EP)(87)12. 'see Pt. 14

The letter of 20 July,  
which I did not trouble you  
with, proposes in effect what  
you argued for tonight.

This was written before the  
distinction between core and  
foundation subjects was  
introduced.

We must get  
on to the Welsh  
office immediately

ALS

19/11.  
not

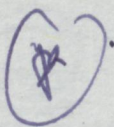




CABINET OFFICE

R.T.J. Wilson

David Morgan



This is passage from  
Hansard which I  
mentioned to you.

RTJ.

29/11



**Roy Hughes:** Does the Minister appreciate that not just livestock but people are deeply disturbed by these sonic sorties above their homes? There have been accidents, and pilots, aircrew and valuable jet have been lost. Is it not time for the Government to heed of the multitude of protests that they have and call a halt to these uncivilised exercises?

**Roberts:** The Welsh Office is responsible for many but defence is not one of them. These questions be addressed to my right hon. Friend the Secretary for Defence.

### Hospital Waiting Lists

**Mr. Flynn:** To ask the Secretary of State for Wales expects hospital waiting lists in Gwent to fall.

**Grist:** In-patient waiting lists in Gwent fell from 7,705 between March 1986 and March 1987. The number of in-patients treated increased by 32.4 per cent. in 1979 and 1986. Much remains to be done, and the health authority is actively working on the problem in conjunction with the Welsh Office.

**Flynn:** The people of Gwent will give little thanks for a rather complacent reply. One out of six is not good. In the other categories of waiting lists in Gwent, there has been an increase in those of urgent cases; urgent waiting for more than a month; and non-urgent cases for more than a year. The total number of out-patients who are waiting has increased, as has that of out-patients waiting for more than three months. That follows the effort by the Welsh Office to reduce waiting lists to acceptable levels.

Does the Minister recognise that the health service in Gwent is locked into a spiral of decline caused by the increase placed on it by a 20 per cent. increase in work with a 5 per cent. increase in resources? The Gwent area health authority also faces a special burden of paying the capital cost of rebuilding the Royal Gwent Hospital — money that is funded centrally elsewhere in Wales.

**Grist:** The system under which the area health authorities have operated for their capital funding has been the same for all since 1984. Gwent has been well served. Incidentally, it is worth pointing out that median waiting times for in-patients in Wales have fallen from 47 to 42 days under this Government. The waiting list for out-patients in Gwent has fallen by more than 1,100 over the course of this year.

**Alan Williams:** Does the Minister realise that the people of Wales, as well as the people of Gwent, are concerned about the length of waiting lists? As the Minister is responsible for health in Wales, is he proud that Wales has the lowest number of hospital beds since the service was set up in 1948, that we have fewer beds per head of population than do Scotland or Northern Ireland and that we have longer waiting lists than Scotland or Northern Ireland? In those circumstances, it makes sense that, in the past 18 months, we have lost 1,000 hospital beds in Wales, several hospitals are now at risk of closure and our already overstretched health authorities face £6 million of cuts by the end of the year.

**Mr. Speaker:** Order. May I tell the Front Bench that that question has now been asked, but I denied a question to the hon. Member for Wrexham (Dr. Marek), because I thought that he might deal with wider issues.

**Mr. Grist:** The right hon. Member for Swansea, West (Mr. Williams), who went on at great length, overlooked the fact that it is a matter not of having beds available, but of how many patients one treats. It is worth pointing out that when he was a Minister, the number of in-patient places in Wales rose by 3 per cent., but under this Government the number has risen by 24 per cent. or 84,000 every year. Out-patient treatment fell by 3 per cent. under the previous Labour Administration but has risen by 18 per cent. under this Government.

### Education Reform

4. **Mr. Butler** To ask the Secretary of State for Wales what representations he has received about the inclusion of Welsh in the core curriculum.

14. **Dr. Thomas** To ask the Secretary of State for Wales what representations he has received concerning his proposals for a core curriculum in Wales; and when he hopes to respond to those representations.

**Mr. Wyn Roberts:** We have received a total of 203 representations that refer to the position of Welsh within the national curriculum. Of those, 150 favour the inclusion of Welsh as a core or foundation subject throughout Wales. I expect to publish soon a statement of policy on the national curriculum in Wales, which will embody our response to the consultation exercise.

**Mr. Butler:** My hon. Friend will be aware that, as a Welshman who learnt Welsh as an adult, I have the interests of the Welsh language at heart. Will he assure me that he will take into account the diversity of Wales, and the impossibility of forcing Welsh on the children of Gwent? Circumstances vary within Wales and a policy of forcing Welsh on people will not be in the best interests of the Welsh language.

**Mr. Roberts:** I fully appreciate my hon. Friend's considerable interest in the promotion of the language and the fact that he has written a book about it. He is right — there is considerable diversity in knowledge of the language throughout Wales. Some 20 per cent. of our children are taught in Welsh and 80 per cent. are not. Nevertheless, we believe that Welsh should have its place in the curriculum. I believe that we have found the right answer in making it part of the core curriculum for those who are taught in Welsh, and part of the general curriculum for others.

**Dr. Dafydd Elis Thomas:** Will the Minister now answer my question, which was a general question about the core curriculum, the number of representations that have been made to him, and what response he expects to make? My question is not about Welsh in the core curriculum but about the core curriculum in general. Does he accept that the notion of a core curriculum divided into subjects, whether core or foundation, is completely outdated and has no relevance to the reality of pupils' learning experiences? Does not the Minister further accept that his Department needs to take a transcultural approach on language, scientific, environmental and social issues at



primary and early secondary level? Such an approach is more relevant to school pupils than is a curriculum based on the notion of subjects.

**Mr. Roberts:** I do not think that what we have said about the core curriculum and the curriculum in general debars transcurricular teaching.

**Mr. Nicholas Bennett:** What proposals does my hon. Friend have in mind in the core curriculum, for religious education and the daily act of worship?

**Mr. Roberts:** My hon. Friend will know that religious education is, of course, a statutory requirement under the Education Act 1944, and our proposals do not change that. We believe that religious education is vital to the spiritual development of our children. With regard to the collective act of worship, we trust that there will be flexibility in the timing so that it can take place at different times if necessary.

**Mr. Wigley:** On a point of order, Mr. Speaker. In view of the fact that the Minister did not answer question No. 14, will you decouple it from question No. 4 and make sure that an answer is given when we come to it?

**Mr. Speaker:** The Minister chooses what answer he gives. I remind the House that question No. 14 is about the curriculum in Wales, and goes wider than question No. 4.

**Mr. Alan W. Williams:** Taking into account the diversity of Wales, does the Minister agree that in Dyfed and Gwynedd, Welsh should have almost as important a place in the curriculum as English, and that the problem of the place of the Welsh language in the core curriculum highlights the wrong thinking behind the core curriculum? Does he agree that those decisions are far better left to the individual local authority?

**Mr. Roberts:** Of course we intend to consult the local education authorities. I remind the hon. Gentleman that I said that where Welsh is the medium of teaching, it will be included in the core curriculum. We shall set up a subject group to deal with Welsh in the curriculum, and I very much hope that that group will be able to devise courses and set levels of learning and attainment that will satisfy all people in Wales.

**Mr. Forth:** Would it not be a tragic misuse of finite educational resources to have a declining language in the core curriculum? Would it not be much more appropriate for that language to be allowed as an option in a flexible way during the time outside the core curriculum so that it may have its proper place?

**Mr. Roberts:** I have made the position very clear. It is that the 80 per cent. of children in Wales who are not taught through the medium of Welsh will have Welsh as part of their curriculum. Of course, there will be different levels of attainment. The consultation exercise revealed considerable support for our proposals for Wales.

**Mr. Rogers:** The Minister may wish to have Welsh in the core curriculum, but I am not sure, from his answers, about his enthusiasm for the teaching of Welsh outside the Welsh-medium schools. Will the Minister give us an assurance that the Welsh language will be given its proper place in teaching outside the Welsh-medium schools? If the language is to develop and get back to the status that Opposition Members would like to see it have, it must

develop in the English-speaking areas or we shall land in the barbaric state that some Conservative Members would like to see.

**Mr. Roberts:** I assure the hon. Member that Welsh will have its place in the curriculum in Wales. We are seeking to meet the diversity of practice in terms of Welsh-speaking schools and in terms of the diversity of need for the language.

### Enterprise Agencies

5. **Mr. Michael:** To ask the Secretary of State for Wales what steps he is taking to ensure the future security and success of enterprise agencies in Wales, particularly the Cardiff and Vale enterprise.

**Mr. Grist:** The success of enterprise agencies in Wales is demonstrated by the 16,000 jobs in small businesses that they have helped to create. The agencies, including Cardiff and Vale enterprise, have benefited from substantial central funding which continues to be available under the new arrangements introduced last year.

**Mr. Michael:** I am sure that the Minister is aware of reports that the Government intend to put a substantial amount of money into such agencies and that it will be matched by a similar amount from the large banks. Presumably the banks will do that with the intention of obtaining a write-off facility on their contributions. Can the Minister tell us what he knows about that? Is he aware of the report that none of this money will go to Wales? If that is the case, what will the Minister and his colleagues do about that? Does he share the fears of some of us that it might lead to a diminution of the existing secondments by banks which have made a tremendous contribution to enterprise agencies? In view of the Minister's statement that these agencies are very cost effective in the creation of jobs, does he agree that they provide an ideal model for partnership between local government and private enterprise in our areas?

**Mr. Grist:** I do, indeed, agree that they are models, not just for local government but for private industry. Under the new system, local enterprise agencies can receive a grant for five years up to a maximum of £25,000 per annum in the first two years, declining to £10,000 in the fifth year. The grants are conditional on the local enterprise agency producing a satisfactory three-year business plan, a five-year financial strategy aimed at self-sufficiency by year six, and matching £1 for £1 private sector contributions—and of course that is not only banks. Similar but less generous arrangements apply to English local enterprise agencies. In addition to core funding, the Welsh Development Agency will grant up to £17,500 per annum per agency for special projects.

**Mr. Raffan:** Does my hon. Friend agree that as the 15 local enterprise agencies in Wales have assisted in the creation of 16,000 jobs at a very good cost-per-job ratio, it is important that, as his officials have advised, the private sector should become far more substantially involved than hitherto in the local enterprise agencies? Can he tell us what progress has been made in achieving that aim, in more closely monitoring the successes and failures of the local enterprise agencies, and in organising an annual conference in Wales at which the agencies can meet and exchange information and experiences?





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20 November 1987

**EDUCATION REFORM BILL PUBLICITY**

I have seen your minute to the Prime Minister of 17 November and proposed explanatory statement about implementation of the national curriculum in Wales.

I see no difficulty in publication of such a document, which I think will provide a useful complement to our Question and Answer Booklet relating to the Bill.

I am copying this letter to the Prime Minister, Lord President, members of E(EP) Committee and to Sir Robert Armstrong.

attached