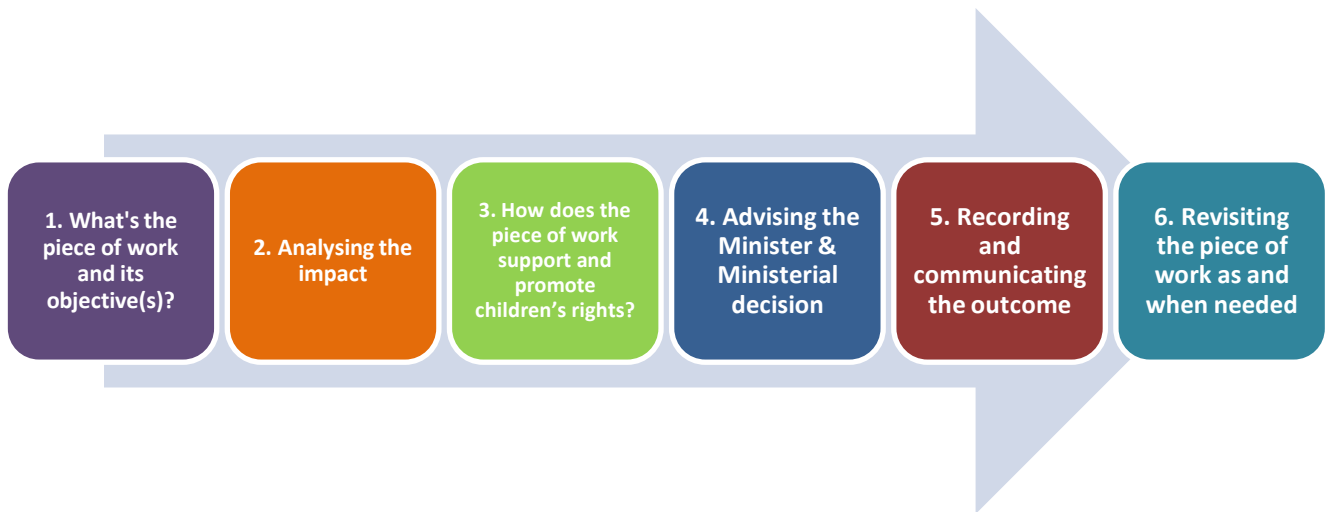




Children's Rights Impact Assessment (CRIA)

Title / Piece of work:	The Education (Student Information) (Wales) Regulations 2017 and the Education (Destination Information) (Prescribed Activities) (Wales) Regulations 2017.
Related SF / LF number (if applicable)	MA(L)/ARD/0294/17 MA(L)/ARD/0480/17 MA(L)/ARD/0524/17
Name of Official:	Bethan Milton / Marian Jebb
Department:	ESNR – SHELL
Date:	9 August 2017
Signature:	

Six Steps to Due Regard



Step 1. What's the piece of work and its objective(s)?

The Small Business, Enterprise and Employment Act 2015 received Royal Assent on 26 March 2015. That Act inserted new provisions into the Apprenticeships, Skills, Children and Learning Act 2009 (ASCLA 2009) and the Further and Higher Education Act 1992 (FHEA 1992) to give new powers for the sharing of information relating to the qualifications obtained by students and the destination of students following their studies. These new powers will help to support the development of performance measures, by improving information on learner outcomes and increasing the transparency of how this information is used.

We are introducing two sets of regulations:

- The Education (Student Information) (Wales) Regulations 2017
- The Education (Destination Information) (Prescribed Activities) (Wales) Regulations 2017

These will allow the Welsh Government to share the data it already collects on individual learners' attainment (from awarding organisations) and destinations (from a variety of sources), with learning providers at learner level before publishing it in aggregated form.

The new regulations will take effect at the end of October 2017. They will extend the Welsh Ministers' existing powers in relation to school pupils to include learners at further education institutions. They will include learners in Wales aged 16 and older.

Step 2. Analysing the impact

The new regulations are intended to enhance the Welsh Government's use of data to measure and improve learner outcomes. As well as enabling learning providers to check their data prior to publication, the regulations will help to increase confidence in published performance information; and help providers to improve learner outcomes, make informed decisions about what provision to offer, and give appropriate careers advice by enhancing their understanding of the outcomes achieved by their learners.

It is anticipated that, over time, the sharing of data on learner outcomes will have a positive impact on children and young people in Wales (for example, by improving the availability of courses which are more likely to lead to positive destinations). Effective use of data to track learners' outcomes and target support is a key part of the Welsh Government's Promoting Economic Opportunity for All agenda. Our more comprehensive approach to measuring post-16 outcomes will enable tracking and analysis of learners throughout the education system (for example, measurement of post-16 outcomes for learners who were eligible for free school meals or who were looked after children). The data sharing permitted under these regulations will enable learning providers to evaluate the effectiveness of their own provision in ensuring positive outcomes for learners.

There are no direct impacts on individual young people, because the regulations will not affect decisions about individual learners or their outcomes. Therefore we have not consulted specifically with children and young people. However, for Wales as a whole we anticipate positive impacts on young people, because the new information sharing powers will help to improve the accuracy, transparency and use of data on further education learner outcomes. This in turn should help young people to make more informed choices on the learning pathways they undertake.

We have not identified any potential adverse impacts on young people.

Step 3. How does your piece of work support and promote children's rights?

This policy does not directly relate to the UNCRC articles, but the following are indirectly relevant:

- **Article 3:** All organisations concerned with children should work towards what is best for each child (the regulations will improve information on learner outcomes and will help learning providers to plan and collaborate in order to deliver appropriate learning opportunities; and
- **Article 23:** Children who have any kind of disability should have special care and support so that they can lead full and independent lives (the regulations will improve the availability of information on outcomes for learners with disabilities and learning difficulties).
- **Articles 28 & 29:** Every child has the right to an education which must develop every child's personality, talents and abilities to the full.

Step 4. Advising the Minister and Ministerial decision

In developing this policy and undertaking the CRIA, we have not identified any conflict with the UNCRC articles or any negative impacts on children and young people. Ultimately, the regulations are intended to improve the quality of learning opportunities available to young people, by improving monitoring of learner outcomes. They will also help to ensure that better information is available to young people to inform their choices of learning provider and course.

Ministerial agreement has been sought throughout this programme of work. The advice given to the Minister for Lifelong Learning and Welsh Language following the analysis of consultation responses confirmed that a CRIA was being completed as part of the work programme.

Step 5. Recording and communicating the outcome

We have not undertaken any further detailed analysis as the regulations do not directly affect individual children or young people. Our consultation on the regulations has not identified any adverse effects. The consultation identified a potential positive impact, by improving the availability of data on outcomes for young people with disabilities and additional learning needs. Information on the consultation is available at the link below:

<https://consultations.gov.wales/consultations/regulations-sharing-student-information>

Step 6. Revisiting the piece of work as and when needed

We will be undertaking a review of the new performance measures once they have been fully implemented and had some time to become established. This will include consideration of how the regulations are working, of data sharing arrangements in general, and of any unintended consequences. We estimate that this will take place around 2021/22, as the new measures will be in place from early 2019.

Budgets

<p>Does the piece of work have any associated allocation of budget?</p> <p>Can you identify how much of this budget will be used for children and young people?</p> <p>It is important that where any changes are made to spending plans, including where additional allocations or savings have been made, that this has been assessed and evidenced as part of the CRIA process.</p> <p>Has any additional spend been identified to ensure children and young people have been given an opportunity to contribute to the piece of work and have their opinions heard? If so, how much?</p>	No budget allocation
<p>Please give any details:</p> <p>n/a</p>	

Monitoring & Review

Do we need to monitor / review the proposal?	No
If applicable: set the review date	n/a

Please forward a copy of this CRIA to CRIA@wales.gsi.gov.uk for monitoring purposes