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Consultation – summary of responses

The Relaxation of School Reporting Requirements (Wales) (Coronavirus) Regulations 2020

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Mae'r ddogfen yma hefyd ar gael yn Gymraeg.
This document is also available in Welsh.

The Relaxation of School Reporting Requirements (Wales) (Coronavirus) Regulations 2020

Overview	This document provides a summary of the responses received to the consultation regarding the Relaxation of School Reporting Requirements (Wales) (Coronavirus) Regulations 2020.
Action required	None
Further information	Enquiries about this document should be directed to: IMS@gov.wales
Additional copies	<p>This document can be accessed from the Welsh Government's website at: www.gov.wales/consultations</p> <p>Large print, Braille and alternative language versions of this document are available on request.</p>
Related documents	<p>Welsh Government Regulations governing the Information Management Strategy for schools can be found at: https://gov.wales/regulations-governing-information-management-strategy</p>

Introduction

The Welsh Government undertook a public consultation on the Relaxation of School Reporting Requirements (Wales) (Coronavirus) Regulations 2020 will. These Regulations will modify or dis-apply a number of current school reporting requirements. This document provides a summary of the consultation responses received and confirms the outcome.

Summary of responses

50 respondents replied to the consultation and the Welsh Government is grateful to them for taking the time to submit their views. A list of the respondents can be found in Annex 1.

The majority of respondents (47) were in favour of the changes proposed and felt that this was a necessary response, 'sensible and fair', to the challenges faced by schools. The reasons given for supporting the change were that it would reduce the administrative burden on schools and remove requirements that would be inappropriate, given the circumstances. 3 respondents did not indicate support or otherwise for the proposals overall, but offered a comment or raised a concern on a specific aspect of the proposals.

Respondents felt that schools should be given time to plan for a 'new normal' and that relaxing reporting requirements would remove some pressure from schools to help enable this. They also felt that the changes would give schools the chance to focus their full attention on giving pupils the best experience they can and were essential steps in recognising the wellbeing of learners and practitioners at this time.

Specific comments and Welsh Government responses

The School Governors' Annual Reports (Wales) Regulations 2011

1 respondent felt that governing body reports should focus on how schools have coped with and risen to the challenges of coronavirus. A further respondent suggested that schools should be encouraged to report on how their response to coronavirus supported learners with additional learning needs. In accordance with the Regulations, governing body reports should explain how the governing body has put into practice its plans for the school since the last report, as well as any actions it has taken to review school policies and implement and review specific school strategies. Given the exceptional circumstances this year, it would be reasonable for reports to describe how coronavirus has affected school planning and how the governing body has worked with the school's leadership team to adapt to this challenge, but this is not a specific legal requirement.

The Head Teachers' Reports to Parents and Adult Pupils (Wales) Regulations 2011

Although in agreement with the proposal to amend the headteacher reports Regulations, 4 respondents sought further clarification of the term 'reasonable endeavours' and suggested that further guidance setting out minimum requirements may be required for headteachers. A further respondent suggested that, with the exception of the school leavers' report, all other requirements in relation to headteacher reports should be completely dis-applied for 2019/20. Welsh Government officials notified schools of the proposals in May, via a communication to local authorities giving advanced notice of the intended approach, and clarified that headteachers (and teachers) would be given the additional flexibility they may need in terms of the format, content and timing of reports. Schools were advised that, whilst the proposals remove all prescription, it is anticipated that some information will be available

for inclusion in reports, including information about individual learners' progress; any particular strengths and areas for development; an overview of behaviour, general well-being and how they engage in learning, contribution to school life, or special achievements. Some reports may be based upon learner progress up to the point of school closure, whereas, in other cases, it may be possible to include progress during the closure period. These were, however, suggestions for what might be reasonable, rather than prescribed requirements.

All respondents who commented specifically on school leavers reports were in agreement this should remain a statutory requirement. 3 respondents queried the definition of a school leaver. The Regulations specify that this is any pupil who has ceased to be of compulsory school age and is proposing to leave or has left the school. The 3 respondents also queried the implications for headteachers if a school leavers report could not be provided despite making 'reasonable endeavours'. As the provision of a report will remain an absolute duty and not be subject to 'reasonable endeavours', this would constitute a breach of the statutory requirement. The timing, content and signature requirements will, however, be subject to 'reasonable endeavours', so the Welsh Government considers it should be possible for reports to be provided, even if later than the usual deadline of 30 September following the end of the school year during or at the end of which the pupil left the school.

The School Performance Information (Wales) Regulations 2011

1 respondent raised a concern that there will be no consistent approach to understanding school performance and that parents and carers would not have access to consistent information. 3 respondents recommended that, in the absence of teacher assessment results, schools should be taking steps to understand where learners are now to inform planning for appropriate interventions and support, and that local authorities should have access to such plans. These proposals do not preclude this, but it is not a specific legal requirement. The Welsh Government is currently reviewing school improvement guidance, in order to build on the draft evaluation, improvement and accountability arrangements we published in February 2019, while also taking into account the new context the entire school system faces. Effective self-evaluation and improvement planning by schools will be an important part of the system. Schools will be supported in this by the National Evaluation and Improvement Resource, which the Welsh Government has been developing alongside Estyn and a number of schools across Wales.

The School Performance and Absence Targets (Wales) Regulations 2011

1 respondent raised a concern with revoking the requirement to set performance and absence targets, due to the importance of monitoring absenteeism in meeting safeguarding requirements. The Welsh Government would like to provide reassurance that this proposal does not change real-time monitoring and safeguarding requirements. The annual reviewing of, and reporting against, school level absence targets is not the mechanism for identifying safeguarding concerns as they arise. The respondent correctly recognises that schools will continue to record and monitor attendance and absence. 1 respondent felt that schools do need some form of targets for pupils and teachers to achieve and another anticipated that schools will still use targets for individual learners, internally, in order to identify intervention needs. A further respondent suggested that schools may require additional guidance, in the absence of target setting requirements. The Welsh Government's review of school improvement guidance and further development of evaluation, improvement and accountability arrangements is noted above.

General

1 respondent noted that the timing of the consultation was a bit late in the school year. The Welsh Government anticipated that this would unavoidably be the case and issued advanced notification of the planned changes to key stakeholders in May 2020, to provide clarity and aid planning.

2 respondents suggested that the Regulations be subject to a regular review. The Welsh Government recognises that there will be implications of the ongoing disruption to schools next year and the Minister for Education has already announced that the suspension of Key Stage 4 (and legacy sixth form) performance measures will continue for the 2020/21 academic year. As such, school reporting requirements will be reviewed again during 2020/21.

1 respondent queried the implications of the proposals for school categorisation. On 6 July 2020, the Minister for Education announced that school categorisation would be suspended for the 2020/21 academic year.

1 respondent raised concerns about not publishing data on Key Stage 4, due to the need to ensuring outcomes for learners with additional learning needs or a disability are understood. A further respondent queried what the Welsh Government would publish based on Key Stage 4 and sixth form qualifications. The Minister for Education issued a written statement on 3 July 2020, confirming that Official Statistics will be published by the Welsh Government at a national level only. These statistics will examine results according to a range of learner characteristics.

3 respondents raised some wider comments, relating to the coronavirus response and other aspects of the Welsh Government's education policy, which were beyond the scope of these Regulations. Whilst responses have not been provided, these comments have been noted.

Some school governors also took the opportunity to put on record their thanks to school and local authority staff for their work during this challenging period.

Conclusion

The Welsh Government has considered these responses carefully. A clear majority support the proposals and the Welsh Government considers that the issues raised would be mitigated without changes to these proposals. Some of the issues raised do not directly arise from the proposals and would not be mitigated by leaving the statutory requirements un-modified. Therefore, the Regulations will be made and laid before Senedd Cymru on 15 July 2020.

Annex 1: List of respondents

- 4 Individuals
- 12 Primary schools
- 2 Secondary schools
- 17 Governors or governing bodies (of 3 secondary schools and 14 primary schools)
- 6 local authorities
- 1 regional consortium
- 3 teaching unions and 1 general trade union
- Estyn
- Governors Cymru Services
- NSPCC Cymru
- National Deaf Children's Society Cymru