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Consultation – summary of responses

The Relaxation of School Reporting Requirements (Wales) (Coronavirus) Regulations 2021

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The Relaxation of School Reporting Requirements (Wales) (Coronavirus) Regulations 2021

Overview	This document provides a summary of the responses received to the consultation regarding the Relaxation of School Reporting Requirements (Wales) (Coronavirus) Regulations 2021.
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

In August 2020, following a public consultation, we brought into force amending Regulations that revoked the school performance and absence target setting regulations and relaxed a number of other school reporting requirements for the 2019/20 school year. Due to the continued disruption of the coronavirus pandemic to the 2020/21 school year, the Welsh Government undertook a similar public consultation in March on the Relaxation of School Reporting Requirements (Wales) (Coronavirus) Regulations 2021. These Regulations will modify a number of current school reporting requirements. This document provides a summary of the consultation responses received and confirms the outcome.

Summary of responses

21 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.

Almost all respondents (20) supported the changes proposed and felt that this was a sensible approach that fairly reflects what schools have been able to do, in view of the continued challenges faced this year. Of these respondents, a couple recommended that some of the relaxations should go further. The proposals aim to strike a balance between providing important information and assurance of pupil progress to parents/guardians, and ensuring that the statutory duties schools have to comply with are achievable and reasonable.

Respondents felt that relaxing reporting requirements would remove some pressure from schools and indicated that they would be supportive of every effort made to minimise burdens during these challenging times. Most respondents felt that the document was fair and clear, in terms of what is required of schools, and agreed that it would be meaningless to publish or compare attendance and performance data for 2020/21. A number of respondents suggested that the proposals offered an opportunity to focus on more important key issues for the rest of this year, such as wellbeing.

1 respondent was not in favour of any of the proposals. They felt that relaxing the reporting of performance and attendance data would mean that some school leaders and governing bodies would be denied the opportunity to demonstrate strong leadership skills, whilst other schools that had struggled with leadership and digital delivery, would be able to hide behind the pandemic.

Specific comments and Welsh Government responses

The School Information (Wales) Regulations 2011

1 respondent felt that excluding attendance data from school prospectuses would mean that data could not be compared across regions and Wales and that it could mask the underperformance of some schools in terms of how well they have responded to the pandemic. There will still be a requirement to produce school prospectuses and local authority composite prospectuses, but due to the variable disruption to school operations across Wales, it would be inappropriate for data on authorised and unauthorised absences for 2020/21 to be included or compared.

Most respondents agreed with the proposals, as attendance data for this year is clearly atypical of a normal year. They felt that the severe disruption makes any accurate analysis

of attendance data unlikely and incomparable with previous years. 1 local authority commented that, even though they have responsibility for the collation of attendance data, they welcomed excluding this in prospectuses in the current context.

1 respondent felt that a general statement could be included in the school prospectus with regards to actions taken in response to coronavirus risk assessments and to enable distance learning. It would be reasonable to include such a statement, but this is not a specific legal requirement.

The School Governors' Annual Reports (Wales) Regulations 2011

1 respondent noted that removing the requirement of governing bodies to report on attendance and performance would mean that school, regional and national comparisons will not be possible and that the underperformance of some schools may go unchallenged. The statutory duty for governing bodies to produce a report will remain, but it would be inappropriate for reports to include performance and attendance data for 2020/21, as it cannot be compared to previous years. The Welsh Government has again cancelled the collection of annualised attendance data and suspended the reporting of school performance measures, for this year, and made a commitment that schools will not be held to account based on their learner outcomes.

1 respondent commented that school governors' annual reports provide a valuable opportunity to engage with and reassure the school community. 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. 1 respondent commented that their report would focus on blended learning attendance, return to school safety measures and the wellbeing of pupils. Given the exceptional circumstances again 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 Teacher's Report to Parents and Adult Pupils (Wales) Regulations 2011

1 respondent felt that the term "relevant and useful" was subjective and that it would allow underperforming schools to hide behind the pandemic if they had failed to deliver digitally. Another respondent commented that the reporting of 'progress' in quantitative terms would be an unfair expectation. The provision of reports in respect of all learners will remain an absolute duty, to help provide assurance of progress to parents. The requirements to include details of a learner's educational achievement will be modified to "reasonable endeavours" for the 2020/21 school year, as there will be variation in the extent to which all details prescribed for inclusion in reports will be available. For example, end of key stage teacher assessments have been disapplied and continuous and personalised assessments remain subject to "reasonable endeavours" for this year. Where schools have alternative suitable information on individual learner achievement and progress, which may be quantitative or qualitative, this should be reported, as it would be relevant and useful.

3 respondents felt that the term "reasonable endeavours" was ambiguous and that it needed to be exemplified to avoid misunderstandings, to manage parental expectations, and to prevent schools from producing reports that go above and beyond what is expected. "Reasonable endeavours" is a legal term, meaning that normal statutory requirements should be complied with where achievable. In the context of headteachers' reports, if some

of the information prescribed for inclusion is not available, this is considered an acceptable reason for not complying with normal requirements.

The majority of respondents welcomed the continued requirement for the provision of reports for all learners, given the importance of engaging with all those involved with a learner's education. They also agreed with the reasonable endeavours approach in terms of appropriate information available. In agreeing with the proposals, some respondents acknowledged the challenge for headteachers to provide all parents with meaningful and reliable reports on pupil progress this year and the importance of drawing on teachers' knowledge of their pupils (including on wellbeing and engagement) and the information available to them. 1 respondent also suggested that headteachers be provided with guidance setting out minimum requirements. The Welsh Government provided advice last year suggesting that reports could include information about: individual learners' progress; any particular strengths and areas for development; behaviour, general well-being and how they have engaged in learning/blended learning.

The School Performance Information (Wales) Regulations 2011

1 respondent felt that the removal of requirements to report on performance would enable underperforming schools to be less visible. As above, the Welsh Government has suspended the reporting of school performance outcomes again this year and has made a commitment that schools will not be held to account based on their learner outcomes. All other respondents were in agreement with the proposals, with some specifically welcoming the retention of provision for the Welsh Government to continue to receive results of approved qualifications, whilst agreeing with the decision not to use qualification awards data to report on attainment at a school, local authority or regional level for the 2020/21 school year.

2 respondents queried the alignment between our proposal to suspend the requirement for schools and local authorities to submit statutory assessment data to their local authorities and to the Welsh Government, respectively, and wider statutory assessment requirements for the remainder of the school year. It has since been confirmed that, for the remainder of the school year: end of key stage assessments (Foundation Phase, Key Stages 2 and 3) and the associated moderation requirements will be disapplied; and that personalised assessments and continuous assessments will continue on a "reasonable endeavours" basis. For further information on assessment arrangements see the link below: <https://gov.wales/assessment-arrangements-summer-term-2021>.

General

Some respondents raised comments which were beyond the scope of these Regulations, which is to relax relevant statutory requirements for this year only, due to the impact of coronavirus. Whilst responses have not been provided, these comments have been noted.

1 respondent commented on the significant challenges faced by schools in terms of attempting engagement with some learners and maintaining engagement. They also noted the increase in parental complaints and the added pressure and workload this has placed on schools.

1 respondent suggested that there would be some value in simple subject level analysis of qualification outcomes at a national level, such as grade distributions, in order to provide schools with a basis to self-evaluate against national figures. This type of analysis was

published by the Welsh Government last year at the link below, and will be updated based on outcomes from 2020/21: <https://gov.wales/examination-results-september-2019-august-2020>.

2 respondents commented that the current prospectus and/or governors' annual report for parents requirements were outdated, created unnecessary work for schools and governors and that the general approach to showcasing a school should be reviewed in light of recent digital advances. They felt that there was overlap between reports, noted that the workload often falls to school leaders and queried their usefulness, due to the perceived low number of people that engage with them.

Conclusion

The Welsh Government has considered these responses carefully. A clear majority support the proposals and the Welsh Government considers that the issues raised do not warrant changes to these proposals. Therefore, the Regulations will be made and laid before Senedd Cymru on 28 May 2021.

Annex 1: List of respondents

- 3 Individuals
- 7 Primary schools
- 1 Secondary school
- 1 Diocese
- 1 Local authority
- 2 Regional consortium
- 3 Teaching unions
- Estyn
- Governors Cymru Services
- 1 Governors Consultative Committee