

The Public Accounts Committee
Inquiry into 21st Century Schools and Education Programme
18 May 2018

1. The NASUWT welcomes the opportunity to submit views to the Public Accounts Committee (PAC) Inquiry into 21st Century Schools and Education Programme.
2. The NASUWT is the largest teachers' union in Wales, representing exclusively teachers and school leaders, and has drawn on comments and observations made by members to inform this submission.

GENERAL COMMENTS

3. The NASUWT maintains that the mechanism by which state schools are funded, including the provision of school buildings, is critical to securing a world-class education system and a just and inclusive society, and that there is a positive correlation between the quality of school buildings and student attainment. Education should meet the needs of all children and young people on a fair and equitable basis, irrespective of where they happen to live or be educated. The capital funding arrangements should guarantee learner entitlements, irrespective of the institution at which they are on roll.
4. A National Foundation for Educational Research study found that moving to new buildings improved pupils' outlooks regarding experiences of school and expectations for the future.¹

¹ National Foundation for Educational Research (May 2008): *The effects of the school environment on young people's attitudes towards education and learning*

5. The NASUWT also asserts that the funding methodology must be clear and transparent, and must ensure that there is good provision of places for all pupils.
6. The Union believes that there should also be a fair, transparent and appropriate distribution. The mechanisms for distributing funding to local authorities and schools should be fit for purpose, taking account of local circumstances and needs and the expectations on schools. The funding mechanism should promote public and professional confidence in the system and enable fair comparisons to be made.

SPECIFIC COMMENTS

7. The NASUWT comments and observations which follow address the five main areas the PAC has identified as the focus for this Inquiry.

Setting Expectations and Targets

8. The NASUWT notes that the guidance from the 21st Century Schools and Education Programme Team states that local strategies should '*Focus on improving outcomes for children*'. The Union notes, however, that one of the main priorities has been to reduce the number of 'surplus places' in the school system.
9. The NASUWT has never agreed with this strategy, because the Union has argued that there is little to gain from the process as schools are, by and large, funded on a per pupil basis. The strategy reduces capacity without the full knowledge and understanding of the future demand.
10. The NASUWT is very concerned that the number of pupils in Wales has fallen by only 633 from 467,141 in 2010 to 466,508 in 2017, whereas the number of full-time equivalent teachers has fallen over the same period by 1,377 from 25,286.6 to 23,909.8.²

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² Welsh Government, Pupil Level Annual School Census 2017

11. The NASUWT is, therefore, pleased to note that the main emphasis in Band B of the programme is to be changed to focus on the condition of buildings rather than on surplus places.
12. However, the NASUWT is alarmed at the nature of the suggestions contained in the CADE/RIBA document available on the 21st Century Schools website. The Union would have expected to see the concepts for the education estate based on sound evidence that supports the main principle of improving the education of learners, rather than the experimental and untested concepts that appear to be works of science fiction contained within the document.
13. The Union also notes that the 21st Century Schools webpage 'Transforming the Learning Environment' states that there is 'Increasing interest in the use of larger flexible project spaces'.³ The NASUWT is also aware that many of the projects agreed and built under Band A were for 'all-through' 3-16 or 3-18 provision. In general, the latter were in the circumstance where a secondary school and a primary school previously either shared a site or were in close proximity. The NASUWT is not aware of any evidence to show how these models contribute to the improvement of outcomes for children and young people.
14. The Union has received information that recently completed projects have had mixed reviews from staff, pupils, parents, employees and members of the local community. Issues have been raised about quality of fittings and fixtures, with walls easily scuffed, stair handrails working loose, and poor heating and ventilation. In some cases, the emphasis on open-plan design has led to complaints of noise and a lack of privacy and accommodation, particularly regarding classroom size, connected to increased class size, and canteen facilities. These complaints reflect the findings of research that highlight the detrimental impact on learning and

³ <http://21stcenturyschools.org/guidance/teachinglearningict/?lang=en>

pupil behaviour of poorly designed and organised open-plan learning environments.⁴

15. The increasing use of the all-through model appears to have been perpetuated simply because projects of this type had succeeded in gaining approval for funding by the Welsh Government. Other local authorities then appear to have followed this model in order to gain access to 21st Century Funding rather than considering carefully the educational merit of their proposals or the impact on the workforce affected by them.
16. Indeed, the Union believes that, in many cases, such proposals have been used cynically as a device to cut revenue costs, reduce the number of places and secure 'efficiencies' by reducing the number of teachers and support staff.
17. The NASUWT is dismayed that too many good teachers have lost their livelihoods as a result of these changes.
18. The NASUWT is also concerned about the potential impact on primary school children from feeder primary schools who would have expected to attend one of the secondary schools involved in the reorganisation proposals, but find that they are not included in the transformed provision.
19. Much has been made about the transition between primary and secondary schools and this is often cited as a reason for moving to allthrough provision. However, in the all-through establishments, the intake at the Foundation Phase at the beginning of primary education is often far smaller than the intake at the beginning of secondary education. Other primary pupils enter the school at the beginning of Key Stage 3. Concerns about this practice have been raised in some consultations on transformed provision, but there has been no research into the impact on those pupils joining the school at this stage, when there are already

⁴ Shield, B; Conetta, R; Dockrell, J.E.; Connolly, D.; Cox, T. and Mydlarz, C.A. 'A survey of acoustic conditions and noise levels in secondary school classrooms in England': *The Journal of the Acoustical Society of America*. 137 (1) (2015), pp. 177-188.

primary pupils on the site. Similarly, there are no studies on whether there is an impact on the pupils that are already part of the school.

20. The Union believes that the PAC should make recommendations to the Welsh Government and the 21st Century Schools Unit that different forms of education provision should only be agreed if there is clear evidence to support their use. Pupils should not be used as guinea pigs or be subject to fads and fashions.

The Funding Model

21. Whilst the NASUWT acknowledges that the policy of austerity adopted by the Westminster Government has had a significant effect in reducing the levels of capital funding available in Wales, the Union is nevertheless disappointed that this appears to be accepted by the Welsh Government and used in mitigation over inadequate provision.
22. Despite this, the NASUWT welcomes the Welsh Government's commitment to improving school estate, which is vital for the life chances of learners and essential to improve the working conditions of staff.
23. The NASUWT believes that the Mutual Investment Model (MIM) is an improvement on previous Private Finance Initiatives and public-private partnerships and acknowledges the considerable effort that the Welsh Government has put in to gain approval for the scheme from the Office for National Statistics and others. The Union nevertheless will continue to have concerns regarding revenue used to provide capital funding. The PAC and the Welsh Government will be aware that the NASUWT has calculated that the on-average, per-pupil funding gap between maintained schools in Wales and those in England stood at £678 for 2015-16 (the last year for which full figures on expenditure were available). This means that there is a total shortfall in funding of £306 million going into school budgets in Wales compared with those in England. The Union notes that the revenue element of the MIM is proposed to be £500 million.

The Welsh Government plans to get better value for money by encouraging more standardised elements to the new builds and by standardising costs.

24. The NASUWT believes that there are significant differences between schools and between communities in different parts of Wales. The Union, therefore, maintains that a 'one size fits all' policy could not be adopted universally and recognises that education provision should take account of local needs. However, the NASUWT is clear that this does not mean that elements of provision cannot be standardised or that economies of scale should not be pursued wherever possible.

Welsh Government consultation on the programme to date and in planning for the future roll out

25. The NASUWT considers that it is most regrettable that the Union has not been party to any direct consultation by the Welsh Government or the 21st Century Schools Unit on any aspect of the programme to transform the school estate. The Welsh Government appears to have focused on local authorities and the construction industry as its consultation partners and has ignored other stakeholders. This is despite the welcome partnership approach developed elsewhere, particularly around workforce issues through the Workforce Partnership Council.

26. The NASUWT was very critical at the time of the introduction of the School Standards and Organisation (Wales) Act 2013 and the School Organisation Code (the Code) and continues to be so. The Union believes that changes that were brought forward at the time were misconceived and based on a false premise and is alarmed and dismayed by the total disregard for the needs of the workforce.

27. The NASUWT maintains that the previous arrangements for making changes to school reorganisation provided a structure that was democratic, afforded sufficient time for schools, governing bodies, local communities and other interested parties to consider carefully any proposals and to formulate detailed responses, and allowed sufficient

time for the proper consideration of proposals and objections by those charged with making decisions.

28. The NASUWT is aware that there is a mixed picture across Wales regarding the nature and detail of consultations at a local level. Some local authorities involve the trade unions at an early stage with detailed proposals and consideration of views before formal proposals are made. With others, there is cursory consultation: only that which is required by the Code, with little or no regard to the views of staff or the trade unions that represent them.
29. The process that many local authorities follow when amalgamating or merging schools is to close the existing schools formally and to open a new one in their place. This is claimed to be an approach that ensures that the staff of all schools involved in the process are given equal and fair consideration when the recruitment process for the new school is undertaken. In practice, the NASUWT has found this not to be the case and some staff are left unplaced and redundant. On several occasions, the Union has had to resort to industrial action in order to protect the jobs and livelihoods of its members. There should not be any need to recruit new staff as the staff already exist in the schools involved. Equally, the Union will not accept redundancy by way of non-appointment and believe that the staffing structures of the new provision should be designed to ensure that all existing staff are retained.
30. The NASUWT is most concerned that the recent drivers for reorganisation are more often centred on management restructuring, reducing recurrent staffing costs and an ideological assault on curriculum design and pedagogy by linking the programme to the uncertainties of the new curriculum stemming from the Donaldson reforms. The NASUWT believes this to be both short-sighted and illconceived.
31. The impact of The Staffing of Maintained Schools (Wales) (Amendment No. 2) Regulations 2009 and The Staffing of Maintained Schools (Wales) (Amendment) Regulations 2014 is that, whilst protecting the employment

of headteachers and deputy headteachers, the remaining staff have no security in employment. The NASUWT finds this to be a wholly unacceptable, unfair and intolerable situation.

Areas to consider in the next phase of investment

32. The NASUWT insists that the Welsh Government takes all reasonable steps in order to manage the risks of the new type of funding in relation to the MIM.
33. The Union maintains that, as well as ensuring that the good collaborative working between Welsh Government and local government continues, there must be involvement with the trade unions at national level over the nature and principles of the programme.
34. In particular, whilst welcoming in part the change of principles from a focus on reducing surplus places to one of prioritising the condition of schools, the NASUWT insists that the most pressing issue in relation to the condition of schools is the safe and effective removal of asbestos.
35. The PAC will be aware that public buildings in Wales still contain millions of tonnes of asbestos. Over 75% of schools contain asbestos, with up to 90% of schools in certain areas affected.^{5/6}
36. Whilst in general it is accepted that good management of asbestos reduces the risks, the NASUWT is firmly of the belief that the only way to ensure the future health of staff and pupils is to remove all asbestos. Nevertheless, whilst it is undoubtedly the case that some schools will manage asbestos effectively, the Union is concerned that there have been numerous serious instances of poor asbestos management, which indicate inadequate management in too many schools.

⁵ 'Asbestos time bomb in Wales classrooms' 27, Jul 2009, *Western Mail*, <http://www.walesonline.co.uk/news/wales-news/2009/07/27/asbestos-time-bomb-in-wales-classrooms91466-24245398>

⁶ BBC Inside Out: 'Asbestos in majority of schools', 27 Jan 2009.

37. This was demonstrated by a recent Department for Education survey of schools in England, which found that nearly two fifths of responding schools containing asbestos were not compliant with asbestos

regulations, and 4% were sufficiently concerning to require urgent intervention.⁷

38. Given that this was a voluntary survey, and assuming that non-compliant schools would not have responded, the NASUWT believes that the true level of non-compliance is likely to be much higher.
39. Further, although these figures relate to England, the Union maintains that it is reasonable to assume similar levels of non-compliance exist in Wales.
40. Given the lack of data pertaining to asbestos compliance in Welsh schools, the NASUWT urges the PAC to press the Welsh Government to undertake a mandatory asbestos compliance survey of all schools in Wales.
41. The NASUWT has long campaigned for the safe and effective removal of asbestos from school buildings. The Union believes that successive governments have not paid sufficient attention to the asbestos problem in schools, preferring short-term policies rather than embarking on a long-term strategy of asbestos removal.
42. Whilst understanding that the costs of removal are very high, the Union has always accepted that this could be a gradual process aligned to the renovation and/or rebuilding of schools. It should be noted, however, that the costs of removal can be less than the costs of long-term management and removes all risk, rather than simply minimising the risks on a short-term basis.
43. The NASUWT acknowledges that the health and safety concerns of asbestos removal are dealt with in guidance from the 21st Century School Unit, but that this is only in regard to the generality of the legislation to protect construction staff during renovation or demolition.⁸

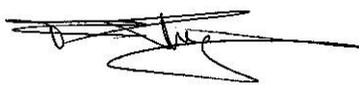
The guidance neither acknowledges nor recognises the need to prioritise

⁷https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/594042/Asbestos_management_in_schools_data_collection_report.pdf ⁸
<http://21stcenturyschools.org/guidance/statutoryrequirements/?lang=en>

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the protection of the school workforce and children and young people from the long-term effects of exposure to asbestos.

44. The Committee on Carcinogenicity recently reported that children were at a significantly higher risk of contracting asbestos-related diseases than adults, given their longer lifespan and the long latency period for these diseases.⁷
45. The NASUWT therefore insists that Band B of the 21st Century School building programme prioritises not only schools in poor condition but also those with significant amounts of Asbestos Containing Materials in their fabric and construction.



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⁷ http://www.iacoc.org.uk/statements/documents/Asbestosinschoolsstatement_000.pdf