

REGULATORY APPRAISAL

EDUCATION, WALES

THE TRANSITION FROM PRIMARY TO SECONDARY SCHOOL (WALES) REGULATIONS 2006

Background

1. The most recent annual report of the Chief Inspector of Education and Training in Wales (published in January 2005) confirmed that, compared with five years ago, there has been a big improvement in the standards that pupils are achieving in primary and secondary schools. In particular, primary schools have made significant progress in raising standards at Key Stage 2 (the last four years of primary education) with approximately a 10 percentage point improvement in pupil task and test results in most core subjects. However, while the Chief Inspector also reports improvement in Key Stage 3 (the first three years of secondary education), it appears that performance has not capitalised fully on the achievements of pupils at the end of Key Stage 2 with, in some instances, a loss of momentum on transfer to secondary education resulting in underachievement at Key Stage 3.
2. In “The Learning Country” published in 2001 the Welsh Assembly Government set out its commitment to promote continuity and progression for all pupils moving from Key Stage 2 to Key Stage 3. Advice commissioned from Estyn (Her Majesty's Inspectorate for Education and Training in Wales) concluded that ‘primary and secondary schools usually have good pastoral links’ but ‘schools need to make the education transition between Key Stage 2 and Key Stage 3 equally successful so that teachers and pupils can build on the progress made in primary school from the very beginning of Year 7’. In addition, “Aiming for Excellence in Key Stage 3” (published by the Assembly in 2002 in partnership with ACCAC and Estyn) highlighted the attention that needed to be given to better alignment of Year 6 (last year of primary school) and Year 7 (first year of secondary school) to improve progression in the planning and the delivery of the curriculum and continuity in classroom practice so that there is less disruption resulting from pupils coming to terms with the very different learning styles in secondary schools.
3. Effective transition between the key stages and in particular between Key Stages 2 and 3 is widely recognised as a key factor in raising standards. Given that the evidence base provided by Estyn points firmly to the need to improve current arrangements, these Regulations aim to make use of the Wales only powers secured at section 198 of the Education Act 2002 to address this by requiring secondary schools and feeder primary schools to work together to produce a Transition Plan.

Purpose and intended effect of the measure

4. These Regulations require the governing bodies of maintained secondary schools and their feeder primary schools jointly to draw up plans to facilitate the transition of pupils from primary school to secondary school at the end of Year 6 (the last year of Key Stage 2 provided in primary schools).

5. The Regulations, therefore, make provision about Transition Plans including when the first plans are to be drawn up and published. They set out arrangements for plans to be reviewed and amended. Detail is provided on the required content of plans. For example, plans must include details of how schools will improve continuity in the delivery of the curriculum and consistency in the monitoring and tracking of pupils' progress on moving from primary to secondary school. The regulations also provide for the Assembly to determine any disputes as to whether a particular school is a feeder primary school of a particular secondary school for the purposes of section 198 of the Education Act 2002.
6. Overall, Transition Plans will ensure that secondary schools and their feeder primary schools have agreed and detailed arrangements to promote progress and continuity in learning for all pupils moving from primary to secondary schools.

Risk assessment

7. Failure to make this legislation will limit the capacity of schools to take effective action to improve the quality of teaching and learning and ultimately the standards achieved by pupils in secondary education. Evidence provided by the Inspectorate – Estyn - points firmly to the need to improve arrangements for the transition of pupils from primary to secondary education. In particular, Estyn is of the view that secondary schools and feeder primary schools need to work together to provide greater continuity in the delivery of the curriculum and classroom practice. Action in this area is seen as a key factor in improving the standards achieved in the first three years of secondary education.

Options

Option 1: Do Nothing

8. Evidence provided by Estyn points firmly to the need to improve transition planning so that teachers and pupils can build on the progress made in primary school with particular emphasis on improving progression in the planning and the delivery of the curriculum and continuity in classroom practice. The Regulations provide the basis for the introduction of Transition Plans so that there is a detailed and consistent approach to transition planning. The failure to address this area will limit the capacity of schools to take effective action to improve the quality of teaching and learning for pupils in both primary and secondary education. In particular, Transition Plans are a key element of the Assembly's strategy to improve attainment at Key Stage 3 (the first three years of secondary education).

Option 2: Make the Legislation

9. Transition Plans address the key areas for improvement identified by Estyn and in particular the need for schools to work together to agree a consistent and detailed approach to transition planning that improves continuity in the delivery of the curriculum and consistency in class practice. The regulations will ensure that schools have detailed plans developed by Governing Bodies working in partnership to address these areas.

Benefits

10. Statutory Transition Plans would complement and consolidate action already taken to improve transition and, therefore, contribute to raising standards at Key Stage 3.

Action to date to support better transition includes the provision of additional opportunities for 'In Service Education and Training' (INSET) and materials and guidance on aspects of transition produced in partnership with Estyn and ACCAC. However, Estyn report that while most schools have improved some aspects of transition and have plans to improve other aspects, only a few primary and secondary schools have joint and comprehensive policies to formalise transition arrangements.

11. These Regulations provide for the governing bodies of secondary schools and their feeder primary schools to work together to produce a Transition Plan that will address the areas identified by Estyn including: managing transition; sharing information about pupils' achievements and learning methods; assessment; tracking pupils' progress; curriculum organisation and professional development. The development of Transition Plans will ensure that what is currently good practice in some schools becomes standard practice for all schools. It is the Inspectorate's view that better continuity in the planning and the delivery of the curriculum will be a significant factor in improving standards at Key Stage 3.

Costs

12. Responses to the consultation on the proposals for Transition Plans confirmed that primary and secondary schools already have a range of links and work together to address a number of the areas for action identified for inclusion in Transition Plans. However, it was suggested that there would be a need for some additional staff time to facilitate an initial round of meetings with partner schools to draw up the first plans to cover a three year period. In addition, it was proposed that planning be informed through access to good practice and staff training.
13. To support schools it is planned that all secondary and primary schools will be provided with an additional in service training day (INSET) in 2006-07. To meet additional costs £5.7m will be made available to local authorities in 2006-07 for staff development. The £5.7m is within provision agreed within the Better Schools Fund Budget Expenditure Line within the Education and Lifelong Learning Main Expenditure Grant. A further £1m within the Support for Improving Standards BEL will be made available to local authorities to work with schools to develop exemplar approaches to transition planning

Consultation

With Stakeholders

14. The Learning Country set out the Assembly's programme for lifelong learning to 2010. There was detailed consultation with key stakeholders including schools, further education colleges, higher education institutions, local authorities, employers, unions, parent teacher associations, Governors Wales and representative bodies from the preschool, primary, secondary and FE sectors. The consultation was conducted through a series of regional conferences and opportunities to respond to the consultation document. Responses were supportive of the overall strategy and the proposals on transition planning.
15. The proposals for Transition Plans were subject to formal consultation between 22 November 2004 and 25 February 2005. The consultation document was made

available to: ten percent of all schools; local authorities; teaching unions, church diocesan authorities and school representative bodies including associations representing primary and secondary school interests. The document was also made available to the Special Needs Advisory Panel, Governors Wales and Parent Teacher Associations. A list of those consulted is at Annex 1.

16. Overall the comments received were positive with respondents supporting the approach set out for the introduction of Transition Plans and the proposed core and optional content of such plans. There was also support for the timescale proposed for the introduction of Transition Plans. A summary of responses to the consultation is attached at Annex 2.

With Subject Committee

17. These Regulations were notified to the Education and Lifelong Learning Committee, via the list of forthcoming legislation at its meeting on 21 September 2005 (ELL(2)09-05(p.5) item No.ELL-56-05) and ever since. The Regulations were not identified for detailed scrutiny

Review

18. The proposals provide for Transition Plans to be in place by September 2007. The Regulations also provide for Governing bodies to review plans as a minimum every three years.
19. In addition, Estyn will be commissioned as part of its remit work for the Assembly's Department for Training and Education in 2007-08 to monitor the progress made by primary and secondary schools in producing the first set of plans. Attention will be given to both the meeting of statutory requirements by schools and the extent to which the new arrangements add value by improving continuity in the planning and the delivery of the curriculum. This information will be used to inform ongoing review by DfTE of the effectiveness of Transition Plans.

Summary

20. Whilst most schools have improved some aspects of transition and have plans to improve other aspects, only a few primary and secondary schools have joint comprehensive policies setting out transition arrangements, including managing transition, sharing information about pupils' achievements and learning methods, assessment, tracking pupils' progress, curriculum organisation and professional development.
21. The development of Transition Plans using powers under section 198 of the Education Act 2002 will ensure that what is currently good practice in some schools is standard practice for all schools. This is consistent with Estyn's view that improved continuity between Key Stage 2 and Key Stage 3 in the planning and the delivery of the curriculum will be a significant factor in improving standards at Key Stage 3.

Annex 1 – List of Consultees

10% Sample of Governing Bodies & headteachers of maintained schools in Wales were consulted:

Ysgol Gynradd Aberffraw
Ysgol Gymuned Dwyran
Ysgol Y Graig
Ysgol Gynradd Y Talwrn
Ysgol Gymraeg Morswyn
Ysgol Borthygest
Ysgol Gynradd Felinwnda
Ysgol Llanllyfni
Ysgol Sarn Bach
Ysgol Yr Hendre
Ysgol Y Clogau
Ysgol Edmwnd Prys
Ysgol Gynradd Pennal
Ysgol Tanycastell
Ysgol Beuno Sant Y Bala
Ysgol Ffordd Dyffryn
Ysgol Llanfair Talhaiarn
Ysgol Dinmael
Ysgol Pendorlan
Ysgol Babanod Llanfairfechan
Christchurch C.P. School
Ysgol Cefn Meiriadog
Ysgol Y Llys
Merllyn C.P. School
Ysgol Gymraeg Mornant
Saltney Wood Memorial C.P. School
Bryn Deva C.P. School
Golftyn C.P. School
Cornist Park C.P. School
Ysgol Yr Esgob
Ysgol Derwen
Froncysyllte C.P. School
Penycae Infants School
Gwersyllt Junior C.P. School
Gwenfro Infants School
Bryn Golau Infants School
Ysgol Y Gaer
Pentre Church in Wales Controlled Primary School
Madras Primary School
St Mary's C.I.W. Aided

Caersws C.P. School
Ysgol Efyrynwy Llanwddyn
Guilsfield C.P. School
Ysgol Pennant
Radnor Valley C.P. School
Ysgol Gymraeg Cwmtwrch
Llanigon C.P. School
Ysgol Bro Cynllaith
Beguildy C.I.W. School
Newbridge-On-Wye V.P.
Knighton C.I.W. School
Sarn C.E. Aided School
Whitton (Aided) School
St Joseph's R.C. (A) School
Gwenlli C.P. School
Ysgol Gynradd Brynherbert
Mynach C.P. School
Ysgol Iau Aberteifi
Coedybryn C.P.
Ysgol Gynradd Bronnant
Plascrug C.P. School
Ysgol Gynradd Gymorthedig Llanwenog
Ysgol Gynradd Eglwyswrw
Lamphey C.P. School
Y.G. Maenclochog
Puncheston CP School
The Meads C.P. Infant & Nursery School
The Mount C.P. Infant & Nursery
Mathry V.C.P. School
Spittal V.C.P. School
Stackpole V.C.P. School
St Florence V.C. School
St Francis V.R.C. School
Maesybont C.P. School
Ysgol Gynradd Bancffosfelen
Ammanford Infants School
Nantygroes C.P. School
Caio County Primary School
Ysgol Capel Iwan
Bryn C.P. School
Hendy C.P. Mixed School
Ysgol Gynradd Llannon
Parc Y Tywyn School
Y.G. Cynwyl Elfed
Bigyn County Primary

Ysgol Gynradd Wirfoddol Llanddarog
Ysgol Wirfoddol Penboyr
Brynmill Primary School
St Thomas Primary School
Cwmglas Primary School
Birchgrove Junior School
Ysgol Gynradd Gymraeg Felindre
Penllergaer Primary School
Pen Y Fro Primary
Sea View Community Primary School
Blaenhonddan Primary School
Central Junior School
Ysgol GGD Glyn
Maesmarchog Primary School
Tywyn Primary School
Rhos Primary School
Wauanceirch Primary School
Coed Hirwaun Primary School
St Therese's R.C. School
Brynmenyn Primary School
Heolycyw Primary School
Oldcastle Junior School
Bryncethin Primary School
Ogmore Vale Primary
St Mary's Catholic Primary School
Barry Island Primary
Jenner Park Primary
Murch Junior School
Ysgol Sant Curig
Peterston Super Ely C.I.W. Primary
Blaenclydach Infants School
Cwmlai Primary School
Glantaf Infant School
Ferndale Infants School
Parclewis Primary School
Glynhafod Junior School
Penygraig Infants School
Pontygwaith Primary School
Craig-Yr-Hesg Primary School
Trealaw Primary School
Maesybryn Primary School
Rhiwgarn Infant School
Ysgol G.G. Evan James
Mount Pleasant Primary School
Ysgol-Y-Graig Primary School

Ysgol Gynradd Coed y Dderwen
Libanus Primary School
Risca Primary School
Pantside Primary School
Plasyfelin Infant School
Abertysswg Primary School
Cwmaber Infant School
Tyn - y - Wern Primary
Deighton Junior and Infants
Ystruth Primary
St Mary's Roman Catholic - Brynmawr
Pontnewydd Primary
Oakfield Primary School
Hollybush Primary School
Ysgol Bryn Onnen
Undy C.P. School
St Davids Junior School
Overmonnow C.P. School
Maesglas C.P. School
Monnow Infant School
Rogerstone Primary School
St Patrick`s R.C. Primary School
Allensbank Primary School
Hawthorn Infant School
Rhydypenau Primary School
Cefn Onn Primary School
Eglwys Newydd Primary School
Glyncoed Infant School
Ysgol Gymraeg Melin Gruffydd
Meadowlane Primary School
St Anne's C.I.W. Infant School
St Phillip Evans R.C. Primary School
Ysgol Ardudwy
Ysgol Glan Y Mor
Ysgol Dyffryn Conwy
Mold Alun School
Ysgol-Y-Grango
Sir Thomas Picton School
Ysgol Gyfun Y Strade
St John Lloyd R C School
Bishopston Comprehensive School
Cwmtawe Comprehensive School
Porthcawl Comprehensive School
Barry Comprehensive School
Bryncelynnog Comprehensive School

Ferndale Community School
Vaynor and Penderyn High School
Oakdale Comprehensive School
Ysgol Gyfun Cwm Rhymni
Ebbw Vale Comprehensive School
Trevethin Community School
Bassaleg School
Llanishen High School
Michaelston Community College

22 Directors of Local Education Authorities

National and local bodies in Wales with an interest in Education

Qualifications, Curriculum & Assessment Authority for Wales (ACCAC)
 Advisory Centre for Education (ACE) LTD, Cardiff
 Assessment Unit, Teachers Centre Annex, Cardiff
 Association for College Management, Coleg Gwent
 Association for Speech Impaired Children, Pontypool
 Association of Directors of Education In Wales, Rhondda Cynon Taff
 ATL Cymru, Cardiff
 Audit Commission, London
 Bangor Diocesan Council for Education
 Undeb y Bedyddwyr, Abertawe
 Basic Skills Agency, London
 The National Society, London
 Board of Mission of the Church in Wales, Powys
 British Association of Teachers for the Deaf, Bridgend
 Careers Wales (6 authorities and Chief Exec.)
 Celtic Inspection Service, University of Wales
 Children in Wales', Cardiff
 Christian Education Movement, Machynlleth
 Church In Wales Provincial Council for Industry in Wales, Cardiff
 Commission on Racial Equality, Cardiff
 Confederation of British Industry in Wales, Cardiff
 Ysgol Gyfun Gymunedol Penweddig Ffordd Llanbadarn, Llangawasai
 Diocese of Chester
 Diocese of Hereford
 Diocese of Llandaff
 Diocese of St Asaph
 Diocese of St Davids
 Dyslexi Unit Psychology Dept, University of Wales
 Edexcel Foundation
 Education, Training & Cultural Affairs Department, Cardiff
 Eglwys Bresbyteraidd Cymru, Cardiff

ELWa
EALAW
Equal Opportunities Commission, Cardiff
Estyn
FFORWM, Llandrillo Technical College
Fforwm, Colwyn Bay
Free Church Federal Council for Wales, London
Further Education Funding Council for Wales, Cardiff
General Teaching Council for Wales, Cardiff
Governors (Wales), Neath
Institute of Welsh affairs, Cardiff
Inter-Diocesan Schools Commission, Cardiff
IISC/ISIS, Cardiff
Joint Committee for the Ethnic Minorities in Wales
Learning Support Service, Porth
Local Governors Association (19 in total)
Monmouth Diocesan Council for Education
Mudiad Ysgolion Meithrin
NASUWT (Wales)
NAPE Gorllewin Morgannwg
NASEN Cymru
National Association of Advisory Officers for Special Education
National Association of Educational Inspectors, Advisors & Consultants
NAHT Cymru
National Association of Principal Educational Psychologists
National Association of Social Workers in Education
NFWI Wales
NPQH
National Union of Students
National Union of Teachers
NFER Wales
NSPCC Cymru
Parent Teacher Association (6 in Wales)
Rhieni Dros Addysg, Carmarthen
Pasg, Coleg Normal, Bangor
Professional Association of Teachers
School Broadcasting Council for Wales (BBC Wales)
Scope Cwmpass Cymru
Secondary heads Association
SNAP Cymru (15 in total)
Society of Educational Officers (Wales)
Swansea & Brecon Diocesan Educational Council
The National Trust, Wrexham
The Welsh Local Government Association, Cardiff
The Welsh National Centre for Religious Education, University of Wales
UCAC

UCET Wales
Undeb y Annibynnwy Cymraeg, Swansea
UWIC
Wales Assembly of Women, Glamorgan
Wales Association of Community & Town Councils, Betws
Wales Council for the Blind
Wales Council for the Deaf
Wales Council for Voluntary Action
Wales Pre-school Playgroups Association, Powys
Wales Primary Schools Association, Gelli Primary School
Wales Trade Union Congress
Welsh Association of Foundation / Aided Schools, Wrexham
Welsh Consumer Council, Cardiff
Welsh Joint Education Committee
Welsh Language Board
Welsh Secondary Schools Association, Swansea
Women in Education Network
Womens National Commission, London
Wrexham Diocesan Education Committee
The Childrens Commissioner for Wales, Wrexham