



Consultation on the Further and Higher Education (Governance and Information) (Wales) Bill

NDCS Cymru, May 2013

About Us

The National Deaf Children's Society (NDCS) is the leading charity dedicated to creating a world without barriers for deaf children and young people.

We represent the interests and campaign for the rights of deaf children and their families.

NDCS represents children with all levels of hearing loss.

Response

NDCS Cymru welcomes the opportunity to respond to the Children and Young People's Committee consultation on the draft *Further and Higher Education (Governance and Information) (Wales) Bill*. While it would not be appropriate for NDCS Cymru to comment on all aspects of this Bill, we would like to take this opportunity to highlight the impact of this Bill alongside concurrent plans to devolve funding currently held centrally under the LLDD Supplementary Fund to FEIs.

The LLDD Supplementary Fund is used to provide FEIs with extra funding to help support learners with Additional Learning Needs (ALN) attending mainstream post-16 provision. In the case of deaf students, such funding can be used to provide vital support such as a BSL interpreter or a note taker. NDCS Cymru acknowledges that the current funding mechanism for this support is not without problems. However, we are keen to ensure that in devolving funding to FEIs for supporting learners with ALN, appropriate monitoring mechanisms are in place. To this end, we would welcome assurances on the following points:

- *The Further and Higher Education (Governance and Information) (Wales) Bill* provides Welsh Ministers with an ability to request data, but the Explanatory Memorandum emphasises data in relation to the delivery of student loans. We would welcome assurances that data and information will also be sought on how FEIs are responding to the support needs of learners with ALN. As identified on page 7 of the Explanatory Memorandum, it is important that "the Welsh Government recognises the need to balance the technical changes proposed in the Bill with the need for public funds, the public interest and

learners to be safeguarded.” NDCS Cymru considers appropriate data collation to be an integral part of holding FEIs to account in relation to the devolution of funding to support learners with ALN.

- NDCS Cymru notes the powers within the Bill for Welsh Ministers to make subordinate legislation (including regulations, directions and statutory instruments). We would urge that, in light of the devolution of the LLDD Supplementary Fund, such powers should be utilised to provide direction around the responsibilities of FEIs to provide support for ALN learners and how such support should be arranged in conjunction with the learner.

We would also suggest that Welsh Ministers should be able to intervene if it is considered that FEIs are not appropriately supporting learners with ALN.

- NDCS Cymru would welcome further information about how this Bill will operate in conjunction with the planned ALN reforms. NDCS Cymru is aware that proposals to reform support plans and Statements of Educational Needs include the extension of such plans to a post-16 context. In light of this, it will be important that there are duties and requirements placed upon FEIs to work with local authorities on support plans.
- The Bill enables FEIs to take control of the dissolution process, but also provides for the development of Regulations for this process. NDCS Cymru would highlight the importance of considering any specialist ALN provision within such processes and would urge that this should form part of statutory regulations.

More Information

Thank you for taking the time to consider this response. If you have any queries in relation to the points raised or would like any further information, please do not hesitate to contact NDCS Cymru at Campaigns.Wales@ndcs.org.uk.