

**Children and Young People Committee  
School Standards and Organisation (Wales) Bill  
SSO24 – Response from The Church in Wales Education Department**



**Adran Addysg**

**Education Department**

**School Standards and Organisation (Wales) Bill:  
Consultation response from the Church in Wales Education Service**

This response is submitted on behalf of the Church in Wales Education Service. We are responsible for 162 maintained schools in 6 dioceses across Wales, nurturing more than 25000 children and young people in schools with a distinctive Christian character. We work in partnership with local authorities to ensure the highest possible standards in our schools. We also recognise that the School Standards and Organisation (Wales) Bill affects a number of significant areas of regulation affecting our statutory provision. Working closely with our colleagues in the Catholic Education Service for England and Wales, we are concerned that the pre-devolution legislation that affects much of the work of Voluntary Aided and Voluntary Controlled schools must be transferred carefully into new Welsh legislation, to prevent legal anomalies that might undermine our provision and also ensure that any legislation supports our collaborative work to ensure the very best outcomes for every pupil.

We note the following points in relation to the draft Bill:

1. We recognise that the Bill is designed to move forward the Ministerial agenda for school improvement; this is warmly welcomed and the Church in Wales is keen to contribute to this on going agenda as a partner in school improvement and strategic school development.
2. The Church in Wales and Roman Catholic dioceses were not included in the formal consultation for the Bill. The proposed legislation directly affects a number of areas involving our trustee and governance and Diocesan Authorities were not included in the formal list of consultees. Where such important legislative amendment is proposed, Diocesan Authorities have complementary responsibilities alongside Local Authorities and should be dealt with in the same way as part of the consultative process
3. We wish to raise concerns about various elements of the draft Bill that relate to governance and trusteeship. In Voluntary Aided and Voluntary Controlled schools, the role of Foundation Governors is specific and any changes to legislation ought to support this role. We are concerned that some of the proposed powers to appoint additional governors may undermine the role of the Diocese in ensuring that governors uphold the distinctive character and ethos of schools with a religious character. Areas of the Bill which pose particular concern include:

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- Issues of governance and the appointment of additional governors (Section 13);
- Powers to change the category of a VA or VC school (S.46);
- Closely related to this, provisions regarding school closures (S.81);
- The appropriateness of independent counselling services that might be at odds with the ethos of a school with a religious character (S.93).
- Amendments within Schedule 5; details relating to any transfer of land, having appropriate regard for trustees and their rights and responsibilities.

We recognise that a number of our concerns may be addressed through the detail of the statutory guidance that accompanies the final version of the legislation. That said, some areas of concern are fundamental and the Bill could be strengthened by acknowledging and supporting the distinctive governance and trustee responsibility of Diocesan Authorities and schools with a religious character.

Edwin Counsell  
*Education Adviser*