

STATES OF JERSEY

Education and Home Affairs Scrutiny Panel

FRIDAY, 23rd NOVEMBER 2012

Panel:

Deputy J.M. Maçon of St. Saviour (Chairman)
Connétable M.P.S. Le Troquer of St. Martin
Connétable S.W. Pallett of St. Brelade
Deputy M. Tadier of St. Brelade

Witnesses:

Deputy P.J.D. Ryan of St. John (The Minister for Education, Sport and Culture)
Mr. M. Lundy (Director, Education, Sport and Culture)
Mr. R. Bryans (Assistant Minister, Education, Sport and Culture)
Mr. A. Gibbs (Head of Careers and Learning Support)

In Attendance:

Mr. M. Haden (Scrutiny Officer)

Deputy J.M. Maçon of St. Saviour (Chairman):

Hello and good morning, gentlemen. Yes, welcome to see you. With the amount of time we have devoted to the Home Affairs side of things, we hope you are not feeling neglected. I wonder, as you have seen the topics which we would like to be tackling today are primarily the G.C.S.E. exam results and also the implications of the higher education changes, as well as a few other matters, but one which I wonder if we can begin with is relating to the M.T.F.P. (Medium-Term Financial Plan) and specifically the new proposed primary school. The Connétable of St. Martin will be leading on that. Thank you.

The Connétable of St. Martin:

Yes, thank you, Chairman. Minister, just if we could have an update on the proposed new primary school which was suggested possibly for the town area and see what progress has been made on that.

The Minister for Education, Sport and Culture:

As you probably know, the information about demographics leads us to believe that we will need a new primary school in between - depending upon how you interpret

the statistics - 3 to 5 years. Following the agreement of the Medium-Term Financial Plan, we can now start to move forward with assessing all of the different options. I am not in a position to be able to give you much more information that that because, quite simply, the work is still very much policy under development and looking at all the various options. So we have not progressed much further. We needed to wait until the M.T.F.P. was agreed before we could move forward. We will be working with Property Holdings. Property Holdings will be carrying out various feasibility studies on our behalf of the various options.

The Connétable of St. Martin:

Just to query on the information we have, if it continues to grow at current levels then we will be experiencing possibly an increase of 700 primary-age pupils in the system in the next 10 years and 1,000 in 20 years. Is that different ages? That is not a figure of that many youngsters coming in at reception class?

Director, Education, Sport and Culture:

That would be the overall increase in numbers as a result of new youngsters coming in in the reception class over subsequent years. They are not all coming in at once, so that would be phased in over a number of years. But those figures have to be treated with some caution. The figures that we rely on because they are very robust are the birth rate and numbers that are already in the system. So it is easier to predict, for example, your secondary numbers because the primary numbers are already in the system. We build in some projections on the basis of trends, but as you know last year we were surprised by requests for a significant number of additional places in the town area which we had not been able to predict because they were not included in those numbers. So the assumptions that we have made on that, with some evidence, was that many of those youngsters were youngsters who had come into the Island who had not registered in a way that enabled us to know that they were there and would be seeking places.

The Connétable of St. Martin:

The concept studies that you are undertaking at the moment, how long will they take to do? Are we waiting until 2015 to say yes, we need a new school, so it will be 2018?

The Minister for Education, Sport and Culture:

We are not actually carrying them out. They are being carried out on our behalf by Property Holdings.

The Connétable of St. Martin:

So you are relying on them now?

The Minister for Education, Sport and Culture:

We have to rely on Property Holdings to carry out these kinds of feasibility studies, yes.

Director, Education, Sport and Culture:

The Minister is referring there to the actual provision of buildings and capacity, but obviously we will do the work on the numbers. We do the work on the numbers alongside the States Statistics Department. The interesting time this year will be around about March when we see whether or not the immigration figures that we experienced last year, the upsurge, have been sustained and whether, in fact, last year was a blip or it seems to be the beginning of a trend. But we are not just looking at the potential to build a new primary school; we are looking at other options as well. If you recall, we closed a form of entry at Rouge Bouillon School 7 years ago and we closed a form of entry at Samares School 7 years ago. So effectively there are 2 one-form entry primary schools sitting in the wings that can be opened over the next 6 years, because we have already opened a class in each one. So there is capacity there that we can use. We also have the potential to open a few other classes, not necessarily a form that could run its way through, but a few other classes at other primary schools. We are exploring the possibility of building on, for example, to an existing primary school and, alongside that, whether or not we would require a new town primary school and what locations would be available on which to build that primary school. So that is essentially the piece of work that is going on at the moment, a feasibility study looking at locations, looking at possibilities, and coming up with some firm recommendations depending on how the trend goes over the next 2 years.

The Connétable of St. Martin:

Places like Rouge Bouillon and Samares, okay, so you get a new form entry. What happens once the child goes into the next class, does that mean you open a whole series of classes?

Director, Education, Sport and Culture:

Well, when you open a form of entry, you are effectively opening a whole series of classes but you do not open them all at once. So when we closed a form of entry we closed a class in year 1, year 2, year 3, right through the system, so there are 7 classes less in the system. What we did last year was we opened one of those classes. So that class will move through the system through the next 7 years and over the next 7 years - 6 years now because we have already opened one - there is the potential to open another class in each of those schools each year should we need to do so. Then once they are all open in each year, then that series of classes represents a form of entry.

The Connétable of St. Martin:

Thank you. We are now relying on the Statistics Unit to come back to you and Property Holdings to come back to you?

Director, Education, Sport and Culture:

Well, we are not waiting on anything. We are actually working proactively with them looking for sites and a number of sites have been identified, and looking at the pros and the cons of those sites and establishing whether or not there are some options there we would need to pursue in more detail or whether some really are not worth exploring.

The Connétable of St. Martin:

How long to build? Are we looking at the same sort of period?

Director, Education, Sport and Culture:

It would depend very much on the location and all the regulation, I guess, that is around that particular location when we find one.

Deputy M. Tadier:

What are the preferred sites that you have identified or is it too early?

Director, Education, Sport and Culture:

I do not have a list of the preferred sites with me and I think it probably is a little bit early to discuss them and to speculate.

Deputy J.M. Maçon:

Can we take one step back? Do you have a list of preferred sites?

Director, Education, Sport and Culture:

Yes, we do and we could provide you with a list of what we are actually considering at the moment, yes.

Deputy M. Tadier:

Do any of them involve ... would they be completely new builds or is there any option to extend existing primary schools?

Director, Education, Sport and Culture:

Yes, both.

The Connétable of St. Brelade:

What impact will the actual department have in terms of the factors that will be taken into account before you decide where any new school will be? I say that really in light of working with Property Holdings to decide where is the right place. Anything in town is going to have issues, and I am thinking of even something like the police station where there have been major issues around traffic, parking and issues like that. How much input will you have in deciding that or are you just leaving it to Property Holdings?

Director, Education, Sport and Culture:

No, we are not just leaving it to Property. It has to feed a catchment area. It has to be accessible. The pressure is in the town area, so it has to be accessible to ...

Deputy J.M. Maçon:

I will leave you to carry on answering that question, but before you do that, which I hope will clarify matters for members, presumably you have had all the figures in now?

Director, Education, Sport and Culture:

Yes.

Deputy J.M. Maçon:

So you will know principally where the households of those particular children will be; therefore, you will know where the surges are within the town area? For example, it

is different if there is a surge, say, at Havre des Pas compared to, say, up at La Pouquelaye. Or is it scattered? Is there a concentration in certain areas or is it scattered in the town area? Can you elaborate?

Director, Education, Sport and Culture:

Well, it is not easy to get robust figures of that nature in actual fact, particularly with new children coming into the area, and there is a lot of ... although we have defined catchment areas in the town, there is actually a lot of crossover. So it is not really as easy as saying: "Okay, there is a whole bunch of new pupils in the Havre des Pas area so we need a school around that area." It does not quite work as simply as that, but we wish it did. It is more a question of having enough capacity across the town area so that if necessary we might be able to shift the catchment area boundaries to be able to accommodate parents living around the town because you have schools placed strategically in the town area.

Deputy J.M. Maçon:

So just for clarity then, what you are saying is you do not know if there are surges or is that the case that it is scattered or ...?

Director, Education, Sport and Culture:

No, what we are saying is ... well, we do not know. We know the birth rate. We know about where children who have already basically registered with primary schools an interest live, but we expect there will be a number of applications for places from children and we are not aware of where they are or, indeed, who they are at this stage, and if the same thing happens this year as happened last year we could be under pressure for places. What we are saying is that it is unlikely that we would be able to take account of pressure in a particular area and then find a location in that area to build a primary school for the very reasons that you said. What we would have to do is to find a suitable location that would enable us maybe to shift the catchment areas a little better in order to provide equal distribution for those areas.

The Connétable of St. Brelade:

But the sites being considered, are they all presumably States-owned sites?

Director, Education, Sport and Culture:

That is what we have been looking at first and foremost, States-owned sites, schools that could possibly be extended. There are not many in the town area and the

likelihood is that with any solution, if the numbers go where they are predicted to go, we might still have to open the form of entry at Samares and Rouge Bouillon Schools.

The Connétable of St. Brelade:

Presumably any feasibility study will be a fairly comprehensive feasibility study and taking all the ...

Director, Education, Sport and Culture:

Oh, absolutely, yes.

The Connétable of St. Brelade:

... everything into account?

Director, Education, Sport and Culture:

Yes.

The Connétable of St. Brelade:

Not just the fact that ... not just demographics of ...

Director, Education, Sport and Culture:

The easiest thing to do here would just be to say, okay, we had a surge last year, we have predictions, we need a new primary school, and to go ahead and start to plan for that. But you could end up in 4 or 5 years' time finding that actually you did not have a need for a new primary school. This is new territory for us. The predictions in past years have always been fairly stable and we have always been able to plan with some certainty. We are in more uncertain times with this particular project so we are looking at a range of options.

[9:15]

The Connétable of St. Brelade:

When you say looking at sites, is there options? Obviously some of the schools are more dated than others. I presume that is where some of your thinking is going as well?

Director, Education, Sport and Culture:

Well, that is included in it. We do have some new schools which are ... or one particular new school that has the capacity to expand should we choose to do that. There are some educational reasons why you might not want to have a 3-form entry school. We did close one form of entry at Rouge Bouillon which was a 3-form entry school, but yes, what we will try and do is to make sure that if there is an opportunity, for example, to ... if there was an opportunity like we did with St. Mark's School and La Pouquelaye School where they were 2 old schools that were tired, well, we closed them down and reopened d'Auvergne School as a new school to serve both catchment areas. We will be considering those types of issues in this project as well. Is there an opportunity to do something with an existing school site?

The Connétable of St. Martin:

I think the problems I had ... sorry, Minister, go on.

The Minister for Education, Sport and Culture:

There are 2 things which are different now to perhaps 5 years ago, 4 years ago, even 3 years ago. Those 2 things are that we already know that we are getting a demand for extra places. We are getting statistical information which indicates that there will be a demand for more places, but the other slightly different but linked thing that is different is the amount of volatility that we have never seen before, certainly in the Director's experience. As he says, it is usually always in the past been possible to predict with a fair amount of accuracy what we were going to need in the system, even 2 to 3 years ahead, but I think what we are seeing now is changed circumstances because of the economic climate throughout the European Union apart from anything else where you are getting inward migration and outward migration. So you are seeing this volatility and this much more difficult set of circumstances when it comes to predicting exactly what we are going to need. So, for example, the States is considering a new housing and work law. There are thoughts about migration policy and the States could make decisions which will affect the very things that we are talking about and ...

The Connétable of St. Martin:

That is where I was going to go next.

The Minister for Education, Sport and Culture:

... could be a variable that we really just do not ... that we have no control over.

The Connétable of St. Martin:

But you have control or you have input into the migration policy now. Because it is interesting to know you have this increase in youngsters at primary school ...

Deputy J.M. Maçon:

Well, have you? Do you have a representative on that?

The Minister for Education, Sport and Culture:

No.

Director, Education, Sport and Culture:

We are working with officers from the Population Office developing ... well, we are inputting our projections into the scenarios that they are looking at. One thing I would say in this is that the system overall can take an additional 100 pupils or so if they came in spread over the Island. The problem is that the town cannot take an additional 100 pupils and that tends to be where the challenges are.

The Connétable of St. Martin:

Personally, I do not know your feelings but just to say we are going to provide another school, going to spend another £15 million, I take it the £15 million for a new school - on top of that you have teachers all the way through from primary to the end of that school - that this Island will pay for families who are coming into the Island who have put nothing into it and turn up in September with a child at school. I do not know how you address that.

The Minister for Education, Sport and Culture:

Well, we have to ...

The Connétable of St. Martin:

If they are not involved with the ...

The Minister for Education, Sport and Culture:

We have to educate them; it is as simple as that.

The Connétable of St. Martin:

There has to be a point where we say: "No more children." I am sorry, why should the Island ...

The Minister for Education, Sport and Culture:

No, as an Education Department that is not ... I am afraid I have to say that is not our remit. That is the Council of Ministers. That is general States policy that you are talking about.

The Connétable of St. Martin:

But you must be putting that to the Council of Ministers?

The Minister for Education, Sport and Culture:

Well, we can advise the Council of Ministers on the implications of whatever policy, yes, and we do that, but directly to say: "We do not have enough places in schools; therefore ..." as Minister for Education, Sport and Culture that is not my portfolio.

The Connétable of St. Martin:

It is probably ours.

The Minister for Education, Sport and Culture:

It is. I am sure it is, yes.

Deputy M. Tadier:

I think it is understood that ...

The Minister for Education, Sport and Culture:

I mean in the context that it is every States Member's portfolio, yes, but as Minister for Education, Sport and Culture, I have specific duties and commitments to educate children that turn up at the school gates.

Deputy M. Tadier:

Yes, I think it is understood obviously that any children who come to Jersey as part of a family there is an expectation they should be educated. If we can just go back to something you said about the implications of inward migration on the department, I think you said that ultimately we have no control over it and that it is a volatile situation. That surprises me somewhat because as a member of the Council of Ministers we are always told that actually we have this under control, we have to control immigration and inward migration and that we do have the mechanisms or we will have the mechanisms to do it. It is slightly worrying to hear a member of the

Council of Ministers saying that we do not have control and we could have a limitless number of foreign children turning up, knocking on the education door, and then we would not be able to handle them. So where is the joined-up policy between the Education Department and the Council of Ministers on that?

Assistant Minister, Education, Sport and Culture:

I think what he was saying was “we” as the Education “we” as opposed to the “we” being the Council of Ministers.

Deputy M. Tadier:

Yes, but presumably if the Council of Ministers, of which you are one, has control - they projected the figures about inward migration - we should have a handle on how that happens so the Education Department should be projecting on that basis. Is that not the case?

The Minister for Education, Sport and Culture:

The Education Department should be projecting on the facts that we have in front of us. That is the case.

Deputy M. Tadier:

So it is the case, I think, is it not, that we do not know because we do not have an immigration policy of any worth, but it does have ...

The Minister for Education, Sport and Culture:

I cannot really make a comment about that.

Deputy M. Tadier:

Right, okay.

The Minister for Education, Sport and Culture:

That is in the remit of the Chief Minister, as I am sure you are aware. It is the Chief Minister’s Department that runs migration policy.

Deputy J.M. Maçon:

Thank you. I think if we move on now to the review of the core subjects, first of all, I think I would like to begin by expressing the panel’s congratulations and support for the department undertaking the reviews into English, maths and science as no doubt,

Mr. Minister, you have been aware that it was something that the panel itself was considering doing. So we do welcome the fact that the Education Department is taking this opportunity to do that. I wonder, first of all, if you could inform us what are the terms of reference. Have they already been agreed and will the panel have an opportunity to see them before they are agreed, and also what timescales these reviews are working to.

The Minister for Education, Sport and Culture:

Okay. Well, that is very much in the area of operational detail so I will hand over to Mario to answer that.

Director, Education, Sport and Culture:

The terms of reference, which I do not have with me but I can provide for you, they are pretty standard terms of reference which you would use if you were bringing in inspectors to look at any subject in any area, which is really to take a view of the quality of teaching and learning in that area, to highlight best practice and areas where we can develop so that basically best practice can be shared with where the practice needs to improve.

Deputy J.M. Maçon:

And then if you could just clarify the timescales, please.

Director, Education, Sport and Culture:

The maths review will be starting before Christmas. In fact, the person who is undertaking that review is across next week to scope the early parts of the review and to determine which schools. When we say an all-Island review it does not mean that the reviewer will go into every school, but the reviewer will determine which schools and we will assist with that to try and get a balanced view of the quality of teaching and learning across the subject, across the Island. So that is basically what we will be working on next week, determining the scope.

The Connétable of St. Brelade:

Can I ask a question? When you say inspect, are you saying internal or external?

Director, Education, Sport and Culture:

External.

The Connétable of St. Brelade:

In terms of best practice, when you say “best practice” what do you mean by best practice?

Director, Education, Sport and Culture:

Well, you would look at maybe a school where the results appeared to be quite high and see what teaching and learning strategies go on in that school. Then you might look at another school where maybe they are not so high. You would try and take account of the challenges in that school.

The Connétable of St. Brelade:

So you are saying internal within the scope of Jersey?

Director, Education, Sport and Culture:

They go into the school ... it is external to the Island, the inspectors will be ...

The Connétable of St. Brelade:

But the best practice within the Island?

Director, Education, Sport and Culture:

The best practice would be within the Island but also the inspector will bring with them experience of other jurisdictions and will be able to ... well, mainly England, Scotland, Wales and Northern Ireland because that is usually the areas where inspectors have their experience. Obviously, if they have seen best practice outside the Island then we would be advised of that as well.

Deputy J.M. Maçon:

Mr. Minister, considering that it is taxpayers' money that will be spent on these particular reports, have you stipulated that when they are concluded these will be public documents?

The Minister for Education, Sport and Culture:

Yes.

Deputy J.M. Maçon:

Thank you. So the maths review will begin before Christmas. When is it due to be completed?

Director, Education, Sport and Culture:

Well, we will determine that next week when we meet the inspector. Obviously, we have an idea but we want to make sure that the timescale will fit in with the inspector's other commitments.

Deputy J.M. Maçon:

I understand that. Then for English and science?

Director, Education, Sport and Culture:

We will not have the 3 reviews going on at the same time because it just puts too much pressure on the schools. So I think we would like to conclude the maths review and then commission the English review, which hopefully would be next year in 2013. We will start the commissioning at the beginning of the year. We probably will not conduct a review over the period that schools are actually engaged in examinations, so the summer term is not a great term, so it will either be in the period leading up to Easter, depending on the maths review, or it will be from September.

Deputy M. Tadier:

Can I ask a question about trends? Because I think clearly there must be a difficulty ... let me rephrase it. Obviously, the G.C.S.E. results that are achieved in any one particular year are not simply a snapshot of how that school is doing at that time. It is a combination of obviously the historical teaching that has gone on in that school and even at primary school from the catchment areas.

Director, Education, Sport and Culture:

Absolutely.

Deputy M. Tadier:

What are the difficulties of assessing, for example, when you have a school which has very high English results, for example, another school which does not? How do you take into account what past teaching methods may have had an impact on the current exam results?

Director, Education, Sport and Culture:

Well, you have information about the pupils that you can track back so you will know how they have achieved at key stage 2, key stage 3. One of the difficulties for us has

been ... I am trying to remember the year. I think it was 2004 where a decision was made to move away from S.A.T.s (standardised assessment tests) that pupils in England undertook. The decision to move away from S.A.T.s was taken for a number of reasons. There was a lot of concern both in England and in Jersey about the pressure that put on schools and teachers to teach to the test. We were first to discard S.A.T.s. I think in retrospect we probably should have had something more robust in place to rely on before the S.A.T.s actually disappeared, but we did not. So it has taken us a number of years to develop our systems of teacher assessment because if you are going to rely on teacher assessment then it has to be monitored, it has to be moderated. So we now have very robust systems in place to moderate. So we look at standards across schools and we know that when a school says: "This child is at this level" we are confident that those levels are accurate. This year we have just moved that assessment into key stage 3, which is the end of year 9 in secondary schools. So we are hopeful that by 2014 that cohort coming through there will be a very robust set of data showing their progress at key stage 2, key stage 3 and key stage 4. We are looking at 2 things because the results have focused on attainment. You are absolutely right, at the end of a key stage the child has attained this, but what happened in all the years leading up to it? So the other factor that we are introducing now - and we have introduced it in the schools and eventually we will publish on this basis when we have the complete set of data - is, okay, this is the attainment but what progress has the child made? Now, we are saying to schools we would expect a child to be making at least 2 levels of progress through a key stage. Now, that is quite challenging.

Deputy M. Tadier:

Yes, and you have that in your stats, have you not? You have something called value added or something similar?

Director, Education, Sport and Culture:

Well, that is what we are trying our value-added system on, so it will be about reporting on the progress that children have made and their attainment. So a school where perhaps the student profile is skewed, if their results did not look high that school would be able to say: "Yes, but look at the progress these children have made. They have actually made very good progress in the school regardless of what the results" ...

Deputy M. Tadier:

Following on from that, it kind of ties in. The next question I want to ask is about will there be any changes in the fundamental way these subjects are taught, but in order to answer that as well I think it is useful to know what are the key learning stages that a child will go through particularly in terms of numeracy and literacy. It is obviously not just about how they are taught at 13 to 15, it is about how ... are there key stages which they will pass through and will all these elements be reviewed as part of the review?

Director, Education, Sport and Culture:

They are and they will be. A report that the panel might be interested in was the C.B.I. (Confederation of British Industry) report on the English education system, which came out this week, which actually is suggesting that England should look at some of the ... that some of the things that they are suggesting they should look at are things that we have been looking at. What we have been trying to avoid in Jersey is creating a system that puts unnecessary pressure on schools and teachers simply to teach to a syllabus and the test so that you end up with exam factories as opposed to schools that provide a broader, balanced education for young people. That is the real challenge.

[9:30]

That is where teaching and learning can be affected to the point where it becomes more like coaching as opposed to teaching. Our schools have tended to avoid that by and large, so there is not much of that that is going on in the schools. The approach to teaching and learning is broad, it is balanced, and schools are expected to monitor that and to be able to report on the quality of teaching in the school.

Deputy M. Tadier:

Sorry, it is my last question for now. It is not simply what happens in the classroom or school which has an impact on the core subjects either. I think it is recognised that the home life and the home input of the parents, it is a 3-way partnership, is it not, between the teacher, student and the parent. Is there any way to look at the impact that the contribution of parents or lack of will end up contributing towards the student's ...

Director, Education, Sport and Culture:

Yes, and schools are encouraged and most schools have very strong partnerships with parents. Obviously, that changes over time, but they have strategies. We actually have an award that some of our schools have won for ... I cannot remember it off the top of my head, but it is a national award for their work with parents. But, of course, you have to maintain a balanced perspective on this as well because just because a child comes from a disadvantaged background it does not mean that that should be an excuse for poor educational performance. Your expectations have to be high for every child and if there are challenges because of the child's circumstances then the school has to work with the child and the family and any other agencies that are involved in order to ensure that that child gets a good education and achieves.

The Connétable of St. Martin:

What concerns me is who sets the standard? You have a young person who might want to do other subjects, not interested in the core subjects and might do very well in the other subjects. The staff of the school itself will set a standard not maybe for the child, for them to be able to say: "Well, we expected a grade C and the youngster got B" or something lower and got a little bit higher. So the school has probably done better. The youngster at the end of it, the pupil, is: "Okay, I have reached that. I have reached higher than what I ... but it still is not good enough." So the youngster then moves up, does not remain in the same class and does an extra year of work. It is the school that are setting one standard and the pupil themselves thinking: "Well, what does it matter? I cannot write."

Director, Education, Sport and Culture:

You have just picked up really one of the main issues that was picked up in the C.B.I. report, which is whether or not the system encourages schools to do what is in the best interests of pupils or whether it encourages schools to do what is in the best interests of schools in order to shape their position on the league table. We have had many conversations over the last couple of years about the impact of that. We are seeing the reality of it now, but I think what schools have to do is to ... and they do generally, is to set their predictions for pupils on the basis of some solid evidence. So in Jersey at the moment we use cognitive ability tests and the key stage results. You can look at those, you can look at where a child is at key stage 2, and you can actually get data based on the national population in England that says a child with this level at key stage 2 should be achieving at least this at G.C.S.E. So the school will be making predictions for that child on the basis of that prior information. Then

really the key thing that we need to build into a simple system value-added for parents is has that child achieved as expected, below expected or above expected and, if so, why and what has happened and how is the school supported? Then when you take the whole of that cohort, have the majority of children in that cohort achieved below, as or above expected? I think that simple reflection of the school's performance is the type of value-added system that I think members of the public and parents want to see, a simple understandable system that tells them whether a school is a good school or not.

Deputy J.M. Maçon:

I have a series of questions if I could just on things that we have been discussing. I wonder, Mr. Minister, if I could just pose one particular question to you. Given that the change from primary to secondary education in any schoolchild's life is a significant one and given the different style of learning and the move to a more independent style of learning that occurs, do you foresee or believe that there is any issue with perhaps sending a child from primary school to secondary school who is not literate and is not numerate? In other words, is that secondary education going to be severely hampered if they are not at what I would say was a basic standard?

The Minister for Education, Sport and Culture:

I think it is very important that as far as is humanly possible we get them to a certain standard, so I think focus on core subjects is what we are doing. I know that the secondary schools have policies in place to help ease that transition from primary to secondary. All of the 11 to 16 schools certainly do have special things in place. Of course, we have to keep investing where necessary to provide the kind of assistance to children through the special educational need programme to help those cases and to focus more on those particular children that are not. There are quite substantial budgets in place. We have recently had a review of the special educational need programme. Mario can give you more detail on that, I am sure. I cannot really add more than that.

Director, Education, Sport and Culture:

There are good transition policies in place. Secondary schools go into primary schools and work with the primary schools, and they work with the year group that are just about to come up. But the point that you make is absolutely crucial. A child to be successful at secondary age has to come up with the fundamental skills to be able to access the curriculum. So if their English and maths is poor, they start their

secondary education at a disadvantage. However, it is also worth remembering that not every child learns at the same pace. Children do develop at different stages. I think the point you were making or the question you were asking was should a child be held back a year. Am I correct?

Deputy J.M. Maçon:

Just carry on with that theme, yes.

Director, Education, Sport and Culture:

Should a child be held back a year in primary school in order to raise their skills so they can access the curriculum in secondary school? Generally, we would say no, it is not a good thing to hold a child back from the rest of their cohort of peers because actually there is a whole self-esteem issue there, but also we would expect secondary schools to be able to tackle that issue if there are children coming up because sometimes you will have a child ... not often but sometimes you will have a child that will come into a later year of a primary school having maybe not been educated on the Island. How many years would you hold that child back until they are able to access secondary education? So that is where the additional services and additional funding goes into secondary schools to support that. Of course, those children do tend to be located in our 11 to 16 schools, particularly 3 of them, so those schools are resourced to put in additional support for English and mathematics. What we have to do is to make sure that our standards as children come through primary school are maintained and that there is enough additional resourcing and expertise in those schools to target any children who are likely to struggle when they get through to secondary school.

Deputy M. Tadier:

Can I just jump in about the ... I think just as an aside it would be interesting to establish what is fact and fiction regarding incoming students whose first language is not English. Presumably it obviously depends on the age at which they come to the Island, but does it have a big impact on their ability in the end to gain proficiency at, let us say, G.C.S.E. English level?

Director, Education, Sport and Culture:

I think one has to be cautious about this. There are some very able young people who come in with English as an additional language who very quickly grasp the language because they are immersed in it and do very well at G.C.S.E. So I would

be cautious about using English as an additional language as an excuse for what might be perceived as underperformance, but at the same time if you do have a single school that faces the challenge of supporting a large number, then it can create additional pressures on the school that can have an impact on performance. We just have to be conscious about the impact of that but yet again, a bit like the disadvantaged child, not use that as an excuse for children not attaining.

Deputy M. Tadier:

What do the statistics say? Does it have a significant impact on the results or is it more so the fact that perhaps teaching is diverted elsewhere?

Director, Education, Sport and Culture:

Yes. What we are doing at the moment, we have just done the gender analysis, so we do a breakdown of boys and girls. I have not received that. I have it in front of me actually, but I have not had a chance to look at that detail yet. We will do a breakdown of G.C.S.E. performance according to whether a child has English as an additional language, whether they have special needs, a number of factors, so that we know how particularly groups of children do. Then once we have analysed that data for this year we will be able to give you some ...

The Connétable of St. Martin:

I have the boys and girls here, by the way, for English and maths.

Director, Education, Sport and Culture:

Yes, but we break it down and, of course, the Community Relations Trust is undertaking a major piece of work on this. We have been in discussion with Professor Kelly from Southampton University, so he is going to look at the performance over a period of time of some of our ethnic groups.

The Connétable of St. Brelade:

In terms of those that are deemed to be underachieving, do you think you are meeting the resourcing requirements for those young people that need that little bit of extra help? If so, what evidence would you base that on?

Director, Education, Sport and Culture:

To be fair, I do not think a head teacher would ever say that they have enough money to do the job. We probably would not expect them to do that. But what we

do, we have a review. We are probably putting, including our special schools, over £11.1 million, something like that, into special education. So that is including Mont à l'Abbé, the alternative curriculum and things like that, and also the teaching assistants and the support that we put into schools. What we now have to do ... because that is a significant sum of money and the special educational needs review that the Minister talked about is an attempt to make sure that that money is being used to best effect. So when you look at the overall amount, yes, it seems suitable for the purpose. The question now is are we in the department allocating it in a way that makes best effect and are schools using it in a way that gives the best effect to pupils. So that is what this review will show.

The Connétable of St. Brelade:

In terms of that as well, in terms of success criteria, which everybody seems to base everything on these days, do you purely look at that at G.C.S.E. level and what they achieve there or do you look at the individual pupils?

Director, Education, Sport and Culture:

No, you look at the progress. It is all built up from the individual pupil. The difference between our own system, and it is a subtle difference but actually it makes a significant difference to the way schools work, is that targets are top down. Every school is expected to hit a floor target of so many per cent. It does not matter how many children or the needs of the children, that is what you have to hit. That puts pressures on those schools to make sure that happens. Sometimes that can affect the quality of education. We do it the other way around. We look at the performance of a child coming in from key stage 2, what that means that they should achieve when they get through to key stage 4, and when you take the whole cohort then you are able to set a target for the whole of key stage 4 so it is bottom-up. So that does take account of the progress of individual children.

Deputy J.M. Maçon:

I wonder if I can carry on just on that last point. You used the analogy of levels and how a school monitors it. If we say a school has managed to take a child from, say, level 1 to level 3, they have really moved that child along well, but in the system you are still expecting level 4 by the time they come out of that system, how ... simply moving them on those 2 levels, I know it is more complicated than that but go with it, but you are still expecting level 4 at the end of the day. What is being done to achieve that?

Director, Education, Sport and Culture:

Okay. In terms of the levels, actually we are expecting them to come into secondary school with a minimum of level 4 and then move through. I think you are talking about key stage 4 and the exam. If a school can genuinely demonstrate that a child has made good progress and has not achieved the target at the end, and the target G.C.S.E. may be in English and maths, then I think we have to recognise the position of further education in this. Now, if you go to any further education establishment like Highlands College in England, you will see that a significant part of their role is to provide continuing education for young people who have not quite been able to hit the standards early on or have chosen a different route, maybe a vocational route. So the English Government had a target that every young person should achieve a level 2 qualification, which is the equivalent of an A*-C in English and maths, by the age of 19. So that sort of indicates that not everybody is going to make it, but what we do have in Jersey that is worth celebrating is an extremely high stay-on rate, well in the 90 per cent post-16. So the good thing is that those young people who maybe are, some of them, struggling to meet the standards - not all of them, many of them have chosen that route for other reasons - but some of those young people who have struggled to make the standards are staying on in education to try and drive those standards up before they go into the workplace and that is something to celebrate.

The Connétable of St. Brelade:

Just going back to the ... £11.1 million is an awful lot of money to drive those standards up. But in terms of driving those standards up and getting those pupils that maybe are underachieving up to a standard, by spending that money do you think there has been any detrimental effect on the system overall? I say that, and I do not want to go into the exam results because we are just about to go on to that, but obviously those figures compared with the U.K. (United Kingdom) are slightly below U.K. levels. Do you think that has had a detrimental effect across the board because you are having to drive those ...

[9.45]

Director, Education, Sport and Culture:

Okay, just for clarification, £11.1 million is what we spend on special needs, which will be much broader than that.

The Connétable of St. Brelade:

That is what I am specifically talking about.

Director, Education, Sport and Culture:

There will be some children in there, for example, children at Mont à l'Abbé School who may not be taking G.C.S.E. examinations, et cetera, so it is much broader than just achievement at G.C.S.E. I think you cannot ignore the fact that the majority of children who would be on the C/D border, for example, at G.C.S.E. and would have faced the biggest challenges in other circumstances to achieve high standards again at G.C.S.E. are going to be in 11 to 16 schools. So if you are asking me, and I cannot comment on the policy on it but I can tell you the impact of it, it is likely that in any jurisdiction where there is a finer distribution across the number of schools that then the resources could be used more effectively to raise standards for those children. What you have in Jersey, you have a concentration in some schools, which means you have to make schools show that those schools are appropriately resourced to manage the challenge.

The Connétable of St. Brelade:

Are you saying there is a balance to be kept?

Director, Education, Sport and Culture:

That is not for me to say, really. What I can tell you is the impact of it.

Deputy M. Tadier:

If I can ask a question, this one might be best directed to the Minister, although anyone can feel free to ... or perhaps someone else. [Telephone rings.]

The Connétable of St. Martin:

Saved by the bell. [Laughter]

Deputy M. Tadier:

Uncanny timing, that. My question was about the external factors which the department does not have full control of. I am thinking of the fact that we are going through a recession at the moment. That may well have an impact on parents, putting them under duress, meaning they have to work longer. But will the review take into ...

The Minister for Education, Sport and Culture:

Sorry, I am trying to turn this thing off, sorry.

Deputy M. Tadier:

Whoever is listening, really, will the review take into account the sociological factors? We are coming on in a minute to look at the G.C.S.E. results, comparing them with the U.K. I think the initial reaction of most people in Jersey is that hang on, why do we have such a disparity between how England is achieving and Jersey when we are an affluent society? There are arguments perhaps that in a less homogenous society where there are disparities of wealth that creates the same problems for teachers and educators to achieve generally universally good results which are going to put people on a good level playing field for the future. Is that something which the department can try and analyse within its resources or is that just ...?

Director, Education, Sport and Culture:

It is quite complex. This particular review, the special needs ... the point I would just make about the review that you made earlier on, this is something that education does all the time. We are always reviewing subjects every year. It is not a new thing. We are just focusing on the core subjects this year and on special needs. Neither of those reviews I think are going to go into the depth that you would ... because I think if you look at the review, it looks at a lot of sociological factors as well.

Deputy M. Tadier:

I know that is partly a political question and it talks about the joined-up working of Government again, but I am conscious of the fact that external factors which are not always taken into account do have a knock-on effect and not always immediately either.

Director, Education, Sport and Culture:

They do, but again you have to strike a fine balance. School makes a difference and it makes a difference not just to the brightest children from the best family backgrounds. Sometimes it can make a bigger difference, often it can make a bigger difference, to those youngsters who have been less advantaged in their lives. What we have to do is to make sure that while we take account of the challenges and recognise that some schools have a very tough job to do in this area that that

disadvantage is not used to lower expectations. That is pretty much what we have to try and achieve. It is a tough balance.

The Connétable of St. Brelade:

Could I just ask one last question and then we will move on, just on timing of reviews? I do not believe everything the *J.E.P. (Jersey Evening Post)* says or anything, but the Minister is quoted as saying that independent reviews were carried out every 5 to 10 years because things change. Now, in terms of timing of reviews do you think that is too big a gap? Do you think maybe ... you just had a comment there that you are constantly reviewing things, which I understand, but in regards just to that comment that reviews were carried out every 5 to 10 years, is that too big a gap considering the way education changes?

The Minister for Education, Sport and Culture:

No, I do not think it is too big a gap. We are constantly reviewing, as you say. We have a very robust system of reviewing the progress of children on a term and annual basis. We have professional partners that are not in place in the U.K. system, for example. So we are reviewing the performance of our schools on an ongoing rolling basis all the time. It is the question of the independent review that I was referring to, an outside review. Well, just to return for a moment to the professional partnering, the constant rolling review system that Mario was talking about earlier with the teacher assessments and all of the things that go with that and the moderation, we are in a very small marketplace for education. So we cannot afford, and I think I have said this to you before in the past, to be in a position where we discover that a school is failing retrospectively. It has happened in the past in the Island, but we cannot afford that anymore.

The Connétable of St. Brelade:

When you say we are a small marketplace that would suggest to me that maybe external reviews should be more common rather than less.

The Minister for Education, Sport and Culture:

I do not personally think that we should do it more than we are currently doing it. Mario?

Director, Education, Sport and Culture:

Just for clarity, I think what the Minister is talking about over every 5 years is where we might have an all-Island review of a subject.

The Minister for Education, Sport and Culture:

Yes, that is what I was talking about.

Director, Education, Sport and Culture:

Yes, which you would not be doing every year. There are independent inspectors in our schools every single year. The system works like this. You have professional partners who are local, sort of like your inspector in residence. They work with the schools on a regular basis every term. Then those schools may, for example, say: "We would like to improve our teaching in this area," modern foreign languages, history, whatever. Then we would bring in an external to have a look at the way that they would do that. If we felt that maybe the professional partnering process was not achieving what we wanted because there was maybe a point at which the school and the department is saying: "We need to have somebody to have a look at this really just to resolve where we are going with it," we would bring in an external inspection team. We have done that; we do that every year. But we would not too frequently have a whole Island review of a subject, which is why the English, maths and science review is a big thing.

The Connétable of St. Brelade:

That is fine. I was just looking for an explanation as to the ...

Director, Education, Sport and Culture:

The issue has been in the past we have told schools that we would expect them to, in commissioning independent reviews through us, be prepared to publish those reviews. There is a downside to that, of course, because the external reviews that we have had done to date have tended to be very honest. We see this with the Ofsted reports when we look in the U.K. If you are expecting a school to be very honest about what is good and what is not so good in it, then you compromise that honesty when you tell them: "Yes, and, of course, we will publish this report." But there is a balance to be struck between improvement and accountability there and openness and transparency and we appreciate that.

Deputy J.M. Maçon:

Okay. If I can move us on then now to specifically look at the G.C.S.E. exam results for 2012, Deputy Tadier will be leading on this.

Deputy M. Tadier:

Okay. If we just follow on from what I was saying before, I think the initial reaction of people, perhaps justified or unjustified, is that they will look at the results and say: "Why are we behind the U.K. or certainly England on getting the 5 A-Cs especially across the board?" Even when you include maths and English, we are still behind by a few per cent. Is that something we should be concerned about? Maybe we can talk about the benchmarking first of all with the U.K. - what is the relevance of that - and also what do the statistics mean.

The Minister for Education, Sport and Culture:

I will start to answer that and Mario can fill in any more detail, but in very general terms you talked about the 5 A*-C, including English and maths. I think that was one of your questions.

Deputy M. Tadier:

Yes, that is right.

The Minister for Education, Sport and Culture:

I think we need to keep this in a certain amount of context. To compare with the U.K. system at the moment may have some great difficulties. The reason for that is the English system is itself in a state of flux. We have all of these complications with grade boundaries. We are ourselves marginally down this year. We have been disproportionately compared to the U.K. affected by the grade boundary changes, particularly in the 11 to 16 schools, which would have a greater proportion of children that are around about the C-D area. That is because 72 per cent of our children took exams provided by the Welsh Exam Board and Edexcel. Wales itself independently of England has decided to remark and regrade all of theirs. We have asked them as a department if they would be prepared to do that for Jersey students because they are not English and unfortunately they have declined their willingness to do that. In the overall U.K. or English system - I believe I am right in thinking it is overall English or it may be U.K., I am not quite clear on that - only 32 per cent as opposed to our 72 per cent, so only 32 per cent, take Welsh and Edexcel exams. So 32 per cent of U.K. students have been affected by the grade boundaries, 72 per cent in Jersey.

Deputy M. Tadier:

Yes. If we put it in context of last year then, I know we will never really know the impact that the dodginess over the marking, if I can put it in that vernacular ... clearly we take that on board. How do the figures compare with last year and what is the trend generally with the English, maths and ...?

The Minister for Education, Sport and Culture:

Mario, would you like to answer that?

Director, Education, Sport and Culture:

Yes. I would like to preface this just by saying that when we go through some of these issues and we look at the facts, they sometimes sound like excuses, straight up. The Island has to take a view about how we can go about raising standards regardless of what those standards are because continuous improvement is what it is about. But the maths results we were quite ... firstly, the predictions for this year did not materialise and we are usually pretty good on that. We usually know on the basis of our target setting and our cohorts where we expect our pupils to be at the end of a year. They are not always spot on but we usually are able to explain the variations. Our maths results have improved again this year. They probably have not improved as fast as we would always wish, but over a 5-year period they have been on the up. Our English have been down this year, so because 72 per cent of the youngsters within the Welsh Board or the other board that was affected, A.Q.A. (Assessment and Qualifications Alliance) I think it was ...

The Minister for Education, Sport and Culture:

Edexcel.

Director, Education, Sport and Culture:

Edexcel. This has caused, we think, a bit of a problem, but it is not the total picture.

Deputy M. Tadier:

No, okay.

Director, Education, Sport and Culture:

Our science results in single sciences have shown improvement and the combined science is slightly down. I cannot talk off the top of my head about each of the

subjects, but those are the core subjects that we would look at. Most of the other subjects are around about where we would expect them to be.

Deputy M. Tadier:

But the review has not been triggered by these or just the general trend, is it a mixture?

Director, Education, Sport and Culture:

It is a mixture of factors. I think the review has been triggered a bit by ... to some extent by us thinking, okay, what is it that we really do have to do in order to drive standards up further? Because what we know is we have good leadership in schools, we have good systems, we have good processes. We are aware that the quality of teaching generally across the schools is very good, so what can we sensibly do to improve standards more without simply stepping back and taking a blame approach and saying: "The standards have to improve" and putting pressure on schools to do the types of things that we know schools do in England. When you look at the comparison there are other factors that we need to remember. The whole thing of the selective system has been well rehearsed, but there is evidence to suggest that in a selective system the overall performance of pupils is usually slightly down on a non-selective system. That is one factor. Another factor is in a school, for example, a school with 100 in a cohort, and we have those, 1 per cent is one child, so if 5 children do very well the results are up by 5 per cent, and if 5 children do not do very well, the results are down by 5 per cent. So cohort size is another factor.

[10:00]

One of the biggest factors when we are looking at the English results is the way that schools have been able to embrace B.T.E.C.s (Business and Technology Education Council) and they are counted as G.C.S.E. qualifications. So you can do a B.T.E.C. that, for example, counts as 2 or 3 G.C.S.E.s. Schools in England have really embraced the B.T.E.C.s in order to be able to drive their G.C.S.E. standards up and provide a broader range of opportunity for young people. We have been slow to do that. We do have them, but most of our children begin their B.T.E.C.s when they go into Highlands College at 16. So we have to find a way with our vocational pilot that we have initiated to help our youngsters access those a bit earlier, at 14. Now, that would show the results to be improving but, of course, we understand that Michael Gove is trying to remove B.T.E.C.s from the whole of the ... from being counted as

G.C.S.E.s in England, which may have a dramatic impact on their results. So I think we just have to be cautious. It is important to benchmark, but we have to be cautious about aligning too closely because our practices are not the same.

Deputy M. Tadier:

Sure.

The Connétable of St. Brelade:

Just going back to the ...

Deputy J.M. Maçon:

If I can just stop you, unfortunately the Constable of St. Martin ...

The Connétable of St. Martin:

I have to be in the Royal Court, but can I put a question first?

Deputy J.M. Maçon:

Yes.

The Connétable of St. Martin:

Le Rocquier School, is there a problem at Le Rocquier School? Looking at the figures, it looks like the figures are down, the C.A.T. (cognitive ability test) score. This is a school that appears to have done the worst, if you like.

Director, Education, Sport and Culture:

Well, this is a school where the results have dropped significantly this year and we are looking into why that might be the case. It would be wrong of me to say now yes or no there is a problem because quite honestly those results have to be analysed. We know that the English results are a big factor in that and, of course, we know the whole situation with the English results. So until such time as we would have more information about exactly what has happened with the results there and done the full analysis it would be premature to answer that.

The Connétable of St. Martin:

You say about the English, but then Grainville School is showing quite an improvement.

Director, Education, Sport and Culture:

An improvement certainly in its mathematics results, but when you say improvement, the question is whether or not the results are where they should be or whether they were up on the previous year. So a school can be perceived to improve if its results have, for example, gone from 15 per cent to 20 per cent, but they have not improved if in the previous year 15 per cent was actually what the students should have been getting and in the second year 25 per cent is what the students should have been getting. So you have to do the analysis against the ability of the students, the value added, in order to determine whether or not there is a real issue and where the issue is. We know there is an issue with English and we know that Le Rocquier School has been affected quite badly by that. Whether there are any other factors at play remains to be seen.

The Connétable of St. Martin:

For the English results in 2012 throughout the country, throughout Jersey as well, how will statistics be worked out in 2013? Will they be worked on pre-2012? We are in a difficult situation. If exam papers are going to be marked differently, how can we compare like with like for the future? We cannot.

Director, Education, Sport and Culture:

Absolutely, but that unfortunately is out of our hands. We do not determine that. We follow the same protocols and principles that are established in England so if they change the system and we want to benchmark and we want our benchmark to be meaningful, we have to do what they do in terms of collating the data. Otherwise it is just not meaningful. But I think what this has shown this year, many observers who have been critical of the fact that schools, their performance overall, gets judged on a narrow range of indicators and this year's G.C.S.E. English results have shown just how fickle at times that indicator can be, you have to question whether or not we are actually using a broad enough range to be able to judge the performance of schools.

The Connétable of St. Martin:

Thank you. I apologise to the Minister but I have to be in the Royal Court. I should have been there 20 minutes ago.

Deputy J.M. Maçon:

Okay. I wonder then if just before we move on to the next section I do feel I have to press this point on the 72 per cent of our students who have been affected by the

meddling, I would say, of the G.C.S.E. English exam results. 72 per cent. While appreciating that the Education Department did try to appeal that decision with the Welsh Exam Board, considering that these results are going to affect these students for the rest of their lives - those letters are incredibly important to those individuals - I know in some cases in England legal challenges have been put forward by certain schools. Has the department considered this option and what action are they taking?

The Minister for Education, Sport and Culture:

We are waiting to see what happens. When you say some legal challenge, there is a massive legal challenge going on involving parents, teachers, unions and local authorities. We are waiting to see the result of that legal battle. It is a substantial legal battle so we are watching it very carefully. We have not felt the need to join that legal battle just at the moment, but there is another, if you like, reason as to why. I think the Director will be able to confirm that what I am saying is true, that we have been very carefully monitoring and assessing the progress of those children that have been affected by those grade boundaries to make sure that their access to further or higher education or A-levels has not been affected. We do have the power to do that as a Government. Mario, do you want to add to that?

Director, Education, Sport and Culture:

Yes. You are always going to have young people who will fail to make the grade in order to get on to the next stage of education, so it is not going to apply to everybody. But where there has been some good evidence, particularly from the school where the child sat the examination, that they had been disadvantaged, then we have asked Hautlieu and Highlands to take that into account. We are confident they can do that because you have the executive leadership now of both establishments. So we are confident and we have not been told of any cases where people have been dissatisfied with that. As far as the regrading is concerned, the involvement in judicial review and the legal battle in the U.K. is about unions combining together and local authorities combining together to do it. That is likely to be a very, very costly exercise. What Jersey could actually add to that given the cost is debatable. The issue as far as the Welsh Board is concerned and the reason why we have had difficulty is that the regulator of the Welsh Board determined not to regrade the papers but the Minister for Education in Wales issued an instruction to the regulator to do it for Welsh students. Unfortunately, our Minister has no jurisdiction over the Welsh regulator and cannot issue such an instruction, but there was a dispute, we understand, between the regulator and the Minister on this in Wales. Therefore, the

regulator was not, as we have been informed, prepared to offer regrading for Jersey students.

Deputy M. Tadier:

Can I ask a more general question about the principle, a long-established principle, that if you do not achieve a C grade in English and maths it is very complicated for you to be able to access A-levels on that basis. I am not saying it is impossible but it is difficult. Given the change in the world and the way we communicate, for example, the reason you may fail your ... I say fail, not achieve a C in English, might be because you failed a component, let us say, the public speaking element, which in my day was 10 per cent, but which has no relevance on necessarily your written skills. Is it possible that there could be another method of examining, which presumably we are having to do this year with the blip and the potential blip in the results, so that each tutor and subject can ascertain whether the requisite skills are there for them to be able to be successful?

Director, Education, Sport and Culture:

That is a very good point and it actually leads to the question which many teachers have asked as well, which is, is a G.C.S.E. in English, A-C, really a good indicator of whether you have functional English, and the same with mathematics. They were not originally designed for that purpose but have been adopted for that purpose, the judging of whether or not someone is literate and numerate. Someone actually with a D and an F and an E may well be perfectly literate but their standards of literacy may not be perceived to be as high. So we have to eradicate this view that if you do not get a C you are illiterate because that is not the case. But the trouble with restructuring syllabuses and examinations, we are a hostage to fortune because really whatever happens in England, or sometimes in Wales with the Welsh Board when we use it, what they do we follow because we do not have our own examination board. We do not develop our own syllabuses. For an Island our size it would be really, really expensive to have to do that. So it is a challenge for us.

The Connétable of St. Brelade:

Can I just pick up one point that you made there? I just want to clarify it. You say in terms of the results and the fact that they have not been regraded that no student feels they have been dissatisfied. Would that be ...?

Director, Education, Sport and Culture:

Well, no, I think there is a number of students who feel they have been let down by the marking. The provisional results for England in A*-Cs I think have been published and they are extremely high. We think that is down to the B.T.E.C.s. We have an analysis that the teachers' unions in England have been helpful to do some analysis of the data over there for us. We think a lot of that is down to the B.T.E.C.s, but it does seem that students who sat the English modules in the summer term were disadvantaged, sometimes by up to 10 marks, compared to students who sat the exam in the spring term.

The Connétable of St. Brelade:

Well, that is what I was going to get to. Do you feel our students have been disadvantaged?

Director, Education, Sport and Culture:

Well, we do not know which students because it is difficult because we have not had a regrading, but certainly the schools tell us that they think a significant number of their students have actually been affected by that grade boundary. Ten marks is a lot.

Deputy M. Tadier:

Is it fair to say that it might be worth waiting for the Welsh results to come out when they have been remarked and then see if it is worth remarking ours?

The Minister for Education, Sport and Culture:

The whole of the U.K. system is under process of ... they are only temporary results at the moment, so there are some dangers in what we are doing because we are fixating on this difference between England and Jersey at a point where the English results are by no means final. That is one point I would like to make. Also, the second point would be we need to wait for the result of the legal challenge. As I say, it is a very significant legal challenge that is going on. The third thing I would like to actually discuss with the panel and to refocus your attention is not just on the 5 A*-Cs, including English and maths, but actually to look more carefully at some of the stats. For example, if you look at our total system, I do not know which stats you have in front of you there, Deputy Tadier ...

Deputy M. Tadier:

We have a mixture.

The Minister for Education, Sport and Culture:

Do you have the one, for example, which gives you all schools, all subjects?

The Connétable of St. Brelade:

Yes.

Deputy M. Tadier:

Yes, I have it up here.

The Minister for Education, Sport and Culture:

If you look at that, you will see the A*, A*-A, A*-C, A*-G, et cetera. Those are statistics by exam, by exam success. The last 2, 5+ A*-C, are by pupil, so there is a great difference. I would just like to first of all ... because otherwise particularly in the media you will get the impression that we are fixated on this A*-C, including English and maths, and I think there is an equally important message on this. When you look at that, Jersey, in fact, remains well ahead of the U.K. ...

Deputy M. Tadier:

I think what is the worrying thing, though, it talks about ...

The Minister for Education, Sport and Culture:

... in overall exams. Now, what I would like to say is that that is not the case per pupil but it is the case by exam. So the overall system is actually performing very well.

Deputy M. Tadier:

Can we take just one minute to look at that, Minister?

The Minister for Education, Sport and Culture:

Yes, please.

Deputy M. Tadier:

Because what is interesting is the fact that ... and we discussed this briefly before the hearing, is that the overall A-C grades for Jersey are actually higher than they are for 5 A-C grades per student. So what it tends to suggest, which is opposite in the U.K., you are getting a bunching in Jersey and it means that you have some very capable students who are perhaps getting 10, 11, 12 G.C.S.E.s at all A-C grade and it means

that the distribution is a massive disparity there, which is not the case in the U.K. In fact, it is the other way round; you get more people getting A-C grades.

The Minister for Education, Sport and Culture:

I agree, this is a very interesting point and actually this is a more interesting point almost, particularly in the context that the U.K. results for 5 A*-C, including English and maths, particularly in the context that that is not by any means final yet, I think what you are starting to now look at is much more interesting because I think overall what it says is that the total system is doing quite well in terms of the total number of passes. We remain well ahead of the U.K. on those scores, but it starts to pose questions about the overall structure, which is I think where you are leading to, I suspect.

Deputy M. Tadier:

It is just I think the U.K. ... if we take a camel, we have a kind of Dromedary ... they have a Dromedary in the U.K., we have a Bactrian with 2 humps where we have very capable students at the top end and we have less A1, perhaps disadvantaged, students who will struggle to get 5 A-C grades. I think that is the sociological demographic we are dealing with in Jersey perhaps.

Director, Education, Sport and Culture:

I think you have picked on a very good point. A stat that is not here is the number of children who are out of schools in the U.K., who are not in the statistics. We do not have a large number of children out of our schools, so that is a good thing. But the most interesting thing here is the conversion rate.

[10:15]

If you have 73 per cent of subjects with 5 A*-C and you are quite right, a number of students in there will have done a lot of subjects, but by the same token there will be students, because of our inclusion which is good, who, for example, may be doing 4 G.C.S.E.s, a work experience programme and a vocational programme maybe at Highlands College. Well, that student by virtue of the course is a failure before they have started because they are not going to get 5 A*-Cs. So the U.K. system is saying: "You need 5 G.C.S.E.s to succeed and we want them to be 5 academic G.C.S.E.s." The way the Jersey system has been going is, yes, 5 A*-Cs are important but actually if you have a young person who would be better suited to a

vocational course and work experience, that might be a better opportunity for them. The conversion rate shows from the figure to 5 A*-C, including English and maths, that a lot of pupils in England seem to have got their 5 A*-Cs but could not convert into English and maths, so that suggests they are doing something else like the B.T.E.C.s and things like that.

Deputy J.M. Maçon:

Right. If we can just move on then to talk about the support for higher educational fees and the changes the Minister has announced, the Constable of St. Brelade will be leading on this.

The Connétable of St. Brelade:

I am going to kick off but I think the 3 of us have questions we want to ask about this so I am not going to ask all the questions. In terms of the impact of the potential increasing financial burden on parents in funding higher education fees, could you give us some idea what feedback the department has had in relation to increasing financial burden on parents to meet the cost of those extra fees, the feedback from parents and any general feedback you have had?

The Minister for Education, Sport and Culture:

We have had a letter particularly from the Parent Teacher Association of J.C.G. (Jersey College for Girls). Is that the kind of feedback you are referring to?

The Connétable of St. Brelade:

That is the sort of feedback we are thinking about, yes.

The Minister for Education, Sport and Culture:

What it highlights is that it is not cheap for parents to send children to university, in general terms. I have to say that there were a number of ... shall we say there were some slight differences between the department and the J.C.G. parents as regards the accuracy of some of the things that were in that letter. We have circulated to all States Members a letter, which presumably you have received. I could go into that in detail now if you like.

The Connétable of St. Brelade:

If you can give us a synopsis maybe of that ...

The Minister for Education, Sport and Culture:

Well, I think really the first thing to say is that we have now received support from the States in the Medium-Term Financial Plan to have increased funding into our ring-fenced grant budget in 2014 and 2015. That is contrary to what was in the letter. We have another £1.49 million in 2014 and another £2.26 million on top of that in 2015. I think it is on top of that, is it not? So that is a total of £3.7 million ...

Head of Careers and Learning Support:

Yes, I was going to say it was 1.4 and then it is 2 in the next, so it increases to ...

The Minister for Education, Sport and Culture:

Oh, it increases. In the Medium-Term Financial Plan we were not successful in getting money into the budget in 2013, extra money in the budget in 2013, and that is because in 2013 there is only a small proportion of students that will be affected actually. Anyway, we have sufficient funds, we believe, in our projected carry forwards to be able to cope with any increase in 2013. There are, however, other pressures. It would be wrong to say that that will ... it will certainly help enormously, but there are still other pressures. The situation is still fluid in the U.K. The universities are in an open marketplace now.

Deputy M. Tadier:

But we have negotiated a ... and I think that is an important point to bring out and I think the department needs to be congratulated about having negotiated specific deals with most U.K. universities, as I understand it, where it does give us a fixed rate and what I understand is a preferential rate. Can someone just clarify what those figures are?

Head of Careers and Learning Support:

Yes. The argument which the department made in cooperation really with the Isle of Man and Guernsey as well - so we were always working with the other 2 islands - was the principle that effectively a university should not receive any more or any less, actually, for a Jersey student or Channel Islands student than it did for a U.K. student. That has been a principle which has underpinned the fees we have been charged for many years, but because changes in the U.K. meant an increase in the fees paid by students but a decrease in the amount paid by Government - the Government grants effectively disappeared for most subjects - it meant we were able to go along and say: "Well, actually the money that a U.K. student is now paying you,

that is what we should be paying you.” The vast majority of universities we agreed, we worked with the people that most of our students were at between us, as 3 islands. If a university has one student from an island, from their point of view they are not that bothered really, in a sense. So once you have the bulk with you, you can then roll that out to other universities. With 3 exceptions, the universities have agreed in general terms. There are some changes or some differences around the margin for science and engineering courses, for instance, where they are still in receipt of a small government grant. Some universities have decided to pass that on to us, others have not. That seems reasonable to us.

Deputy M. Tadier:

Does that mean we are paying more or less the same as we would have in past years?

Head of Careers and Learning Support:

Our fee bill has gone up because the bulk of our students do courses which were previously designated as what we call groups C and D. So if I go back to 2011, we would have been paying around about £6,500, just under, for a group D course and around £8,000 for a group C course. Most of those courses are now £9,000. The science and engineering courses will either be paying £9,000 or £10,500. So that is not a large change. Overall, our fee bill is going up, which is really why we required that extra money so that the fees would be paid for out of the States ...

Deputy M. Tadier:

That kind of brings me on to the next question. Are the changes that you have proposed to the way that grants work, in particular vis-à-vis the parental situation, motivated by the C.S.R. (Comprehensive Spending Review) need to make savings or the perceived injustice within the current system to make it more equitable?

The Minister for Education, Sport and Culture:

Okay. Yes and yes.

Deputy M. Tadier:

Which ones?

The Minister for Education, Sport and Culture:

Both.

Deputy M. Tadier:

Okay. There has always been a perceived inequity in the system but it seems that the C.S.R. perhaps gave that little push that you needed to change the system. Because this will make a saving, will it not? There will be less money going out this year?

The Minister for Education, Sport and Culture:

I think I would just simply make the point that this is an inequity in the system and it has been highlighted by various people in the past, including the various independent reviews that higher education has had. I notice that in the *Green Light* report, for example, they specifically point to that and that there is some evidence of abuse of the existing system. It is in the *Green Light* report. So when I was presented with that, when I was reviewing or when the department was reviewing, should I say, the C.S.R. at the beginning of this year, the various original proposed C.S.R. savings, one of them was this question of this inequity that was in the system and had been for years. So we made the decision that it was right to deal with that and to offer it as a genuine C.S.R. in the new style or the later version of C.S.R. savings that was approved by the Treasury and the Council of Ministers and is now a thing of the past, hopefully.

Deputy M. Tadier:

Can I just ask about one point, then I can hand over to someone else? There seems to be some confusion ...

The Minister for Education, Sport and Culture:

Can I just finish the point that I was making there? I would just pose or make the point that at the point that I was asking for growth for the higher education fund, which we have been successful in M.T.F.P., you would be forgiven for saying if you were a member of the Council of Ministers or, indeed, a member of the States: "Please address the inequity first and save the money before we are going to agree the extra funds" and that is exactly what we have done.

Deputy M. Tadier:

Let us talk about the inequity because at the moment there is a paragraph in an answer you gave to Deputy Young at the last sitting which seems to be slightly ... I

will not say ambiguous but certainly in the interpretation of it, it says: "The change in policy would not exclude natural parents."

The Minister for Education, Sport and Culture:

No.

Deputy M. Tadier:

So the first assessment will be on household but ...

The Minister for Education, Sport and Culture:

Our preference is ...

Deputy M. Tadier:

Yes, but it says ... hang on, let us look at this. It says: "They can still opt to have their income taken into account." Surely what that means is that these parents will just go with whichever is the lowest income. So imagine I am married to a millionaire - chance would be a fine thing - but I am divorced from a previous marriage and I was married to a pauper. I will say: "Well, actually I do not want her income to be taken into account. We will both opt as the natural parents for our income to be taken into account." Is that seriously going to happen in the department? So the 2 natural parents will say: "We are skint. It does not matter that I live with a millionaire," because that seems counterintuitive to what you are trying to achieve.

The Minister for Education, Sport and Culture:

Yes, I understand what you are saying, but there is also a question of what is probably right in everybody's minds, and that is that the natural parents of a child in the first instance should be the first port of call. For 60-something-odd per cent ...

Deputy M. Tadier:

But that is not what this is saying. It says in the first point the assessment will be the household.

The Minister for Education, Sport and Culture:

No, let me finish. In 62 per cent of households that is the case. I think it is 62 per cent, am I right? Yes. So that is the case in 62 per cent of the situations. What we are saying is that in order to be fair to those 62 per cent we have switched to household income because of the evidence of abuse that has taken place over a

period of time for the other 38. By no means all and I am sure there are small ... it is limited, but there nevertheless is evidence of some abuse.

Deputy M. Tadier:

Essentially, what we have here is 62 per cent of people who are with the natural parent ...

The Minister for Education, Sport and Culture:

If the separated birth parents opt to voluntarily have their incomes jointly assessed, then we will take that, and if it means that we will save less money in the department then so be it.

Deputy M. Tadier:

First of all, the 62 per cent of parents who have stayed together, they do not have the option of going somewhere else and finding another person who has a lower income. It just does not solve the problem at all. It just reverses the problem. It would seem to me you assess it on household or you assess it on natural parents. You do not try and do both and then give the lowest option to people who are in recomposed families.

Director, Education, Sport and Culture:

Sorry, the system was not designed to save as much money as possible. The system was designed to introduce fairness and the equity. Really, it is important that if the department were to go to a system where, well, let us look at the 2, decide which one is going to save the most money, then actually we could be unfair to people who have divorced and separated who together want to finance or put something towards their own child's university education. What this effectively does is it reduces the number of people whose grant is provided on a single income. The department has to start somewhere and it is starting with the household income but recognises that if 2 natural parents say: "Well, actually, this is our child and it should be our income" and if that is less than the household income then the department would take account of that income to respect that.

The Connétable of St. Brelade:

Considering some of the changes that you looked at bringing in, it is something I want to get back to in a second, but from your draft report there was a comment made that in terms of both parents: "It can often be difficult to locate and verify the

income of the estranged parent.” Can you comment on that? Because am I wrong, it is a 9 by 5 Island, people cannot disappear, I do not think, too far?

The Minister for Education, Sport and Culture:

No, but they often move off Island into other jurisdictions.

The Connétable of St. Brelade:

They do but that is probably a small minority.

Deputy J.M. Maçon:

Can you quantify that, please?

The Connétable of St. Brelade:

Yes.

Director, Education, Sport and Culture:

The issue here is often compared to the child support agency in England where it fell apart because literally they could not track down parents. But there is a subtle difference. Well, actually, it is not, it is a very clear difference. This is a grant. If a parent says: “I am not prepared to disclose my income” we have absolutely no powers, and nor should we have, in order to be able to get access to that income. That parent is then treated as a maximum contributor, so no grant is provided.

[10:30]

The difficulty for us is where, for example, in a separation a partner might have said: “I have provided you with a house or whatever else and we have a separation agreement that does not include higher education so I am not, regardless of my income, going to disclose my income for any purposes.” Then the student without a grant would not be able to go to university if we treated them as a maximum contributor. So our worry in this really has been about reducing access for students who could not otherwise afford it. How do we support those students?

The Connétable of St. Brelade:

Some of that presumably could be down to an enforcement issue and maybe we should be looking at ...

Director, Education, Sport and Culture:

You cannot enforce people to apply for a grant.

The Minister for Education, Sport and Culture:

It is a discretionary grant.

Director, Education, Sport and Culture:

People are applying for a discretionary grant, so if they do not want to apply for it ... and many people ... well, not many but some people do not actually apply for a higher education grant. They do not want to disclose their income. They simply want to pay for their own children to go to university. They know they are not going to get a grant so they do not disclose their income. So this is not a matter of you must do because it is an income tax type situation. If parents do not come and ask for a grant, they do not get one.

Deputy J.M. Maçon:

But is there not a flaw in the thinking there? The parents technically might be asking for it, but it is actually the student that wants it.

Director, Education, Sport and Culture:

Yes, that is right.

Deputy J.M. Maçon:

In which case the student cannot access the funds if they do not have the information from the parents so ...

Director, Education, Sport and Culture:

That has been one of the difficulties behind this change.

The Connétable of St. Brelade:

What you are saying is there is no way to force people to give you that information?

Director, Education, Sport and Culture:

No. If they want a grant, they have to give us the information, and if they do not give us the information then we treat them as maximum contributors and they do not get a grant.

Deputy M. Tadier:

There is a parallel here with the way the legal aid system works. I think that I can completely see that there are inequities in the current system which you are trying to address. I think there is a risk that we might be getting rid of 2 or 3 problems but there is still going to be one problem when the new household, the partner, does not want to be able to be responsible for the child and there may not even be a parent around on the other side. Do you envisage any problems there like legal challenges?

Director, Education, Sport and Culture:

Well, I am not sure that you can mount a legal challenge. You can mount a challenge on whether or not the process as published has been followed, but I am not sure whether you can mount a legal challenge against a judgment as to whether a discretionary grant can be awarded. We would have to take advice on that. What I can say is that if we were in that situation in terms of a new household and one parent said: "We are not going to declare the household income" then we would have to treat them as a maximum contributor. Therefore, no grant would be awarded. Now, there is an appeals process to take account of particular circumstances, individual circumstances, and I guess that anybody who felt that their circumstances were different and still warranted a grant, they would have the opportunity ...

Deputy M. Tadier:

What about in the situation, let us say, you have a couple living together, again you have one wealthy partner and he says: "I am quite happy to disclose my income to the department but I am definitely not giving my stepson any money to help with the university." So you have a student who cannot access money from the parents and who cannot get a grant from the department, so he will not go to university.

Director, Education, Sport and Culture:

Yes, there is that possibility but that possibility is bigger at the moment. It is much bigger at the moment because if we took that view with even half of the 38 per cent of single parents, there would be a lot of students who are disadvantaged. The problem with the current system is that if we were to apply it to the letter, there are some students that definitely would not go to university who could not otherwise afford to go. So we have always tried to be fair and put the student first in this.

Deputy M. Tadier:

So there would totally be some discretion in the system for that?

The Minister for Education, Sport and Culture:

Well, it is a discretionary grant.

Director, Education, Sport and Culture:

It is a discretionary grant.

The Minister for Education, Sport and Culture:

There is an appeal system. That is the way it is.

The Connétable of St. Brelade:

Can I ask a question about what is actually driving this particular change? I read something this morning that Guernsey has changed the system and they have saved about £500,000 by changing to this system. The question really is, is this new system, rather than benefiting students in the Island, not merely a way just of reducing the student grants budget, i.e. it is financially driven and it actually has nothing to do with fairness, it is purely to save money?

The Minister for Education, Sport and Culture:

Well, that is exactly the same question that Deputy Tadier asked right at the start, Constable, if you do not mind me saying so, and I think we have already answered it, which is that there is an element of cost saving as you would expect us to do ...

The Connétable of St. Brelade:

But is it not the prime reason?

The Minister for Education, Sport and Culture:

No. The prime reason is that this is a basic inequity in the system and it has been that way for too long and we have addressed it. It is right that we address it because by addressing it we will save. We do not know exactly how much we will save. We assess it. We think it will be around that kind of mark, which is why that is the number that is in the Comprehensive Spending Review. So there is an expectation from the States that we try to save money and be as efficient as we can anyway, so we are fulfilling that one. But it does not alter the fact that this is and has been for too long a basic inequity in the system.

Deputy J.M. Maçon:

I am just conscious of time and that we are very much rapidly coming to our limit, so I will just have to conclude. Just procedurally, I note your answer to Deputy Young explaining that some further changes will have to come from the Law Draftsmen. Can you just explain how the decision you have already made will come into force and any subsequent changes that will need to go through to the States?

The Minister for Education, Sport and Culture:

Okay, this is getting a bit technical and I think Andy might be able to answer it, but just as a precursor we need to change the Orders. So it is an Order that we will need to change.

Head of Careers and Learning Support:

Yes, the system itself is regulated through Order, which is actually made by the Minister so it is a statement effectively of its intent. The current Orders obviously describe how we assess income and we, therefore, need to work with the Law Draftsmen to get a form of wording to reflect what we are trying to achieve here. There will be conversations there about defining household to make sure legally that it actually fits with what we are trying to do. We will work with the Law Draftsmen. The Order comes into effect on 1st September for anybody attending university from September 2013 onwards. So every year we make changes to the Order to reflect changes in amounts, changes in ... subtle changes. We have increased maintenance by 2 per cent for the last 2 years, so all of these things are reflected and that Order comes into effect each year on 1st September.

Deputy J.M. Maçon:

That crystallises, presumably, in an eventual ministerial decision?

Head of Careers and Learning Support:

The ministerial decision is ... it goes in 2 ways, actually. We make a ministerial decision to ask the Law Draftsmen to make the Order, and then the ministerial decision to actually put the Order into place.

Deputy J.M. Maçon:

Oh, right, okay. Thank you very much.

The Connétable of St. Brelade:

Can I just ask a question in terms of you mentioned in one of the replies to Deputy Young that you can exercise discretion in the application of the funding formula. What measures does the department have to assist parents that are really struggling?

Director, Education, Sport and Culture:

Well, if parents were to indicate that they were really struggling and the financials that they submitted showed that, then the student would be able to access usually the full grant for tuition fees and for maintenance. But that does not necessarily mean that it would still be easy for a very low income family because the maintenance grant that we currently award is about £5,000 ...

Head of Careers and Learning Support:

It is £5,300.

Deputy J.M. Maçon:

Thank you. Unfortunately, gentlemen, we have reached our time limit today and I have to bring this to a close. But, as always, to be fair I do always offer you the opportunity if there is anything which you feel you would like to expand upon, emphasise or draw our attention to. I offer that opportunity to you now.

The Minister for Education, Sport and Culture:

I am fine.

Deputy J.M. Maçon:

Okay, in that case I will bring this hearing to a close. Thank you very much for your time.

The Minister for Education, Sport and Culture:

Thank you.

[10:38]