

Y Grŵp Addysg a Gwasanaethau Cyhoeddus
Education and Public Services Group



Llywodraeth Cymru
Welsh Government

Eich Cyf/Your Ref:
Ein Cyf/Our Ref:

Date: 15 March 2019

Dear _____,

ATISN 12950 – Request for data on National Reading and Numeracy Test Results

Thank you for your request which I received on **1 February 2019** for data on National Reading and Numeracy Test Results of each primary school in Cardiff for the last 3 years (i.e. last year and possibly the previous two years).

I have decided that **information described in the enclosed list** is exempt from disclosure under section **36(2) (c)** of the **Freedom of Information Act** and is therefore withheld. The reasons for applying these exemptions are set out in full at Annex 1 to this letter.

However, the Welsh Government will continue to publish teacher assessment data at a National Level. Overall results for Wales are available on StatsWales:
<https://statswales.gov.wales/v/Er1x>

In your letter, you have also referred to categorisation and Estyn outcomes and expressed concerns regarding accessing quantitative information. You may wish to note that In *Education in Wales: Our National Mission 2017-2021* a key enabling objective is to establish robust evaluation and accountability arrangements supporting a self-improving system. In 2018 Professor Graham Donaldson published *A Learning Inspectorate - Independent review of Estyn*. The report highlights frequent concerns raised about the number/ range of the accountability mechanisms currently used in Wales and about perceived duplication amongst them. In order to provide coherence and to underpin the new curriculum and assessment, we intend to establish new evaluation and improvement arrangements under an overarching Curriculum and Assessment framework. Please see below a link to the oral statement made by the Minister for Education in September on this issue:

<https://beta.gov.wales/oral-statement-evaluation-and-improvement-arrangements>

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.



Parc Cathays • Cathays Park
Caerdydd • Cardiff
CF10 3NQ

Ffôn • Tel
Gwefan • website: www.llyw.cymru
www.gov.wales

If you are dissatisfied with the Welsh Government's handling of your request, you can ask for an internal review within 40 working days of the date of this response. Requests for an internal review should be addressed to the Welsh Government's Freedom of Information Officer at:

Information Rights Unit,
Welsh Government,
Cathays Park,
Cardiff,
CF10 3NQ

or Email: Freedom.ofinformation@gov.wales

Please remember to quote the ATISN reference number above.

You also have the right to complain to the Information Commissioner. The Information Commissioner can be contacted at:

Information Commissioner's Office,
Wycliffe House,
Water Lane,
Wilmslow,
Cheshire,
SK9 5AF.

However, please note that the Commissioner will not normally investigate a complaint until it has been through our own internal review process.

Yours sincerely

Annex 1:

The following information has been withheld for the reasons set out below:

Information being withheld	Section number and exemption name
Data on National Reading and Numeracy Test Results of each primary school in Cardiff for the last 3 years (i.e. last year and possibly the previous two years).	Section 36(2)(c) – would otherwise prejudice the effective conduct of public affairs

This Annex sets out the reasons for the engagement of section **36(2)(c)** of the **Freedom of Information Act** and our subsequent consideration of the Public Interest Test.

Engagement of section 36(2) (c) – would otherwise prejudice the effective conduct of public affairs of the Freedom of Information Act.

The Welsh Government believes that the data you have requested should be exempt from disclosure. It was felt that release of the data would undermine recent changes in education policy to eradicate the misuse of data for accountability purposes. The revised policy is aimed at shifting the focus back to learners, and for teacher assessment data and National Reading and Numeracy Test result data to be used for the benefit of individual learners only.

Stakeholders have told us that the misuse of data can lead to additional stress on schools and pupils, and that such cultures can often divert attention from meeting the needs of young people as individuals, as schools seek to disguise weaknesses and present a more positive picture.

Public Interest Test

The Welsh Government acknowledges the general public interest in openness and transparency that release of information engenders.

Public interest arguments in favour of disclosure

Welsh Government is able to provide reliable data and it could be argued that parental access to quantitative data may provide more assurance to parents regarding schools meeting the academic needs of learners. However, this data has never been available at a school level as it was only ever intended to inform individual learner development.

Public interest arguments in favour of withholding

With effect from 31 July 2018, amending regulations were introduced to ensure that the Welsh Government no longer publishes teacher assessment and National Reading and Numeracy Test result data at a school, local authority (LA) or regional consortia level.

Ffôn • Tel

The intention of Welsh Ministers is to change the current accountability system and to reinforce a key message that teacher assessment data and National Reading and Numeracy Test result data should only be used to inform learning. Withholding this data will support the success of the policy change. Releasing the data would enable crude 'league' tables to be formed, which would be at odds with the direction of travel for education in Wales.

Releasing the data will undermine the policy change designed to create a culture where data is used in the best interest of the learner to inform learning. This would also have a detrimental 'knock on' effect to the delivery of revised Curriculum and Assessment Framework.

Any future arrangements to renew emphasis on Assessment for Learning as an essential and integral feature of learning and teaching will be heavily impeded if the exemption was not applied.

Public consultation was undertaken and evaluation of the consultation responses gave clear indication that removing the availability of the teacher assessment data and the National Reading and Numeracy Test result data would be a positive step. Stakeholders felt that this would help put a stop to placing unrealistic expectations on learners at the end of key stages, and would be fairer on schools and on pupils, particularly those with additional special needs.

Balance of public interest test

I consider that the public interest arguments to withhold the requested information outweigh the public interest arguments to release the information. I consider that the public interest in understanding the data should be used for the purpose of benefitting individual learners. This information will also continue to be published at a national level. Accordingly, I believe that the information should be withheld on the basis that its release would prejudice the effective conduct of public affairs.